REF ID:A4127207

U.S. Army Regulations, corrected to
15 April 1917

Article LX
Military Correspondence
Paragraph #778

Declassified and approved for release by NSA on 07-29-2014
pursuant to E.O. 13526

REF ID:A4127207

Changes to ARmy Regulations No. 70
War Dept. Washington 16 March 1918, #778

REF ID:A4127207

NGR
National Hq. Regs.

S-28,297 TL 1

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AR 330–5.

DOCUMENTS.

"SECRET," "CONFIDENTIAL," AND "FOR OFFICIAL USE ONLY."

CHANGES No 1.

WAR DEPARTMENT,
WASHINGTON, *October 2, 1922.*

AR 330–5 is changed as follows:

7½. How prepared for transmission; by whom opened; receipt.—(Added.) Documents marked "Confidential" will be prepared for transmission in the same manner as prescribed for "Secret" documents (paragraph 4) except that the inner cover will contain a receipt form only when the sender deems it necessary, and that the inner cover may be opened by some responsible person other than the person addressed when so authorized.

[A. G. 300.33 (8-24-22).]

BY ORDER OF THE SECRETARY OF WAR:

JOHN J. PERSHING,
General of the Armies,
Chief of Staff.

OFFICIAL:
ROBERT C. DAVIS,
The Adjutant General.

15590°—22

WASHINGTON : GOVERNMENT PRINTING OFFICE : 1922

REF ID:A4127207

777. The post-office address of an officer's station will be given in his official letters. Indefinite expressions of locality, which do not indicate where the letter was written, will not be used.

778. In order to reduce the possibility of confidential communications falling into the hands of persons other than those for whom they are intended, the sender will inclose them in an inner and an outer cover; the inner cover to be a sealed envelope or wrapper addressed in the usual way but marked plainly "Confidential" in such manner that the notation may be most readily seen when the outer cover is removed. The package thus prepared will then be inclosed in another sealed envelope or wrapper addressed in the ordinary manner with no notation to indicate the confidential nature of the contents. ch. 70 " 114

The foregoing applies not only to confidential communications entrusted to the mails or to telegraph companies but also to such communications entrusted to messengers passing between different offices of the same headquarters, including the bureaus and offices of the War Department.

Government telegraph operators will be held responsible that all telegrams are carefully guarded. No received telegram will ever leave an office except in a sealed envelope, properly addressed. All files will be carefully guarded, and access thereto will be denied to all parties except those authorized by law to see the same.

779. Official communications will be signed or authenticated with the pen and not by facsimiles, and if written by order, it will be stated by whose order. Signatures will be plainly and legibly written. By virture of the commission and assignment to duty, the adjutant general or adjutant of any command transacts the business or correspondence of that command over his own signature; but when orders or instructions of any kind are given, the authority by which he gives the order must be stated. In the absence of a commanding general, his chief of staff, or, if there be none, his adjutant general, in signing the communications to be forwarded to higher authority, will add to his signature the words, "In the absence of the ——— commander."

780. An officer will not be designated in orders nor addressed in official communications by any other title than that of his actual rank.

781. Private correspondence from persons in the military service which they [illegible] through the dispatch agents of the United States

781. Rescinded. (*C. A. R. No. 124, Feb. 28, 1922.*)

[300.33, A. G. O.]

782. Except as otherwise [illegible] lations, all official communications from officers and enlisted men of the Army outside of the War Department intended for the Secretary of War or for any bureau or office of the War Department will be in writing and addressed to The Adjutant General of the Army, who will submit all business, coming to him from the Army, which requires action in the War Department or by the President and which does not come within the jurisdiction of chiefs of bureaus, to the Chief of Staff, to be acted upon by him in conformity to the rules duly prescribed for that purpose by the President or the Secretary of War.

Correspondence of the War Department with the Army will be through or by The Adjutant General of the Army.

783. Communications, whether from a subordinate to a superior, or vice versa, will pass through intermediate commanders. This rule will not be interpreted as including matters in relation to which intermediate commanders can have no knowledge, and over which they are not expected to exercise control. Chiefs of War Department bureaus are intermediate commanders between higher authority and the officers and enlisted men of their respective corps or departments, who are serving under the exclusive control of themselves and

REF ID:A4127207

160A

778. In order to reduce the possibility of secret and confidential communications falling into the hands of persons other than those for whom they are intended, the sender will inclose them in an inner and an outer cover; the inner cover to be a sealed envelope or wrapper addressed in the usual way but marked plainly "Secret" or "Confidential," as the case may be, in such a manner that the notation may be most readily seen when the outer cover is removed. The package thus prepared will then be inclosed in another sealed envelope or wrapper addressed in the ordinary manner with no notation to indicate the secret or confidential nature of the contents.

The foregoing applies not only to secret and confidential communications entrusted to the mails or to telegraph companies, but also to such communications entrusted to messengers passing between different offices of the same headquarters, including the bureaus and offices of the War Department.

In every case where a communication of a secret nature is transmitted by mail, such communication shall be registered; in every case where a communication of a secret nature is transmitted between different offices of the same headquarters, including bureaus and offices of the War Department, such communication shall be carried by a trustworthy messenger and delivered in person to the officer to whom addressed or to some responsible person designated by the addressee to receive such communications. In case a communication of a secret nature is carried by a commissioned officer, compliance with the first subparagraph hereof, as to containers, will not be required.

Government telegraph operators will be held responsible that all telegrams are carefully guarded. No received telegram will ever leave an office except in a sealed envelope properly addressed. All files will be carefully guarded and access thereto will be denied to all parties except those authorized by law to see the same (*C. A. R. No. 70, Mar. 16, 1918.*)

[312.11, A. G. O.]

782. Except as otherwise specially authorized or required by Army Regulations, all official communications from officers and enlisted men of the Army outside of the War Department intended for the Secretary of War or for any bureau or office of the War Department will be in writing and addressed, through military channels, to The Adjutant General of the Army, if intended for the Secretary of War, or to the chief of the bureau if the communication pertains solely to the business of a bureau. Communications thus arriving in any bureau will be handled by the head of this bureau, in connection with any other official whose intervention may be necessary, up to the point of completed action; when he will send it to The Adjutant General of the Army for record and transmission, except as provided in paragraph 783. The Adjutant General of the Army will submit all business coming to him from the Army, which requires action in the War Department or by the President and which does not come within the jurisdiction of chiefs of bureaus, to the Chief of Staff, to be acted upon by him in conformity to the rules duly prescribed for that purpose by the President or the Secretary of War.

Correspondence of the War Department with the Army will be through or by The Adjutant General of the Army. (*C. A. R. No. 67, Jan. 31, 1918.*)

[312.13, A. G. O.]

REF ID:A412720

O.K. for release.
11-12-37. M.A.G.O.

*AR 330–5
1–3

ARMY REGULATIONS
No. 330–5

WAR DEPARTMENT,
WASHINGTON, *September 23, 1937.*

DOCUMENTS

"SECRET", "CONFIDENTIAL", AND "RESTRICTED"

		Paragraphs
SECTION I.	Definitions	1–3
II.	Classification and marking of documents, except military maps and photographs	4–11
III.	Classification and marking of military maps and photographs	12–15
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V.	Transmitting documents	27–32

SECTION I

DEFINITIONS

	Paragraph
"Document" defined	1
"Registered publication" defined	2
"Short title" defined	3

1. "Document" defined.—In these regulations the word "document" will be understood to apply to printed, mimeographed, typed, photostated, and written matter, and to maps, drawings, sketches, notes, blueprints, photographs, photographic negatives, and similar matter.

2. "Registered publication" defined.—A "registered publication" is a document each copy of which, because of its nature or classification, is assigned a register number by which it will be accounted for at periodic intervals to the proper office of record.

3. "Short title" defined.—A "short title" is a title which is applied to a document for purposes of security and brevity. It should give no indication of the nature, contents, or classification as to secrecy of the document. It may consist of figures, letters, words, or combinations thereof, but must include an abbreviated designation of the office of origin. A new or revised edition of an old publication should be assigned a new "short title."

SECTION II

CLASSIFICATION AND MARKING OF DOCUMENTS, EXCEPT MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
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"Secret"; when, by whom, and how affixed	5
"Confidential"; when, by whom, and how affixed	6
"Restricted"; when and by whom affixed	7
Responsibility for marking documents "Secret", "Confidential", or "Restricted"	8
One classifying mark only; if more used	9
Marking; use of stamp	10
Reclassification; when, by whom, and how accomplished	11

*This pamphlet supersedes AR 330–5, February 11, 1936, including C 1, July 15, 1937.

14841°—37

REF ID:A412720

4. **General.**—Documents which require classification under the provisions of these regulations will be prepared so that the least restrictive classification consistent with the proper safeguarding of the contents may be assigned. Insofar as practicable, the contents of documents classified as secret, confidential, or restricted will contain only subject matter appropriate to such classification. Subject matter in amplification thereof that permits of a lower classification may be incorporated in separate documents. The probable distribution should be considered in the preparation of a document which may require classification. The classification and marking of documents will be in accordance with paragraphs 5, 6, and 7.

5. **"Secret"; when, by whom, and how affixed.**—A document will be classified and marked "Secret" only when the information it contains is of such nature that its disclosure might endanger the national security, or cause serious injury to the interests or prestige of the Nation, an individual, or any governmental activity, or be of great advantage to a foreign nation. A document will be classified as "Secret" only by or by authority of the Secretary of War, the Chief of Staff, a chief of an arm, service, or bureau, a general officer or an officer acting in his stead, the commanding officer of a depot or exempted station, the commandant of a service school, or a military attaché. When a document is so classified, the "Secret" mark will be placed on the front page thereof and will be accompanied by the designation of the authority affixing it, or of the authority by which it is being affixed, and will be dated and initialed by the officer affixing it.

6. **"Confidential"; when, by whom, and how affixed.**—A document will be classified and marked "Confidential" when the information it contains is of such nature that its disclosure, although not endangering the national security, might be prejudicial to the interests or prestige of the Nation, an individual, or any governmental activity, or be of advantage to a foreign nation. A document will be classified as "Confidential" only by a commissioned officer. The "Confidential" mark will be placed on the front page of the document.

7. **"Restricted"; when and by whom affixed.**—A document will be classified and marked "Restricted" when the information it contains is for official use only or of such nature that its disclosure should be limited for reasons of administrative privacy, or should be denied the general public. The "Restricted" mark will be placed on a document only by authority of a commissioned officer.

8. **Responsibility for marking documents "Secret", "Confidential", or "Restricted."**—Any person in the military service who initiates or comes into possession of a document which in his judgment should be marked "Secret", "Confidential", or "Restricted" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed for the transmission of documents already bearing such marking. This applies also to documents originating in governmental agencies other than the War Department.

9. **One classifying mark only; if more used.**—A document will not be marked with more than one of the three classifying marks—"Secret", "Confidential", or "Restricted"; but should it through error be so marked, the most restrictive classification used will be observed.

10. **Marking; use of stamp.**—Except in the case of printed documents of the War Department or of general headquarters in the field, in addition to the marks required by paragraphs 5, 6, and 7, the "Secret", "Confidential", or "Re-

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10. Marking; use of stamp.—Except in the case of printed documents of the War Department or of general headquarters in the field, in addition to the marks required by paragraphs 5 and 6, the "Secret", "Confidential", or "Restricted" stamp will be placed both at the top and at the bottom of each page of all secret, confidential, or restricted papers. It should be stamped well down on the page and in such a manner that the marking will not be hidden from view when the sheets are clipped together or bound.

11. Reclassification; when, by whom, and how accomplished.—When a document ceases to be secret, confidential, or restricted, its classification may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping "Canceled by ————" or "Canceled by authority of ————" (the authority which authorizes the cancelation), over the mark on the top of the first page of the document, and this cancelation will be dated and initialed by the officer making it. Any other classifying marks on such a document will then be stricken out. If a less restrictive classification is to be given such a document, the provisions of paragraphs 6, 7, and 10 will be followed.

SECTION III

CLASSIFICATION AND MARKING OF MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
Definition	12
Classification	13
Reports	14
How issued	15

12. Definition.—Military maps and photographs are those intended for use in connection with the training and operations of the forces of the United States; the term includes other maps and photographs which have acquired a military character by reason of overprints or notations placed upon them.

13. Classification.—*a.* Military maps and photographs will be classified and marked as follows:

(1) *Secret.*

(*a*) In the continental United States, those illustrating an approved war plan (including local defense plans) or defense project, or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan (including local defense plans) or defense project, or any phase thereof, those showing the layout of permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases.

(2) *Confidential.*

(*a*) In the continental United States, those showing layout of permanent defense works, and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet only those sheets showing defense elements need be classified as confidential.

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showing layout of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, proving grounds, or of any area vital to defense.

(3) *Restricted.* (Formerly "For official use only.")

(*a*) In the continental United States, those showing layout of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified, which from their nature are not suitable for public release.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified, which from their nature are not suitable for public release.

b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

(1) The War Department, for maps and photographs not classified as prescribed in (2) below.

(2) Corps area commanders, and commanding generals of expeditionary forces and foreign garrisons when not organized as territorial departments, for areas within their control.

c. Military maps and photographs now on file will be reclassified when taken from the files for use.

d. The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret", "Confidential", or "Restricted."

e. The provisions of paragraphs 8, 9, 10, and 11 will apply in marking and classifying maps and photographs.

14. Reports.—Classification and reclassification of military maps and photographs will be reported, when made, to the War Department. These reports will cover full title and legend of the material classified. A short title may be added for convenience in further accounting.

15. How issued.—"Secret" and "Confidential" maps and photographs will be issued only upon written receipt. Semiannually, on or about January 1 and June 30, issuing officers will require renewal of such receipts or the return of the maps or photographs involved.

SECTION IV

SAFEGUARDING DOCUMENTS AND REGISTERED PUBLICATIONS

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General instructions	16
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Report of loss or subjection to compromise	25
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16. General instructions.—*a.* "Secret" and "Confidential" documents will habitually be kept in locked safes or other suitable locked containers when not required for immediate use. The most secure storage space available, which should be at least a three-combination safe, will be assigned to the storage of secret and confidential codes, ciphers, war plans, defense projects, and other registered publications.

b. Information which would if reduced to writing cause the resulting document to be classified as "Secret," "Confidential," or "Restricted" will be safeguarded with the same care as is herein prescribed for documents so classified.

c. No information as to the contents of "Secret" documents will be revealed in any other document which is not itself marked "Secret." No information of a confidential or restricted nature contained in "Confidential" or "Restricted" documents will be revealed in any other document which is not in itself marked with the same or a higher classification. Routine correspondence, receipts, returns, and reports of possession, transfer, or destruction need not be classified if reference therein to "Secret," "Confidential," or "Restricted" documents be made by file number or short title only, with no indication of the subject matter or nature of the classification.

d. When a person in the military service appears before Congress or a congressional committee and is required to give testimony on subjects which he knows to be secret or confidential, he will respectfully request that his statements be taken in executive session only, and that they do not appear in the Congressional Record or other document open to public inspection.

e. A person who communicates information of a secret, confidential, or restricted nature will at the same time emphasize to the person or persons to whom he communicates the information that it is "Secret", "Confidential", or "Restricted", as the case may be, and assure himself, if necessary, that such person or persons are informed that to reveal secret, confidential, or restricted matter pertaining to the national defense is a violation of the Espionage Act (act June 15, 1917 (40 Stat. 217); U. S. C. 50:31, 32; secs. 2181, 2182, M. L., 1929).

f. Clerical work on secret and confidential matter will be performed only by exceptionally trustworthy clerks; preliminary drafts, carbon sheets, and work sheets will be destroyed. Stenographic notes will be destroyed or placed under lock and key.

g. An officer will, upon change of station or severance from the military service, return to the source from which received or otherwise properly account for all "Secret" and "Confidential" documents issued to him.

h. Messages in secret or confidential codes or ciphers will be handled and safeguarded as prescribed in the instructions pertaining to such codes and ciphers, and in accordance with AR 335–5.

17. Registered publications; designation and safeguarding.—*a.* The chief of arm, service, or bureau or other officer authorized to originate and issue "Secret" documents will designate as a "Registered publication" every "Secret" document, except correspondence and communications, issued by him, and will cause a semiannual accounting for all copies of such registered publications to be made to him or to other designated office of record. The designation "Registered publication" may also be applied to "Confidential" documents in such cases as the originator may determine as necessary for the public welfare.

b. Every copy of a "Registered publication" will have assigned to it a register number by which it will be accounted for at regular intervals to the proper

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"Registered" publication; if this is impracticable, the required data will accompany the registered publication on a separate sheet.

c. Every recipient of "Registered publications" will keep at all times a complete inventory of all "Registered publications" in his charge. He will make, or cause to be made by a commissioned custodian designated by him, on June 30 and December 31 of each year, an accurate return to the proper offices of record, of all "Registered publications" on hand, based on physical inventory by two commissioned officers, if available, one of whom will be the custodian.

d. Access to the containers, and the combinations or keys thereto, of "Registered publications" will be permitted only to commissioned officers and, unless otherwise prohibited in regulations pertaining to codes and ciphers, to specially trusted civilian employees specifically authorized by the responsible chief of arm, service, or bureau. Safes containing "Registered publications" will habitually be kept locked, with the full combination operative, whenever they are not under the direct supervision of a person officially entrusted with the combination thereof.

e. When the classification of a "Registered publication" is changed in accordance with paragraph 11, the designated office of record will notify all recipients of such publication of the changed classification thereof.

18. **Safeguarding contents of "Secret" documents.**—*a.* The distribution and dissemination of secret matter will be confined to the absolute minimum. Secret matter is exclusively for the official use of the person to whom it is divulged. To maintain its inviolability is the duty and responsibility of each person having knowledge or custody thereof, no matter how obtained. It will not be discussed or referred to in the presence of persons not authorized to have knowledge thereof. An officer by virtue of his commission alone is not entitled to knowledge of secret matter. Information as to the contents, nature, or whereabouts of "Secret documents" will be disclosed only to those persons in the Government service whose official duties require such knowledge, and to such other responsible persons of especial trust as of absolute necessity must be informed.

b. No document marked "Secret" will be taken into front line trenches in a theater of war, or to any other place in which there is a similar danger of capture by the enemy.

c. Documents classed as "Secret" will not be referred to or listed in any catalog or publication which is not itself marked "Secret," except that receipts, returns, and reports of transfer or destruction need not be classified if reference to the related document be made by file number or short title only, with no indication of the subject matter or the nature of the classification.

19. **Safeguarding contents of "Confidential" documents.**—Persons to whom confidential matter is entrusted or disclosed are responsible for its safe custody and security. It will not be discussed nor disclosed in the presence of persons not authorized to have knowledge thereof. Information as to the contents, nature, or whereabouts of confidential documents will be disclosed only to those persons in the Government service whose duties require that they have such knowledge, and to such other persons of especial trust as of necessity must be informed.

20. **Safeguarding contents of "Restricted" documents.**—The information contained in documents marked "Restricted" will not be communicated to the public or to the press, but it may be communicated to any person known to

REF ID:A4127207

be in the service of the United States, and to persons of undoubted loyalty and discretion who are cooperating in governmental work.

21. Safeguarding contents of other official communications.—The contents of official communications, whether or not classified as to secrecy, will not be revealed except to those officially entitled to receive them. See paragraph 7, AR 340–15.

22. Safeguarding technical secrets.—Chiefs of arms and services charged with responsibility for the initiation of measures to protect technical secrets in the interest of the public welfare (par. 4, AR 600–700) will base such measures upon the provisions of these regulations and Section VI, AR 850–25.

23. Safeguarding documents distributed outside the Army.—"Secret" or "Confidential" documents which by their nature might require distribution outside the Army will contain suitable instructions for their custody, safeguarding, and ultimate disposition in conformity with the requirements of Army Regulations.

24. Navy documents.—All requests for Navy secret and confidential documents will be submitted to The Adjutant General. Secret and confidential documents of other departments, when in possession of Army activities, will be safeguarded with the same care as Army "Secret" and "Confidential" documents and will be accounted for in the manner required by the issuing department.

25. Report of loss or subjection to compromise.—*a.* Any person in the military service knowing of the loss or subjection to compromise of a "Secret" or "Confidential" document will promptly report that fact to the custodian of the document, who will immediately report the loss or compromise to the issuing authority.

b. Any custodian having knowledge or suspicion that secret or confidential matter has been lost or compromised will immediately report the facts to his commanding officer, in addition to making the report required by *a* above. The commanding officer will then make a thorough investigation of all the circumstances attendant thereto and will forward to The Adjutant General, through military channels, the report of the investigation and his recommendations in the premises.

26. Reports of destruction.—When competent authority directs the destruction of a "Registered publication" it will be destroyed by burning, by or in the presence of a commissioned officer. The officer witnessing the burning will sign a certificate of destruction which will be forwarded through the headquarters directing the destruction to the office of record indicated in the registered publication. The same procedure will be followed as far as applicable in the destruction of other secret or confidential documents.

SECTION V

TRANSMITTING DOCUMENTS

	Paragraph
"Secret" documents; how prepared for transmission; by whom opened; receipt	27
"Secret" documents; how transmitted	28
"Confidential" documents; how prepared for transmission; by whom opened; receipt	29
"Confidential" documents; how transmitted	30
"Restricted" documents; how transmitted	31
Transmission by airplane prohibited except in emergency	32

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27. "Secret" documents; how prepared for transmission; by whom opened; receipt.—*a.* Except during the process of local distribution in the personal custody of persons authorized to handle such matter for transmission to another person, the sender of a document marked "Secret" will inclose it in an inner and an outer cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way but plainly marked "Secret" in such manner that the notation may most readily be seen when the outer cover is removed. The inner cover will contain a receipt form which will identify the addressor, the addressee, and the document. The package thus prepared will then be inclosed in an outer cover, which will be sealed and addressed in the ordinary manner with no notation to indicate the secret nature of the contents.

b. So far as practicable the inner cover marked "Secret" will be opened only by the person to whom addressed. When the inner cover is opened, the receipt form will be dated and signed by the addressee and returned to the sender at the earliest practicable moment.

28. "Secret" documents; how transmitted.—"Secret" documents will be transmitted by an officer messenger or courier whenever practicable. When it is impracticable to transmit secret documents by an officer messenger or courier within the continental limits of the United States, they will be transmitted by the sender by registered mail. For transportation to and from points outside the continental limits of the United States when officer courier is not available, they may be transported by State Department rotary-lock pouch; in the event that neither officer courier nor diplomatic pouch is available, the responsible officer may designate as couriers for this purpose citizens of the United States who are deemed worthy of special trust, such as officers or officials of other Government departments, or masters of vessels under United States registry. Commanding officers of ports of embarkation will arrange for the safe transportation of documents forwarded to them for transmission, entrusting them to the commanding officer of troops on an Army transport when this is practicable and will not involve undue delay.

29. "Confidential" documents; how prepared for transmission; by whom opened; receipt.—Documents marked "Confidential" will be prepared for transmission in the same manner as prescribed for "Secret" documents (par. 27), except that the inner cover will contain a receipt form only when the sender deems it necessary, and that the inner cover may be opened by some responsible person other than the person addressed when so authorized by the addressee.

30. "Confidential" documents; how transmitted.—Documents marked "Confidential" when transmitted by hand will be entrusted only to especially trustworthy messengers. For transmission by mail or express within the continental limits of the United States, "Confidential" documents will be sent by registered mail or insured express. For transmission to and from points outside the United States, they may be sent as prescribed in paragraph 28 for "Secret" documents, or by registered mail on vessels under United States registry, provided they do not pass through any foreign postal systems or the postal system of the Philippines.

31. "Restricted" documents; how transmitted.—Documents marked "Restricted" may be transmitted by ordinary mail, express, or freight to any point. When transmitted by hand, they will be entrusted only to reliable messengers.

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32. Transmission by airplane prohibited except in emergency.—Except in emergency, "Secret" and "Confidential" documents will not be transported by airplane (as distinguished from carried for use). When so transported "Secret" documents will be securely wrapped, and weighted if necessary, and will be in the actual custody of an officer not engaged in the flying of the airplane, who will be responsible for their security. "Confidential" documents may be transported by registered air mail when in the opinion of the responsible officer the emergency demands such transmission.

[A. G. 312.11 (4–15–37).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:
E. T. CONLEY,
Major General,
The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1937

For sale by the Superintendent of Documents, Washington, D. C. - - - - Price 5 cents

O.K. for release 7-30-37. M.J.K.

REF ID:A4127207

DOCUMENTS

"SECRET", "CONFIDENTIAL", AND "RESTRICTED"

CHANGES No. 1

WAR DEPARTMENT,
WASHINGTON, *July 15, 1937.*

AR 330–5, February 11, 1936, is changed as follows:

25. Report of loss or subjection to compromise.—*a.* Any person in the military service knowing of the loss or subjection to compromise of a "Secret" or "Confidential" document will promptly report that fact to the custodian of document, who will immediately report the loss or compromise to the issuing authority.

the/

b. Any custodian having knowledge or suspicion that secret or confidential matter has been lost or compromised will immediately report the facts to his commanding officer, in addition to making the report required by *a* above. The commanding officer will then make a thorough investigation of all the circumstances attendant thereto and will forward to The Adjutant General, through military channels, the report of the investigation and his recommendations in the premises.

[A. G. 312.11 (11–16–36).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:
E. T. CONLEY,
Major General,
The Adjutant General.

153628—37

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3-2-36. MJT

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ARMY REGULATIONS
No. 330-5

WAR DEPARTMENT,
WASHINGTON, *February 11, 1936.*

DOCUMENTS

"SECRET", "CONFIDENTIAL", AND "RESTRICTED"

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SECTION I

DEFINITIONS

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"Registered publication" defined	2
"Short title" defined	3

1. **"Document" defined.**—In this pamphlet the word "document" will be understood to apply to printed, mimeographed, typed, photostated, and written matter, and to maps, drawings, sketches, notes, blueprints, photographs, photographic negatives, and similar matter.

2. **"Registered publication" defined.**—A "registered publication" is a document which, because of its nature or classification, is assigned a register number by which it will be accounted for at periodic intervals to the proper office of record.

3. **"Short title" defined.**—A "short title" is a title which is applied to a document for purposes of security and brevity. It should give no indication of the nature, contents, or classification as to secrecy of the document. It may consist of figures, letters, words, or combinations thereof, but must include an abbreviated designation of the office of origin. A new or revised edition of an old publication should be assigned a new "short title."

SECTION II

CLASSIFICATION AND MARKING OF DOCUMENTS, EXCEPT MILITARY MAPS AND PHOTOGRAPHS

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*This pamphlet supersedes AR 330-5, Feb. 12, 1935.

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4. General.—The classification and marking of documents as to secrecy will be conducted by the originator strictly in accordance with the principles set forth in paragraphs 5, 6, and 7. Every effort will be made to word each document so that the least restrictive classification may be assigned consistent with the proper safeguarding of the contents. The probable distribution to be given the document must be considered by the originator in order that widespread dissemination may neither disclose information which must be safeguarded, nor place such a burden upon recipients that proper safeguards are neglected because of too great a volume of overclassified matter.

5. "Secret"; when, by whom, and how affixed.—A document will be classified and marked "Secret" only when the information it contains is of such nature that its disclosure might endanger the national security, or cause serious injury to the interests or prestige of the Nation, an individual, or any governmental activity, or be of great advantage to a foreign nation. A document will be classified as "Secret" only by, or by authority of, the Secretary of War, the Chief of Staff, a chief of an arm, service, or bureau, or an officer commanding a corps area, a tactical division, or a higher tactical unit, the commanding officer of a depot or exempted station, the commandant of a service school, or a military attaché. When a document is so classified, the "Secret" mark will be placed on the front page thereof and will be accompanied by the designation of the authority affixing it, or of the authority by which it is being affixed, and will be dated and initialed by the officer affixing it.

6. "Confidential"; when, by whom, and how affixed.—A document will be classified and marked "Confidential" when the information it contains is of such nature that its disclosure, although not endangering our national security, might be prejudical to the interests or prestige of the Nation, an individual, or any governmental activity, or be of advantage to a foreign nation. A document will be classified as "Confidential" only by a commissioned officer. The "Confidential" mark will be placed on the front page of the document and will be accompanied by the designation of the office which the officer holds, if any.

7. "Restricted"; when and by whom affixed.—A document will be classified and marked "Restricted" when the information it contains is for official use only or of such nature that its disclosure should be limited for reasons of administrative privacy, or should be denied the general public. The "Restricted" mark will be placed on a document only by authority of a commissioned officer.

8. Documents requiring to be marked "Secret", "Confidential", or "Restricted."—Any person in the military service who initiates or comes into possession of a document which in his judgment should be marked "Secret", "Confidential", or "Restricted" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed for the transmission of documents already bearing such marking. This applies also to documents originating in governmental agencies other than the War Department.

9. One classifying mark only; if more used.—A document will not be marked with more than one of the three classifying marks—"Secret", "Confidential", or "Restricted"; but should it, through error, be so marked, the most restrictive classification used will be observed.

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stricted" stamp will be placed both at the top and at the bottom of each page of all secret, confidential, or restricted papers. It should be stamped well down on the page and in such a manner that the marking will not be hidden from view when the sheets are clipped together or bound.

11. Reclassification; when, by whom, and how accomplished.—When a document ceases to be secret, confidential, or restricted, its classification may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping "Canceled by ————" or "Canceled by authority of ————" (the authority which authorizes the cancelation), over the mark on the top of the first page of the document, and this cancelation will be dated and initialed by the officer making it. Any other classifying marks on such a document will then be stricken out. If a less restrictive classification is to be given such a document, the provisions of paragraphs 6, 7, and 10 will be followed.

SECTION III

CLASSIFICATION AND MARKING OF MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
Definition	12
Classification	13
Reports	14
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12. Definition.—Military maps and photographs are those intended for use in connection with the training and operations of the forces of the United States; the term includes other maps and photographs which have acquired a military character by reason of overprints or notations placed upon them.

13. Classification.—*a.* Military maps and photographs will be classified and marked as follows:

(1) *Secret.*

(*a*) In the continental United States, those illustrating an approved war plan (including local defense plans) or defense project, or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan (including local defense plans) or defense project, or any phase thereof, those showing the layout of permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases.

(2) *Confidential.*

(*a*) In the continental United States, those showing layout of permanent defense works, and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet only those sheets showing defense elements need be classified as confidential.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as secret,

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(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as secret, showing layout of radio stations, aviation centers, air fields, supply bases, arsenals, proving grounds, or of any area vital to defense.

(3) *Restricted.* (Formerly "For official use only.")

(*a*) In the continental United States, those showing layout of air fields, radio stations, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified, which from their nature are not suitable for public release.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified, which, from their nature, are not suitable for public release.

b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

(1) The War Department for maps and photographs not classified as prescribed in (2) below.

(2) Corps area and similar territorial commanders, and commanding generals of expeditionary forces and foreign garrisons when not organized as territorial departments, for areas within their control.

c. Military maps and photographs now on file will be reclassified when taken from the files for use.

d. The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret", "Confidential", or "Restricted."

e. The provisions of paragraphs 8, 9, 10, and 11 will apply in marking and classifying maps and photographs.

14. Reports.—Classification and reclassification of military maps and photographs will be reported, when made, to the War Department. These reports will cover full title and legend of the material classified. A short title may be added for convenience in further accounting.

15. How issued.—"Secret" and "Confidential" maps and photographs will be issued only upon written receipt. Semiannually, on or about January 1 and June 30, issuing officers will require renewal of such receipts or the return of the maps or photographs involved.

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SECTION IV

SAFEGUARDING DOCUMENTS AND REGISTERED PUBLICATIONS

	Paragraph
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Safeguarding contents of other official communications	21
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16. General instructions.—*a.* "Secret" and "Confidential" documents will be habitually kept in locked safes or other suitable locked containers when not required for immediate use. The most secure storage space available, which should be at least a three-combination safe, will be assigned to the storage of secret and confidential codes, ciphers, war plans, defense projects, and other registered publications.

b. No information as to the contents of "Secret", "Confidential", or "Restricted" documents will be revealed in any other document which is not in itself marked with the same or a higher classification. However, documents referring to a "Restricted" project, but which do not contain technical information regarding it, need not be marked "Restricted."

c. A person who communicates information concerning, or contained in, a document marked "Secret", "Confidential", or "Restricted", will at the same time emphasize to the person or persons to whom he communicates the information that it is "Secret", "Confidential", or "Restricted", as the case may be.

d. Clerical work on secret and confidential matter will be performed only by exceptionally trustworthy clerks; preliminary drafts and work sheets will be destroyed. Stenographic notes will be destroyed or placed under lock and key.

e. An officer will, upon change of station or severance from the military service, return to the source from which received, or otherwise properly account for all "Secret" and "Confidential" documents issued to him.

f. Messages in secret or confidential codes or ciphers will be handled and safeguarded as prescribed in the instructions pertaining to such codes and ciphers, and in accordance with Army Regulations.

17. Registered publications; designation and safeguarding.—*a.* The chief of arm, service, or bureau or other officer authorized to originate and issue "Secret" documents will designate as a "Registered publication" every "Secret" document, except correspondence and communications, issued by him, and will cause a semiannual accounting for all copies of such registered publications to be made to him, or to other designated office of record. The designation "registered publication" may also be applied to "Confidential" documents in such cases as the originator may determine as necessary for the public welfare.

b. Every "Registered publication" will have assigned to it a register number by which it will be accounted for at regular intervals to the proper office of record. The classification, the register number, the short title, instructions for its ultimate disposal, and instructions covering the returns required for its accounting will be placed on the title sheet or inside front cover of every such

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office of record. The classification, the register number, the short title, the office of record to which returns will be made, instructions covering the returns for its accounting, and instructions for its ultimate disposal will be placed on the title sheet or inside front cover of every such "Registered publication"; if this is impracticable, the required data will accompany the registered publication on a separate sheet.

c. Every recipient of "Registered publications" will keep at all times a complete inventory of all "Registered publications" in his charge. He will, on June 30 and December 31 of each year, make or cause to be made by the custodian designated by him an accurate return to the proper offices of record of all "Registered publications" on hand, based on physical inventory by two commissioned officers, if available, one of whom will be the custodian. However, semiannual returns will no longer be made on "Registered publications" which have been placed in custody or storage for historical purposes.

d. Access to the containers, and the combinations or keys thereto, of "Registered publications" will be permitted only to commissioned officers and, unless otherwise prohibited in regulations pertaining to codes and ciphers, to warrant officers and to specially trusted civilian employees specifically authorized by the responsible chief of arm, service, or bureau. Safes containing "Registered publications" will habitually be kept locked, with the full combination operative, whenever they are not under the direct supervision of a person officially entrusted with the combination thereof.

e. When the classification of a "Registered publication" is changed in accordance with paragraph 11, the designated office of record will notify all recipients of such publication of the changed classification thereof.

18., Safeguarding contents of "Secret" documents.—*a.* The distribution and dissemination of secret matter will be confined to the absolute minimum. Secret matter is exclusively for the official use of the person to whom it is divulged. To maintain its inviolability is the duty and responsibility of each person having knowledge or custody thereof, no matter how obtained. It will not be discussed or referred to in the presence of persons not authorized to have knowledge thereof. An officer by virtue of his commission alone is not entitled to knowledge of secret matter. Information as to the contents, nature, or whereabouts of "Secret" documents will be disclosed only to those persons in the Government service whose official duties require such knowledge, and to such other responsible persons of especial trust as of absolute necessity must be informed.

b. No document marked "Secret" will be taken into the front lines in a theater of war or to any other place in which there is a similar danger of capture by the enemy.

19. Safeguarding contents of "Confidential" documents.—Persons to whom confidential matter is entrusted or disclosed are responsible for its safe custody and security. It will not be discussed nor disclosed in the presence of persons not authorized to have knowledge thereof. Information as to the contents, nature, or whereabouts of "Confidential" documents will be disclosed only to those persons in the Government service whose duties require that they have such knowledge, and to such other persons of especial trust as of necessity must be informed.

20. Safeguarding contents of "Restricted" documents.—The information contained in documents marked "Restricted" will not be communicated to the public or to the press, but it may be communicated to any person known to

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be in the service of the United States, and to persons of undoubted loyalty and discretion who are cooperating in governmental work.

21. Safeguarding contents of other official communications.—The contents of official communications, whether or not classified as to secrecy, will not be revealed except to those officially entitled to receive them. See paragraph 7, AR 340–15.

22. Safeguarding technical secrets.—Chiefs of arms and services charged with responsibility for the initiation of measures to protect technical secrets in the interest of the public welfare (par. 4, AR 600–700) will base such measures upon the provisions of these regulations and Section VI, AR 850–25.

23. Safeguarding documents distributed outside the Army.—"Secret" or "Confidential" documents which, by their nature, might require distribution outside the Army will contain suitable instructions for their custody, safeguarding, and ultimate disposition in conformity with the requirements of Army Regulations.

24. Navy documents.—All requests for Navy secret and confidential documents will be submitted to The Adjutant General. Secret and confidential documents of other departments, when in possession of Army activities, will be safeguarded with the same care as Army "Secret" and "Confidential" documents and will be accounted for in the manner required by the issuing department.

25. Report of loss or subjection to compromise.—Any person in the military service knowing of the loss or subjection to compromise of a "Secret" or "Confidential" document will promptly report that fact to the custodian of the document, who will immediately report the loss or compromise to the issuing authority.

SECTION V

TRANSMITTING DOCUMENTS

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"Confidential" documents; how prepared for transmission; by whom opened; receipt	28
"Confidential" documents; how transmitted	29
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Transmission by airplane prohibited except in emergency	31

26. "Secret" documents; how prepared for transmission; by whom opened; receipt.—*a.* Except during the process of local distribution in the personal custody of persons authorized to handle such matter for transmission to another person, the sender of a document marked "Secret" will inclose it in an inner and an outer cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way, but plainly marked "Secret" in such manner that the notation may be most readily seen when the outer cover is removed. The inner cover will contain a receipt form which will identify the addressor, the addressee, and the document. The package thus prepared will then be inclosed in an outer cover, which will be sealed and addressed in the ordinary manner with no notation to indicate the secret nature of the contents.

b. So far as practicable the inner cover marked "Secret" will be opened only by the person to whom addressed. When the inner cover is opened, the receipt form will be dated and signed by the addressee and returned to the sender at the earliest practicable moment.

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27. "Secret" documents; how transmitted.—"Secret" documents will be transmitted by an officer messenger or courier whenever practicable. When it is impracticable to transmit secret documents by an officer messenger or courier within the continental limits of the United States, they will be transmitted by registered mail. For transportation to and from points outside the continental limits of the United States, when officer courier is not available, they may be transported by State Department rotary-lock pouch; in the event that neither officer courier nor diplomatic pouch is available, the responsible officer may designate as couriers for this purpose citizens of the United States who are deemed worthy of special trust, such as officers or officials of other Government Departments, or masters of vessels under United States registry. Commanding officers of ports of embarkation will arrange for the safe transportation of documents forwarded to them for transmission, entrusting them to the commanding officer of troops on an Army transport when this is practicable and will not involve undue delay.

28. "Confidential" documents; how prepared for transmission; by whom opened; receipt.—Documents marked "Confidential" will be prepared for transmission in the same manner as prescribed for "Secret" documents (par. 26), except that the inner cover will contain a receipt form only when the sender deems it necessary, and that the inner cover may be opened by some responsible person other than the person addressed when so authorized by the addressee.

29. "Confidential" documents; how transmitted.—Documents marked "Confidential" when transmitted by hand will be entrusted only to especially trustworthy messengers. For transmission by mail or express within the continental limits of the United States, "Confidential" documents will be sent by registered mail or insured express. For transmission to and from points outside the United States, they may be sent as prescribed in paragraph 27 for "Secret" documents, or by registered mail on vessels under United States registry, provided they do not pass through any foreign postal systems or the postal systems of the Philippines.

30. "Restricted" documents; how transmitted.—Documents marked "Restricted" may be transmitted by ordinary mail, express, or freight to any point. When transmitted by hand, they will be entrusted only to reliable messengers.

31. Transmission by airplane prohibited except in emergency.—Except in emergency, "Secret" and "Confidential" documents will not be transported by airplane (as distinguished from carried for use). When so transported they will be securely wrapped, and weighted if necessary, and will be in the actual custody of an officer not engaged in the flying of the airplane, who will be responsible for their security.

[A. G. 312.11 (1–3–36).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:
E. T. CONLEY,
Major General,
The Adjutant General.

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ARMY REGULATIONS
No. 330–5

WAR DEPARTMENT,
WASHINGTON, *February 12, 1935.*

DOCUMENTS

"SECRET", "CONFIDENTIAL", "FOR OFFICIAL USE ONLY", AND "RESTRICTED"

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SECTION I

DEFINITION

	Paragraph
"Document" defined	1

1. "Document" defined.—In this pamphlet the word "document" will be understood to apply to printed, mimeographed, typed, photostated, and written matter, and to maps, drawings, and photographs.

SECTION II

"SECRET" DOCUMENTS

	Paragraph
"Secret"; when, by whom, and how affixed	2
General precautions to protect contents	3
How prepared for transmission; by whom opened; receipt	4
"Secret"; when, by whom, and how conceled	5

2. "Secret"; when, by whom, and how affixed.—A document will be marked "Secret" only when the information it contains is of great importance and when the safeguarding of that information from actual or potential enemies is of prime necessity. The "Secret" mark will be placed on a document only by, or by authority of, the Secretary of War, the Chief of Staff, a chief of an arm, service, or bureau, or an officer commanding a corps area, a tactical division, or a higher tactical unit. The "Secret" mark will be accompanied by the designation of the authority affixing it, or by authority of which it is being affixed, and will be dated and initialed by the officer affixing it.

3. General precautions to protect contents.—*a.* A document marked "Secret" is for the personal information and use of the officer to whom it is officially intrusted. He will be personally responsible for its safe custody and will exercise every precaution to prevent unauthorized persons gaining informa-

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given. No person who has information as to the existence, the whereabouts, or the contents of a secret document will disclose any information whatever relative thereto, except as prescribed above.

b. No document marked "Secret" will be taken into front line trenches in a theater of war, or to any other place in which there is a similar danger of capture by the enemy.

c. Documents classed as "Secret" will not be referred to in any catalogue or publication which is not itself marked "Secret."

4. How prepared for transmission; by whom opened; receipt.—*a.* For transmission to another person, whether by mail, messenger, or otherwise, including messengers passing between the branches and offices of the War Department, or between different offices of the same headquarters, the sender of a document marked "Secret" will inclose it in an inner and an outer cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way, but plainly marked "Secret" in such manner that the notation may be most readily seen when the outer cover is removed. The inner cover will contain a receipt form which will identify the addressor, the addressee, and the document. The package thus prepared will then be inclosed in an outer cover, which will be sealed and addressed in the ordinary manner with no notation to indicate the secret nature of the contents. See paragraph 15.

b. So far as practicable the inner cover marked "Secret" will be opened only by the officer to whom addressed. When the inner cover is opened, the receipt form will be dated and signed by the receiving officer and returned to the sender at the earliest practicable moment.

5. "Secret"; when, by whom, and how canceled.—When a document ceases to be secret, its "Secret" marking may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping "Canceled by ————," or "Canceled by authority of ————" (the authority which authorizes the cancellation), over the "Secret" mark on the top of the first page of the document, and this cancellation will be dated and initialed by the officer making it. Any other "Secret" marks on such a document will then be stricken out.

SECTION III

"CONFIDENTIAL" DOCUMENTS

	Paragraph
"Confidential"; when, by whom, and how affixed	6
General precautions to protect contents	7
How prepared for transmission; by whom opened; receipt	8
"Confidential"; when, by whom, and how canceled	9

6. "Confidential"; when, by whom, and how affixed.—A document will be marked "Confidential" when it is of less importance and of less secret a nature than one requiring the mark of "Secret," but which must, nevertheless, be guarded from hostile or indiscreet persons. Except in the case of printed documents of the War Department or of general headquarters in the field, the mark "Confidential" will be placed on a document only by a commissioned officer and will be accompanied by the designation of the office which that officer holds, if any.

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mark "Confidential" will be placed on a document only by a commissioned officer and will be accompanied by the designation of the office which that officer holds, if any.

7. **General precautions to protect contents.**—Information as to the existence, the whereabouts, or the contents of a document marked "Confidential" will be disclosed by a person possessing such information only to those whose duties require that they have such information. Every person to whom confidential information is intrusted will be personally responsible for its safe-keeping.

8. **How prepared for transmission; by whom opened; receipt.**—Documents marked "Confidential" will be prepared for transmission in the same manner as prescribed for "Secret" documents (par. 4), except that the inner cover will contain a receipt form only when the sender deems it necessary, and that the inner cover may be opened by some responsible person other than the person addressed when so authorized.

9. **"Confidential"; when, by whom, and how canceled.**—The "Confidential" mark on a document may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping over it "Canceled by ————", or "Canceled by authority of ————" (the authority which authorizes the cancelation), and this cancelation will be dated and initialed by the officer making it. Any other "Confidential" marks on such a document will then be stricken out.

SECTION IV

"FOR OFFICIAL USE ONLY" DOCUMENTS

Paragraph
"For official use only"; when affixed; how information treated 10

10. **"For official use only"; when affixed; how information treated.**—A document will be marked "For official use only" when it contains information which is not to be communicated to the public or to the press, but which may be communicated to any person known to be in the service of the United States whose duties it concerns, or to persons of undoubted loyalty and discretion who are cooperating in Government work. The information contained in documents marked "For official use only" will be treated accordingly.

SECTION V

"RESTRICTED" DOCUMENTS

Paragraph
"Restricted" documents described 11

11. **"Restricted" documents described.**—A document is marked "Restricted" when it contains information regarding research work or the design, development, test, production, or use of a unit of military equipment or a component thereof which it is desired to keep secret. Such information is considered as affecting the national defense of the United States within the meaning of the Espionage Act (U. S. C. 50:31, 32). The treatment of such information and the affixing and cancelation of the marking "Restricted" are prescribed in paragraph 4½, AR 850–25.

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SECTION VI

MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
Definition	12
Classification	13
Reports	14
How issued	15

12. **Definition.**—Military maps and photographs are those intended for use in connection with the training and operations of the forces of the United States; the term includes other maps and photographs which have acquired a military character by reason of overprints or notations placed upon them.

13. **Classification.**—*a.* Military maps and photographs will be classified as follows:

(1) *Secret.*

(*a*) In the continental United States, those illustrating an approved war plan (including local defense plans) or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan (including local defense plans) or any phase thereof, those showing the layout of permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to definitely fix the location of any element of permanent defense works and naval bases.

(2) *Confidential.*

(*a*) In the continental United States, those showing layout of permanent defense works, and naval bases and the adjacent terrain vital to their defense, and those that serve to definitely fix the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet only those sheets showing defense elements need be classified as confidential.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as secret, showing layout of radio stations, aviation centers, supply bases, arsenals, proving grounds, or of any area vital to defense.

(3) *For official use only.*

(*a*) In the continental United States, those showing layout of radio stations, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified, which from their nature are not suitable for public release.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified, which, from their nature, are not suitable for public release.

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b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

(1) The War Department for maps and photographs not classified as prescribed in (2) below.

(2) Corps area and similar territorial commanders, and commanding generals of expeditionary forces and foreign garrisons when not organized as territorial departments, for areas within their control.

c. Military maps and photographs now on file will be reclassified when taken from the files for use.

d. The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret", "Confidential", or "For Official Use Only."

14. Reports.—Classification and reclassification of military maps and photographs will be reported, when made, to the War Department. These reports will cover full title and legend of the material classified.

15. How issued.—Secret and confidential maps and photographs will be issued only upon written receipt, which will describe the subject matter with sufficient clearness to fully insure identification. Annually, on or about January 1, issuing officers will require renewal of such receipts or the return of the maps or photographs involved.

SECTION VII

MISCELLANEOUS PROVISIONS

	Paragraph
How transmitted; to whom delivered	16
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Documents requiring to be marked "Secret" or "Confidential"	18
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Marking; use of stamp	20
Safeguarding documents distributed outside the Army	21
Report of loss or subjection to compromise	22

16. How transmitted; to whom delivered.—Documents containing secret matter to be transmitted by mail will be registered. Documents containing confidential matter will be registered when the circumstances warrant it. When documents containing secret or confidential matter are transmitted by hand, the transmission will be intrusted to an officer whenever practicable; otherwise particular care will be exercised that the messenger is trustworthy. In any case such documents will be delivered in person to the officer to whom addressed or to some responsible person designated by him to receive them.

17. Facts as to character thereof to be communicated with information.—A person who communicates information concerning, or contained in, a document marked "Secret", "Confidential", "For official use only", or "Restricted", will at the same time inform the person or persons to whom he communicates the information that is "Secret" or "Confidential" or "For official use only" or "Restricted" as the case may be.

18. Documents requiring to be marked "Secret" or "Confidential."—Any person in the military service who initiates or comes into possession of a document which in his judgment should be marked "Secret" or "Confidential" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed in paragraphs

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4 and 16 for secret documents. This applies also to documents originating in other Government agencies bearing marks by those agencies which indicate that they are to any degree secret or confidential.

19. One classifying mark only, if more used.—A document will not be marked with more than one of the four classifying marks—"Secret", "Confidential", "For official use only", or "Restricted"; but should it, through error, be so marked, the most restrictive classification used will be observed.

20. Marking; use of stamp.—The secret or confidential stamp will be placed both at the top and the bottom of each page of all secret or confidential papers. It should be stamped well down on the page and in such a manner that the marking will not be hidden from view when the sheets are clipped together or bound.

21. Safeguarding documents distributed outside the Army.—Secret or confidential documents which, by their nature, might require distribution outside the Army will contain suitable instructions for their custody and safeguarding in conformity with the requirements of the Army Regulations.

22. Report of loss or subjection to compromise.—Any person in the military service knowing of the loss or subjection to compromise of a secret or confidential document will promptly report that fact to the custodian of the document, who will immediately report the loss or compromise to the issuing authority.

[A. G. 400.114 (5–14–34).]

BY ORDER OF THE SECRETARY OF WAR:

DOUGLAS MacARTHUR,
General,
Chief of Staff.

OFFICIAL:
JAMES F. McKINLEY,
Major General,
The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1935

For sale by the Superintendent of Documents, Washington, D. C. - - - - - - Price 5 cents

O.K. for release 4-4-33. Eab MJK

REF ID:A4127207

DOCUMENTS

"SECRET," "CONFIDENTIAL," AND "FOR OFFICIAL USE ONLY"

CHANGES No. 2

WAR DEPARTMENT,
WASHINGTON, *March 10, 1933.*

AR 330-5, December 30, 1926, is changed as follows:

12. Classification.—*a.* Military maps and photographs will be classified as follows:

* * * * * * *

(3) *For official use only.*

* * * * * * *

(*b*) (As changed by C 1, December 31, 1927.) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified, which, from their nature, are not suitable for public release.

[A. G. 312.11 (6-30-27).]

b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

* * * * * * *

(3) (As added by C 1, December 31, 1927.) Military maps and photographs now on file will be reclassified when taken from the files for use.

(4) (As added by C 1, December 31, 1927.) The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret," "Confidential," or "For Official Use Only."

[A. G. 312.11 (6-30-27).]

No. 2 L.C.

17. Documents requiring to be marked "Secret" or "Confidential."—Any person in the military service who initiates or comes into possession of a document which in his judgment should be marked "Secret" or "Confidential" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed in paragraphs 4 and 15 for secret documents. This applies also to documents originating in other Government agencies bearing marks by those agencies which indicate that they are to any degree secret or confidential.

[A. G. 312.11 (2-24-33).]

19. Marking; use of stamp.—The secret or confidential stamp will be placed both at the top and the bottom of each page of all secret or confidential papers. It should be stamped well down on the page and in such a manner that the marking will not be hidden from view when the sheets are clipped together or bound.

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* These changes supersede C1, December 31, 1927.

158263°—33

REF ID:A4127207

20. Safeguarding documents distributed outside the Army.—Secret or confidential documents which, by their nature, might require distribution outside the Army will contain suitable instructions for their custody and safeguarding in conformity with the requirements of the Army Regulations.

21. Report of loss or subjection to compromise.—Any person in the military service, knowing of the loss or subjection to compromise of a secret or confidential document, will promptly report that fact to the custodian of the document, who will immediately report the loss or compromise to the issuing authority.

[A. G. 312.11 (12–28–32).]

BY ORDER OF THE SECRETARY OF WAR:

DOUGLAS MACARTHUR,
General,
Chief of Staff.

OFFICIAL:
JAMES F. McKINLEY,
Brigadier General,
Acting The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1933

REF ID:A4127207

~~*AR 330-5~~
1-3

ARMY REGULATIONS
No. 330–5.

WAR DEPARTMENT,
WASHINGTON, *December 30, 1926.*

DOCUMENTS

"SECRET," "CONFIDENTIAL," AND "FOR OFFICIAL USE ONLY"

	Paragraphs
SECTION I. Definition	1
II. "Secret" documents	2–5
III. "Confidential" documents	6–9
IV. "For official use only" documents	10
V. Military maps and photographs	11–14
VI. Miscellaneous provisions	15–18

SECTION I

DEFINITION

	Paragraph
"Document" defined	1

1. **"Document" defined.**—In this pamphlet the word "document" will be understood to apply to printed, mimeographed, typed, photostated, and written matter, and to maps, drawings, and photographs.

SECTION II

"SECRET" DOCUMENTS

	Paragraph
"Secret"; when, by whom, and how affixed	2
General precautions to protect contents	3
How prepared for transmission; by whom opened; receipt	4
"Secret"; when, by whom, and how canceled	5

2. **"Secret"; when, by whom, and how affixed.**—A document will be marked "Secret" only when the information it contains is of great importance and when the safeguarding of that information from actual or potential enemies is of prime necessity. The "Secret" mark will be placed on a document only by, or by authority of, the Secretary of War, the Chief of Staff, a chief of a branch or bureau, or an officer commanding a territorial corps area or department, a tactical division, or a higher tactical unit. The "Secret" mark will be accompanied by the designation of the authority affixing it, or by authority of which it is being affixed, and will be dated and initialed by the officer affixing it.

3. **General precautions to protect contents.**—*a.* A document marked "Secret" is for the personal information and use of the officer to whom it is officially intrusted. He will be personally responsible for its safe custody and will exercise every precaution to prevent unauthorized persons gaining information as to its existence, its whereabouts, or its contents. He will disclose information as to its existence, its whereabouts, or its contents only to those whose duties absolutely require that they have such information; the number of such persons will be limited as much as the necessity of the case permits; and the amount of information disclosed will be limited to that which is absolutely essential to the proper execution of the duties of the persons to whom it is

* This pamphlet supersedes AR 330–5, January 22, 1921, and Changes No. 1, AR 330–5, October 2, 1922.

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REF ID:A4127207

tion as to its existence, its whereabouts, or its contents. He will disclose information as to its existence, its whereabouts, or its contents only to those whose duties absolutely require that they have such information; the number of such persons will be limited as much as the necessity of the case permits, and the amount of information disclosed will be limited to that which is absolutely essential to the proper execution of the duties of the persons to whom it is given. No person who has information as to the existence, the whereabouts, or the contents of a secret document will disclose any information whatever relative thereto, except as prescribed above.

b. No document marked "Secret" will be taken into front line trenches in a theater of war, or to any other place in which there is a similar danger of capture by the enemy.

c. Documents classed as "Secret" will not be referred to in any catalogue or publication which is not itself marked "Secret."

4. How prepared for transmission; by whom opened; receipt.—*a.* For transmission to another person, whether by mail, messenger, or otherwise, including messengers passing between the arms and services and offices of the War Department or between different offices of the same headquarters, the sender of a document marked "Secret" will inclose it in an inner and an outer cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way, but plainly marked "Secret" in such manner that the notation may be most readily seen when the outer cover is removed. The inner cover will contain a receipt form which will identify the addressor, the addressee, and the document. The package thus prepared will then be inclosed in an outer cover, which will be sealed and addressed in the ordinary manner with no notation to indicate the secret nature of the contents. See paragraph 16.

b. So far as practicable the inner cover marked "Secret" will be opened only by the officer to whom addressed. When the inner cover is opened, the receipt form will be dated and signed by the receiving officer and returned to the sender at the earliest practicable moment.

5. "Secret"; when, by whom, and how canceled.—When a document ceases to be secret, its "Secret" marking may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping "Canceled by ————" or "Canceled by authority of ————" (the authority which authorizes the cancelation), over the "Secret" mark on the top of the first page of the document, and this cancelation will be dated and initialed by the officer making it. Any other "Secret" marks on such a document will then be stricken out.

SECTION III

"CONFIDENTIAL" DOCUMENTS

	Paragraph
"Confidential"; when, by whom, and how affixed	6
General precautions to protect contents	7
How prepared for transmission; by whom opened; receipt	8
"Confidential"; when, by whom, and how canceled	9

6. "Confidential"; when, by whom, and how affixed.—A document will be marked "Confidential" when it is of less importance and of less secret a nature than one requiring the mark of "Secret", but which must, nevertheless, be guarded from hostile or indiscreet persons. Except in the case of printed documents of the War Department or of general headquarters in the field, the

REF ID:A4127207

7. **General precautions to protect contents.**—Information as to the existence, the whereabouts, or the contents of a document marked "Confidential" will be disclosed by a person possessing such information only to those whose duties require that they have such information. Every person to whom confidential information is intrusted will be personally responsible for its safe-keeping.

8. **How prepared for transmission; by whom opened; receipt.**—Documents marked "Confidential" will be prepared for transmission in the same manner as prescribed for "Secret" documents (paragraph 4) except that the inner cover will contain a receipt form only when the sender deems it necessary, and that the inner cover may be opened by some responsible person other than the person addressed when so authorized.

9. **"Confidential"; when, by whom, and how canceled.**—The "Confidential" mark on a document may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping over it "Canceled by ————," or "Canceled by authority of ————" (the authority which authorizes the cancellation), and this cancellation will be dated and initialed by the officer making it. Any other "Confidential" marks on such a document will then be stricken out.

SECTION IV

"FOR OFFICIAL USE ONLY" DOCUMENTS

	Paragraph
"For official use only"; when affixed; how information treated	10

10. **"For official use only"; when affixed; how information treated.**—A document will be marked "For official use only" when it contains information which is not to be communicated to the public or to the press, but which may be communicated to any person known to be in the service of the United States whose duties it concerns, or to persons of undoubted loyalty and discretion who are cooperating in Government work. The information contained in documents marked "For official use only" will be treated accordingly.

SECTION V

MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
Definition	11
Classification	12
Reports	13
How issued	14

11. **Definition.**—Military maps and photographs are those intended for use in connection with the training and operations of the forces of the United States; the term includes other maps and photographs which have acquired a military character by reason of overprints or notations placed upon them.

12. **Classification.**—*a.* Military maps and photographs will be classified as follows:

(1) *Secret.*

(*a*) In the continental United States, those illustrating an approved war plan (including local defense plans) or any phase thereof.

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(b) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan (including local defense plans) or any phase thereof, those showing the layout of permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to definitely fix the location of any element of permanent defense works and naval bases.

(2) *Confidential.*

(a) In the continental United States, those showing layout of permanent defense works, and naval bases and the adjacent terrain vital to their defense, and those that serve to definitely fix the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet only those sheets showing defense elements need be classified as confidential.

(b) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as secret, showing layout of radio stations, aviation centers, supply bases, arsenals, proving grounds, or of any area vital to defense.

(3) *For official use only.*

(a) In the continental United States, those showing layout of radio stations, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified, which from their nature are not suitable for public release.

(b) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps of the scale 1:62,500 or larger not otherwise classified, and photographs not otherwise classified, which, from their nature, are not suitable for public release.

b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

(1) The War Department for maps and photographs not classified as prescribed in (2) below.

(2) Corps area, department, and similar territorial commanders, and commanding generals of expeditionary forces and foreign garrisons when not organized as territorial departments, for areas within their control.

13. **Reports.**—Classification and reclassification of military maps and photographs will be reported, when made, to the War Department. These reports will cover full title and legend of the material classified.

14. **How issued.**—Secret and confidential maps and photographs will be issued only upon written receipt, which will describe the subject matter with sufficient clearness to fully insure identification. Annually, on or about January 1, issuing officers will require renewal of such receipts or the return of the maps or photographs involved.

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SECTION VI

MISCELLANEOUS PROVISIONS

	Paragraph
How transmitted; to whom delivered	15
Facts as to character thereof to be communicated with information	16
Documents requiring to be marked "Secret" or "Confidential"	17
One classifying mark only, if more used	18

15. How transmitted; to whom delivered.—Documents containing secret matter to be transmitted by mail will be registered. Documents containing confidential matter will be registered when the circumstances warrant it. When documents containing secret or confidential matter are transmitted by hand, the transmission will be intrusted to an officer whenever practicable; otherwise particular care will be exercised that the messenger is trustworthy. In any case such documents will be delivered in person to the officer to whom addressed or to some responsible person designated by him to receive them.

16. Facts as to character thereof to be communicated with information.—A person who communicates information concerning, or contained in, a document marked "Secret," "Confidential," or "For official use only" will at the same time inform the person or persons to whom he communicates the information that it is "Secret" or "Confidential" or "For official use only," as the case may be.

17. Documents requiring to be marked "Secret" or "Confidential."—Any person in the military service who initiates or comes into possession of a document which, in his judgment, should be marked "Secret" or "Confidential" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed in paragraphs 4 and 15 for secret documents.

18. One classifying mark only, if more used.—A document will not be marked with more than one of the three classifying marks—"Secret," "Confidential," and "For official use only"; but should it, through error, be so marked, the most restrictive classification used will be observed.

[A. G. 312.11 (3–9–26).]

BY ORDER OF THE SECRETARY OF WAR:

C. P. SUMMERALL,
Major General,
Chief of Staff.

OFFICIAL:
ROBERT C. DAVIS,
Major General,
The Adjutant General.

WASHINGTON : GOVERNMENT PRINTING OFFICE : 1927

REF ID:A4127207

DOCUMENTS

"SECRET," "CONFIDENTIAL," AND "FOR OFFICIAL USE ONLY"

CHANGES No. 1

WAR DEPARTMENT,
WASHINGTON, *December 31, 1927.*

AR 330–5, December 30, 1926, is changed as follows:

12. Classification.—*a.* Military maps and photographs will be classified as follows:

* * * * * * *

(3) *For official use only.*

* * * * * * *

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified, which, from their nature, are not suitable for public release.

[A. G. 312.11 (6–30–27).]

b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

* * * * * * *

(3) (Added.) Military maps and photographs now on file will be reclassified when taken from the files for use.

(4) (Added.) The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret," "Confidential," or "For Official Use Only."

[A. G. 312.11 (6–30–27).]

BY ORDER OF THE SECRETARY OF WAR:

C. P. SUMMERALL,
Major General,
Chief of Staff.

OFFICIAL:
LUTZ WAHL,
Major General,
The Adjutant General.

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U. S. GOVERNMENT PRINTING OFFICE: 1928

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ARMY REGULATIONS, No. 330–5.

WAR DEPARTMENT, WASHINGTON, *January 22, 1921.*

DOCUMENTS.

"SECRET," "CONFIDENTIAL," AND "FOR OFFICIAL USE ONLY."

		Paragraphs.
SECTION I.	Definition	1
II.	"Secret" documents	2–5
III.	"Confidential" documents	6–8
IV.	"For official use only" documents	9
V.	Miscellaneous provisions	10–13

SECTION I.

DEFINITION.

	Paragraph.
"Document" defined	1

1. "Document" defined.—In this pamphlet the word "document" will be understood to apply to printed, mimeographed, typed, photostated, and written matter, and to maps, drawings, and photographs.

SECTION II.

"SECRET" DOCUMENTS.

	Paragraph.
"Secret"; when, by whom, and how affixed	2
General precautions to protect contents	3
How prepared for transmission; by whom opened; receipt	4
"Secret"; when, by whom, and how canceled	5

2. "Secret"; when, by whom, and how affixed.—A document will be marked "Secret" only when the information it contains is of great importance and when the safeguarding of that information from actual or potential enemies is of prime necessity. The "Secret" mark will be placed on a document only by, or by authority of, the Secretary of War, the Chief of Staff, a chief of an arm, staff corps or department, or an officer commanding a territorial department or corps area, a tactical division, or a higher tactical unit. The "Secret" mark will be accompanied by the designation of the authority affixing it, or by authority of which it is being affixed, and will be dated and initialed by the officer affixing it.

3. General precautions to protect contents.—*a.* A document marked "Secret" is for the personal information and use of the officer to whom it is officially intrusted. He will be personally responsible for its safe custody and will exercise every precaution to prevent unauthorized persons gaining information as to its existence, its whereabouts, or its contents. He will disclose information as to its existence, its whereabouts, or its contents only to those whose duties absolutely require that they have such information; the number of such persons will be limited as much as the necessity of the case permits; and the amount of information disclosed will be limited to that which is absolutely essential to the proper execution of the duties of the persons to whom it is given. No person who has information as to the existence, the whereabouts, or the contents of a secret document will disclose any information whatever relative thereto, except as prescribed above.

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b. No document marked "Secret" will be taken into front line trenches in a theater of war, or to any other place in which there is a similar danger of capture by the enemy.

c. Documents classed as "Secret" will not be referred to in any catalogue or publication which is not itself marked "Secret."

4. **How prepared for transmission; by whom opened; receipt.**—*a.* For transmission to another person, whether by mail, messenger, or otherwise, including messengers passing between the bureaus and offices of the War Department, or between different offices of the same headquarters, the sender of a document marked "Secret" will inclose it in an inner and an outer cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way, but plainly marked "Secret" in such manner that the notation may be most readily seen when the outer cover is removed. The inner cover will contain a receipt form which will identify the addressor, the addressee, and the document. The package thus prepared will then be inclosed in an outer cover, which will be sealed and addressed in the ordinary manner with no notation to indicate the secret nature of the contents. (See par. 10.)

b. So far as practicable the inner cover marked "Secret" will be opened only by the officer to whom addressed. When the inner cover is opened, the receipt form will be dated and signed by the receiving officer and returned to the sender at the earliest practicable moment.

5. **"Secret"; when, by whom, and how canceled.**—When a document ceases to be secret, its "Secret" marking may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping "Canceled by ————," or "Canceled by authority of ————" (the authority which authorizes the cancellation), over the "Secret" mark on the top of the first page of the document, and this cancellation will be dated and initialed by the officer making it. Any other "Secret" marks on such a document will then be stricken out.

SECTION III.

"CONFIDENTIAL" DOCUMENTS.

Paragraph.

"Confidential"; when, by whom, and how affixed 6
General precautions to protect contents 7
"Confidential"; when, by whom, and how canceled 8

6. **"Confidential"; when, by whom, and how affixed.**—A document will be marked "Confidential" when it is of less importance and of less secret a nature than one requiring the mark of "Secret," but which must, nevertheless, be guarded from hostile or indiscreet persons. Except in the case of printed documents of the War Department or of General Headquarters in the field, the mark "Confidential" will be placed on a document only by a commissioned officer and will be accompanied by the designation of the office which that officer holds, if any.

7. **General precautions to protect contents.**—Information as to the existence, the whereabouts, or the contents of a document marked "Confidential" will be disclosed by a person possessing such information only to those whose duties require that they have such information. Every person to whom confidential information is intrusted will be personally responsible for its safe-keeping.

8. **"Confidential"; when, by whom, and how canceled.**—The "Confidential" mark on a document may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping over it "Canceled by ————," or "Canceled by authority of ————" (the authority

REF ID:A4127207

which authorizes the cancellation), and this cancellation will be dated and initialed by the officer making it. Any other "Confidential" marks on such a document will then be stricken out.

SECTION IV.

"FOR OFFICIAL USE ONLY" DOCUMENTS.

Paragraph.
"For official use only"; when affixed; how information treated 9

9. **"For official use only"; when affixed; how information treated.**—A document will be marked "For official use only" when it contains information which is not to be communicated to the public or to the press, but which may be communicated to any person known to be in the service of the United States whose duties it concerns, or to persons of undoubted loyalty and discretion who are cooperating in Government work. The information contained in documents marked "For official use only" will be treated accordingly.

SECTION V.

MISCELLANEOUS PROVISIONS.

Paragraph.
How transmitted; to whom delivered 10
Facts as to character thereof to be communicated with information 11
Documents requiring to be marked "Secret" or "Confidential" 12
One classifying mark only; if more used 13

10. **How transmitted; to whom delivered.**—Documents containing secret matter to be transmitted by mail will be registered. Documents containing confidential matter will be registered when the circumstances warrant it. When documents containing secret or confidential matter are transmitted by hand, the transmission will be intrusted to an officer whenever practicable; otherwise particular care will be exercised that the messenger is trustworthy. In any case such documents will be delivered in person to the officer to whom addressed or to some responsible person designated by him to receive them.

11. **Facts as to character thereof to be communicated with information.**—A person who communicates information concerning, or contained in, a document marked "Secret," "Confidential," or "For official use only" will at the same time inform the person or persons to whom he communicates the information that it is "Secret" or "Confidential" or "For official use only," as the case may be.

12. **Documents requiring to be marked "Secret" or "Confidential."**—Any person in the military service who initiates or comes into possession of a document which, in his judgment, should be marked "Secret" or "Confidential" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed in paragraphs 4 and 10 for secret documents.

13. **One classifying mark only, if more used.**—A document will not be marked with more than one of the three classifying marks—"Secret," "Confidential," and "For official use only"; but should it, through error, be so marked, the most restrictive classification used will be observed.

[312.11, A. G. O.]

BY ORDER OF THE SECRETARY OF WAR:

PEYTON C. MARCH,
Major General, Chief of Staff.

OFFICIAL:
P. C. HARRIS,
The Adjutant General.

WASHINGTON : GOVERNMENT PRINTING OFFICE : 1921

REF ID:A4127207

ARMY REGULATIONS
No. 105-25

WAR DEPARTMENT,
WASHINGTON, *July 20, 1937.*

SIGNAL CORPS

TELEGRAPH, CABLE, AND RADIO SERVICE

	Paragraphs
SECTION I. Supervision	1
II. Message centers	2-5
III. Restrictions on use of telegraph, cable, and radio	6-9
IV. Instructions to writers	10-17

SECTION I

SUPERVISION

	Paragraph
General	1

1. **General.**—The supervision of telegraph, cable, and radio service for the Army, including places otherwise exempt from the jurisdiction of corps area commanders, is a function of the Signal Corps.

SECTION II

MESSAGE CENTERS

	Paragraph
Organization and duties	2
Operation; relation to commander and staff	3
Economy in routing dispatches	4
Codes and ciphers	5

2. **Organization and duties.**—Message centers are maintained at the War Department, at each corps area headquarters, and at other points when necessary. They are charged with the receipt, transmission, and delivery of all dispatches received or sent by telegraph, cable, radio, or other special means at their disposal. They are also charged with cryptographing and decryptographing such official dispatches as must be transmitted in cryptographic form. They are organized by and operated under the direction of the Chief Signal Officer for the War Department and of the signal officer of the headquarters at other places, who will decide the best available means for transmission under general instructions of the commanding officer.

3. **Operation; relation to commander and staff.**—*a. Purpose.*—The message center exists primarily for service to the commander and his staff and furnishes this service by—

(1) Coordinating the use of various agencies of signal communication.

(2) Expeditiously effecting the transmission and delivery of messages.

*This pamphlet supersedes AR 105-25, September 1, 1934, including C1, June 18, 1936.

REF ID:A4127207

(3) Keeping only such temporary prescribed records as will facilitate the fast and accurate dispatching of all messages passing through the message center.

b. Excepted duties.—The message center is not organized or equipped to perform stenographic or clerical work pertaining to the different sections of the staff. Message centers will not be used as offices of record nor will they be employed to prepare additional copies of messages for multiple distribution or to perform the labor incident to consolidating outgoing messages.

4. Economy in routing dispatches.—*a.* Message centers are charged with directing traffic so that the greatest economy is insured the Government consistent with prompt delivery of dispatches. To this end Army and Navy communication channels will be utilized whenever practicable.

b. In directing traffic to points which cannot be reached by Army or Navy radio, dispatches should be relayed by leased wire or commercial wire or radio from the point in the Army or Navy radio net affording the lowest refile rate to the destination. Whenever two or more commercial wire telegraph or radiotelegraph companies are accessible, dispatches will be delivered to the company operating a telegraphic circuit direct to destination; provided that when two or more companies operate direct circuits to a particular destination and the rates charged are equal, the traffic will be divided equitably between the companies concerned insofar as possible.

5. Codes and ciphers.—For information with reference to classification and handling of secret, confidential, and restricted documents and publications and the employment of authorized codes and ciphers, see AR 330-5 and 335-5.

SECTION III

RESTRICTIONS ON USE OF TELEGRAPH, CABLE, AND RADIO

	Paragraph
When use authorized	6
Prohibited dispatches	7
Personal messages	8
Press messages over field wire and radio circuits	9

6. When use authorized.—Dispatches by telegraph, cable, or radio will be sent only when the delay consequent upon transmission by mail would be prejudicial to the public interest.

7. Prohibited dispatches.—*a.* Dispatches of the following character will not be sent by telegraph, cable, or radio, except to commanding officers, or under special authorization from proper military authority:

(1) Information relative to numbers, movements, or operation of troops.

(2) Details regarding fortifications, armaments, or experiments made in connection with military affairs.

(3) Opinions on military operations or other military matters relating to any part of the Army or other command with which the individual is serving, or to any auxiliary forces.

b. Dispatches containing the following will not be sent in plain language:

(1) Remarks, recommendations, or statements of derogatory nature concerning an individual.

(2) Implications tending to reflect upon the character or professional standing of an individual.

REF ID:A4127207

(3) Result of Board of Inquiry under section 24b, National Defense Act.

(4) Action taken upon general court-martial cases involving dismissal or confinement in a penitentiary.

(5) In time of war or threatened emergency, cases under *a* above.

c. Letters and telegraph messages; when used.—A dispatch will not be sent by telegraph when a letter will serve the same purpose, and all telegraph messages will be given the classification (par. 11) which will result in the lowest charge to the Government in all cases where the service incident to such classification will meet the needs and requirements of the Government. In determining the form of dispatch to use, due consideration will be given the difference in time between the zone of origin and the zone of receipt. The term "telegraph messages" used above applies to dispatches transmitted either by wire telegraph or radiotelegraph. For regulations governing payment for dispatches transmitted by commercial telegraph, see AR 35-6100.

d. Dispatches of the following character or those containing matter of a purely personal nature are not considered as official business and will not be accepted for transmission except as prescribed in paragraph 8:

(1) Applications for or inquiries relative to leaves of absence or extensions thereto.

(2) Requests for sleeping car or hotel reservations or accommodations.

(3) Inquiries or instructions relative to shipment of privately owned mounts or household goods.

(4) Relating to payment of salary or expense vouchers.

8. Personal messages.—*a.* The sending of personal messages over Army point-to-point radio circuits within the continental United States is prohibited. The sending of important personal messages to and from Army, Navy, and Marine Corps personnel over Army field wire and field and oversea radio circuits is authorized, provided such messages—

(1) Do not interfere with Government business transacted over such circuits.

(2) Are brief, clear, and confined to the subject matter of the emergency which requires their transmission.

b. Scope of service.

(1) The use of the Army circuits referred to in *a* above for transmission of personal messages is authorized to assist service personnel in the transaction of urgent personal business which could not be anticipated and transacted by mail. It is not intended to replace mail service. Consequently, greetings, congratulatory messages, recurrent business messages such as recurrent stock market transactions, and messages, the contents of which are obviously trifling in character, will not be accepted. In contradistinction, messages regarding serious illness or death and replies thereto, including expressions of condolence, and messages pertaining to allotments, interest payments, and other unforeseen financial and business matters may be classified as urgent personal business. The writer will certify on the message that an emergency requires it. This certificate will not be transmitted. In doubtful cases, the writer must show that the message is necessary.

(2) A personal message from a commercial concern will be accepted only when it is in reply to a message from service personnel requesting such reply.

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(3) Oversea radio circuits terminate in the continental United States at Washington, D. C., and San Francisco, Calif. When messages to and from personnel at oversea stations involve transmission between the Army radio stations at either of these two points and other points within the continental United States, such transmission will be restricted to the mails or commercial telegraph. Similarly, personal messages to and from transports at sea will be transmitted by mail or commercial telegraph between radio stations at Washington, D. C., San Francisco, Calif., or Governor's Island, N. Y., and other points in the continental United States. All mail or commercial telegraph charges will be prepaid by the sender.

(4) Personal messages will be accepted for transmission from the continental United States to oversea stations only when the destination is an Army post or a naval station.

c. Personal messages in code or cipher will not be accepted.

d. Commanding officers are responsible that the provisions of this paragraph are strictly interpreted and that the personal message privilege is not abused. In the case of the War Department Message Center, the Chief Signal Officer is charged with this responsibility.

9. Press messages over field wire and radio circuits.—*a.* When military business will not be interfered with, press messages may be transmitted free over military field wire and radio circuits where commercial facilities do not exist.

b. The use of code or cipher in such messages is forbidden, except when prescribed by the general commanding an army in the field.

SECTION IV

INSTRUCTIONS TO WRITERS

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Addresses and signatures	12
Consolidation of messages	13
Authentication	14
Special delivery	15
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Radio messages to and from ships	17

10. Preparation of messages.—*a.* Whenever practicable the blank form furnished by the Signal Corps will be used.

b. Words not important to the sense will be omitted.

c. Words instead of figures will be used in expressing numbers except in weather report messages.

d. Following the rules of commercial practice, punctuation marks should be spelled out in all cases when it is desired that they be transmitted in the body of the message.

e. Detailed provisions relating to the drafting of messages to be transmitted in secret code or cipher are embodied in AR 335-5.

11. Classification of messages.—Messages are classified as follows to indicate the relative order in which they should be transmitted:

a. Urgent.—This classification is restricted to military and naval use only and is used only in combat or when combat, real or simulated, is imminent.

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Urgent messages are sent immediately upon receipt, or immediately after urgent messages previously received have been transmitted. They are given right-of-way over all messages of lower classification. The "urgent" classification has no counterpart in domestic commercial message classifications.

b. Priority.—This classification is used to designate messages which must be given precedence over all routine and deferred messages waiting to be sent or delivered. Messages bearing "priority" classification are filed as full rate telegrams when transferred to commercial companies for transmission. Messages will be handled under this classification when the word "priority" is placed in a conspicuous place on the message form. Its use should however be confined to extremely urgent matters requiring expeditious action.

c. Routine.—This classification covers ordinary fast dispatches customarily handled with the greatest possible expedition and delivered at once upon receipt. Messages under this classification take precedence over deferred messages and are transmitted in order of filing. They are filed as day letters or as straight telegrams, whichever is cheaper, when transferred to commercial companies for transmission. All messages not otherwise marked are transmitted as routine messages.

d. Deferred.—This classification covers messages the delivery of which may be delayed until the beginning of office hours the following morning. "Deferred" messages are filed according to the classification which results in the lowest charge to the Government when transferred to commercial companies for transmission. Messages will be handled under this classification when the word "deferred" is placed in a conspicuous place on the message form. See paragraph 12, AR 35-6100.

Messages to be sent in code or cipher which do not require action by the addressee prior to the beginning of the working day following the day of filing will be classified as "deferred" messages.

12. Addresses and signatures.—*a.* Where dispatches are sent to offices such as "Commanding Officer, Fort Slocum, N. Y.", or "Quartermaster, Fort Slocum, N. Y.", the addresses used will be as given above rather than as "Lieut. Col. Jones, Infantry, C. O., Fort Slocum, N. Y."

b. Where a dispatch is sent to a subordinate in an office or command, the dispatch will be addressed to the commanding officer of the office or command. The name of the subordinate will be given in the first part of the body of the message preceded by the word "For." Example: A dispatch for Capt. John Doe, Headquarters, Second Corps Area, will be addressed "Commanding General, Second Corps Area, Governors Island, N. Y." For Capt. John Doe, etc. (in body of dispatch).

c. Dispatches will be signed with the surname of the sender. Where the surname alone is not sufficient to enable the addressee to establish the official position of the sender, it will be followed by such essential additional information as will fix definitely the official capacity of the sender.

d. Dispatches sent to or signed by officers as individuals will be sufficiently complete to prevent delay or confusion.

e. Detailed provisions relating to the addresses and signatures of messages to be transmitted in cryptographic form are embodied in AR 335-5.

13. Consolidation of messages.—In case several messages are to be sent to the same address in the course of a day's business, they should, if practicable, be consolidated into one message whenever such consolidation will reduce the cost of the service.

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14. Authentication.—*a.* The sender of an official dispatch will certify as to its official character on the message form as follows:

Official business:

Signature.

Typed or printed signature.

Grade and arm, service, or bureau.

b. Who may authenticate.—Subject to the restriction contained in paragraph 16, and to the further restriction as to the availability of funds (par. 4, AR 35–6100), a commissioned officer, or a warrant officer when no officer is present, may certify a message for transmission at Government expense, but a person other than those mentioned above must present to the agent of the telegraph company a letter or card of identification from his superior officer authorizing him to do so.

c. Messages of traveling or transient Government representatives will be accepted by the Postal Telegraph Cable Company without restrictions as to when payment will be made. Messages transmitted via the Western Union Telegraph Company to the home station of the sender or to the headquarters of his department at Washington, or in reply to a paid Government message, may be sent Government collect. Other messages transmitted via the Western Union Telegraph Company may be charged at point of origin to the local telegraph account of the War Department office or station, provided authority for incurring such expense has been previously obtained from the local War Department representative. If this authority has not been obtained or no office or station exists at point of origin, it will be necessary for the War Department representative or agent to prepay such messages at Government rates and secure reimbursement later.

15. Special delivery.—*a.* Whenever special delivery is necessary to expedite the delivery of an official dispatch, the person filing the dispatch for transmission will indorse it "special-delivery charges paid." Similar action will be taken whenever the place of delivery is beyond the established free-delivery limits, except when the delay incident to the delivery of the message by mail will not be of a serious nature, in which case the dispatch will be indorsed "By mail from ——", indicating the name of the office from which the dispatch should be mailed.

b. The special-delivery charge should be included in the charge for the regular tolls and presented for payment in the same manner.

16. Oversea dispatches.—*a. Commercial radiograms and cablegrams.*

(1) Dispatches addressed to oversea stations for transmission via commercial radio or cable circuits, except dispatches pertaining to the Bureau of Insular Affairs, will be submitted by the chief of the arm, service, or bureau, or other official concerned to The Adjutant General for approval, consolidation, and delivery to the message center.

(2) Dispatches from oversea stations or offices for transmission via commercial radio or cable circuits to the War Department, except dispatches pertaining to the Bureau of Insular Affairs, will be submitted by the originator to the commander of the oversea force, or to the officer in charge of the oversea office, as the case may be, for approval, consolidation, and transmission to The Adjutant General who will make delivery thereof to the addressee.

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[A. G. 311.5 (3–10–37).]

BY ORDER OF THE SECRETARY

OFFICIAL:
E. T. CONLEY,
Major General,
The Adjutant

REF ID: A4127207

(3) Dispatches requiring transmission via commercial radio or cable circuits will be numbered by the sender in sequence in a single series for each addressee. Such dispatches will also be divided by the sender into paragraphs according to the subject matter, no paragraph to contain matter relating to more than one subject. Paragraphs will be numbered consecutively in a single series for each message. Dispatch and paragraph numbers will be placed in the body of the message and will be so transmitted.

b. Dispatches to and from stations served by Army or Navy radio circuits.—Dispatches to and from the departments and other oversea stations normally served by Army or Navy radio circuits, transmission of which involves no commercial charge, will be transmitted singly without delay and will not be consolidated. Dispatches dealing exclusively with the business of an arm, service, or bureau will be addressed as prescribed in paragraphs 21 and 22, AR 340–15 and will be be transmitted directly to the addressee. However, nothing in this paragraph should be construed as preventing a commander of an oversea force from issuing instructions requiring all outgoing dispatches to be authenticated by or all incoming dispatches to be routed through him or his representative prior to transmission to destination or delivery to addressees.

17. Radio messages to and from ships.—All official dispatches from ship to shore, shore to ship, or ship to ship, when charges are involved, will be handled through the ship's quartermaster or agent, who will clear his accounts through the proper superintendent of the Army Transport Service. See AR 30–1160.

[A. G. 311.5 (3–10–37).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:
E. T. CONLEY,
Major General,
The Adjutant General.

REF ID:A4127207

TABLES OF ORGANIZATION

REF ID:A4127207

SIGNAL CORPS

TELEGRAPH, CABLE, AND RADIO SERVICE

CHANGES No. 1 } WAR DEPARTMENT,
WASHINGTON, *December 30, 1938.*

AR 105-25, July 20, 1937, is changed as follows:

6. When use authorized.—*a.* Dispatches by telegraph, cable, or radio will be sent only when such expeditious means of communication is required for the conduct of official business, and the delay consequent upon transmission by mail would be prejudicial to the public interest.

b. Messages from unofficial sources may be accepted and transmitted as official business, provided that they are in reply to official messages or are sent in compliance with an official request for information or the submission of recurrent reports.

[A.G. 311.5 (10-15-38).]

7. Prohibited dispatches.

c. Letters and telegraph messages; when used.—A dispatch will not be sent by telegraph when a letter will serve the same purpose, and all telegraph messages will be given the classification (par. 11) which will result in the lowest charge to the Government in all cases where the service incident to such classification will meet the needs and requirements of the Government. The purpose of such classification is to indicate to the message center personnel the relative order of priority of the message with respect to transmission and delivery. In cases where special promptness of action by the addressee is required, such fact should be indicated in the text of the message. In determining the form or classification of dispatch to use, due consideration will be given the difference in time between the zone of origin and the zone of receipt. The term "telegraph messages" used above applies to dispatches transmitted either by wire telegraph or radiotelegraph. For regulations governing payment for dispatches transmitted by commercial telegraph, see AR 35-6100.

d. Dispatches containing matter of a purely personal nature are not considered as official business and will not be accepted for transmission except as prescribed in paragraph 8. Dispatches of the following character are considered as personal messages when they are initiated by individuals for their own convenience; however, replies to such messages made by commanding or administrative officers in their official capacity may be transmitted through the facilities of the Army radio system provided they are sent collect in cases where commercial refile charges are involved:

(2) Requests for hotel reservations or accommodations.

[A.G. 311.5 (10-15-38).]

8. Personal messages.—*a.* Are brief, clear, and confined to subject matter pertaining to urgent personal business.

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b. Scope of service.

(1) The use of the Army circuits referred to in *a* above for transmission of personal messages is authorized solely to assist service personnel in the transaction of urgent personal business in emergencies and is not intended to replace mail service. Consequently, recurrent business messages, holiday or anniversary greetings, and messages which are obviously trifling in character will not be accepted. In contradistinction, messages regarding serious illness or death and replies thereto, including expressions of condolence, and messages pertaining to allotments, interest payments, and other unforeseen financial and business matters may be classified as urgent personal business.

(2) A personal message from a commercial concern will be accepted only when it is in reply to a personal message from service personnel requesting such reply.

(3) Oversea radio circuits through which personal service is authorized, terminate in the continental United States at Washington, D. C., and San Francisco, Calif., and, in case of transports at sea, also at Governors Island, N. Y., when regular schedules are maintained between transports and that station. All oversea personal messages received at point of entry will be refiled with commercial telegraph companies for delivery to addressee, except that in cases where the addressee of such personal message is located in or near the point of entry, delivery may be effected by the use of local telephone facilities, provided that no commercial charges are involved in connection with this use of such facilities. In order to effect delivery to the addressee, the sender of the message filed at an oversea station or on a transport at sea will be required to prepay the necessary commercial charges, if any, in connection with the delivery of the message.

[A. G. 311.5 (10-15-38).]

10. Preparation of messages.

c. Either words or figures may be used in expressing numbers.

[A. G. 311.5 (10-15-38).]

11. Classification of messages.—Messages are classified as follows to indicate the relative order in which they should be transmitted:

* * * * * * *

b. Priority.—This classification is used to designate messages which must be given precedence over all routine and deferred messages waiting to be sent or delivered. Messages bearing "priority" classification will be filed with commercial companies as full rate telegrams in cases where transmission by radio cannot be effected or when radio stations are closed. Messages will be handled under this classification when the word "priority" is placed in a conspicuous place on the message form. Its use should, however, be confined to extremely urgent matters requiring expeditious action. Originators of "priority" messages will be responsible for the use of such classification in cases where commercial refile is required. See paragraph 7*c*.

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c. Routine.—This classification covers ordinary fast dispatches customarily handled with the greatest possible expedition and delivered at once upon receipt. Messages under this classification take precedence over deferred messages and are transmitted in order of filing. Such messages filed with or received at a message center for transmission to another radio station after such other radio station is closed at the end of the business day will be held and transmitted to destination on the first operating schedule of the following day. They are filed as day letters or as straight telegrams, whichever is cheaper, when transferred to commercial companies for transmission, except that in cases where delivery at destination prior to the end of the business day is not feasible, they will be handled as deferred messages. All messages not otherwise marked are transmitted as routine messages.

* * * * * * * *

[A. G. 311.5 (10–15–38).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:

E. S. ADAMS,
Major General,
The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1939

REF ID:A4127207

ARMY REGULATIONS, No. 105–40.

WAR DEPARTMENT,
WASHINGTON, *November 1, 1921.*

SIGNAL CORPS.

OPERATION AND MAINTENANCE OF UNITED STATES MILITARY TELEGRAPH LINES.

		Paragraphs.
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SECTION I.

GENERAL PROVISIONS.

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1. Application of contents of this pamphlet.—*a.* The regulations contained in this pamphlet will govern in connection with military telegraph lines maintained and operated by the Signal Corps, excepting the Washington-Alaska Military Cable and Telegraph System.

b. Where message centers have been established, the provisions of this pamphlet relating to Section II, receiving department, and Section IV, delivery department, will come under the control and operation of the message centers.

c. At posts and other military telegraph stations where telegraph connection is obtained by Western Union, Postal, or other commercial telegraph circuit, the regulations of the commercial telegraph company concerned as to the handling of their business will apply. In so far as applicable, however, the instructions contained in this pamphlet will be adhered to at all military telegraph offices.

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2. Administration and control of telephone and telegraph lines.—For convenience of administration all telegraph and telephone lines are divided into classes, and unless otherwise specially ordered are placed under the control of officers, as follows:

a. Under post signal officers: Lines complete within the limits of a single military post.

b. Under department or corps area signal officers:

(1) Short lines constructed to connect single posts with a commercial telegraph or telephone office, and having no other stations upon them.

(2) Lines connecting two or more posts in the same military department or corps area and all other lines which are complete within the limits of a single department or corps area.

3. Telephone and telegraph lines under charge of signal officers.—When telephone and telegraph lines are placed under charge of signal officers, they will be held responsible for their construction, maintenance, and operation. Commanding officers and others will see that the special duties of these officers are not interfered with, and upon proper application will render any assistance in their power. The lines form parts of one connected system throughout the United States. They serve military, commercial, naval, and other distant interests. The disabling of or interference with any part may cause complications not possible to be contemplated in the immediate vicinity.

4. Military telegraph lines of a force operating in the field.—The signal officer of a force operating in the field or of a district under military control, in carrying out his general instructions, will formulate necessary regulations for the management and operation of military telegraph lines under his control. General rules should be reduced to writing, be clearly defined, and impartially enforced.

5. Reports.—*a. Monthly.*—(1) Officers in charge of sections will, not later than the 10th day of each month, render, in duplicate, to the officer in charge of the system, a brief report on the conditions and operations of the offices and lines on their sections. The report will state what general repairs were made during the month, with appropriate recommendations for continuing the line in an efficient state of operation. A "Monthly line report" will accompany each report, one copy only being necessary.

(2) The officer in charge of the system will, not later than the 10th day of each month, render to the Chief Signal Officer of the Army a monthly report, which shall cover fully the operations of the lines, interruptions, and such other information as may be of interest.

(3) Officers in charge of military telegraph lines who, under regulations render statements of this line and other line accounts covering telegraphic receipts, will furnish to the signal officer of the department or corps area in which the lines may be located, or to those officers especially designated to have charge of those lines, a copy of their monthly statement of this line and other line accounts without vouchers.

b. Annual.—On July 1 of each year, or as soon thereafter as practicable, each officer in charge of a section will render, in triplicate, to the officer in charge of the system, an annual report which shall give a full statement of all work accomplished during the fiscal year, including extensions or betterments, with recommendations for the future maintenance or betterment of the service. This report shall give the total number of days of interruptions to

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sage or messages passing through his hands and addressed to any other person or persons, or in any other manner acquired by him by reason of his trust as such agent, operator, or employee, or shall trade or speculate upon any such information so obtained, or in any manner turn or attempt to turn the same to his account, profit, or advantage.

15. Fraudulent attempts to obtain information by persons not connected with any telegraph company.—No person not connected with any telegraph company shall, by means of any machine, instrument, or contrivance, or in any other manner, willfully and fraudulently read or attempt to read any message or learn the contents thereof while the same is being sent over any telegraph line, or shall willfully and fraudulently or clandestinely learn or attempt to learn the contents or meaning of any message while the same is in any telegraph office, or is being received thereat, or is sent therefrom, or shall use or attempt to use, or communicate to others, any information so obtained by any person.

16. Bribing agents, operators, or employees.—No person shall, by the payment or promise of any bribe, inducement, or reward, procure or attempt to procure any telegraph agent, operator, or employee to disclose any private message, or the contents, purport, substance, or meaning thereof, or shall offer to any such agent, operator, or employee any bribe, compensation, or reward for the disclosure of any private information received by him by reason of his trust as such agent, operator, or employee, or shall use or attempt to use any such information so obtained.

17. Willful or malicious injury to telegraph, telephone, or cable lines.—Whoever shall willfully or maliciously injure or destroy any of the works, property, or material of any telegraph, telephone, or cable line, or system operated or controlled by the United States, whether constructed or in process of construction, or shall willfully or maliciously interfere in any way with the working or use of any such line, or system, or shall willfully or maliciously obstruct, hinder, or delay the transmission of any communication over any such line or system shall be fined not more than one thousand dollars or imprisoned not more than three years, or both. *Sec. 60, Act Mar. 4, 1909 (35 Stat., 1099; Sec. 836, Mil. Laws, 1921).*

SECTION II.

RECEIVING DEPARTMENT.

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18. Messages to be on proper forms.—Each message for transmission will be written upon the form provided for that purpose, and when not so written will be pasted to such form so as to leave the printed heading in full view above the message.

19. Importance of address.—*a.* The importance of the address can not be overestimated. When the address given seems insufficient, a better one should be requested.

b. Code addresses on land line or domestic messages are insufficient, and therefore will not be accepted, except when otherwise authorized.

c. Official telegrams for delivery in a theater of operations will be addressed to an office or to an officer, but not to a town or location. When an officer is addressed the organization to which he belongs will be given in the address. The central telegraph office, or other office designated for the purpose, will be furnished with a complete list (which will be kept up to date) of all organizations attached to the headquarters in which such central telegraph or other distributing office is located. Telegrams will be forwarded to final destination without avoidable delay.

d. Official telegrams for delivery outside a theater of operations will give the specific location of the addressee.

20. Address of messages for Signal officers and operators.—Messages for the Chief Signal Officer and other Signal Corps personnel of the system, officers in charge of line sections, and operators in charge at different stations, will invariably be addressed to "Signals" and not to the officer or enlisted man by name. When for an officer of the Signal Corps or soldier not in charge it should be addressed to the individual (surname only), followed by the word "Signals." On domestic commercial lines, the word "Signals" as a code address will not be used.

21. Address of sender to be recorded.—The address of the sender of a message, unless it be well known, will be requested and recorded in alphabetical order, by date, in a book for that purpose. Any subsequent changes in address will be carefully recorded, by date, and the former address canceled.

22. Messages to be timed, etc., by receiving clerks.—Each message will be timed and checked by the receiving clerk, who will see that the place from, month, and day are correctly noted thereon; he will also carefully read each message before accepting it, and when necessary will make it plain by marginal notation before it is sent to the operator. Messages bearing back dates will not be accepted.

23. Assistance to be rendered the sender.—The receiving clerk should give any aid or explanation necessary to enable the sender to prepare his message so that errors or delays may be avoided.

24. Changes in messages, misspelled words, etc.—No change should be made in any message, but misspelled or abbreviated words may be courteously referred to the sender for correction. If the sender declines to make the correction, the message will be accepted as written, the provisions of paragraph 33 being adhered to. Messages containing purposely misspelled words prepared with a view to avoiding full payment will not be accepted.

25. Unsigned messages.—If a message be offered without signature, the sender's attention should be called to the omission, and if the sender then declines to sign the message the receiving clerk will write in the place of the signature the words "Not signed." These quoted words will be transmitted and copied by the operators.

26. Repeated messages.—If the sender requests a repetition of his message the receiving clerk will insert in the check the words "Repeat back." The words "Repeat back" will be included in the count.

27. Request to report delivery.—If the sender of a message requests a notice of its delivery the receiving clerk will insert in the check the words "Report delivery," and include them in the count.

28. Messages requiring an answer.—Receiving clerks will place the letter X immediately after the check in each message requiring an answer and operators will transmit and copy it.

29. Time of transmission and delivery not to be specified.—All concerned are particularly cautioned against making any promises, respecting the transmission or delivery of a telegram within a specified limit of time. The assurance that due diligence will be exercised is proper. Neither will operators or others certify to the correctness of any message.

30. Profane or obscene messages.—Messages containing profane or obscene language will not be accepted for transmission.

31. During interruption to lines, messages to be accepted "Subject to delay."—*a.* If a message be offered when communication is known to be interrupted, it will be accepted only if the sender choose to leave it for transmission when communication is restored. Upon such a message write the words "Subject to delay," and request the sender to affix thereto his signature or initials. If he refuses to affix his signature or initials, the message will not be accepted. This requirement will not be waived.

b. It is not necessary to transmit the words "Subject to delay" in the check of messages accepted during an interruption to the line.

32. Entry of messages on receiver's register.—*a.* Offices will enter by number on the receiver's register, Form 135, or on the message center register, as the case may be, the time and in the order of their acceptance, all messages accepted for transmission. The personal signal of the receiving clerk will be entered immediately before or after the time of filing in the space for that purpose on the message blank.

b. A careful comparison should be made between the receiver's register and telegrams sent each day before closing, if practicable, to see that all messages accepted during the day have been duly transmitted.

33. How to count words in messages.—*a.* This rule applies to all domestic, personal, commercial, press, and Government or official messages, i. e., messages to points in the United States, Alaska, Canada, and Mexico.

b. Count the following words, figures, etc.:

(1) All words, figures, and letters in the body.

(2) The word "Collect" in the check. (Counted but not charged for on commercial lines.)

(3) The following extra words:

(a) All signatures, when there are more than one, except the last.

(b) All words after the last or only signature.

(c) All extra words in an address. (Alternative names, alternative street addresses, and such words as "personal" or "attention Capt. Smith.")

(d) The words "Report delivery" and "Report back," in the check.

c. Dictionary words taken from one of the following languages, namely, English, German, French, Italian, Dutch, Portuguese, Spanish, and Latin; initial letters, surnames of persons, names of countries, counties, cities, towns, villages,

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States, or Territories, or the names of the Canadian Provinces will be counted as one word. Abbreviations of the names of countries, counties, cities, towns, villages, States, Territories, and Provinces will be counted the same as if written in full.

Examples:

Excursion (English dictionary)	1 word.
Herzlichen Glueckwunsch (German dictionary)	2 words.
Nous arriverons dimanche (French dictionary)	3 words.
Dolce far niente (Italian dictionary)	3 words.
Mijne groete aan mevrouw (Dutch dictionary)	4 words.
Todo esta perdido (Portuguese dictionary)	3 words.
Un cabello haze sombra (Spanish dictionary)	4 words.
Errare est humanum (Latin dictionary)	3 words.
G. W. E. A. (initials)	4 words.
Van Dorne (surname)	1 word.
McGregor (surname)	1 word.
O'Connor (surname)	1 word.
DeWitt (surname)	1 word.
W. H. Brown, jr	4 words.
United States (country)	1 word.
Red Hill (county)	1 word.
St. Louis (city)	1 word.
East St. Louis (city)	1 word.
Red Bud (town)	1 word.
South Orange (village)	1 word.
New York (or N. Y.) (State)	1 word.
District of Columbia (or D. C.)	1 word.
Nova Scotia (or N. S.) (Canadian province)	1 word.
Prince William Sound	3 words.

d. Abbreviations of weights and measures in common use will be counted each as one word. Figures, decimal points, punctuation marks, and bars of division will be counted, each separately, as one word. In groups consisting of letters and figures each letter and figure will be counted as one word. To reduce liability to error, numbers, and amounts should be written in words, but the message will be accepted as written if the sender refuses to make the change. The sender's attention should be called to any punctuation marks appearing in the body of the message, and told that if he desires them transmitted they will be included in the count and charged for. In ordinal numbers the affixes st, d, nd, rd, and th will each be counted as one word.

Examples:

Lbs. (abbreviation of weight)	1 word.
Cwt. (abbreviation of weight)	1 word.
Hhds. (abbreviation of measure)	1 word.
10000000 (figures)	8 words.
Ten millions (amount expressed in dictionary words)	2 words.
4442 (figures)	4 words.
44.42 (figures and decimal point)	5 words.
74¾ (figures and bar of division)	5 words.
A 1 (letters and figures)	2 words.
42B61S (letters and figures)	6 words.

Examples—Continued.

1st (ordinal number and affix)	2 words.
10th (ordinal number and affix)	3 words.
" " (quotation marks)	1 word.
() (parenthesis)	1 word.
No. 185 West 22d St	9 words.

e. All groups of letters, when such groups are not dictionary words of one of the eight languages above enumerated, or combinations of such dictionary words, will be counted at the rate of five letters or fraction of five letters to a word. When such groups are made up of combinations of dictionary words of one of the specified eight languages, each dictionary word so used will be counted as one word.

(1) Examples:

Ababa (artificial group of 5 letters)	1 word.
Hhgga (artificial group of 5 letters)	1 word.
Egadol (artificial group of 6 letters)	2 words.
Ceghxo (artificial group of 6 letters)	2 words.
Dutimerodal (artificial group of 11 letters)	3 words.
Gghrccexqdr (artificial group of 11 letters)	3 words.
Dothe (improperly combined)	2 words.
Itis (improperly combined)	2 words.
Allright (or alright) (improperly combined)	2 words.
Havyu (2 dictionary words purposely mutilated and improperly combined)	2 words.
Firstclass (improperly combined)	2 words.
Carlots (improperly combined)	2 words.
Warrisk (improperly combined)	2 words.
Billading (improperly combined)	2 words.

(2) Exceptions:

A. M	1 word.
P. M	1 word.
F. O. B. (or fob)	1 word.
C. O. D. (or cod)	1 word.
C. I. F. or C. F. I. (or cif or cfi)	1 word.
C. A. F. (or caf)	1 word.
O. K	1 word.
Per cent (or percent)	1 word.

f. To facilitate the checking of messages by receiving operators, in cases where irregular code words are counted double, domestic messages containing such words will bear a double check, as, for instance, "21/17 O. B."—the first group of numerals representing the number of fabricated words and the last the actual number as written by the sender.

g. It is important that the message shall carry its original count throughout its transmission and that its progress shall not be delayed by questioning of the check between operators. Therefore, the employee with whom the message is filed shall indicate his count of any compound word or combination of words, concerning the count of which there may be doubt on the part of operators in the course of further transmission, and his count of any group of separate words which are counted together as one word, by underscoring the word or words, and writing the figure indicating his count under the underscore. When a combination written as one word is counted as more than one word, he shall

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also indicate by a vertical line the point of separation between the words separately counted as one each.

Example:

Carload	post|office
1	2
War|risk	rear|end
2	2
New|year	percent
2	1
any|one	
2	

h. Official messages handled free over all lines will be checked "O. B." When a charge is made over the other lines, they will be checked "Paid Govt." or "Collect Govt.," the number of words to be indicated.

i. For radio and cable messages, see regulations governing those classes of communication.

34. Messages sent by error to wrong destination.—When an originating office learns that a message has been sent by error of the line to a wrong destination, it will at once forward the message to the proper address as a new message, and notify the office to which it has been improperly sent to file it without checking.

35. Official messages returned to sender after transmission.—Whenever it becomes necessary to return to the sender an original official message after transmission, a receipt therefor will be taken on a skeleton copy, as per example. The skeleton copy will be filed in its proper place in the telegraph office records.

Example of skeleton to be made upon return of an original official message to the sender after transmission:

Number	Time filed	Check
1	4.20 p. m.	24 O. B.

(Date and place.)

Smith,
Gondrecourt,
1.Bd–7.20 p. m. (Signed) Hart.
H–M

Received from (name and grade of soldier) the original of the telegram described above.

(Date and name of person signing the receipt.)

36. Extra dates and forwarded messages.—*a.* If a person leave town before the arrival of an expected message, and it be forwarded to him, the message as forwarded will show, in addition to the name of the place from which it is forwarded and the date, the name of the place from which it was originally sent and the word "via," which will be counted.

(1) For example: If the following message was originally sent from Paris to Nevers, and forwarded from Nevers to Gondrecourt, it would be checked and dated thus:

12 O B, 2 extra,
Paris,
via Nevers, October 24.

JOHN DOE, Gondrecourt,
Meet me next Monday at ten o'clock in the forenoon.

RICHARD ROE.

(2) In this message the words "Paris" and "via" will be forwarded as part of the message.

b. If the message to be forwarded is a back-date message, the original date will be shown in figures and counted.

(1) For example (assuming the same message as above, but as a back-date message):

14 O B, 4 extra,
Paris, 23,
via Nevers, October 24.

JOHN DOE, Gondrecourt,
Meet me next Monday at ten o'clock in the forenoon.

RICHARD ROE.

(2) In this message the words "Paris, 23" and "via," four words, will be forwarded as a part of the message.

c. Messages must in every case show the place of origin, and no employee will be permitted to act as agent for the sender and by so doing change the point of origin.

d. Messages received by mail for transmission by telegraph will also be handled as above.

SECTION III.

OPERATING DEPARTMENT.

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37. Office calls.—An operator, when calling an office, will sign his own office call at short intervals, and will also sign it and his personal signal in answering calls. All calls must be answered promptly. When not promptly answered or not answered at all, the time will be registered by the calling operator on the back of the operator's number sheet. He will also immediately report the matter to the chief operator.

38. Speed of transmission.—*a.* The sending operator will regulate the speed of transmission of a message to suit the ability of the receiving operator.

b. The inability of an inexperienced operator to receive rapidly will not be deemed a sufficient reason for failure to transmit a message to him.

39. Order of transmission.—*a.* In sending a message observe the following order of transmission:

(1) Message number.
(2) Check.
(3) Place from (and date, when a back date).
(4) Hour of signature on field lines, or time filed on Government and other day-rate telegrams on lines primarily commercial.
(5) Address.
(6) Body or text.
(7) Signature.

b. No alterations will be made. In case of a relayed message, any apparent errors should be brought to the attention of the receiving operator for verification before transmission to the next office.

c. All figures and words in the check of a telegram will be transmitted. The number of words given in the check of a message accepted by the receiving clerk will under no circumstances be altered by an operator. The inaccuracies will be brought to the attention of the receiving clerk for correction; neither will a check on a relayed message be altered without the authority of the sending office.

d. Sending operators will not transmit the titles "Mr.," "Messrs.," and "Esq." when they appear in the address of a telegram.

e. The prefixes "Mrs.," "Miss," and any distinctive title such as "Gen.," "Hon.," etc., however, should be transmitted whenever they form part of the address.

f. The suffix "th" when used in the address of a message is frequently rendered "8"; for example, 242 West 9th St., rendered 242 West 98 St. To obviate errors of this kind, operators will not transmit "th" following a figure in the address of a message.

g. It is not necessary to transmit the words "Subject to delay" in the check of messages accepted during an interruption to the line.

h. It is important that great care be exercised by both sending and receiving operators in handling messages addressed to suburbs of cities bearing the same name as that of the city, in order that the destination may not be made to appear as a part of the city proper. Careful punctuation in such instances is essential.

40. Numbering messages.—*a.* The sending operator will number each message to the office to which he sends it and will write after the number the call of that office, followed by his own signal, the receiving operator's signal, and the time of transmission in the order named.

b. In transmission of a message bearing a back date, the date of forwarding will be indicated by encircling thus ⑰, which will be indorsed immediately after the time of transmission.

41. Acknowledgment of receipt.—No telegram will be regarded as transmitted until acknowledged by the usual signal, but if a number of telegrams be sent in succession, the acknowledgment of the last may be regarded as an acknowledgment of all.

42. Number sheets, comparison of numbers, etc.—*a.* The number sheets will be dated and the names of offices will be written out in full.

b. It is of great importance that message numbers be correct and be accurately recorded. Operators at both ends of the wire should always act upon the theory that missing numbers indicate lost messages and should call the attention of the chief operator to each case. The receiving operator should never mark off a number without first seeing the message which bears it. Sent messages should be carefully examined as often as practicable to ascertain whether they are properly timed and the numbers correct.

c. At each office, before closing, the operators will examine the number sheets and exchange number reports of the day's business with other offices and immediately correct any errors discovered. When unavoidable, a service message will be sent the following morning, comparing numbers. This message must be answered only when the comparison is found to be incorrect, otherwise it will be filed unanswered.

43. Sent messages to be examined for evidence of transmission.—*a.* At each office it will be made the duty of some one to scrutinize before filing for record all "sent" messages, to see that they bear the proper indication of transmission. The utmost care must be taken to prevent unsent messages from being placed with those which have been sent. Both the sent and received messages should be compared with the operator's number sheet to see that all messages have been properly accounted for.

b. Whenever duplicate numbers are discovered, a description of both messages should be wired to the distant office, where an immediate search of the files will be made with the view of preventing the loss of one of the messages and adjusting the numbers. The duplicated number will be made ½. For example: If two messages bearing the number 50 are transmitted, and the fact is not discovered until some time afterwards, the one last sent will be made No. 50½.

44. Transmitting repeated messages.—Special care will be observed in sending and receiving a message requiring repetition. At the office of origin and at each repeating office an operator, upon receiving back a repeated message, will carefully compare it with his copy, underlining or checking each word, and, if the repetition be found to be correct, he will write on the back of the message the words "Repeated back O. K.," with his personal signal and the personal signal of the operator who repeated back the message.

45. Messages to more than one address.—*a.* When a message is addressed, for example, to "A or B," for delivery to either, it will be transmitted as a single message. When a message is addressed, for example, to "A and B," or to several persons for delivery to each of them, before transmission begins the sending operator will inform the receiving operator of the number of addressees on the message.

The transmission will be in the following order:

(1) Office call of sending office.
(2) The check (and date when of a back date).
(3) Time filed.
(4) The body and signature.
(5) The numbers of the messages and names of addressees.

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b. Each message will be given a separate number, and a separate message will be delivered to each addressee. Nothing should appear on any copy delivered to indicate that the same message was also delivered to other addressees.

46. Cause of delay to be noted and reported.—*a.* When for any reason an operator can not transmit a message promptly, he will note the cause of delay upon the back of the message and will report the facts to the chief operator or operator in charge.

b. When from any cause a congestion of business occurs, chief operators and operators in charge should put forth every endeavor to expedite the forwarding of the more greatly delayed business, and to this end an exchange of messages should be arranged alternately between the relay offices.

47. Messages delayed by interruptions.—*a.* When messages can not be promptly transmitted on account of an interruption of the telegraph line, they will be handled by radio or other methods forming a part of the system, unless specific instructions to the contrary are given in each case.

b. Whenever through messages in course of transmission are stopped at a relaying office in consequence of an interruption of the line, and they can be forwarded to destination or to the next relaying office by mail with greater dispatch than would be the case if held until repairs to the line are effected, they will be mailed to the operator in charge at destination, or to the next relaying office where communication can be had to destination. A copy of each message forwarded in this manner will be retained by each relaying office so forwarding.

c. At the time of mailing, the forwarding office will enter each message on a messenger's delivery sheet by number, commencing with No. 1 and continue serially during the interruption, and mail to the operator in charge at destination, or the next relaying office, who will, upon receipt of the messages, acknowledge receipt of each by signature, time, and date.

d. The operator in charge at the mailing office will be held responsible that all messages mailed are promptly checked up. Immediately upon restoration of communication he will send a service message to the operator in charge of the relay office, or at destination, giving the numbers of messages mailed, viz, 1 to 15, inclusive. If any of the messages described have not been received at the relay point, or at destination, the operator in charge at such point will service the mailing office, giving the number, address, and signature of the last message received. This service message must be prepared with the greatest care and numbers accurately compared; an error might cause the loss of several messages.

e. The mailing office will immediately send by telegraph any missing messages. The operator in charge at relay point, or destination, will sign on the delivery sheet for all messages received by mail and will return the delivery sheet to the mailing office, immediately after receipt of the message, without awaiting the restoration of communication.

48. Duplicate transmission.—*a.* If to correct an error in a message or for any other reason, a second transmission becomes necessary, the sending operator will begin the second transmission with the word "Duplicate," which word the receiving operator will write conspicuously on the form above the message. A new number will be given and new marks of transmission will be recorded thereon.

b. In such cases the date of filing, as well as the date of duplication, will be transmitted and copied. (See paragraph 40, concerning back dates.)

c. This rule does not apply to messages which are duplicated immediately on request of the receiving operator on account of some cause making a second transmission necessary.

49. Messages to be sent on date of filing.—*a.* An office which is not kept open all night will, before closing, transmit its messages to their destination or to the nearest relaying office.

b. The relaying office will forward all messages to their destination before closing. If, for any reason, any be left over until the next morning, they will be transmitted before new business, under the original date of filing. The date will not be changed to that on which forwarded. The date of forwarding will, however, be indicated. (See paragraph 40.)

50. Relay offices to clear before giving "good night."—Relaying offices will clear all business for offices which do not keep open all night before giving such offices "good night," after which messages therefor will not be accepted from the public at the relaying office except with the understanding that they will be transmitted under date of the day following. Messages for such points from other offices will be accepted in the usual manner.

51. Order of receiving.—*a.* Copy each message as transmitted. Enter on the blank after the number of the message the call of the sending office and the receiving operator's signal. Immediately after the place from, and back date, if any, enter the date.

b. Verify the check by counting the number of words. Make sure the message has been correctly received.

c. Write the time received in the lower right-hand corner and acknowledge receipt by giving the sending office an "O. K." followed by personal signal.

d. See that copy is legible and not liable to be misread.

e. Challenge all words that appear doubtful, and when confirmed by the sending operator they will be underscored.

52. New numbers to be given postponed corrections.—If for any reason a message can not be promptly completed or correction made, the number and time of receipt will be erased and the sending office will assign the number to the next message transmitted. When corrections shall have been accomplished, a new number and new time of receipt will be given.

53. Canceled messages.—*a.* A telegraph blank upon which a received message has been written, in whole or in part, must not be destroyed under any circumstances. When a telegram is to be canceled the word "cancel" with the reason and the operator's signal should be written across the face of the blank, which should then be placed on a sent business file.

b. The operator who cancels a telegram must see that the number is filled in. The canceled message will be filed in a jacket labeled "canceled business" and placed with the day's business.

54. Operators not to refuse messages.—No operator will refuse to receive any message offered by an operator at another office. Should there be any doubt as to the propriety of a message, it will be accepted and a copy submitted to the officer in charge of the system.

55. Contention for circuit.—Contention for circuit is positively forbidden.

56. Operator's signal.—No operator will change his personal signal without the consent of the operator in charge or chief operator, nor will any two operators in the same office use the same signal.

57. Chief operator, and operator in charge.—*a.* At offices where officers are in charge, the senior noncommissioned officer detailed to perform the duties of chief operator will be designated "chief operator"; and at offices where there be no officer, and the senior noncommissioned officer in charge performs all the functions of the office, he will be designated "operator in charge."

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b. Unless otherwise instructed by the officer in charge, the operator in charge of an office will be held accountable and responsible to the Government for all property and supplies whatsoever in his office or belonging thereto; for all money received, and for all transactions involving the payment of money in the regular and legitimate business of the office.

c. Operators in charge of stations will keep themselves familiar with the condition and needs of their stations. They will report to the officer in charge any acts on the part of the men serving with them which may affect the efficient operation of the office. They will also make such recommendations as will increase the efficiency of their stations.

58. No admittance to operating rooms.—The operator in charge or the chief operator will refuse to admit to the operating room any person not an employee under his own direction, except when permission to enter has been given by the officer in charge or other competent authority.

59. Wire tests.—*a.* The operator in charge at a testing office will make early morning tests of the wires and will see that the necessary orders to linemen are given and acted upon without delay. He will make every effort to have the circuits ready for business at the opening hour.

b. On account of the importance of maintaining uninterrupted communication, when giving directions to linemen, care will be taken to locate definitely the trouble, and to state its nature as accurately as possible.

c. The word "wire" will be recognized as giving the right of circuit at all times for testing purposes.

60. Ground wire.—The ground wire at intermediate offices will be used only in the event of an interruption of the circuit, and then only to notify the chief or testing operator concerning the interruption and to receive his instructions.

61. Office diary.—The operator in charge or the chief operator will keep a daily record of all interruptions and incidents which occur in the working of the lines. In making entries the time of tests, interruptions, removal of faults, etc., will always be stated; also, all information that may be of value for future reference. Offices will not be referred to by their calls. The date of opening the office, with name of operator in charge, will be the first entry. The name of each operator on duty will be entered in the diary daily, showing the time each comes on duty and time relieved.

62. Correspondence by wire.—*a.* Official correspondence by wire will be limited to matters of an urgent nature that will not bear the delay incident to the mails. The mails shall be used for all correspondence that will not suffer by delay.

b. The transmission by wire of messages or notes free of charges for friends and acquaintances of operators or other employees is prohibited.

63. Office hours.—*a.* At offices where there are two or more operators on duty, meal hours will be arranged so that a sufficient force shall be on duty at all times.

b. At offices where there are two or more operators on duty the hours of duty will be so arranged that, under ordinary circumstances, seven hours shall constitute a day's work for each man.

c. A reduction of one-half hour will be arranged for night work. When necessary, these hours of duty will be extended to meet the demands of the service.

d. On Sundays and holidays the hours of duty will be reduced when practicable.





64. Instruments and batteries.—*a.* Before closing an office temporarily, or for the night, its instruments will be cut out, care being taken that the circuit through the switch or cut-off is complete.

b. The inside of magnet bars on relays and the underside of same on sounders, as well as the ends of iron magnet cores, should be examined frequently and the rust which forms removed.

c. Switchboard plugs and plug holes should be kept bright and clean at all times so as to insure good connections. Switchboards should be watched very closely in moist climates, as the copper strips that connect on the back of the board corrode, and this corrosion forms a mineral solution by the chemical action of the air which impregnates the woodwork and is deposited therein as metallic copper, which causes more or less of a cross between the strips. Cases have occurred where the efficiency of the line was badly impaired from this cause. When such a case in a switchboard appears it should be reported to the officer in charge for replacement or repair, as the case may require.

d. The lightning arresters should be kept clean and free from dirt or moisture, and will invariably be examined after a thunderstorm.

e. No battery will be permitted to freeze, for while frozen the current is very much impaired or altogether suspended. Heat being a promoter of chemical action, a battery while warm works most vigorously. Batteries should be kept in a cool, clean, and dry place. (See Signal Corps Training pamphlets Nos. 7 and 8 for additional information relative to batteries.)

65. Testing instruments.—When the importance of the office justifies, means will be provided for making regular tests of the electrical condition of the lines. Reports of the tests will be sent to the officer in charge of the system. Detailed instructions for making these reports will be given on the blank form provided for that purpose. Instructions for making tests may be found in Signal Corps Manual No. 3.

66. Special signals and abbreviations.—*a.* The following special signals are authorized:

1. Wait a moment.	18. What is the matter?
4. Start me, or, where.	25. Busy on other wires.
5. Have you anything for me?	27. Adjust your magnet.
7. Message for you.	30 or N. M. Circuit closed or no more.
9. Important military message, give way.	44. Answer quick.
13. Do you understand?	73. Accept compliments.
	92. Deliver (ed).

Operators will in all cases give way for signal 9, and for "wire."

b. The following abbreviations are authorized:

Ahr——Another.	Flt——Filing time.
Ans——Answer.	Fm——From or originating point.
Black——Full rate telegram.	G. A——Go ahead.
Blue——Day letter.	G. E——Good evening.
Cable——Cable message.	G. M——Good morning.
Ck——Check.	G. N——Good night.
Coll——Collect.	Govt——Government.
Cy——Copy.	G. S. A——Give some answer.
D. H——Deadhead.	Ho——Hour of signature.
D. P. R——Day press rate.	Msg——Message.
	N. M——No more.
	N. P. R——Night press rate.

N. L.....Night letter.
Nite.....Night message.
O. B.....Official business.
O. K.....All right.
Opr.....Operator.
Our.....Our message date.
Qk.....Quick.
Radio.....Radio message.
R. P.....Reply paid.
Sg.....Signature.
Svc.....Service message or service department.
Sgd.....Signed.
Wd.....Word.
Wo.....Who.
Yr.....Your message date.

67. Telegraph alphabet.—

	Morse.	Continental.
a. Letters:		
A	- —	- —
B	— - - -	— - - -
C	- - -	— - — -
D	— - -	— - -
E	-	-
F	- — -	- - — -
G	— — -	— — -
H	- - - -	- - - -
I	- -	- -
J	— - — -	- — — —
K	— - —	— - —
L	— —	- — - -
M	— —	— —
N	— -	— -
O	- -	— — —
P	- - - -	- — — -
Q	- - — -	— — - —
R	- - -	- — -
S	- - -	- - -
T	—	—
U	- - —	- - —
V	- - - —	- - - —
W	- — —	- — —
X	- — - -	— - - —
Y	- - - -	— - — —
Z	- - - -	— — - -
&	- - - -	
b. Numerals:		
1	- — — -	- — — — —
2	- - — - -	- - — — —
3	- - - — -	- - - — —
4	- - - - —	- - - - —
5	— — —	- - - - -
6	- - - - -	— - - - -
7	— — - -	— — - - -
8	— - - - -	— — — - -
9	— - - —	— — — — -
0	— —	— — — — —
c. Punctuations:		
Period	- - — — - -	- - - - - -
Colon	— - — - -	— — — - - -
Semicolon	- - - - -	— - — - — -
Interrogation	— - - — -	- - — — - -
Exclamation	— — — -	— — - - — —
Fraction line	-	

67. Telegraph alphabet—Continued.

	Morse.	Continental.
c. Punctuations—Continued.		
Dash	— - - - — - -	— —
Hyphen	- - - - - — - -	— - - - - —
Pound sterling	- - - - - - — - -	— - — - -
Capitalized letter	- - - - — - -	
Colon followed by quotation	— - — - - — -	
Dollar mark	- - - - — - -	— - - - — - -
Decimal point	Spell "dot".	- — — -
Comma	- — - —	- — - — - —
Paragraph	— — — —	— — — —
Underline (begin)	- - — - — - -	- — - - - — - -
Underline (end)	- - — — - — -	- — - - - — - - - — - -
Parenthesis (begin)	- - - - - — -	— - — — - —
Parenthesis (end)	- - - - - - - -	— - — — - — — - —
Quotation marks (begin)	- - — - — -	- — - - — -
Quotation marks (end)	- - — - — - — -	- — - - — - - — -
Quotation within a quotation (begin)	- - — - - — - -	
Quotation within a quotation (end)	- - — - - - -	
Apostrophe	- - — - - — - -	- — — — — -
Shilling mark	- - — —	- - -
Final signal		- - - — -
Footnote (begin)		— — — —
Footnote (end)		— — — — — —

68. Service messages.—*a.* Service messages will be given preference in every instance.

b. No service message shall be delayed for any cause whatever; nor shall any office decline to furnish promptly and explicitly information called for in any received service message. Such requests and replies should, however, be as brief as possible.

c. Copies of such service messages as appear to have been improperly sent will be referred to the officer in charge of the system for inspection.

d. A reply to a service message must in all cases be addressed to the office from which the message is received. Failure to observe this manner of correspondence may cause delay and annoyance.

Example: If an office receives a service message from New York signed "Service," the reply to such service must be addressed "Service, New York."

e. Whenever services are sent or received, a record will be made on the back of the message to which they refer by all offices concerned; the date and name of the office serviced will be indicated.

f. Whenever a service is amended and forwarded, the word "amended" will be inserted after "svc." in the check.

g. Service messages employed for the purpose of discovering errors or that contain the message number given the message in question will be compared with the file copy at each relay office. If no error be disclosed, the number of the message referred to in the service message will be changed at each relay office to agree with that of the next relaying point or other telegraph office to which the message is to be sent. If an error is discovered, however, the service message will be stopped and reply made to the inquiring office.

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Example No. 1:

(Message from Nome to Seattle.)

5 Si 5

NOME, June 7–8, 1908.

JOHN DOE, Seattle:
Abbey Icicle Frank Bradley Gallery.

RICHARD ROE.

(1) If, upon delivery of the message, the addressee claims an error in the last word, Seattle would send the following service:

Example No. 2:

NOME.

Yr 5/7/8/ Doe fifth Gallery.

SEATTLE 8.

(2) The first figure in the service denotes the number of the message to Seattle; the second figure the date of filing; and the third figure the date of sending to Seattle.

(3) Sitka compares the service with his tape copy and if no error be apparent he amends the service by changing the number only and forwards it to Valdez.

Example No. 3:

NOME.

Yr 3/7/8/ Doe fifth Gallery.

SEATTLE 8.

(4) If there be no error at Valdez, the service will be amended as per example No. 3 and forwarded to the next relay office. It will be observed that the first number in the body of the service must be changed at each relay office so that no delay will occur in locating the message.

(5) The relay office first discovering the error will stop the service and reply as follows, supposing Valdez stopped the service, as the word in question reads Galley in his copy.

Example No. 4:

SEATTLE.

Nome's 7/8 Doe Galley.

VALDEZ 8.

h. If an error be disclosed upon the receipt of a reply to a service message, the office making the inquiry will start a letter tracer for the purpose of placing the responsibility for the error.

69. Service message code.—

Code word.	Meaning.	Example.
Cancel	Cancel and file	Our 41, New York (date), Briggs, sgd Hooper, cancel.
Colaft	Collect there; addressee out of town.	Yr 12 (date), New York, Jones, sgd Frank, Colaft.
Collect	Collect there; payment refused.	Yr 75, Chicago (date), Weld, sgd Patterson, collect.
Colunk	Collect there; addressee unknown.	Yr 31, Buffalo (date), Henry W. Gerrish, 21 Monmouth Street, East Boston, sgd Gerrish, colunk.
Dld	Delivered O. K.	Yrs 117 of 31st, Wilson, dld.
D. F. S	Disregard former service	

69. Service message code—Continued.

Code word.	Meaning.	Example.
Dup	Duplicate quickly from original; word not understood.	Yr 91, Armour (date) tenth, Abhor, dup.
G. B. A	Give better address. Unknown at address given. Not in directory.	Yr 94, N. Y. (date), Wm. Newcomb, 31 Broad Street, sgd Foss, G. B. A.
Gone	Addressee is said to have left for ....(city).	Yr 25 (date), Smith, sgd Jones, gone Denver.
H. A	Hurry answer	Our 83 (date), Price, McCormick, sgd Jones, H. A.
H. C	Hurry press check	Transcript 30th, H. C.
Locked	Place closed. Will deliver soon as open.	Yr 94, Hartford (date), Conkling, sgd Franch, locked. (Service messages reporting nondelivery to business houses that are closed for the day are unnecessary.)
Missing	Missing number; describe	Yr 16 (date), missing.
Moved	Addressee has moved from address given. Present local address unknown.	Yr 32 (date), Brown, sgd. Thompson, moved.
Notoad	No {telephone / telegraph} office; advise disposition.	
N. S. A	No such address	
Ornord	Original not received. Have delivered duplicate with explanation. Please trace.	Yr 90 (date), Chicago, Swift, Boston, sgd Swift, ornord.
R. F. O	Repeat from original. Message not understood.	Yr 204 (date), Boston, Smith, sgd Henry, R. F. O.
S. O. S [1]	See our service	
S. Y. S	See your service	
Try	See your (insert number of service message). Try to deliver it.	Yr 42 (date), try 37 South Street.
Undeld	Undelivered. Addressee said to have left.	Yr 38, St. Louis (date), F. H. Webster, sgd James, undeld.
Unkn	Addressee is not known	Yr 73 (date), H. A. Small, 245 Tenth St., sgd Will, unkn.
Unclaimed	Returned by (hotel); addressee failed to call for.	Yr 5 (date) Buffalo, Kirk (hotel), sgd Hoff, unclaimed.

[1] Not to be used in radio work.

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70. Preparation for delivery.—*a.* To permit ready reference, number each message consecutively for delivery in the order received, commencing with No. 1 each day. The wire number should be used for this purpose at all offices which handle less than 100 deliveries a day.

b. Each message for delivery will be numbered, copied, and inclosed in the proper envelope, which will be sealed and plainly addressed.

c. Messages received for delivery will be entered on the delivery sheet, Form 136, in the order of their receipt.

d. Instructions from the sending office in regard to the delivery of a message should be carefully observed. If the address on the message received be at variance with that registered in the book of addresses, the address of more recent date will be tried first.

71. Messages addressed to more than one person.—When a message addressed, for example, to "A" or "B" is received, it will be delivered to either one or the other of the addressees. (See paragraph 45.) It should not be delivered to both addressees.

72. Messages requiring answers.—*a.* Delivery clerks will observe the checks of all messages for delivery and plainly write the words "Answer requested" upon the envelope of each message bearing the letter "X" in the check. The messenger will be instructed to make diligent effort to obtain such answer. Should he fail to obtain it, he will be especially careful to report the reason to the delivery clerk. (See paragraph 28.)

b. Messengers will in all cases be supplied with the proper blanks on which answers can be written. They must always ask the person to whom any message is delivered if he wishes to send an answer.

73. Messages not to be delivered to unauthorized persons.—A message must not be left with a janitor or porter of a building for delivery by him, nor be slipped under a door, nor left in a letter box, unless the addressee has filed a written request for such delivery.

74. Messengers to obtain receipts.—*a.* A messenger will obtain a receipt on the delivery sheet for each message delivered, which receipt will include the name of the person to whom delivery is made and the time of delivery. Initials only will not be accepted. A messenger will in no case receipt for an addressee except when the addressee has authorized in writing such action or when the messages are to be mailed. In the latter case the time of mailing will be indicated and the messenger's full name indorsed on the delivery sheet. These messages will be put in the post office and not dropped in street or office letter boxes. Request for return after a given time should be indorsed on the envelope of all messages mailed.

b. Messages delivered by messenger to a connecting line will be treated the same as if delivered to an addressee.

75. Messages delivered by telephone.—*a.* Messages delivered by telephone will be entered on a delivery sheet and the time, name of person receiving the message over the telephone, and name of clerk transmitting the message, with the word "telephoned," will be indorsed in the proper place on the delivery sheet. The message will be held for future delivery by messenger or by mail. If the addressee should call for the message in person he will be required to sign his name immediately under that of the person who received the message over the telephone. If such delivery be at a later date, the date of delivery will be indicated.

b. The utmost care should be taken in telephoning messages. Before sending the message, ascertain the name of the person at the receiver, and never send the message to any person other than the addressee except when requested to do so by the addressee. Upon completion of the transmission, the message should be repeated back to make certain that no errors have occurred.

76. Nondelivery of messages.—When a message can not be delivered because of wrong or inadequate address, or because the addressee is not known, or for any other reason, a record of the facts will be made upon the envelope of the undelivered message, and the sending office will be promptly notified by telegraph of the nondelivery; the service message giving such notice will contain the date, address of the message as received, and the reason for the failure of delivery. On receipt of such notice the sending office will compare addresses and will correct by telegraph any error that may be found. Pending the correspondence as to "better address" the receiving office will mail a postal card notification (Form 137–A), indorse on back of envelope the date of mailing such notice, also the date of the notification to the sending office. Should the postal card be returned by the Post Office Department it will be securely attached to the message and filed for record. If the delivery be accomplished at a subsequent date, the sending office will be notified by brief service message.

77. Notice to addressee of undelivered messages.—*a.* When a message can not be delivered because the addressee's place of business or residence is closed, or because no authorized persons can be found to receive the message, the messenger will leave a notice (Form 137–B) at the place of address. The undelivered message will then be returned to the office, with the reason for nondelivery indorsed upon the envelope, and will be delivered as early thereafter as possible. Should subsequent efforts to accomplish delivery result in failure, a notice will be left each time as an evidence of the fact that proper effort was made to make delivery. The stubs of Form 137–B will be preserved. If the addressee be reported to have left town, a notice on Form 137–B will, nevertheless, be left at the place addressed. A postal card notice will also be mailed. This is to insure delivery in case the addressee returns unexpectedly or at a subsequent date.

b. If the addressee calls for the message while in the hands of the messenger, or if for some reason at a later date applies for a copy of the message, he may, if known or properly identified, be permitted to see the retained copy and, if he desires, make a copy thereof, but a receiving blank will under no circumstances be furnished, nor will a second copy be made on a receiving blank by anyone connected with the service. Receipts will be taken for messages delivered in this manner.

78. Messengers' books to be examined.—The delivery clerk will examine the delivery sheets of messengers on their return from each service, and at the close of the day, to see that correct delivery has been made and that all proper notifications have been given.

79. Correction of errors.—*a.* If, after the delivery of a message, the addressee claims that an error has been made by the telegraph, the operator in charge will, by service message to the sending office, ask for a duplicate of so much thereof as may be necessary. The result of the duplicate, even though no error be disclosed, will be communicated to the addressee.

b. Upon receipt of a service message requesting repetition of a message, or any part thereof, the sender should be consulted if possible, with a view to confirmation or correction.

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c. If for any reason a manifest error in a message can not be immediately corrected it will be delivered with the words "Delivered subject to correction" plainly indorsed after the check, indicating the cause for such delivery, such as wrong check or omission of some portion of the message. When a corrected copy shall have been obtained it will be marked "Corrected copy" and delivered to the addressee.

80. Filing away messages.—*a.* Care will be taken in preserving and filing away messages sent and received. They will be filed daily in a wrapper or other satisfactory filing device.

b. At the close of business each day the messages will be sorted and arranged alphabetically in respect to stations. All messages sent to or received from each station will be kept together in the order named.

c. A message which from any cause has failed of delivery will be filed with other business; it will not be destroyed because of that or other reason, nor will a request to that effect be complied with.

81. Destruction of messages.—Copies of all messages and cable tape sent in plain language will be destroyed by fire when one week old. Code and cipher messages will be similarly destroyed from week to week as they become three months old. The destruction should be witnessed by the assistant operator in charge, who will certify to the fact that he so witnessed the destruction. The certificate will state the period covered by the messages destroyed and will then be sent to the officer in charge of the section or officer in charge of the system, as the case may be. This rule does not apply to commercial telegrams, which will be disposed of in accordance with arrangement made with the local telegraph companies.

SECTION V.

MISCELLANEOUS.

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82. Obligations not to be incurred.—Operators are prohibited from contracting debts or obligations on account of the Government except when authorized to do so by competent authority.

83. Economy in use of supplies.—*a.* Operators and other employees are expected and required to prevent loss and waste of stationery, office supplies, line-repair material, fuel, oil, etc. Public property and labor will not be diverted to any use whatsoever not authorized by the regulations of the service.

b. The use of instruments, battery, line material, etc., for any purpose not directly connected with the operation and maintenance of the military telegraph lines is expressly forbidden.

84. Care of typewriters.—*a.* The typewriters furnished by the Signal Corps are of standard manufacture and therefore expensive. With proper care they should last for many years. The lack of oil or its profuse use is perhaps the

cause of more unserviceable typewriters than any other. The machines should be cleaned and oiled daily, the very slightest application of oil being all that is required. A woolen cloth slightly oiled is the best fabric for polishing the parts and preventing rust.

b. In adjusting the tension, it should be remembered that the lighter the tension the longer the life of the machine, and likewise the less strength required to operate. A light, even, and regular touch should be practiced. The books of instruction furnished by the various manufacturers of the typewriters should be carefully read and the information contained therein put into practical use.

85. Blank forms.—*a.* Blank forms in ample quantities will be furnished each station annually or as needed, depending upon existing conditions, on requisition.

b. As new forms are added or old ones discontinued, the printed schedule (Form No. 57) of these forms should be corrected accordingly. Obsolete forms should be destroyed.

c. Operators in charge will be held responsible for the proper supply of their stations. A deficit or surplus will be promptly reported to the officer in charge.

d. The printed forms will be used only for the purpose for which they are designed. Under no circumstances will a receiving blank or message envelope be furnished except in the proper delivery of messages.

86. Stationery.—*a.* An allowance of stationery will be supplied annually by the Signal Corps to each telegraph office not located at military posts. Offices at military posts will obtain the necessary stationery from the post quartermaster.

b. Operators in charge will be held responsible for the proper supply of their stations.

87. Repairs to interruptions.—*a.* Repairs will be made as soon as practicable by the repair man on duty at the station nearest the interruption.

b. The operator in charge of a station will not be required to make repairs except when the other men are incapacitated. He will, however, assist the linemen in every possible manner. (See paragraph 59.)

88. General repairs.—General repairs and betterment work will be made as occasion demands. Provisions should be made sufficiently in advance to have all material on the ground and properly assembled before the detail leaves the station.

89. Monthly reports.—*a.* A monthly report of messages will be rendered on the back of Form 105, modified to meet local conditions. One copy of the report will be forwarded to the Signal Officer in charge of the system and one copy retained at the station.

b. Operators in charge of detached sections will also render a monthly line report covering the conditions and operations of the offices and lines on their sections, including information as to general repairs made, with appropriate recommendations for continuing the line in an efficient state of operation.

90. Offices temporarily closed.—If for any reason it becomes necessary to close an office temporarily, a notice will be posted giving date, time of closing, and probable time of reopening.

91. Radio stations part of system.—All radio stations maintained and operated by the Signal Corps are considered a part of the military telegraph system of the department, corps area, army, or other tactical unit in which they may be located or assigned.

92. Settlement of other line bills at military posts.—*a.* The following from the tariff books of the commercial companies is published for the information and guidance of all concerned:

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"We are advised by the Chief Signal Officer of the Army that in some cases Signal Corps men at military posts in the United States have been delinquent in rendering their returns to the telegraph companies and that some managers have permitted Signal Corps men to delay for months the settlement of their telegraph accounts. The Chief Signal Officer of the Army requests that all managers require accounts of the Signal Corps for the preceding month to be settled not later than the 5th day of each month, and if such accounts have not been settled with the telegraph company on or before that date, the officer in charge of the system in which the Signal Corps men serve be notified on the 6th day of each month by telegraph of such failure on the part of the Signal Corps men to settle their telegraph accounts."

b. Managers dealing with Signal Corps men should act in accordance with these instructions.

[300.33, A. G. O.]

BY ORDER OF THE SECRETARY OF WAR:

JOHN J. PERSHING,
General of the Armies,
Chief of Staff.

OFFICIAL:
P. C. HARRIS,
The Adjutant General.

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RECEIVED
1930 FEB 10 PM 3 35
CHIEF OFFICE
CHIEF SIGNAL OFFICER

14 1-/13

REF ID:A4127207

ARMY REGULATIONS
No. 105-25

WAR DEPARTMENT,
WASHINGTON, *September 1, 1934.*

SIGNAL CORPS

TELEGRAPH, CABLE, AND RADIO SERVICE

Paragraphs

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SECTION I

SUPERVISION

Paragraph

General 1
Message centers 2
Economy in sending dispatches 3

1. **General.**—The supervision of telegraph, cable, and radio service for the Army, including places otherwise exempt from the jurisdiction of corps area commanders, is a function of the Signal Corps.

2. **Message centers.**—Message centers are maintained at the War Department, at each corps area headquarters, and at other points when necessary. They are charged with the receipt, transmission, and delivery of all dispatches received or sent by telegraph, cable, radio, or other special means at their disposal. They are also charged with cryptographing and decryptographing such official dispatches as must be transmitted in cryptographic form. They are organized by and operated under the direction of the Chief Signal Officer for the War Department and of the signal officer of the headquarters at other places, who will decide the best available means for transmission under general instructions of the commanding officer.

3. **Economy in sending dispatches.**—*a.* Message centers are charged with directing traffic so that the greatest economy is insured the Government consistent with prompt delivery of dispatches. To this end Army and Navy radio communication channels will be utilized whenever practicable.

b. In directing traffic to points which cannot be reached by radio, dispatches should be relayed by leased or commercial wire from the nearest practicable point in the radio net. Commercial lines will be used only when transmission by radio or Government-owned lines is not desirable or practicable. Whenever two or more commercial telegraph companies are accessible, dispatches will be delivered to the company which will transmit them at the least expense to the Government.

c. Letters and telegraph messages; when used.—A dispatch will not be sent by telegraph when a letter will serve the same purpose, nor a day message when a night message will serve, nor a day letter when a night letter will serve. In determining the form of dispatch to use, due consideration will be given the difference in time between the zone of origin and the zone of receipt.

* This pamphlet supersedes AR 105-25, December 28, 1923, including C2, November 18, 1929.

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SIGNAL CORPS

WAR DEPARTMENT,
Washington, September 1, 1937.

ARMY REGULATIONS
No. 105-25

SECTION II

RESTRICTIONS ON USE OF TELEGRAPH, CABLE, AND RADIO

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4. When use authorized.—Dispatches by telegraph, cable, or radio will be sent only when the delay consequent upon transmission by mail would be prejudicial to the public interest.

5. Prohibited dispatches.—*a.* Dispatches of the following character will not be sent by telegraph, cable, or radio, except to commanding officers, or under special authorization from proper military authority:

(1) Information relative to numbers, movements, or operation of troops.

(2) Details regarding fortifications, armaments, or experiments made in connection with military affairs.

(3) Opinions on military operations or other military matters relating to any part of the Army or other command with which the individual is serving, or to any auxiliary forces.

b. Dispatches containing the following will not be sent in plain language by telegraph, cable, or radio:

(1) Codes and ciphers.

(2) Remarks, recommendations, or statements of derogatory nature concerning an individual.

(3) Opinions on military operations or other military matters relating to any part of the Army or other command with which the individual is serving, or to any auxiliary forces.

(4) Implications tending to reflect upon the character or professional standing of an individual.

(5) Result of Board of Inquiry under section 24*b*, National Defense Act.

(6) Action taken upon general court-martial cases involving dismissal of officers or confinement in a penitentiary.

(7) Messages relating to urgent or important matters of business (including actual orders to buy or sell stocks, bonds, or other securities) may usually be considered as proper.

(8) Messages relating to urgent or important matters of business (including actual orders to buy or sell stocks, bonds, or other securities) may usually be considered as proper.

6. Personal messages.—*a.* The sending free of important personal messages by official personnel over Army field telegraph and field and oversea radio circuits is authorized, provided such messages

(1) Do not interfere with Government business transacted over such circuits;

(2) Do not contain or request information, advice, or quotations pertaining to stocks, bonds, or other securities, except in very unusual cases;

(3) Free personal radio service from oversea stations will terminate at the point of entry into the United States.

Commanding officers and their communication representatives are charged with the responsibility that this privilege is not abused.

7. Press messages over field wire and radio circuits.—*a.* When military business will not be interfered with, press messages may be transmitted free over military field wire and radio circuits where commercial facilities do not exist. In determining the form of dispatch to use, due consideration will be given to the difference in cost of the different forms.

b. The use of code or cipher in such messages is forbidden except when prescribed by the general commanding an army in the field.

* This pamphlet supersedes AR 105-25, December 15, 1933, and changes 1, November 18, 1936.

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TELEGRAPH, CABLE, AND RADIO SERVICE

SECTION III

CODES AND CIPHERS

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8. When, and by whom employed.—*a.* A message will invariably be cryptographed under the following circumstances:

(1) When it contains information which is secret or confidential except that when, in the judgment of the originator, the necessity for getting the information to the addressee without any delay is so [illegible] that this consideration completely outweighs the value that [illegible] perception in plain language would have for an enemy. Such [illegible] ssage will bear the notation "Send in clear" over the signature of the originator.

[illegible] it contains matter of the nature specified in paragraph 5*b*, [illegible] s to be sent by radio.

[illegible] a saving in time or cost of transmission can be effected by [illegible] se of a code permitting condensation or abbreviation of the [illegible]

[illegible] quarters where message centers are authorized, cryptographing [illegible] hing of all messages sent or received in code or cipher will be [illegible] message center under the supervision of the signal or com- [illegible] of the headquarters concerned except that messages relating [illegible] operation of the radio and meteorological service may be [illegible] d decryptographed by the radio or meteorological personnel by [illegible] cial codes provided for the purpose.

[illegible] ptographing and decryptographing of secret messages by means [illegible] ret codes or secret ciphers will be performed only under the [illegible] supervision and in the presence of a commissioned officer.

[illegible] eferable that commissioned officers perform all cryptographing [illegible] ecryptographing. However, within the discretion of the com- [illegible] ng officer, trusted enlisted personnel or civilian employees who [illegible] merican citizens, and in whom the commanding officer has [illegible] it confidence may be designated to perform the actual crypto- [illegible] ic work, within the limitation of (1) above.

(2) It is preferable that commissioned officers perform all cryptographic and decryptographing. However, within the discretion of the commanding officer, trusted enlisted personnel or civilian employees who are American citizens and in whom the commanding officer has implicit confidence may be designated to perform the actual cryptographic work, within the limitation of (1) above.

b. *By whom authorized.*—Codes, ciphers, and cipher devices [illegible] in the Army are authorized only by the Secretary of War, [illegible] ial codes and special ciphers intended to serve special purposes [illegible] es may be authorized by the commanding general, GHQ or [illegible] expeditionary force.

b. *War Department Telegraph Code.*—This is a nonsecret code primarily intended for economy. Its use will prevent telegraph operators and others who have only a casual interest from learning the contents of the dispatch. It furnishes no security from the expert cryptanalyst and should never be used for encoding secret dispatches. It will be issued to message centers and to all those required to handle any considerable volume of business by telegraph, cable, or radio.

c. *Division Field Code.*—This code will be issued to commanders of battalions and higher units for use by their message centers. It is intended, primarily,

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for communication within the division. It is confidential and every precaution will be taken to keep it out of the hands of unauthorized persons without, however, hampering its use for the encoding and decoding of messages. For purposes of instruction certain training editions (non-confidential) of this code are given a wide distribution to elements of the Army of the United States.

10. Distribution, use, and safeguarding.—Code books, cipher systems, and cipher keys, and cryptographic devices are issued by the Chief Signal Officer. Regulations governing their distribution, use, and safeguarding, as well as provisions relating to the handling of messages cryptographed by their means, are embodied in secret or confidential instructions prepared and issued by the Chief Signal Officer.

11. Accounting.—*a.* Receipt of registered secret and/or confidential codes, ciphers, cipher devices, and publications relating thereto, will be acknowledged immediately by the person to whom issued directly to the Chief Signal Officer, Washington, D.C., in time of peace, and in the case of the field forces in time of war directly to the signal officer, GHQ. Such acknowledgment will be by letter unless otherwise directed.

b. When the items mentioned in *a* above are transferred from one person to another, a certificate of transfer in triplicate will be accomplished. The certificate will be signed by the transferring officer and will contain an acknowledgment of receipt by the receiving officer.

c. Immediately upon completion of the transfer, the original of the certificate of transfer will be forwarded directly in time of peace to the Chief Signal Officer, Washington, D.C., and in the case of the field forces in time of war directly to the signal officer, GHQ. A copy of the certificate of transfer will be retained by each of the transferring and receiving officers.

d. Whenever a person to whom registered secret and/or confidential codes, ciphers, cipher devices, and publications pertaining thereto have been issued has no further need therefor, he will report that fact to the Chief Signal Officer, Washington, D.C., in time of peace, or in the case of field forces in time of war to the signal officer, GHQ.

e. Persons in the possession of registered secret and/or confidential codes, ciphers, cipher devices, and publications pertaining thereto, will render a semiannual report thereof on June 30 and December 31 of each year. This report will be made to the Chief Signal Officer, Washington, D.C., in time of peace, or in the case of the field forces in time of war to the signal officer, GHQ.

SECTION IV

INSTRUCTIONS TO WRITERS

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12. Preparation of messages.—*a.* Whenever practicable the blank form furnished by the Signal Corps will be used.

b. Words not important to the sense will be omitted.

c. Words instead of figures will be used in expressing numbers except in weather report messages.

d. Following the rules of commercial practice, punctuation marks should be spelled out in all cases when it is desired that they be transmitted in the body of the message.

e. All cryptographed radiograms, telegrams, and cablegrams that do not require action prior to the beginning of the working day following the day of filing will be filed as "NITE" messages. In order to insure the retention of this classification of the message throughout the course of transmission whether over commercial or military lines of communication, the classification designation "NITE" will be inserted as the first word of the body of the message. The word "NITE" will not be cryptographed.

f. Detailed provisions relating to the drafting of messages to be transmitted in secret code or cipher are embodied in secret or confidential instructions prepared and issued by the Chief Signal Officer.

13. Addresses and signatures.—*a.* Where dispatches are sent to offices such as "Commanding Officer, Fort Slocum, N.Y.", or "Quartermaster, Fort Slocum, N.Y.", the addresses used will be as given above rather than as "Lieut. Col. Jones, Infantry, C.O., Fort Slocum, N.Y."

b. Where a dispatch is sent to a subordinate in an office or command, the dispatch will be addressed to the commanding officer of the office or command. The name of the subordinate will be given in the first part of the body of the message preceded by the word "For." Example: A dispatch for Capt. John Doe, Headquarters, Second Corps Area, will be addressed "Commanding General, Second Corps Area, Governors Island, N.Y." For Capt. John Doe, etc. (in body of dispatch).

c. Dispatches will be signed with the surname of the sender. Where the surname alone is not sufficient to enable the addressee to establish the official position of the sender it will be followed by such essential additional information as will fix definitely the official capacity of the sender.

d. Dispatches sent to or signed by officers as individuals will be sufficiently complete to prevent delay or confusion.

e. Detailed provisions relating to the addresses and signatures of messages to be transmitted in cryptographic form are embodied in secret or confidential instructions prepared and issued by the Chief Signal Officer.

14. Consolidation of messages.—In case several messages are to be sent to the same address in the course of a day's business, they should, if practicable, be consolidated into one message whenever such consolidation will reduce the cost of the service.

15. Authentication.—*a.* When Standard Form No. 14a (Government Telegram) is used the sender of an official dispatch will authenticate it in the upper right-hand corner thereof as follows:

Signature.
Typed or printed signature.
Grade.

b. The sender of an official dispatch on any other form will certify as to its official character in the left-hand lower corner thereof as follows:

Official business:
Signature.
Typed or printed signature.
Grade and arm, service, or bureau.

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c. Who may authenticate.—Subject to the restriction contained in paragraph 17*d*, and to the further restriction as to the availability of funds (par. 4, AR 35–6100), a commissioned officer, or a warrant officer when no officer is present, may certify a message for transmission at Government expense, but a person other than those mentioned above must present to the agent of the telegraph company a letter or card of identification from his superior officer authorizing him to do so.

d. Messages of traveling or transient Government representatives will be accepted by the Postal Telegraph Cable Co. without restrictions as to when payment will be made. Messages transmitted via the Western Union Telegraph Co. to the home station of the sender or to the headquarters of his department at Washington, or in reply to a paid Government message, may be sent Government collect. Other messages transmitted via the Western Union Telegraph Co. may be charged at point of origin to the local telegraph account of the War Department office or station, provided authority for incurring such expense has been previously obtained from the local War Department representative. If this authority has not been obtained or no office or station exists at point of origin, it will be necessary for the War Department representative or agent to prepay such messages at Government rates and secure reimbursement later.

16. **Special delivery.**—*a.* Whenever special delivery is necessary to expedite the delivery of an official dispatch, the person filing the dispatch for transmission will endorse it "special-delivery charges paid". Similar action will be taken whenever the place of delivery is beyond the established free-delivery limits, except when the delay incident to the delivery of the message by mail will not be of a serious nature, in which case the dispatch will be indorsed "By mail from ", indicating the name of the office from which the dispatch should be mailed.

b. The special-delivery charge should be included in the charge for the regular tolls and presented for payment in the same manner.

17. **Oversea dispatches.**—*a.* Cablegrams and radiograms to or from oversea stations will be numbered by the sender in sequence in a single series for each addressee.

b. Paragraphing and numbering of paragraphs.—Such dispatches will also be divided by the sender into paragraphs according to the subject matter, no paragraph to contain matter relating to more than one subject. These paragraphs will be numbered consecutively in a single series for each message.

c. Numbers to be transmitted.—The number of the dispatch and the numbers of the paragraphs thereof will be transmitted as part of the body of the message.

d. Approval required; how transmitted.

(1) Official dispatches from the War Department to stations overseas, except dispatches pertaining to the Bureau of Insular Affairs, will be submitted by the chief of the arm, service, or bureau or other official concerned, to The Adjutant General for approval and delivery to message center.

(2) Official dispatches from stations or offices overseas to the War Department, except dispatches pertaining to the Bureau of Insular Affairs, will be submitted by the sender to the commander of the oversea force, or to the officer in charge of the oversea office, as the case may be, for approval and transmission to The Adjutant General, who will make delivery thereof to the addressees.

(3) Official dispatches pertaining to the Bureau of Insular Affairs will be transmitted directly by and to the chief of that bureau.

18. **Radio messages to and from ships.**—All official dispatches from ship to shore, shore to ship, or ship to ship, when charges are involved will be handled through the ship's quartermaster or agent, who will clear his accounts through the proper superintendent of the Army Transport Service.

[A.G. 311.5 (5–25–34).]

BY ORDER OF THE SECRETARY OF WAR:

DOUGLAS MACARTHUR,
General,
Chief of Staff.

OFFICIAL:
JAMES F. MCKINLEY,
Major General,
The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1935

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ARMY REGULATIONS
No. 105–25

WAR DEPARTMENT,
WASHINGTON, *July 20, 1937.*

SIGNAL CORPS

TELEGRAPH, CABLE, AND RADIO SERVICE

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SECTION I

SUPERVISION

	Paragraph
General	1

1. General.—The supervision of telegraph, cable, and radio service for the Army, including places otherwise exempt from the jurisdiction of corps area commanders, is a function of the Signal Corps.

SECTION II

MESSAGE CENTERS

	Paragraph
Organization and duties	2
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2. Organization and duties.—Message centers are maintained at the War Department, at each corps area headquarters, and at other points when necessary. They are charged with the receipt, transmission, and delivery of all dispatches received or sent by telegraph, cable, radio, or other special means at their disposal. They are also charged with cryptographing and decryptographing such official dispatches as must be transmitted in cryptographic form. They are organized by and operated under the direction of the Chief Signal Officer for the War Department and of the signal officer of the headquarters at other places, who will decide the best available means for transmission under general instructions of the commanding officer.

3. Operation; relation to commander and staff.—*a. Purpose.*—The message center exists primarily for service to the commander and his staff and furnishes this service by—

(1) Coordinating the use of various agencies of signal communication.

(2) Expeditiously effecting the transmission and delivery of messages.

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*This pamphlet supersedes AR 105–25, September 1, 1934, including C1, June 18, 1936.

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(3) Keeping only such temporary prescribed records as will facilitate the fast and accurate dispatching of all messages passing through the message center.

b. Excepted duties.—The message center is not organized or equipped to perform stenographic or clerical work pertaining to the different sections of the staff. Message centers will not be used as offices of record nor will they be employed to prepare additional copies of messages for multiple distribution or to perform the labor incident to consolidating outgoing messages.

4. Economy in routing dispatches.—*a.* Message centers are charged with directing traffic so that the greatest economy is insured the Government consistent with prompt delivery of dispatches. To this end Army and Navy communication channels will be utilized whenever practicable.

b. In directing traffic to points which cannot be reached by Army or Navy radio, dispatches should be relayed by leased wire or commercial wire or radio from the point in the Army or Navy radio net affording the lowest refile rate to the destination. Whenever two or more commercial wire telegraph or radiotelegraph companies are accessible, dispatches will be delivered to the company operating a telegraphic circuit direct to destination; provided that when two or more companies operate direct circuits to a particular destination and the rates charged are equal, the traffic will be divided equitably between the companies concerned insofar as possible.

5. Codes and ciphers.—For information with reference to classification and handling of secret, confidential, and restricted documents and publications and the employment of authorized codes and ciphers, see AR 330–5 and 335–5.

SECTION III

RESTRICTIONS ON USE OF TELEGRAPH, CABLE, AND RADIO

	Paragraph
When use authorized	6
Prohibited dispatches	7
Personal messages	8
Press messages over field wire and radio circuits	9

6. When use authorized.—Dispatches by telegraph, cable, or radio will be sent only when the delay consequent upon transmission by mail would be prejudicial to the public interest.

7. Prohibited dispatches.—*a.* Dispatches of the following character will not be sent by telegraph, cable, or radio, except to commanding officers, or under special authorization from proper military authority:

(1) Information relative to numbers, movements, or operation of troops.

(2) Details regarding fortifications, armaments, or experiments made in connection with military affairs.

(3) Opinions on military operations or other military matters relating to any part of the Army or other command with which the individual is serving, or to any auxiliary forces.

b. Dispatches containing the following will not be sent in plain language:

(1) Remarks, recommendations, or statements of derogatory nature concerning an individual.

(2) Implications tending to reflect upon the character or professional standing of an individual.

(3) Result of Board of Inquiry under section 24b, National Defense Act.

(4) Action taken upon general court-martial cases involving dismissal or confinement in a penitentiary.

(5) In time of war or threatened emergency, cases under *a* above.

c. Letters and telegraph messages; when used.—A dispatch will not be sent by telegraph when a letter will serve the same purpose, and all telegraph messages will be given the classification (par. 11) which will result in the lowest charge to the Government in all cases where the service incident to such classification will meet the needs and requirements of the Government. In determining the form of dispatch to use, due consideration will be given the difference in time between the zone of origin and the zone of receipt. The term "telegraph messages" used above applies to dispatches transmitted either by wire telegraph or radiotelegraph. For regulations governing payment for dispatches transmitted by commercial telegraph, see AR 35–6100.

d. Dispatches of the following character or those containing matter of a purely personal nature are not considered as official business and will not be accepted for transmission except as prescribed in paragraph 8:

(1) Applications for or inquiries relative to leaves of absence or extensions thereto.

(2) Requests for sleeping car or hotel reservations or accommodations.

(3) Inquiries or instructions relative to shipment of privately owned mounts or household goods.

(4) Relating to payment of salary or expense vouchers.

8. Personal messages.—*a.* The sending of personal messages over Army point-to-point radio circuits within the continental United States is prohibited. The sending of important personal messages to and from Army, Navy, and Marine Corps personnel over Army field wire and field and oversea radio circuits is authorized, provided such messages—

(1) Do not interfere with Government business transacted over such circuits.

(2) Are brief, clear, and confined to the subject matter of the emergency which requires their transmission.

b. Scope of service.

(1) The use of the Army circuits referred to in *a* above for transmission of personal messages is authorized to assist service personnel in the transaction of urgent personal business which could not be anticipated and transacted by mail. It is not intended to replace mail service. Consequently, greetings, congratulatory messages, recurrent business messages such as recurrent stock market transactions, and messages, the contents of which are obviously trifling in character, will not be accepted. In contradistinction, messages regarding serious illness or death and replies thereto, including expressions of condolence, and messages pertaining to allotments, interest payments, and other unforeseen financial and business matters may be classified as urgent personal business. The writer will certify on the message that an emergency requires it. This certificate will not be transmitted. In doubtful cases, the writer must show that the message is necessary.

(2) A personal message from a commercial concern will be accepted only when it is in reply to a message from service personnel requesting such reply.

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(3) Oversea radio circuits terminate in the continental United States at Washington, D. C., and San Francisco, Calif. When messages to and from personnel at oversea stations involve transmission between the Army radio stations at either of these two points and other points within the continental United States, such transmission will be restricted to the mails or commercial telegraph. Similarly, personal messages to and from transports at sea will be transmitted by mail or commercial telegraph between radio stations at Washington, D. C., San Francisco, Calif., or Governor's Island, N. Y., and other points in the continental United States. All mail or commercial telegraph charges will be prepaid by the sender.

(4) Personal messages will be accepted for transmission from the continental United States to oversea stations only when the destination is an Army post or a naval station.

c. Personal messages in code or cipher will not be accepted.

d. Commanding officers are responsible that the provisions of this paragraph are strictly interpreted and that the personal message privilege is not abused. In the case of the War Department Message Center, the Chief Signal Officer is charged with this responsibility.

9. Press messages over field wire and radio circuits.—*a.* When military business will not be interfered with, press messages may be transmitted free over military field wire and radio circuits where commercial facilities do not exist.

b. The use of code or cipher in such messages is forbidden except when prescribed by the general commanding an army in the field.

SECTION IV

INSTRUCTIONS TO WRITERS

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10. Preparation of messages.—*a.* Whenever practicable the blank form furnished by the Signal Corps will be used.

b. Words not important to the sense will be omitted.

c. Words instead of figures will be used in expressing numbers except in weather report messages.

d. Following the rules of commercial practice, punctuation marks should be spelled out in all cases when it is desired that they be transmitted in the body of the message.

e. Detailed provisions relating to the drafting of messages to be transmitted in secret code or cipher are embodied in AR 335–5.

11. Classification of messages.—Messages are classified as follows to indicate the relative order in which they should be transmitted:

a. Urgent.—This classification is restricted to military and naval use only and is used only in combat or when combat, real or simulated, is imminent.

Urgent messages are sent immediately upon receipt, or immediately after urgent messages previously received have been transmitted. They are given right-of-way over all messages of lower classification. The "urgent" classification has no counterpart in domestic commercial message classifications.

b. Priority.—This classification is used to designate messages which must be given precedence over all routine and deferred messages waiting to be sent or delivered. Messages bearing "priority" classification are filed as full rate telegrams when transferred to commercial companies for transmission. Messages will be handled under this classification when the word "priority" is placed in a conspicuous place on the message form. Its use should, however, be confined to extremely urgent matters requiring expeditious action.

c. Routine.—This classification covers ordinary fast dispatches customarily handled with the greatest possible expedition and delivered at once upon receipt. Messages under this classification take precedence over deferred messages and are transmitted in order of filing. They are filed as day letters or as straight telegrams, whichever is cheaper, when transferred to commercial companies for transmission. All messages not otherwise marked are transmitted as routine messages.

d. Deferred.—This classification covers messages, the delivery of which may be delayed until the beginning of office hours the following morning. "Deferred" messages are filed according to the classification which results in the lowest charge to the Government when transferred to commercial companies for transmission. Messages will be handled under this classification when the word "deferred" is placed in a conspicuous place on the message form. See paragraph 12, AR 35–6100.

Messages to be sent in code or cipher which do not require action by the addressee prior to the beginning of the working day following the day of filing will be classified as "deferred" messages.

12. Addresses and signatures.—*a.* Where dispatches are sent to offices such as "Commanding Officer, Fort Slocum, N. Y.", or "Quartermaster, Fort Slocum, N. Y.", the addresses used will be as given above rather than as "Lieut. Col. Jones, Infantry, C. O., Fort Slocum, N. Y."

b. Where a dispatch is sent to a subordinate in an office or command, the dispatch will be addressed to the commanding officer of the office or command. The name of the subordinate will be given in the first part of the body of the message preceded by the word "For." Example: A dispatch for Capt. John Doe, Headquarters, Second Corps Area, will be addressed "Commanding General, Second Corps Area, Governors Island, N. Y." For Capt. John Doe, etc. (in body of dispatch):

c. Dispatches will be signed with the surname of the sender. Where the surname alone is not sufficient to enable the addressee to establish the official position of the sender, it will be followed by such essential additional information as will fix definitely the official capacity of the sender.

d. Dispatches sent to or signed by officers as individuals will be sufficiently complete to prevent delay or confusion.

e. Detailed provisions relating to the addresses and signatures of messages to be transmitted in cryptographic form are embodied in AR 335–5.

13. Consolidation of messages.—In case several messages are to be sent to the same address in the course of a day's business, they should, if practicable, be consolidated into one message whenever such consolidation will reduce the cost of the service.

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14. Authentication.—*a.* The sender of an official dispatch will certify as to its official character on the message form as follows:

Official business:
Signature.
Typed or printed signature.
Grade and arm, service, or bureau.

b. Who may authenticate.—Subject to the restriction contained in paragraph 16, and to the further restriction as to the availability of funds (par. 4, AR 35–6100), a commissioned officer, or a warrant officer when no officer is present, may certify a message for transmission at Government expense, but a person other than those mentioned above must present to the agent of the telegraph company a letter or card of identification from his superior officer authorizing him to do so.

c. Messages of traveling or transient Government representatives will be accepted by the Postal Telegraph Cable Company without restrictions as to when payment will be made. Messages transmitted via the Western Union Telegraph Company to the home station of the sender or to the headquarters of his department at Washington, or in reply to a paid Government message, may be sent Government collect. Other messages transmitted via the Western Union Telegraph Company may be charged at point of origin to the local telegraph account of the War Department office or station, provided authority for incurring such expense has been previously obtained from the local War Department representative. If this authority has not been obtained or no office or station exists at point of origin, it will be necessary for the War Department representative or agent to prepay such messages at Government rates and secure reimbursement later.

15. Special delivery.—*a.* Whenever special delivery is necessary to expedite the delivery of an official dispatch, the person filing the dispatch for transmission will indorse it "special-delivery charges paid." Similar action will be taken whenever the place of delivery is beyond the established free-delivery limits, except when the delay incident to the delivery of the message by mail will not be of a serious nature, in which case the dispatch will be indorsed "By mail from ———", indicating the name of the office from which the dispatch should be mailed.

b. The special-delivery charge should be included in the charge for the regular tolls and presented for payment in the same manner.

16. Oversea dispatches.—*a. Commercial radiograms and cablegrams.*

(1) Dispatches addressed to oversea stations for transmission via commercial radio or cable circuits, except dispatches pertaining to the Bureau of Insular Affairs, will be submitted by the chief of the arm, service, or bureau, or other official concerned to The Adjutant General for approval, consolidation, and delivery to the message center.

(2) Dispatches from oversea stations or offices for transmission via commercial radio or cable circuits to the War Department, except dispatches pertaining to the Bureau of Insular Affairs, will be submitted by the originator to the commander of the oversea force, or to the officer in charge of the oversea office, as the case may be, for approval, consolidation, and transmission to The Adjutant General who will make delivery thereof to the addressee.

(3) Dispatches requiring transmission via commercial radio or cable circuits will be numbered by the sender in sequence in a single series for each addressee. Such dispatches will also be divided by the sender into paragraphs according to the subject matter, no paragraph to contain matter relating to more than one subject. Paragraphs will be numbered consecutively in a single series for each message. Dispatch and paragraph numbers will be placed in the body of the message and will be so transmitted.

b. Dispatches to and from stations served by Army or Navy radio circuits.—Dispatches to and from the departments and other oversea stations normally served by Army or Navy radio circuits, transmission of which involves no commercial charge, will be transmitted singly without delay and will not be consolidated. Dispatches dealing exclusively with the business of an arm, service, or bureau will be addressed as prescribed in paragraphs 21 and 22, AR 340–15 and will be be transmitted directly to the addressee. However, nothing in this paragraph should be construed as preventing a commander of an oversea force from issuing instructions requiring all outgoing dispatches to be authenticated by or all incoming dispatches to be routed through him or his representative prior to transmission to destination or delivery to addressees.

17. Radio messages to and from ships.—All official dispatches from ship to shore, shore to ship, or ship to ship, when charges are involved, will be handled through the ship's quartermaster or agent, who will clear his accounts through the proper superintendent of the Army Transport Service. See AR 30–1160.

[A. G. 311.5 (3–10–37).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:
E. T. CONLEY,
Major General,
The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1937

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ARMY REGULATIONS } WAR DEPARTMENT,
No. 105–40 } WASHINGTON, *August 25, 1930.*

SIGNAL CORPS

OPERATION AND MAINTENANCE OF UNITED STATES MILITARY TELEGRAPH LINES

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1. Application of contents of this pamphlet.—*a.* The regulations contained in this pamphlet will govern, in connection with military telegraph lines maintained and operated by the United States Army, excepting the Washington-Alaska Military Cable and Telegraph System.

b. At posts and other military telegraph stations where telegraph connection is obtained by Western Union, Postal, or other commercial telegraph circuit, the regulations of the commercial telegraph company concerned as to the handling of their business will apply.

2. Administration and control of telephone and telegraph lines.—For convenience of administration all telegraph and telephone lines are divided into classes and, unless otherwise specially ordered, are placed under the control of officers as follows:

a. Under post signal officers.—Lines complete within the limits of a single post, camp, or station.

b. Under corps area signal officers.

(1) Short lines constructed to connect single posts, camps, or stations with a commercial telegraph or telephone office, and having no other telephone or telegraph stations connected thereto.

(2) Lines connecting two or more posts, camps, or stations in the same corps area.

(3) All other lines which are complete within the limits of a single corps area.

3. Telephone and telegraph lines under charge of signal officers.—When telephone and telegraph lines are placed under charge of signal officers, they will be held responsible for the construction, maintenance, and operation of

* This pamphlet supersedes AR 105–40, November 1, 1921 (including C 2, July 3, 1923), which has been entirely revised.

AR 105-20 RED ID:A4127207

such lines. Commanding officers and others will see that the special duties of these officers are not interfered with, and upon proper application will render any assistance in their power.

4. Military telegraph lines of a force operating in the field.—The signal officer of a force operating in the field or of a district under military control, in carrying out his general instructions, will formulate necessary regulations for the management and operation of military telegraph lines under his control. General rules should be reduced to writing, be clearly defined and impartially enforced.

5. Privacy of messages.—*a.* All communications by telegraph or other methods will be treated with the utmost secrecy. No part of a message will be discussed with anyone, nor will its contents be revealed except to the sender or addressee, or the proper officers of the Government when making inspections of the office, or when properly subpenaed to produce a message in court.

b. No message, Government or private, will be made public, except by proper authority, and under no circumstances will the contents of any message be divulged by anyone except to the proper authorities through official channels.

c. A private message, after it has been delivered, becomes the property of the addressee. After a message has been delivered to a telegraph or telephone company, the responsibility rests with the company concerned; but in no case will even the fact of the receipt of a message be divulged, except to the proper authorities.

d. Government telegraph operators will be held responsible that all telegrams are carefully guarded. All files will be carefully guarded and access thereto will be denied to all parties except those authorized by law to see the same.

e. Operating personnel will not originate messages except service messages.

6. False or forged messages.—No agent, operator, or employee in any telegraph office, or other person, shall, knowingly and willfully, send by telegraph to any person or persons any false or forged message purporting to be from such telegraph office, or from any other person, or shall willfully deliver or cause to be delivered to any person any such message, falsely purporting to have been received by telegraph, nor shall any person or persons furnish or conspire to furnish, or cause to be furnished, to any such agent, operator, or employee, to be sent by telegraph or to be so delivered, any such message, knowing the same to be false or forged, with the intention to deceive, injure, or defraud any individual, partnership, or corporation, or the public.

7. Using or appropriating information by agents, operators, or employees.—No agent, operator, or employee in any telegraph office shall, in any way, use or appropriate any information derived by him from any private message or messages passing through his hands and addressed to any other person or persons, or in any other manner acquired by him by reason of his trust as such agent, operator, or employee, or shall trade or speculate upon any such information so obtained, or in any manner turn or attempt to turn the same to his account, profit, or advantage.

8. Fraudulent attempts to obtain information by persons not connected with any telegraph company.—No person not connected with any telegraph company shall, by means of any machine, instrument, or contrivance, or any other manner, willfully and fraudulently read or attempt to read a message or learn the contents thereof while the same is being sent over a telegraph line, or shall willfully and fraudulently or clandestinely learn or attempt to learn the contents or meaning of any message while the same is in any telegraph office, or is being received thereat, or is sent therefrom, or shall use or attempt to use, or communicate to others, any information so obtained by any person.

9. Bribing agents, operators, or employees.—No person shall, by the payment or promise of any bribe, inducement, or reward, procure or attempt to procure any telegraph agent, operator, or employee to disclose any private message, or the contents, purport, substance, or meaning thereof, or shall offer to any such agent, operator, or employee any bribe, compensation, or reward for the disclosure of any private information received by him by reason of his trust as such agent, operator, or employee, or shall use or attempt to use any such information so obtained.

10. Willful or malicious injury to telegraph, telephone, or cable lines.—Whoever shall willfully or maliciously injure or destroy any of the works, property, or material of any telegraph, telephone, or cable line, or system operated or controlled by the United States, whether constructed or in process of construction, or shall willfully or maliciously interfere in any way with the working or use of any such line, or system, or shall willfully or maliciously obstruct, hinder, or delay the transmission of any communication over any such line or system shall be fined not more than $1,000 or imprisoned not more than three years, or both. *Sec. 60, Act Mar. 4, 1909 (35 Stat., 1099; U. S. C. 18: 116; sec. 824, M. L., 1929.)*

11. Messages.—Messages will be handled in accordance with the provisions of chapter 6, Basic Field Manual, Volume IV.

12. Procedure.—*a.* Telegraph lines which are complete within the limits of a post, camp, or station or which connect two or more posts, camps, or stations, and which are used for military purposes only will be operated using the procedure prescribed in chapter 3, Basic Field Manual, Volume IV.

b. Lines connecting posts, camps, or stations with commercial telegraph systems will use the procedure in use by the commercial company with which the line connects.

c. The procedure to be used on telegraph lines of a force operating in the field will be prescribed by the signal officer of that force in conformity with paragraph 4.

13. References.—*a. Army Regulations.*

(1) *Signal communication.*—See AR 105–15.

(2) *Wire and radio communication systems.*—See AR 105–20.

(3) *Telegraph, cable, and radio service.*—See AR 105–25.

(4) *Commercial telephone, telegraph, and electric time service, general.*—See AR 105–30.

(5) *Reports.*—See AR 105–45.

b. Instructions for the operation of the Washington
and Telegraph System and the War
directly to those

REF ID:A4127207

such lines. Commanding officers and others will see that the special duties of these officers are not interfered with, and upon proper application will render any assistance in their power.

4. **Military telegraph lines of a force operating in the field.**—The signal officer of a force operating in the field or of a district under military control, in carrying out his general instructions, will formulate necessary regulations for the management and operation of military telegraph lines under his control. General rules should be reduced to writing, be clearly defined and impartially enforced.

5. **Privacy of messages.**—*a.* All communications by telegraph or other methods will be treated with the utmost secrecy. No part of a message will be discussed with anyone, nor will its contents be revealed except to the sender or addressee, or the proper officers of the Government when making inspections of the office, or when properly subpœnaed to produce a message in court.

b. No message, Government or private, will be made public, except by proper authority, and under no circumstances will the contents of any message be divulged by anyone except to the proper authorities through official channels.

c. A private message, after it has been delivered, becomes the property of the addressee. After a message has been delivered to a telegraph or telephone company, the responsibility rests with the company concerned; but in no case will even the fact of the receipt of a message be divulged, except to the proper authorities.

d. Government telegraph operators will be held responsible that all telegrams are carefully guarded. All files will be carefully guarded and access thereto will be denied to all parties except those authorized by law to see the same.

e. Operating personnel will not originate messages except service messages.

6. **False or forged messages.**—No agent, operator, or employee in any telegraph office, or other person, shall, knowingly and willfully, send by telegraph to any person or persons any false or forged message purporting to be from such telegraph office, or from any other person, or shall willfully deliver or cause to be delivered to any person any such message, falsely purporting to have been received by telegraph, nor shall any person or persons furnish or conspire to furnish, or cause to be furnished, to any such agent, operator, or employee, to be sent by telegraph or to be so delivered, any such message, knowing the same to be false or forged, with the intention to deceive, injure, or defraud any individual, partnership, or corporation, or the public.

7. **Using or appropriating information by agents, operators, or employees.**—No agent, operator, or employee in any telegraph office shall, in any way, use or appropriate any information derived by him from any private message or messages passing through his hands and addressed to any other person or persons, or in any other manner acquired by him by reason of his trust as such agent, operator, or employee, or shall trade or speculate upon any such information so obtained, or in any manner turn or attempt to turn the same to his account, profit, or advantage.

8. **Fraudulent attempts to obtain information by persons not connected with any telegraph company.**—No person not connected with any telegraph company shall, by means of any machine, instrument, or contrivance, or in any other manner, willfully and fraudulently read or attempt to read any message or learn the contents thereof while the same is being sent over any telegraph line, or shall willfully and fraudulently or clandestinely learn or attempt to learn the contents or meaning of any message while the same is in any telegraph office, or is being received thereat, or is sent therefrom, or shall use or attempt to use, or communicate to others, any information so obtained by any person.

9. **Bribing agents, operators, or employees.**—No person shall, by the payment or promise of any bribe, inducement, or reward, procure or attempt to procure any telegraph agent, operator, or employee to disclose any private message, or the contents, purport, substance, or meaning thereof, or shall offer to any such agent, operator, or employee any bribe, compensation, or reward for the disclosure of any private information received by him by reason of his trust as such agent, operator, or employee, or shall use or attempt to use any such information so obtained.

10. **Willful or malicious injury to telegraph, telephone, or cable lines.**—Whoever shall willfully or maliciously injure or destroy any of the works, property, or material of any telegraph, telephone, or cable line, or system operated or controlled by the United States, whether constructed or in process of construction, or shall willfully or maliciously interfere in any way with the working or use of any such line, or system, or shall willfully or maliciously obstruct, hinder, or delay the transmission of any communication over any such line or system shall be fined not more than $1,000 or imprisoned not more than three years, or both. *Sec. 60, Act Mar. 4, 1909 (35 Stat., 1099; U. S. C. 18: 116; sec. 824, M. L., 1929.)*

11. **Messages.**—Messages will be handled in accordance with the provisions of chapter 6, Basic Field Manual, Volume IV.

12. **Procedure.**—*a.* Telegraph lines which are complete within the limits of a post, camp, or station or which connect two or more posts, camps, or stations, and which are used for military purposes only will be operated using the procedure prescribed in chapter 3, Basic Field Manual, Volume IV.

b. Lines connecting posts, camps, or stations with commercial telegraph systems will use the procedure in use by the commercial company with which the line connects.

c. The procedure to be used on telegraph lines of a force operating in the field will be prescribed by the signal officer of that force in conformity with paragraph 4.

13. **References.**—*a. Army Regulations.*

(1) *Signal communication.*—See AR 105-15.
(2) *Wire and radio communication systems.*—See AR 105-20.
(3) *Telegraph, cable, and radio service.*—See AR 105-25.
(4) *Commercial telephone, telegraph, and electric time service, general.*—See AR 105-30.
(5) *Reports.*—See AR 105-45.

b. Instructions for the operation of the Washington-Alaska Military Cable and Telegraph System and the War Department message center will be issued directly to those agencies by the Chief Signal Officer.

REF ID:A4127207

Signal Corps General Instructions and Standard Methods Covering Construction, Maintenance, and Operation of Wire and Radio Communication Systems are issued in loose-leaf form to interested personnel by the Chief Signal Officer.

BY ORDER OF THE SECRETARY OF WAR:

C. P. SUMMERALL,
General,
Chief of Staff.

OFFICIAL:

C. H. BRIDGES,
Major General,
The Adjutant General.

U.S. GOVERNMENT PRINTING OFFICE: 1930

For sale by the Superintendent of Documents, Washington, D. C. - - - - Price 5 cents

REF ID:A4127207

ARMY REGULATIONS } WAR DEPARTMENT,
No. 105-5 } WASHINGTON, *May 10, 1939.*

SIGNAL CORPS

GENERAL PROVISIONS

Paragraph
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1. **Composition.**—The Signal Corps shall consist of one Chief Signal Officer with the rank of major general, three hundred forty-one officers in grades from colonel to second lieutenant, inclusive, and five thousand enlisted men, such part of whom as the President may direct being formed into tactical units, organized as he may prescribe. *(Sec. 13, act June 3, 1916 (39 Stat. 214), as amended by act June 4, 1920 (41 Stat. 768), U. S. C. 10: 211, 482a, sec. 47, M. L., 1929; and by act April 3, 1939 (Bull. No. 2, W. D., 1939).*

2. **Duties of the Chief Signal Officer.**—In addition to such other duties as may be prescribed, the Chief Signal Officer will have immediate charge, under the direction of the Secretary of War, of the following:

a. The development, procurement, storage, issue, and repair of signal, meteorological, and cryptographic equipment and supplies. The development, procurement, storage, and issue of all electrical apparatus associated with direction finding for determining the location of radio stations, aircraft, and marine craft; and of all the electrical apparatus associated with range finding.

b. The procurement, storage, and issue of photographic supplies and equipment except that required for—

(1) Photographic and cinematographic work made from aircraft.

(2) Grounds photography in connection with aircraft operation and maintenance.

(3) Such other special purposes as may be peculiar to the requirements of another arm or service.

c. The preparation and revision of all books, pamphlets, and instruction data required by the Army to make proper use of all equipment and apparatus developed, procured, and issued by the Signal Corps.

d. The preparation, publication, revision, storage, accounting for, and distribution of all codes and ciphers required by the Army, and in time of war the interception of enemy radio and wire traffic, the location of enemy radio stations, the solution of intercepted enemy code and cipher messages, and laboratory arrangements for the employment and detection of secret inks, except such of these duties as he may delegate to unit signal officers.

e. The installation, maintenance, and operation of all military signal communication systems and equipment, including military cable, telephone, and telegraph lines, radio apparatus and stations, except the routine maintenance

*This pamphlet supersedes AR 105-5, March 15, 1933, including C 2, July 1, 1937.

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and operation of fixed fire-control communication systems and fixed airways and airdrome control systems and radio aids to air navigation (see AR 105–20), and the installation, maintenance, and operation of temporary systems used by combat troops in field operations as provided in AR 105–15, over which he will exercise general supervision only.

g. Transmitting messages for the Army, by telegraph or otherwise.

h. The direction of the Signal Corps and the control of the officers, enlisted men, and employees attached thereto.

i. The coordination of the training of the personnel assigned to signal duties, under such instructions as may be prescribed in orders from the War Department.

j. The general supervision, coordination, and standardization of all radio operations and the enforcement of regulations concerning the same.

k. The assignment of call letters, radio frequencies, power, type of emissions, and schedules for all Army radio stations.

l. The procurement and supply of photographs and motion pictures directed by the General Staff, and in general all photographic and cinematographic work of the Army not specifically assigned to other arms or services.

m. The assignment of designation numbers to all Army submarine communication cables and the keeping of records thereof.

n. The performance of all other duties usually pertaining to military signal communication other than as provided for above.

3. **Unit signal officers.**—*a.* A chief signal officer will be detailed for every expeditionary force, and a Signal Corps officer as unit signal officer will normally be detailed for each corps area and every tactical unit larger than a brigade containing Signal Corps troops. When no unit signal officer has been so detailed in orders, the senior Signal Corps officer present for duty with the command will act as such. The unit signal officer will be a member of the staff of his commanding officer. He will be charged, under the direction of his commanding officer, with the command, insofar as relates to operations, of signal troops not assigned or attached to subordinate units. The unit signal officer is also charged with specific duties as follows:

(1) Acting as adviser to the commander and the staff on signal matters, including the location of command posts and signal annexes.

(2) Preparation of signal operation instructions and signal annexes.

(3) Preparation, publication, storage, accounting for, and distribution of codes and ciphers.

(4) Supply of signal equipment and supplies.

(5) Procurement and operation of signal maintenance and repair facilities.

(6) Technical inspection of signal equipment, within limits prescribed by the commander, and recommendations relative to its care and utilization.

(7) Technical supervision, within limits prescribed by the commander, of all signal operations of the command, including training; assignment, replacement, and utilization of signal and communication personnel of units.

(8) Supervision of the installation, maintenance, and operation of the signal communication system, including the message center of the unit.

(9) Supervision of such activities pertaining to the signal intelligence, pigeon, and photographic services as affect the unit.

(10) Insuring that the instructions of the Chief Signal Officer relative to keeping technical records and the rendition of technical reports are observed by all Signal Corps officers of the command. See AR 105–45.

b. The corps area signal officers are also responsible under the policy of the War Department and the instructions of the Chief Signal Officer for all matters concerning the Signal Corps in their respective corps areas, including such matters in those posts, camps, and stations not within the jurisdiction of the corps area commander, but within the territorial limits of their respective commands, and excepting only those functions directly under the control of the Chief Signal Officer.

4. **Post signal officers.**—The post signal officer is a staff officer of the post commander and in addition to any other duties which may be assigned him he is charged, under the direction of the post commander, with the following:

a. Supervision of the maintenance and operation of the post telephone system, the post telegraph station, the post radio station, the post small-arms target range communicating system, and all other signal activities of the post except those placed by competent authority under another officer.

b. The preparation and submission of requisitions for all supplies required in connection with Signal Corps activities of the post.

c. Direct supervision over all personnel engaged in Signal Corps activities of the post, and responsibility that such personnel is properly instructed in the performance of its duties.

d. Responsibility for the keeping of such records as are required for the proper administration of the Signal Corps activities of the post.

e. The making of such recommendations as are considered necessary for increasing the efficiency of Signal Corps activities of the post.

5. **Eligibility of the Signal Corps for various duties.**—*a.* Detachments or units of the Signal corps will be exempt from detail for any other duty, outside their own organization work and training, except when in the judgment of the commanding officer the importance of the duty will not permit exemption.

b. When detachments or units of the Signal Corps of 30 or more men form a part of a garrison, the officers and men may, in the discretion of the commanding officer, be required to perform the necessary guard duty to protect the storehouses, sheds and parks pertaining to the Signal Corps, provided such property cannot be properly guarded by including observation thereof in the duties of sentinel posts or patrols already established. The necessary police duty around such buildings and property will be assigned to enlisted men of the Signal Corps, but they will be exempt from the ordinary police duties of the garrison.

[A. G. 321.92 (4–4–39).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:
E. S. ADAMS,
Major General,
The Adjutant General.

REF ID:A4127207

ARMY REGULATIONS
No. 380–5

WAR DEPARTMENT,
WASHINGTON, September 28, 1942.

SAFEGUARDING MILITARY INFORMATION

	Paragraphs
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SECTION I

GENERAL

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1. Purpose.—Military information is of varying degrees of value to foreign governments and therefore requires the exercise of varying degrees of precaution for its safety. For the purpose of providing the necessary variations in safeguarding the several types of critical information, the classifications outlined in paragraphs 3, 4, and 5 have been established. All military information, documents, development projects, and matériel other than that classified as above are regarded as unclassified.

2. Definitions.—*a. Aircraft.*—The term "aircraft" includes all weight-carrying devices or structures designed to be supported by the air, either by buoyance or by dynamic action.

b. Air space reservation.—An air space reservation is the air space located above an area on the surface of the land or water, designated and set apart by Executive order of the President or by a State, Commonwealth, or Territory,

*This pamphlet supersedes AR 380-5, June 18, 1941, including section II, Circular No. 231; section V, Circular No. 242; and section II, Circular No. 252, War Department, 1941; section IV, Circular No. 35; and section I, Circular No. 109, War Department, 1942.

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over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes.

c. Classified military information.—Classified military information includes all information concerning documents, cryptographic devices, development projects, and matériel classified as secret, confidential, or restricted, as well as the items themselves. All other military information, documents, development projects, and matériel are regarded as unclassified.

d. Cryptographic material.—Cryptographic material includes all documents and devices employed in changing plain-language messages into unintelligible form by means of codes and ciphers.

e. Cryptographic security.—Cryptographic security is that branch of signal communication which deals with the provision of technically sound cryptographic systems, their proper use, and their careful safeguarding.

f. Document.—The term "document" includes printed, mimeographed, typed, phostated, and written matter of all kinds; maps, photomaps, and aerial photographs and mosaics; drawings, sketches, notes, and blueprints, or photostatic copies thereof; photographs and photographic negatives; engineering data; correspondence and plans relating to research and development projects; and all other similar matter.

g. Engineering data.—The term "engineering data" comprises drawings, blueprints, photostats, photographs, mathematical calculations, formulas, processes, and all similar items that can be reduced to documentary form.

h. Foreign government.—The term "foreign government" includes any recognized or nonrecognized government and any faction or body of insurgents within a country with which the United States is at peace.

i. Matériel.—The term "matériel" comprises military arms, armament, equipment, and supplies of all classes, both complete and in process of development and construction, models that show features in whole or in part, designs, mock-ups, jigs, fixtures, and dies, and all other components or accessories of military equipment.

j. Mock-up.—A mock-up is a model, usually full size and constructed of inexpensive material, made for the purpose of studying the construction and use of an article of matériel or mechanical device.

k. Paraphrasing.—To paraphrase a message is to rewrite it so that its meaning is the same but its phraseology is different.

l. Photomap.—A photomap is a reproduction of an aerial mosaic, composite, or single vertical used in place of or to supplement a map.

m. Registered document.—A registered document is an important secret, confidential, or restricted document or cryptographic device which is assigned a register number for use in accounting to the office of record at periodic intervals.

n. Reserved area.—A reserved area is an area on the surface of the land or water designated and set apart by Executive order of the President for purposes of national defense, admittance to which is either prohibited or restricted.

o. Short title.—A short title is a designation applied to a registered document for purposes of security and brevity. It consists of figures, letters, words, or combinations thereof, and usually contains an abbreviated designation of the office of origin without giving any information relative to classification or content of the document.

p. United States.—The term "United States" as used in these regulations includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States. *Sec. 1, Title XIII, act June 15, 1917 (40 Stat. 231; 50 U. S. C. 40; M. L., 1939, sec. 2187).*

q. Visitor.—As used in these regulations a visitor is any person admitted to a Government or commercial manufacturing establishment engaged in classified work or project for the War Department except—

(1) A person employed on the work or project, or

(2) A person directly and officially concerned with the work or project.

3. Secret matter.—*a. When classified secret.*—Documents, cryptographic devices, development projects, or articles of matériel will be classified and, if practicable, marked ***secret*** when disclosure of the information or features contained therein might endanger national security, cause serious injury to the interest or prestige of the nation or any governmental activity, or would be of great advantage to a foreign nation.

b. Examples of items classified as secret:

(1) War plans.

(2) Documents relating to the design and development of new matériel and containing information of the type described in *a* above.

(3) Codes, ciphers, and cryptographic devices used to transmit secret information.

(4) Certain military maps and photomaps.

(*a*) In the continental United States, those illustrating and identified with a war plan, including local defense plans, defense projects, or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan, including local defense plans, defense projects, or any phase thereof; those showing the lay-out of permanent defense works and naval bases and the adjacent terrain vital to their defense; and those that serve to fix definitely the location of any element of permanent defense works and naval bases.

(5) Information concerning items of matériel and methods of assembly classified as *secret* by a chief of a supply service.

(6) Photographs, photostats, diagrams, or models of any secret document or essential part of secret matériel.

(7) Troop movements—see section VIII.

(8) Information which will indicate the strength of garrisons in oversea departments and foreign territory occupied by the forces of the United States or information indicating the composition of units or the total quantity of specific items of equipment pertaining thereto, except that mailing addresses will include organizational designations.

c. Authority to classify as secret.—Matters may be classified as ***secret*** only by or by authority of the Secretary of War, the Under Secretary of War, an Assistant Secretary of War, the Chief of Staff, the Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, the Commanding General of the Services of Supply, an Assistant Chief of Staff of the War Department General Staff, the chiefs of the supply and administrative services, a general officer, the commanding officer of a depot, post, camp, station, or independent command, the commandant of a general or special service school, the chief of a military mission, a military attaché, or a military observer.

d. Dissemination of secret matter.—The dissemination of secret matter will be held to the absolute minimum. Information as to the contents or whereabouts of

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secret matter will be disclosed only to those persons whose duties require such knowledge. It is exclusively for the official use of the person to whom it is divulged or issued, who will be responsible for its safe custody and security. Its inviolability is the duty and responsibility of all persons having knowledge thereof, no matter how obtained.

4. Confidential matter.—*a. When classified as confidential.*—Documents, cryptographic devices, development projects, and articles of matériel will be classified and, if practicable, marked ***confidential*** when disclosure of the information contained therein, although not endangering the national security, might be prejudicial to the interest or prestige of the United States, a governmental activity, or an individual, or be of advantage to a foreign nation.

b. Examples of items classified as confidential:

(1) Regulations governing joint action of the Army and the Navy.

(2) Documents relating to the design and development of new matériel and containing information of the type described in *a* above.

(3) Codes, ciphers, and cryptographic devices used to transmit confidential information.

(4) Certain military maps and photomaps.

(*a*) In the continental United States, those showing lay-out of the permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet, only those sheets showing defense elements need be classified as *confidential.*

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as *secret*, showing lay-out of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, proving grounds, or any area vital to defense.

(5) Technical information, such as research of processes of manufacture which may be a distinct military asset and not a matter of general knowledge, and other technical items of the type described in *a* above.

(6) Photographs, photostats, diagrams, or models of any confidential document or essential part of confidential matériel.

(7) Certain reports, orders, or instructions pertaining to individuals, such as those relating to investigations, special assignments, and others.

(8) Information and records compiled at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs. *See sec. 5a, added to act June 3, 1916, by sec. 5, act June 4, 1920 (41 Stat. 764; 10 U. S. C. 1193; M. L., 1939, sec. 1925).*

(9) Shipments of machine prepared and manually prepared monthly personnel rosters and W. D., A. G. O. Form No. 303 (Report of Change) for organizations and individuals outside the continental limits of the United States. Rosters and reports of change included in any shipment need not be individually classified.

(10) All information relative to specific quantities of war reserves.

c. Authority to classify as confidential.—Documents, development projects, matériel, or technical information may be classified as *confidential* by any commissioned officer.

d. Dissemination of confidential matter.—Confidential military information will neither be discussed with nor disclosed to unauthorized persons. The contents or whereabouts of confidential documents, cryptographic devices, or matériel will be disclosed only to those persons in the Military Establishment whose duties require that they have such knowledge and to such other persons of especial trust who must be informed. Those to whom confidential information is entrusted or disclosed are responsible for its safe custody and security.

5. Restricted matter.—*a. When classified as restricted.*—A document, cryptographic device, development project, or article of matériel will be classified and, if practicable, marked ***restricted*** when information contained therein is for official use only, or when its disclosure should be limited for reasons of administrative privacy or denied the general public.

b. Examples of items classified as restricted:

(1) Certain parts of mobilization plans and regulations.

(2) Documents relating to the design and development of new matériel containing information of the type described in *a* above.

(3) Procurement plans.

(4) Codes, ciphers, and cryptographic devices used to transmit restricted information.

(5) Certain training and technical regulations.

(6) Certain Army extension courses.

(7) Certain documents regarding engineering principles and design details, composition, method of processing or assembling, which are vital to the functioning or use of an article of matériel.

(8) All military maps, photomaps, and aerial photographs in the possession of the War Department or to be hereafter drafted, developed, or reproduced for the War Department in the continental United States or in oversea possessions and foreign territory occupied by the forces of the United States not classified as *secret* or *confidential.*

(9) Photographs, photostats, diagrams, or models of any restricted document or essential part of restricted matériel.

(10) Strength returns for all stations within the continental United States.

c. Authority to classify as restricted.—Documents, development projects, technical data, and matériel may be classified as *restricted* by any commissioned officer.

d. Dissemination of restricted matter.—The information contained in restricted documents and the essential characteristics of restricted matériel may be given to any person known to be in the service of the United States and to persons of undoubted loyalty and discretion who are cooperating in Government work, but will not be communicated to the public or to the press except by authorized military public relations agencies.

6. Classification of information from other governmental agencies.—Information obtained from the Navy Department, other governmental agency, or friendly foreign government will be placed in the same relative classification as that in which it is carried by the controlling agency.

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7. One classification only.—A document or article of matériel will not be assigned more than one of the three classifications, *secret*, *confidential*, or *restricted*, but if this happens through error the more restrictive classification will apply.

8. Overclassification.—Documents or matériel requiring classification under the provisions of these regulations will be assigned the least restrictive classification consistent with the proper safeguarding of the information or matériel concerned. Overclassification will be avoided since it causes unnecessary delay in the transmission of messages and depreciates the importance of classified information in the minds of handling personnel.

9. Responsibility.—*a.* The safeguarding of classified military information is the responsibility of all military personnel, civilian employees of the War Department, and of the management and employees of all commercial firms engaged in classified work or projects for the War Department. Classified military information will be discussed only with military or civilian personnel having a legitimate interest therein.

b. Commanding officers, administrative officers, and procurement agencies are responsible that military personnel, civilian employees of the Military Establishment, and the management and employees of commercial firms engaged in classified projects or developments for the War Department are familiar with the pertinent provisions of these regulations. Clerical and technical work on SECRET and CONFIDENTIAL matter, to the extent practicable, will be performed only by duly investigated and approved personnel.

10. Cancelation or change of classification.—*a.* The authority making the original classification, or higher authority, may cancel or change the classification of a document by writing or stamping over the mark at the top of the first page, "Classification canceled or changed to _____, by authority of (*officer authorized to change*), by (*name and grade of officer making the change and the date thereof*)."

b. The authority making the original classification or higher authority may cancel or change the classification of matériel by appropriate letters of instruction.

c. In the case of messages which have been previously cryptographed no change in classification should be made unless the text has been carefully paraphrased.

11. Loss or subjection to compromise.—Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of a secret or confidential document or article of matériel will promptly report that fact to the custodian of the document or matériel. The proper commanding officer will then make a thorough investigation of the circumstances, fix the responsibility, and send to The Adjutant General, through military channels, a report with his recommendation in the case.

12. Reproduction of classified matter.—*a.* Agencies entrusted with the printing or reproduction, storage, and issue of classified documents will be informed of the applicable provisions of these regulations. The authority directing the preparation, printing, or reproduction of classified documents will be responsible for the disposal of the notes, manuscripts, type, plates, stencils, negatives, and wastage incident thereto in a manner which will safeguard the secrecy of the information being reproduced.

b. The commandants of the general and special service schools are responsible that the printing or reproduction plants of their respective commands release no classified information to personnel or agencies not entitled thereto.

c. The Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, and the Commanding General of the Services of Supply are responsible that service magazines or journals published under their supervision comply with the provisions of these regulations relative to security of classified military information, and will submit all material for such publications to the War Department Manuscript Board for review and action before release.

d. Whenever correspondence, documents, drawings, prints, photographs, or models pertaining to secret, confidential, or restricted matériel disclose information regarding engineering principles, design details, composition, methods of processing or of assembly which are vital to the manufacture, functioning, or use of the matériel, they will be appropriately classified.

e. Information contained in classified documents may be referred to in other documents which are unclassified or marked with a lower classification only by, or by authority of, an officer qualified to classify as *secret*.

f. Preparation of press releases based on coded messages.—Officers authorized to prepare information to be made public will constantly bear in mind that such material may be of great value to the enemy signal intelligence service. Information received or sent in cryptographic messages will never be released verbatim but will be carefully paraphrased before release to the public.

g. For additional instructions relative to the discussion of military, political, diplomatic, and classified subjects, see AR 600–700.

13. Right to possess classified military information.—*a.* No person in the military service or employed by it is entitled to classified military information solely by virtue of his commission or official position. Such information will be entrusted only to those who need it in the performance of their official duties and to insure teamwork and efficient instruction of personnel, proper planning, or proper maintenance of equipment.

b. Photographs of classified features of military equipment or of other classified items will be made by members of the military service or by civilian employees of the War Department only when necessary in the conduct of their official duties and if made will not be developed or printed in commercial establishments or retained in their personal possession.

14. Requests for military information.—*a.* Requests from private individuals or firms for classified military information will be referred through channels to the Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, the Commanding General of the Services of Supply, the Commanding General of the army or the service command concerned, who, if unable to make reply or if another agency is interested, will refer the matter to The Adjutant General for appropriate action.

b. Requests for military information by foreign nationals, including representatives of foreign governments, such as military and air attachés, will be referred to the Military Intelligence Division, War Department General Staff, for necessary action.

c. Applications for information or records compiled and furnished at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs will be referred to the Under Secretary of War for necessary action. The service of any process or subpena for the production of any such record will be reported immediately by the person on whom it is served to the United States attorney for the district in which the service is made and, at the same time, direct to the Under Secretary of War.

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15. Dissemination of classified military information.—*a.* Except as regards information to be released to the press by authorized military public relations agencies, when classified military information is disseminated under the provisions of these regulations to persons not subject to military law, they will be informed that it affects the national defense of the United States within the meaning of the Espionage Act and that its transmission to an unauthorized person is prohibited. See also paragraph 18*b*.

b. Publication of articles or books.—The inclusion of classified military information in any article or book published by a member of the Army of the United States or by a civilian employee of the Military Establishment is prohibited unless specifically authorized by the War Department. For additional information relative to publication of articles, see AR 310–10, 600–10, and 600–700.

c. Oral discussions of classified military information.—Either public or private discussion of classified military information by members of the Military Establishment with or in the presence or hearing of unauthorized personnel is strictly forbidden.

16. Testimony before Congress.—*a.* When a person in the military service appears before a committee of Congress and is called upon to give testimony which he knows to be confidential or restricted, he will respectfully request that his statements be taken in executive session only and not appear in the record of hearings, the Congressional Record, or other document open to public inspection.

b. When called upon to give testimony which he knows to be secret, unless he has previously been authorized by the Secretary of War to give such testimony, he will respectfully state that he is not authorized to disclose the information desired, and will inform the appropriate member of Congress that a written request for the specific information should be transmitted to the Secretary of War. Testimony of a secret nature, when authorized by the Secretary of War, will be given only in executive session under the conditions cited in *a* above.

c. With regard to policies and facts which the public interest does not require to be kept secret, confidential, or restricted, see AR 600–10.

17. Legislation pertaining to War Department.—*a.* Recommendations to the War Department for legislation will be classified as *secret*, *confidential*, or *restricted* until released by the Secretary of War. Prior to such release, no information as to any legislative recommendation will be revealed to any individual or association not under War Department control except as may be required by law.

b. The nature and content of reports of the War Department on bills referred to it by committees of Congress will not be disclosed to individuals or agencies outside the War Department.

SECTION II

DOCUMENTS

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18. Marking of classified documents.—*a. Manner of marking.*

(1) Classified books or pamphlets, the pages of which are permanently and securely fastened together, will be plainly and conspicuously marked or stamped *secret*, *confidential*, or *restricted* on the cover, title page, and first page.

(2) Classified communications and other material not permanently and securely fastened together, except as indicated in (3), (4), and (5) below, will be marked or stamped with the appropriate classification at the top and bottom of each page. The marking at the top will be so placed that it will not be hidden from view when the pages are clipped or stapled together.

(3) Classified photographic negatives, drawings, or tracings will carry a legend of the proper classification in such position that it will be reproduced on all copies made therefrom. Photographs made from negatives not so inscribed will be marked at the top and on the back with the proper classification.

(4) Contracts for the manufacture of classified matériel will be plainly and conspicuously marked, not typed, with the proper classification on the first page.

(5) Classified maps and photomaps will be appropriately marked under the scale.

b. Additional marking of classified documents issued to authorized civilians.—Documents containing classified military information furnished persons other than those of the military and naval services and their civilian employees will, in addition to being marked *secret*, *confidential*, or *restricted*, bear the following notation:

> 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.

c. Special marking of secret documents.—All secret documents will show the authority for the classification and the date affixed.

19. Transmission of classified documents.—*a. Secret documents.*

(1) *Between offices of same headquarters or station.*—At headquarters commanded by an authority qualified to make the secret classification, the commanding officer will provide for the security of interoffice transmission of secret documents.

(2) *Between posts, camps, or stations.*—Within the United States and its possessions secret documents will be transmitted by an officer-messenger or courier when practicable, otherwise by United States registered mail. When an officer-courier is not available, such documents may be transported to and from foreign countries and the Philippine Commonwealth by State Department rotary lock pouch. If neither officer-courier nor diplomatic pouch is available, the responsible officer may entrust secret documents to reliable citizens of the United States, such as officers or officials of other governmental departments or masters of vessels of United States registry. If no undue delay will result, commanding officers of ports of embarkation will entrust secret documents to the commanding officer of troops on an Army transport for delivery. If none of the foregoing means of transportation are available, commanding generals of service commands and commanding

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officers of exempted stations are authorized to transmit secret documents by registered mail in a United States sea post office, provided they do not pass through any foreign postal system or that of the Philippine Commonwealth.

(3) *Preparation for transmission.*—Except when personally delivered by authorized personnel, secret documents transmitted from one person to another will be inclosed in an inner and an outer cover. Typewritten matter in the document will be protected by a cover sheet, or by a method of folding, from direct contact with the inner cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way but plainly marked *secret* so that the notation will be seen when the outer cover is removed and will contain a receipt form which will identify the addressor, the addressee, and the document. The outer cover will be sealed and addressed in the ordinary manner with no notation to indicate its secret classification.

(4) *Action upon receipt of secret matter.*

(*a*) Prior to opening a sealed package or envelope containing secret documents, the seals and wrappers will be carefully inspected to determine whether there has been any tampering. If any evidence of tampering is noted, the facts will be reported immediately to the issuing authority, who will initiate an investigation without delay.

(*b*) The inner cover marked *secret* will be opened only by the person to whom addressed or by personnel specifically designated by him. The receipt form will be dated and signed and immediately returned to the sender. The inner cover will be destroyed by burning if the subject matter of the inclosure has been in contact therewith.

(5) *Transmission by aircraft.*—Secret documents, except those used by Army Air Forces personnel during flight, will be transported by aircraft or by registered air mail only under exceptional circumstances when in the opinion of one of the authorities designated in paragraph 8*c* the emergency demands it. When transmitted by military aircraft they will be securely wrapped and placed in the custody of an officer other than the pilot. When the flight of the military aircraft is to be made over water the document will also be weighted.

b. Confidential documents.

(1) *Between offices, posts, camps, or stations.*

(*a*) Except as indicated in (*b*) below, confidential documents will be transmitted by an authorized messenger, insured express, or registered mail to any point in the United States and its possessions, provided they are carried in ships of United States registry and do not pass through a foreign postal system. When confidential documents are to be transported to and from foreign countries the means described in *a*(2) above will be used.

(*b*) Confidential documents pertaining to military intelligence may be transmitted by ordinary mail when in the opinion of the forwarding officer no serious consequences would be entailed by their loss.

(2) *Preparation for transmission.*—A confidential document will be prepared for transmission in the same manner as a secret document except that the inner cover will contain a receipt form only when the sender deems it necessary and may be opened by any responsible person authorized by the addressee.

(3) *Transmission by aircraft.*—Confidential documents, except those used by Army Air Forces personnel during flight, will be transported by military aircraft or by registered air mail only when in the opinion of the responsible officer the emergency demands it.

c. Restricted documents.—Restricted documents may be transmitted by any authorized messenger, or by ordinary mail, express, or freight to any point in the United States and its possessions, provided they are carried on ships of United States registry and do not pass through a foreign postal system. Restricted documents will be transmitted to and from foreign countries in the same manner as secret documents.

20. Routine correspondence, receipts, and reports.—Routine correspondence, receipts, or returns, and reports of possession, transfer, or destruction need not be classified if reference therein to classified or registered documents is made by file number or short title only, with no indication of the subject matter or classification.

21. Storage of classified documents.—*a. Storage of classified documents not registered.*

(1) Secret and confidential documents, other than registered documents, will be stored in the most secure files available in a room that is kept locked when not in use.

(2) Restricted documents will be stored and handled in such a manner as to insure a reasonable degree of security.

b. Storage of registered documents.

(1) Registered documents will be stored in the most secure space available, preferably the equivalent of a three-combination safe. If a three-combination safe is not available, then the documents should be kept constantly under armed guard.

(2) Only commissioned officers, warrant officers, and specially trusted enlisted men and civilian employees will be permitted to have access to the containers of registered documents or the combinations or keys thereto.

(3) Safes containing registered documents will habitually be kept locked with the full combination whenever they are not under the direct supervision of a person officially entrusted with the combination.

c. Cryptographic documents.—So far as practicable, cipher tables, alphabets, and keys will not be kept in the same container as the code books, documents, and devices to which they apply. No SECRET document will be taken forward of battalion command post.

d. Daily inspection.—At every headquarters an inspection will be made each day immediately before the close of business to insure that all secret and confidential documents and cryptographic devices have been properly put away.

e. Security in field.—In tactical operations, actual or simulated, the commanding officer of the unit concerned is responsible that all documents are given the maximum security possible under the circumstances. No secret document will be taken into the front lines.

f. Security aboard ship.—Where a ship's strong room is available, classified documents in transit will be stored therein.

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22. Return of secret and confidential documents.—Upon change of station or separation from the military service, an officer will return to the source from which received, or otherwise properly account for, all secret and confidential documents which have been issued to him.

23. Destruction of classified documents.—*a. Secret and confidential documents.*

(1) When competent authority directs the destruction of secret or confidential documents, they will be burned by the custodian thereof in the presence of a disinterested officer. The certificate of destruction will be signed by both the custodian and the witnessing officer before submission to the officer directing the destruction. If the documents are registered, the certificate, signed by the custodian and the witnessing officer, will be sent to the officer directing the destruction, who will forward it to the office of record indicated in the registered document. If the headquarters has only one commissioned officer, the report will so state. Exceptions hereto may be authorized only by the War Department.

(2) Preliminary drafts, carbon sheets, plates, stencils, stenographic notes, and work sheets containing secret or confidential data will be destroyed by the person responsible for their production immediately after they have served their purpose or will be given the same classification and safeguarded in the same manner as the material produced from them.

b. Restricted documents.—Restricted documents will be destroyed in any convenient way which will render them useless.

SECTION III

REGISTERED DOCUMENTS

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24. Authority to designate.—Officers authorized to originate and issue secret, confidential, or restricted documents will designate as *registered* such secret, confidential, and restricted documents issued by them as they deem necessary in the interest of national defense. *Only documents of exceptional importance will be registered.*

25. Additional marking.—*a.* In addition to the marking *secret, confidential,* or *restricted,* the title page or inside front cover of a registered document will ordinarily show the register number, short title, office of record to which returns will be made, and instructions covering the returns for its accounting and for its ultimate disposal. If this is not practicable, the required data will accompany the registered document on a separate sheet.

b. All references to registered documents in semiannual or transfer reports, ordinary reports of destruction, or unclassified documents or correspondence will be by short title only, and such reports or correspondence need not be classified. Any correspondence or paper which refers to a registered document by a title

other than the short title must have the same classification as the registered document.

26. Revision or reproduction.—*a.* A new or revised edition of an old registered document may be assigned a new short title, but, where this is undesirable, the old short title followed by a symbol which will differentiate the new edition from the old edition is permissible.

b. Reproduction of a registered document is forbidden except by authority of the office of origin.

27. Notification of change of classification.—When the classification of a registered document is changed, the office of record will notify all offices to which it has been issued.

28. Inventory and report of possession.—*a.* Custodians will keep a complete inventory of all registered documents except those listed in *c* below and will make, or have made, on June 30 and December 31 of each year, an accurate return therefor to the proper office of record.

b. In making a semiannual report of possession the following details will be observed:

(1) Each item will be physically inspected and its register number checked against the inventory.

(2) At headquarters having two or more commissioned officers the custodian and one other disinterested officer will make the inventory and both will sign the report. If the headquarters has only one commissioned officer, the report will so state.

c. No semiannual report of possession will be made of—

(1) Training editions of code books, cipher alphabets, or keys, or of nonregistered cipher devices accounted for as ordinary property.

(2) Registered documents which have been placed in custody or storage for historical purposes.

d. Whenever a registered document is found which is not charged to the finder, a reasonable effort will be made to determine the office to which it pertains. If this is not found, the document will be forwarded through military channels to the issuing authority for disposition.

29. Reports of transfer and destruction.—*a.* When a registered document is transferred from one person to another, or if the custodian remains the same but the organization's designation changes, a certificate of transfer in triplicate will be made. The certificate, containing an acknowledgment of receipt by the receiving officer, will be dated and signed by the transferring officer.

b. Immediately upon completion of the transfer, the original of the transfer certificate will be forwarded direct to the office of origin. A copy of the certificate of transfer will be retained by each of the officers concerned.

c. Whenever a registered document is removed from its proper place of custody and issued to another person, the custodian will require a written receipt.

d. Registered documents will not be accounted for as prescribed for ordinary property in AR 35–6520. The forms described in paragraph 30 will be used in lieu of shipping tickets, memorandum receipts, stock record cards, etc.

e. The issuing authority normally designates when registered documents will be destroyed and upon such notification registered documents will be destroyed as indicated in paragraph 23 and report of destruction forwarded.

30. Prescribed forms.—*a.* War Department Form No. 32 (Record Card—Registered Documents or Devices) will be used for recording all temporary transactions involving an individual registered document.

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b. War Department Form No. 33 (Record Card—Registered Documents or Devices—Station) will be used by each officer making a consolidated record of all transactions concerning registered documents. It serves as a check to prevent the undiscovered loss of the individual card, War Department Form No. 32.

c. War Department Form No. 34 (Semiannual or Transfer Report of Registered Documents or Devices) will be used in transferring registered documents and in reporting the semiannual inventory thereof.

d. Other forms authorized by separate branches for special purposes such as report of destruction will be employed where applicable.

SECTION IV

CRYPTOGRAPHIC SECURITY

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31. Authorization of cryptographic systems.—All codes, ciphers, and cipher devices intended for use in the military service will be authorized only by the War Department. For forces in the field in time of war, this authority may be delegated to theater commanders and to oversea department commanders for special use within their theaters or departments.

32. Restrictions on use of authorized codes.—*a.* The use of any authorized code, cipher system, or cipher device for cryptographing personal messages is forbidden.

b. Messages for other departments of the Government and for commercial firms engaged in producing war matériel under Government contract may, when necessary, be cryptographed in War Department systems provided the text as supplied by the other Government department or firm is paraphrased before transmission without reference to the originator and also after transmission if delivery is made to an agency other than a military establishment.

33. Personnel authorized to perform cryptographic duties.—*a.* No authorized cryptographic system will be employed by any person who is not thoroughly familiar with the provisions of these regulations and all instructions pertaining to the cryptographic system to be employed.

b. Secret messages.—The cryptographing and decryptographing of messages classified as *secret* will be performed under the supervision of a commissioned officer. For the specific qualifications of personnel who may be permitted actually to perform secret crytographic work, reference should be made to letter instructions on this subject issued by the War Department.

c. Confidential messages.

(1) At all headquarters of divisions and larger units the cryptographing and decryptographing of confidential messages will be performed by personnel as prescribed for secret messages.

(2) At all headquarters of units smaller than a division, messages classified as *confidential* will be crytographed or decryptographed by personnel of the cryptographic section of the message center.

d. Restricted messages.—At all headquarters, messages classified as restricted will be cryptographed or decryptographed by personnel whose duties normally require the performance of this work.

34. Cryptographic security officer.—*a.* At each headquarters maintaining a message center there will be a cryptographic security officer, who ordinarily will be the officer in charge of the message center. He will be the custodian of cryptographic material and will be responsible for all measures necessary to insure cryptographic security.

b. If the cryptographic security officer believes that, in view of his knowledge of other messages on the same or like subject, a message has been incorrectly classified, or if he believes that the regulations governing the drafting and classifying of the message have been violated, he will request the originator to make the necessary change in the message or in its classification. If the originator does not comply with the request of the cryptographic security officer, the matter will be referred to the commanding officer of the headquarters concerned for final decision.

c. Cryptographic duties at any station where there is no regularly constituted message center will be performed by the originator of the message or by personnel especially designated by the commanding officer. When cryptographic work is thus performed, the files of literal plain text messages and of cryptograms must be kept in different locked containers.

35. Sources of danger to cryptographic security.—In order to insure cryptographic security the following principles must be observed:

a. Cryptographic material will be given the most secure storage available and will never be left unattended except when deposited in a three-combination safe or its equivalent. See also paragraph 21*c* in this connection.

b. Care must be exercised in the drafting of messages destined to be cryptographed. The originator of any classified message is responsible for strict compliance with the provisions of paragraph 37.

c. The classification of messages must receive careful consideration by the originator since overclassification and underclassification are equally to be avoided. When a message has been classified and sent, all subsequent messages referring thereto must bear the same classification if any reference is made to the original message by subject or serial number, except where the originator underclassified the original communication, in which case the proper higher classification will be used. See paragraphs 6 to 11, inclusive.

d. The selection of the proper cryptographic system is a responsibility of the cryptographic security officer or the custodian of cryptographic material where there is no cryptographic security officer. He should be governed by the provisions of paragraph 38.

e. If time and availability of personnel permit, the cryptographed text of messages should be checked prior to transmission. The check should determine that the instructions governing the system employed are carefully followed. Particular care must be taken to assure that no plain text appears in the body of the message.

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f. The handling and filing of both plain and cryptographed text should conform to the procedure described in paragraphs 40 to 44, inclusive.

g. Paraphrasing is resorted to as a protection to the cryptographic system and will not be used in such a manner as to permit loose handling of classified messages. Paraphrasing is employed only when the content of the classified message is released to the public or given a wide distribution within the Army, or when it is necessary to repeat in a different cryptographic system or in a different key of the same system, all or portions of a previously cryptographed message, or message sent in plain language.

36. Responsibility for classification of messages.—*a.* Within the limitations prescribed in paragraph 42*b* the originator of a message is responsible that the classification given to it conforms to the definition given in paragraphs 2, 3, and 4. He is also responsible for the proper marking of the message before forwarding it for cryptographing and transmission.

b. A message will invariably be classified and marked *secret, confidential,* or *restricted*—

(1) When it contains information which is secret or confidential except when marked SEND IN CLEAR as indicated in paragraph 42*b*(2).

(2) When it contains matter the transmission of which in plain language is prohibited by AR 105–25.

37. Drafting messages.—*a.* Routine reports and messages which must be given a wide distribution, or the contents of which have been or may eventually be furnished the press, or which contain extracts or quotations from a newspaper, magazine, or any other document available to the public, will be prepared so as to permit their transmission in plain language or will be classified as *restricted.*

b. Standardization of the content and form of such documents as field orders and operation instructions is necessary, but when fixed expressions are repeated in a message the results are exceedingly dangerous to cryptographic security. Hence stereotyped phraseology and set form of expression, especially at the beginning or end of a message, will not be used. Examples of stereotyped beginning are as follows: "Reference your," "Reurad," "Reference my," etc. Necessary references will be placed in the body of the message.

c. Words not important to the sense will be omitted. Conjunctions and prepositions will be reduced to the minimum, and every effort will be made to avoid repetition of words.

d. The originator of all classified messages will paraphrase such portions as are quoted from—

(1) A message in plain language.

(2) A message in the same or another cryptographic system.

(3) A newspaper, magazine, or document available to the public.

e. Punctuation words, such as stop, period, and comma, will be avoided whenever the meaning is clear without them. Punctuation marks should be spelled out when it is essential that they be transmitted in the body of the message.

38. Selection of cryptographic system.—*a.* Subject to modification as outlined in paragraph 34*b*, the classification *secret, confidential,* or *restricted* given a message by its originator governs the cryptographic system to be used in cryptographing the message.

b. In order to prevent the cryptographing of *identical* subject matter by means of *different* codes and ciphers, once the message has been cryptographed, all subsequent messages on the same subject will normally be similarly cryptographed. Only a higher headquarters concerned is authorized to change the cryptographic system employed. If a change is authorized, *reference to previous messages by their reference numbers will be avoided.*

c. The mere acknowledgment of a cryptographed message need not be classified.

d. When the same clear-text message is transmitted to several addressees, it will ordinarily be cryptographed but once and sent to all addressees. If this is impossible because all addressees do not have identical codes or ciphers, the text of each message which must be cryptographed in a different system will be carefully and differently paraphrased for each system before cryptographing. This paraphrasing is the responsibility of the cryptographic security officer who should furnish the originator copies of each of the paraphrased versions.

39. Paraphrasing messages.—*a.* In paraphrasing, it is not sufficient to paraphrase only the beginning or ending of the message; the entire message will be subjected to the process.

b. Paraphrasing consists in applying all the following processes to the message:

(1) Changing the sequence of the paragraphs.

(2) Changing the sequence of the sentences in each paragraph.

(3) Shifting the positions of the subject, predicate, and modifiers in each sentence.

(4) Changing from active to passive voice or vice versa.

(5) Substituting synonyms or equivalent expressions.

c. When paraphrasing must be resorted to in connection with messages having identical or nearly identical plain text, effort will be made to change the lengths of the paraphrased version so that the cryptograms will not resemble each other even in that respect.

d. A paraphrase of a message will be accorded the same classification as the original message.

40. Method of handling outgoing secret messages.—*a.* The procedure hereinafter described will be followed at all headquarters, except the War Department in which the procedure will be as determined by the Chief of Staff.

b. The originator will prepare and number all copies of secret messages, send the original to the message center, and retain one copy for temporary file. Other carbon copies, all numbered and bearing the following notation, may be sent to local officers directly concerned:

> The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked *secret.* This copy will be safeguarded with the greatest care and will be returned to the originator without delay.
>
> All such copies will be carefully accounted for by the originator and will be destroyed when returned.

c. The original plain-text copy sent to the message center by the originator will be cryptographed at the cryptographic section of the message center. In message centers serving tactical units one copy only of the cryptographed message will be made and it will be sent to the transmitting agency. In the zone of the interior the number of copies to be made of the cryptographed message will be determined by the commanding officer of the headquarters concerned. All work sheets used in cryptographing the message will be immediately destroyed by burning.

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d. The original copy of the literal plain text will be marked SENT (date) and returned to the originator who will place it in his secret file for outgoing messages and destroy the retained copy by burning. Only one copy of the literal text will be filed in the originator's office.

e. The transmitting agency will send the cryptographed message, retaining at least one copy in its file of outgoing messages for final disposition in accordance with local regulations.

41. Method of handling incoming secret messages.—*a.* The procedure hereinafter described will be followed at all headquarters, except the War Department in which the procedure will be as determined by the Chief of Staff.

b. An incoming secret message will be copied in duplicate by the receiving operator; the original will go to the cryptographic section of the message center and the carbon copy to the files of the receiving station or message center, where it will be disposed of in accordance with local regulations.

c. A cryptographer will decryptograph the message, making only one copy of the decryptographed literal plain text, which will be marked SECRET and delivered to the addressee. The cryptographed version will be retained in the files of the message center, where it will be disposed of in accordance with local regulations. All work sheets used in decryptographing will be destroyed by burning. The cryptographic section will not retain any copy of the plain text in its files. The placing on the message blank of any marks or notations even remotely connected with the cryptographic system or steps in decryptographing the message, such as underlining key words, indicating groupings corresponding to lengths of columns of key, etc., is forbidden.

d. The addressee may make and circulate a limited number of literal copies for the information of other officers directly concerned. These carbon copies will all be numbered and bear the following notation:

> The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked SECRET. This copy will be safeguarded with the greatest care and will be returned to _____ without delay.

All such information copies will be carefully accounted for by the addressee and will be destroyed when returned. Only one copy of the literal text of the message will be kept in the addressee's office.

42. Method of handling outgoing and incoming confidential messages.—*a. At administrative headquarters having fixed message centers.*—Whenever practicable, the procedure to be followed in the handling of messages in confidential codes or ciphers will be substantially the same as that prescribed for those transmitted in secret code or cipher, except within the War Department in which the procedure will be as determined by the Chief of Staff. They will, however, be marked and safeguarded in accordance with provisions of these regulations governing confidential documents.

b. In tactical operations, simulated or actual.

(1) All messages not classified as *secret* will be regarded as *confidential* but need not be so marked. The procedure to be followed is prescribed in FM 24–5, and in other pertinent regulations and instructions issued by proper authority. All radio messages except those noted in (2) below will be transmitted in cryptographic form.

(2) When the tactical situation is such that time cannot be spared for cryptographing, and when the information to be transmitted, if intercepted by the enemy, cannot be acted upon in time to influence

the situation in question, a commanding officer or his authorized representative may order the transmission of a message in plain language by a radio station serving his headquarters or command. Such written messages will be marked SEND IN CLEAR over the signature of the commander or his authorized representative.

43. Method of handling restricted messages.—The procedure to be followed in the handling of messages in restricted codes and ciphers will be substantially the same as that prescribed for those in confidential code or cipher, except that the number of copies need not be limited nor need they be numbered.

44. Confirmation copies of cryptographed messages prohibited.—The sending by any means whatsoever of confirmation copies of the plain text of messages transmitted in code or cipher is strictly prohibited.

45. Disposition or destruction of registered cryptographic material.—*a.* Whenever a person who has been issued registered secret or confidential codes, ciphers, cipher devices, or documents pertaining thereto, has no further need for them, he will report that fact to the Chief Signal Officer or in the case of the field forces in time of war to the signal officer of the headquarters charged with the issue of such documents.

b. When it has become highly probable that cryptographic material will be subject to loss or compromise, all documents and translations of messages will be destroyed by burning, and the cipher machines or devices will be destroyed beyond use or repair, and if possible, beyond recognition.

c. When cryptographic documents or devices have become unserviceable through long use, request for their replacement will be made to the issuing authority.

SECTION V

MATÉRIEL

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46. Authority to classify.—Whenever the chief of a supply service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel or a component thereof shall determine that the maintenance of any degree of secrecy regarding them is sufficiently important to the national defense, he will classify it as *secret*, *confidential*, or *restricted*.

47. Notification of classification or reclassification.—Whenever the chief of a supply service in charge of a research project, design, development, test, or production of a unit of matériel or component thereof shall determine that the matériel should remain classified after issue or that a change or cancelation of classification is desired, he will notify The Adjutant General, who in turn will inform all concerned.

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48. Responsibility for safeguarding technical information.—*a.* Chiefs of supply services engaged in the preparation of plans, research, and development work, or new design, test, production, procurement, storage, or use of classified matériel are responsible for the promulgation of such additional instructions as may be required for the safeguarding of information in the offices, establishments, laboratories, shops, or Army posts under their jurisdiction.

b. All secret, confidential, or restricted models, exhibits, dies, machines, and other similar items which are to be loaned, leased, or given to a commercial organization will be properly marked to indicate classification when practicable. If such marking is impracticable, the commercial organization will be specifically notified in writing of the classification of such items and of the pertinent provisions of the Espionage Act.

49. Classification of information from commercial firms.—Information obtained from civilian manufacturers concerning proprietary processes will be classified as *confidential* unless otherwise authorized by the firm concerned.

50. Dissemination of classified technical information.—Classified information concerning technical projects or developments may be imparted only to persons in the military and naval services of the United States, including civilian employees, who have a legitimate interest therein, and to American citizens of known loyalty and discretion who of necessity must be informed because of their cooperation in the work, project, or development.

51. Invitations for bids and contracts.—*a.* Prior to furnishing a prospective bidder or contractor with drawings, specifications, or other pertinent information concerning any project or projects of a secret, confidential, or restricted nature and annually thereafter so long as such documents, etc., are in his custody, a general secrecy agreement reading substantially as follows will be signed by the individual or by a responsible officer on behalf of the firm or corporation concerned:

In consideration of the receipt of drawings, specifications, and accompanying inclosures, models, or matériel, and information disclosed orally, concerning projects of a secret, confidential, or restricted nature, delivered to the undersigned prior to or coincident with the date of this agreement and listed on Exhibit A which is attached hereto and made a part hereof, or to be issued to the undersigned subsequent to the date of this agreement, the following terms are agreed to by or on behalf of the undersigned individual, firm, or corporation, and any and all representatives, agents, employees, or subbidders or subcontractors thereof:

1. The undersigned will neither supply nor disclose any information regarding the drawings, specifications, and accompanying inclosures, or models or matériel, or information disclosed orally, referred to herein to any unauthorized person, or incorporate in other projects special features of design or construction peculiar to such drawings, specifications, and accompanying inclosures, or models or matériel, or information disclosed orally.

2. The undersigned will not permit any alien employed or to be employed by the undersigned or by any subbidder or subcontractor to have access to the drawings, specifications, and accompanying inclosures, or models or matériel referred to herein, or to engineering principles, composition, subassemblies, or assemblies which are vital to the functioning or use of the article or to the work under any contract for the production thereof, or to the contract trials, without the written consent beforehand of the Secretary of War.

3. The undersigned will not make or permit to be made reproductions of the drawings, specifications, and accompanying inclosures or of the models or matériel, except as specifically authorized by the contracting officer or his duly authorized representative. If reproduction of any drawings, specifications, and accompanying papers, or of models or matériel, is authorized, the undersigned will promptly submit the product obtained to the contracting officer or his duly authorized representative for censorship or such other action as he may deem necessary.

4. If a bid is not submitted on a project of a secret, confidential, or restricted nature as to which drawings, specifications, and accompanying inclosures, and models or matériel have been issued to the undersigned, or if a bid is made and not accepted, or in case award is made, upon the completion of the contract the undersigned will promptly return by hand, by registered mail, or by insured express, such drawings, specifications, and accompanying papers, or models or matériel, together with all copies thereof, to the office from which the original copies were received.

5. (*a*) The undersigned agrees to bring or cause to be brought to the attention of all persons engaged in the preparation of the bid, whether submitted or not, including subbidders and their employees, the following provisions of law:

Espionage Act: Subparagraphs (d) and (e), sec. 1, act June 15, 1917 (40 Stat. 217); sec. 1, act March 28, 1940 (54 Stat. 79; 50 U. S. C. 31; M. L., 1939, Supp. I, sec. 2181).

Sec. 1, act January 12, 1938 (52 Stat. 3; 50 U. S. C. 45; M. L., 1939, sec. 2187a), and E. O. 8381, March 22, 1940; 5 F. R. 1147; 50 U. S. C. 45; M. L., 1939, Supp. I, sec. 2187a.

Second War Powers Act, 1942, sections 1402, 1403, act March 27, 1942 (Public Law 507, 77th Cong.).

(*b*) If the successful bidder on any project, the undersigned agrees also to bring or cause to be brought to the attention of all persons engaged in the performance of the contract, including persons employed on subcontracts, the provisions of the law enumerated in (*a*) above.

6. The undersigned further agrees that no information in connection with any secret, confidential, or restricted project will be given to any person not in the contractor's or subcontractor's employ except upon the written consent beforehand of the contracting officer or his duly authorized representative.

b. The execution of the general secrecy agreement required in *a* above with any individual, firm, or corporation prior to the delivery of any classified military information, and the annual secrecy agreements executed thereafter, will constitute authority for delivery to such individual, firm, or corporation from time to time of other or additional classified information pertaining to any secret, confidential, or restricted project, without the necessity of executing a specific secrecy agreement in each case. A receipt substantially as follows will be obtained when the additional classified data are submitted to those who have entered into such agreement.

Receipt is acknowledged of _____ and it is recognized that these data are classified and come within the purview of the secrecy agreement signed by _____ on _____.

52. Consultations with responsible manufacturers.—The commanding officers of arsenals and depots and other officers engaged in work on Government contracts are authorized to consult with all interested manufacturers or their representatives, inventors, and other persons concerning technical matters in which they have a legitimate interest. They will, however, inform all such persons of the classification of the projects, works, and developments.

53. Responsibility of Army representatives or inspectors.—*a.* Army representatives or inspectors of the supply service are the local representatives of the War Department and will take the necessary measures to insure the safeguarding of classified information or projects in the hands of the contractors or in process of manufacture in their plants.

b. Army representatives or inspectors will advise contractors as to their responsibilities and the practical measures to be taken to safeguard secret, confidential, and restricted matters and will act favorably, if practicable, on any suggestion or request of the company tending to preserve secrecy. If at any time conditions at any plant, or any action of a company or its employees, jeopardize the security of classified matter pertaining to the War Department

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or violate the provisions of the Espionage Act, the Army representative or inspector will request the contractor to take prompt remedial action. If adequate precautionary measures are not taken immediately, he will report promptly to the chief of the supply service concerned and, if the situation requires, to the commanding general of the service command in which the item is in process of manufacture.

c. When Army and Navy inspectors are on duty at the same plant, the Army inspector will coordinate all security measures with the Navy inspector in order to avoid conflicting demands upon contractors.

54. Responsibility of Government contractors.—*a.* A private individual, firm, or corporation which enters into a contract to engage in technical work for the War Department becomes responsible in matters within his or its control for the safeguarding of all secret, confidential, or restricted matters that may be disclosed or that may be developed in connection therewith. A clause to this effect will be included in such a contract, but its omission will not release the contractor from his responsibility under the Espionage Act and other pertinent laws.

b. Contractors are responsible that all classified projects allotted to subcontractors or agents are fully protected by a similar agreement.

c. Whenever for any reason a contract agreement or subcontract has been made which does not include a security clause but later is found to involve secret, confidential, or restricted matter, the supply service concerned will take the necessary steps to insure that the project or work is properly classified and that the contractor, agent, or subcontractor is informed of the classification and of his responsibility in the matter.

55. Tests of classified matériel.—Tests of classified matériel will be adequately safeguarded by all responsible officers.

56. Public display of classified matériel.—*a.* Commanding officers are responsible that all classified parts, components, or features of matériel are properly safeguarded during maneuvers, drills, parades, ceremonies, assemblages, demonstrations, or exhibitions open to the general public.

b. (1) Photographs of equipment while in process of development or those revealing processes of manufacture are prohibited unless authorized by the chief of supply service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited by the instructions issued therewith.

(2) Requests for permission to take photographs of classified matériel, projects, or processes of manufacture will be referred to the War Department through the proper chief of supply service. If authority is granted, it will be with the understanding that the resulting photographs will be submitted to the War Department for review prior to release.

57. Release of information or sale of matériel.—*a.* Domestic sale, divulging information in connection with negotiations for foreign sale, and foreign manufacture of items of Army and Navy matériel and equipment are not permitted unless the War and Navy Departments are agreed that military secrecy is not compromised thereby.

b. International traffic in arms.

(1) The State Department administers international traffic in arms and military matériel coming within the scope of the Regulations Governing the International Traffic in Arms, Ammunitions, and Implements of War and Other Munitions of War.

(2) The State Department will not release for foreign sale any item coming within the scope of these regulations until the War and Navy Departments have stated that there is no objection to the release on grounds of secrecy affecting the national defense.

SECTION VI

VISITORS

Paragraph
Classification 58
Authority for admission 59
Responsibility of commanding officer, Army representative, or inspector 60
Responsibility of Government contractors 61

58. Classification.—*a. Foreign nationals.*—For the purpose of these regulations foreign nationals include—

(1) Representatives, officials, or employees of a foreign government having an official status.

(2) All other foreign nationals and citizens of the United States representing a foreign government, firm, or corporation.

b. United States citizens.—All citizens of the United States not included in *a* above.

59. Authority for admission.—*a. General.*—Correspondence and communications relating to visits will be routed direct between the various offices concerned.

b. Foreign nationals.

(1) Foreign nationals (see par. 58*a*) will be admitted to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects, and to military posts, camps, and airfields only on written authority of the Assistant Chief of Staff, G–2, War Department General Staff.

(2) Application for such visits will be made through the appropriate diplomatic representatives except in the case of foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States, for whom applications will be submitted by their employers, approved by the commanding officer or management of the establishment to be visited, and forwarded with the recommendation of the chief of the supply service or appropriate commanding general of the service command concerned to the Assistant Chief of Staff, G–2, War Department General Staff.

(3) Applications submitted through either of the channels described above will include the following information:

(*a*) Name in full.
(*b*) Official title or position.
(*c*) Name of plant or plants, posts, camps, or airfields to which admission is desired.
(*d*) Date of visit or dates between which visits are desired.
(*e*) Purpose of visit.

For foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States the following additional information will be required:

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(*f*) Nationality.
(*g*) Length of service with present employer.

(4) Prior to authorizing a visit to a War Department or commercial manufacturing establishment engaged in classified work or projects, the Assistant Chief of Staff, G–2, War Department General Staff, will secure the recommendations of the Navy Department and the chief of the supply service concerned. Members of the armed forces of Canada and Mexico may, however, be admitted to Army posts, camps, and airfields near the borders of those countries for occasional visits on the authority of the commanding general of the army, defense command, or service command having jurisdiction over such posts, camps, or airfields, without reference to higher authority.

c. United States citizens.—Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

(1) Casual visitors may be admitted provided no secret, confidential, or restricted work or project is shown or discussed.

(2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating in War Department work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible chief of supply service. Authority for admission will be in writing.

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to manufacturing establishments engaged on work for the War Department provided classified matters, projects, or processes of manufacture are not shown or discussed with them. News items, photographs, and motion pictures resulting from the visit must be submitted to the Assistant Chief of Staff, G–2, War Department General Staff, for release prior to publication.

60. Responsibility of commanding officer, Army representative, or inspector.—*a.* The commanding officer of a military manufacturing establishment or the Army representative or inspector at a commercial manufacturing establishment is the local representative of the War Department in all matters regarding the admission of visitors. If, in his opinion, the situation at the time makes the admission of a visitor inadvisable, he is empowered to postpone the visit and request instructions from the office which authorized it.

b. The commanding officer or Army representative will make a report to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of supply service or commanding general, service command, giving the following information concerning foreigners who visit establishments engaged in classified projects:

(1) Name, official position, and nationality.
(2) Authority for the visit.
(3) Matters in which the visitors showed the greatest interest.
(4) General nature of questions asked.
(5) Expressed object of the visit.
(6) Inspector's estimate of the real object of the visit.

(7) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.
(8) A brief list of what was shown and explained.

61. Responsibility of Government contractors.—*a.* Contractors or subcontractors engaged in work for the War Department must place such restrictions on the movements of persons employed or entering their plants or offices as will give adequate security to secret, confidential, or restricted matters in their possession. In view of the wide differences in organization, arrangement, and physical make-up of individual plants, no specific rules are practicable. Therefore, local conditions at the plant and the classification of the project will determine the security measures to be adopted.

b. The following general procedure in regard to visitors at establishments or plants engaged in classified projects for the War Department is prescribed:

(1) Visitors will be accompanied during their stay at the plant by the inspector or Army representative, a member of his office, or some responsible person who is specifically informed as to the necessary limitations or restrictions, the scope of the visit, and the information which may be furnished.

(2) Unless specifically authorized by the authorities mentioned in paragraph 59, visitors will not be allowed in any shop, laboratory, drafting room, or section of a plant where secret, confidential, or restricted matériel is located or where classified work is in progress, nor will they be permitted to take photographs.

c. (1) War Department contractors will submit to the commanding general of the service command, chief of supply service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, to whom their plants are assigned for continuing protection, at the end of each month, and upon the completion of the work or project, a report of all visitors who have gained information concerning the classified work or projects. These reports will include the following information:

(*a*) Name, official position, and nationality.
(*b*) Address.
(*c*) Authority for visit.
(*d*) Whether authorization for visit was written or oral.
(*e*) Whether authorization for visit was received prior to or simultaneous with the visit.
(*f*) Number of authorizations received for which the corresponding visits were not made, with detailed information in each case.

(2) The commanding general of the service command, chief of supply service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, to whom their plants are assigned for continuing protection, will submit the reports to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of supply service.

SECTION VII

AIR SPACE RESERVATIONS, RESERVED AREAS, AND RESTRICTED AREAS

Paragraph
Air space reservations 62
Restricted areas 63

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62. Air space reservations.—*a. Establishment.*—Air space reservations over military installations or reservations over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes are established by Executive order of the President of the United States, or by a State, Commonwealth, or Territory.

b. Territory of Hawaii.—Section 3, Air Commerce Regulations of the Territory of Hawaii, prohibits private and commercial aircraft from flying over or crossing any part of Diamond Head and the fortifications of Fort Kamehameha and Fort Weaver.

c. Philippine Commonwealth.—Flying by any aircraft other than those of the United States and Philippine Governments within a distance of 6 miles from the perimeter of Corregidor Island, Fraile Island, Carabao Island, and Caballo Island, Manila Bay, and Subic Bay, Island of Luzon, and within 2 miles of the perimeter of Cavite Peninsula, Manila Bay, is prohibited by section 80, Air Commerce Regulations, the Government of the Philippine Islands, dated October 15, 1935.

d. Responsibility of commanding officers.—The commanding officer of a military reservation, post, camp, station, or installation over which an air space reservation has been established is responsible for the surveillance of the designated air space and for prompt report to The Adjutant General, through military channels, of any illegal flight therein.

63. Restricted areas.—*a. Designation.*—The commanding officer of a post, camp, station, or installation is responsible for the designation and proper safeguarding of restricted areas. If local conditions dictate, he will mark all ordinary entrances or approaches to such areas with a sign reading as follows:

WARNING

RESTRICTED AREA

It is unlawful to enter within this _____ without written permission of _____.
(Area, building, etc.) (Authority)

b. Procedure in case of violation.

(1) The commanding officer of a military reservation, post, camp, station, or installation will cause any person not subject to military law who enters a restricted area or building to be detained, warned of his rights, and interrogated by proper authority. If it is a first offense and there is no evidence of deliberate intent, the offender may be warned against repetition and released upon the surrender of any unlawful photograph, sketch, picture, drawing, map, or graphic representation in his possession. Otherwise the offender will be delivered without unnecessary delay to the nearest United States marshal with a written statement of the facts, the names and addresses of the witnesses, and such pertinent exhibits as may be available.

(2) When an investigation reveals that a person not subject to military law has entered such a restricted area or building, custody of the individual not having been effected, the commanding officer will promptly forward in writing to the nearest United States district attorney a report of all the facts, including the names and addresses of the witnesses.

(3) A report will be made through military channels to the commanding general of the service command of each case brought to the attention of civil authority and will include a brief of all the facts and copies

SECTION VIII

TROOP MOVEMENTS

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64. General.—*a.* Movement of troops or individuals, or any group or class of such movements may be classified as secret, confidential, or restricted by, or by authority of, any officer authorized to make or authorize secret classifications under paragraph 3*c*. All information relating to movements thus classified will be treated as in the same category as the movements to which it relates and all movements so classified will be governed by all the provisions of this section.

b. Officers and men will avoid talk or discussion of military matters while in any public place and will view with suspicion any person asking questions about military subjects or discussing such topics where there is even remote possibility that the information may reach the enemy.

c. All persons connected with the military service who receive information of proposed inland or oversea movements, classified in accordance with *a* above, of organizations, detachments, or individuals are forbidden to make public the details of such movements.

d. (1) The names of organizations, ports of embarkation, or ships to be used in troop movements, or the date of departure, arrival, or embarkation will not be disclosed.

(2) When it is necessary to advise relatives or other civilians of approaching departure, persons connected with the military service will not convey any information in regard to rail routing, probable time and date of departure from or arrival at any station, names of ships, ports of embarkation, or the destination of organizations.

e. Commanding officers of troops or individuals affected by the provisions of this section are responsible that such troops or individuals are instructed in such provisions, advised of their applicability, and warned of the danger involved in leakage of information concerning troop movements.

65. Rail movements.—The marking of cars or baggage to indicate an oversea destination, the date of departure, or the name of the ship is forbidden. Baggage for oversea shipment will be addressed to the commanding officer of the port or, where a port of embarkation or debarkation has been established, to the port storage officer.

66. Embarkation.—*a. Admission to piers.*

(1) All persons not on official business will be excluded from the piers at all times.

(2) Only official photographers will be permitted to take cameras within the limits of the pier or overseas.

(3) Arrangements will be made to have farewells completed before arrival at the piers. No members of families, relatives, or friends of those sailing will be allowed at the piers or thereabouts on the day of sailing. If any such persons are found there, they will be ordered away summarily by the guard and report will be made of the officer or enlisted man with whom they were seen or with whom they attempted to communicate.

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b. Movement of troops.—At ports of embarkation troop movements will be made so far as practicable without attracting undue attention. Troops will be held at ease, bands will not play, colors will be cased, and no noise of any kind will be permitted.

67. **Movement of vessels.**—In harbors, vessels loaded with troops or supplies will be moved under cover of darkness, whenever possible. If vessels must be moved during daylight, the commanding officer of troops will hold his men below deck or within deck superstructures to prevent attracting attention. Signals by flags or whistles will be limited to those necessary for safe navigation.

68. **Overseas.**—*a.* After arrival overseas no information will be given concerning names or destinations of organizations, names of vessels, data concerning convoys, routes pursued, measures taken to avoid attack, dates of arrival, debarkation, or departure, or number of troops or kind of cargoes carried.

b. The disclosure of the place of execution or acknowledgment on a legal instrument by one in or with the armed forces overseas is authorized providing the military necessity of secrecy of strength and location of troops does not require suppression of such information, providing also that such disclosure is necessary to the legality of the instrument and the execution of the instrument cannot be deferred without undue hardship, and providing the information disclosed will be of no substantial value to the enemy when and if it may reach him.

SECTION IX

EXTRACTS FROM PERTINENT LAWS AND REGULATIONS

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Protection of diplomatic codes	73
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69. **Military reservations, unlawful entry.**—Whoever, within the territory or jurisdiction of the United States, including the Canal Zone, Puerto Rico, and the Philippine Islands, shall go upon any military reservation, army post, fort, or arsenal, for any purpose prohibited by law or military regulation made in pursuance of law, or whoever shall reenter or be found within any such reservation, post, fort, or arsenal, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both. *Sec. 45, act March 4, 1909 (35 Stat. 1097); act March 28, 1940 (54 Stat. 80; 18 U. S. C. 97; M. L., 1939, Supp. I, sec. 816).*

70. **Espionage Act.**—*a. Unlawfully obtaining or permitting to be obtained information affecting national defense.*—That (a) whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, coaling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the national defense, owned or constructed, or in progress of construction

by the United States or under the control of the United States, or of any of its officers or agents, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, or stored, under any contract or agreement with the United States, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place within the meaning of section six of this title; or (b) whoever for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or (c) whoever, for the purpose aforesaid, receives or obtains or agrees or attempts or induces or aids another to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts or induces or aids another to receive or obtain it, that it has been or will be obtained, taken, made or disposed of by any person contrary to the provisions of this title; or (d) whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or (e) whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, or information, relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 1, Title I, act June 15, 1917 (40 Stat. 217); sec. 1, act March 28, 1940 (54 Stat. 79; 50 U. S. C. 31; M. L., 1939, Supp. I, sec. 2181).*

b. Unlawfully disclosing information affecting national defense.—(a) Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts to, or aids or induces another to, communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be punished by imprisonment for not more than twenty years: *Provided*, That whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished by death or by imprisonment for not more than thirty years; and (b) whoever, in time of war, with intent that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt

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to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for not more than thirty years. *Sec. 2, Title I, act June 15, 1917 (40 Stat. 218; 50 U. S. C. 32; M. L., 1939, sec. 2182).*

c. Conspiracy to violate preceding sections.—If two or more persons conspire to violate the provisions of sections two or three of this title, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy. Except as above provided conspiracies to commit offenses under this title shall be punished as provided by section thirty-seven of the Act to codify, revise, and amend the penal laws of the United States approved March fourth, nineteen hundred and nine. *Sec. 4, Title I, act June 15, 1917 (40 Stat. 219; 50 U. S. C. 34; M. L., 1939, sec. 2185).*

d. Harboring or concealing violators of law.—Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under this title shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 5, Title I, act June 15, 1917 (40 Stat. 219); sec. 2, act March 28, 1940 (54 Stat. 79; 50 U. S. C. 35).*

e. Designation of prohibited places by proclamation.—The President in time of war or in case of national emergency may by proclamation designate any place other than those set forth in subsection (a) of section one hereof in which anything for the use of the Army or Navy is being prepared or constructed or stored as a prohibited place for the purposes of this title: *Provided*, That he shall determine that information with respect thereto would be prejudicial to the national defense. *Sec. 6, Title I, act June 15, 1917 (40 Stat. 219; 50 U. S. C. 36; M. L., 1939, sec. 2186).*

f. Places subject to provisions of this title.—The provisions of this title shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States whether or not contiguous thereto, and offenses under this title when committed upon the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 8, Title I, act June 15, 1917 (40 Stat. 219; 50 U. S. C. 37).*

g. Jurisdiction of courts-martial and military commissions.—Nothing contained in this title shall be deemed to limit the jurisdiction of the general courts-martial, military commissions, or naval courts-martial under sections thirteen hundred and forty-two, thirteen hundred and forty-three, and sixteen hundred and twenty-four of the Revised Statutes as amended. *Sec. 7, Title I, act June 15, 1917 (40 Stat. 219; 50 U. S. C. 38).*

h. Jurisdiction of courts of Canal Zone and Philippine Islands of offenses on high seas.—The several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this Act committed within their respective districts, and concurrent jurisdiction with the district courts of the United States of offenses under this Act committed

upon the high seas, and of conspiracies to commit such offenses, as defined by section thirty-seven of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine, and the provisions of said section, for the purpose of this Act, are hereby extended to the Philippine Islands, and to the Canal Zone. In such cases the district attorneys of the Philippine Islands and of the Canal Zone shall have the powers and perform the duties provided in this Act for United States attorneys. *Sec. 2, Title XIII, act June 15, 1917 (40 Stat. 231; 50 U. S. C. 39).*

71. Photographing and sketching of military or naval reservations prohibited.—That whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any navy yard, naval station, or of any military post, fort, camp, station, arsenal, airfield, or other military or naval reservation, or place used for national-defense purposes by the War or Navy Departments, or of any vessel, aircraft, installation, equipment, or other property whatsoever, located within any such post, fort, camp, arsenal, airfield, yard, station, reservation or place, or in the waters adjacent thereto, or in any defensive sea area established in accordance with law; or whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any vessel, aircraft, installation, equipment, or other property relating to the national defense being manufactured or under construction or repair for or awaiting delivery to the War or Navy Departments or the government of any country whose defense the President deems vital to the defense of the United States under any contract or agreement with the United States or such country or otherwise on behalf of the United States or such country, located at the factory, plant, yard, storehouse, or other place of business of any contractor, subcontractor, or other person, or in the waters adjacent to any such place, shall be punished as provided herein. *Sec. 1, act June 25, 1942 (sec II, Bull. 31, 1942).*

Notwithstanding the provisions of section 1, the Secretary of War or the Secretary of the Navy is authorized, under such regulations as he may prescribe, to permit photographs, sketches, or other representations to be made when, in his opinion, the interests of national defense will not be adversely affected thereby. *Sec. 2, act June 25, 1942 (sec. II, Bull. 31, 1942).*

Any person found guilty of a violation of this Act shall, upon conviction, be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. *Sec. 3, act June 25, 1942 (sec. II, Bull. 31, 1942).*

The provisions of this Act shall apply in the Philippine Islands as well as in all other places within the territory or jurisdiction of the United States. *Sec. 4, act June 25, 1942 (sec. II, Bull. 31, 1942).*

This Act shall be effective only for the duration of the present war as determined by proclamation of the President. *Sec. 5, act June 25, 1942 (sec. II, Bull. 31, 1942).*

72. Air Corps Act.—* * * no aliens employed by a contractor for furnishing or constructing aircraft, or aircraft parts, or aeronautical accessories for the United States shall be permitted to have access to the plans or specifications or the work under construction or to participate in the contract trials without the written consent beforehand of the Secretary of the department concerned. *Sec. 10 (j), act July 2, 1926 (44 Stat. 787; 10 U. S. C. 310 (j); M. L. 1939, sec. 1942).*

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73. **Protection of diplomatic codes.**—That whoever, by virtue of his employment by the United States, shall obtain from another or shall have custody of or access to, or shall have had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or competent authority, publish or furnish to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act June 10, 1933 (48 Stat. 122; 22 U. S. C., 135).*

74. **Wire or radio communication.**—*a. Unauthorized publication or use of communications.*—No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communications by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided,* That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast, or transmitted by amateurs or others for the use of the general public, or relating to ships in distress. *Act June 19, 1934 (48 Stat. 1103; 47 U. S. C. 605).*

b. General penalty.—Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing, in this Act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided herein, by a fine of not more than $10,000 or by imprisonment for a term of not more than two years, or both. *Act June 19, 1934 (48 Stat. 1100; 47 U. S. C. 501).*

75. **Laws and regulations governing international traffic in arms.**—*a. Special provisions in regard to military secrets.*—Under the provisions of Part V of the Laws and Regulations Administered by the Department of State Governing the International Traffic in Arms, Ammunition, and Implements of War and Other Munitions of War, 1939, the Secretary of State will not issue a license author-

izing the exportation of any arms, ammunition, or implements of war considered by the Secretary of War or by the Secretary of the Navy as instruments or appliances included among the articles covered by those terms as used in this act if, in their opinion, they involve military secrets of interest to the national defense. The articles which may be so considered are those falling within one of the following categories:

(1) Articles, the whole or any features of which have been or are being developed or manufactured by or for the War Department or the Navy Department or with the participation of either of those Departments; and

(2) Articles, the whole or any features of which have been used or are being used by the War Department or the Navy Department or which either Department has contracted to procure.

b. Included among articles developed by or for the War Department or the Navy Department are those which have been contracted for by either of those Departments, or which have been developed in accordance with Army or Navy specifications and submitted to either Department for evaluation for procurement.

c. Prospective exporters of arms, ammunition, and implements of war should, before applying for a license to authorize the exportation of any article falling within the above categories which may possibly involve military secrets of interest to the national defense, communicate with the Secretary of State in advance of the proposed shipment in order that he may be in a position to ascertain for the prospective exporter whether or not military secrets are, in fact, involved therein. The articles upon which a determination is requested should be designated clearly and specifically, the type and model designations being included. Where applicable, Army or Navy drawing numbers should be given, or detailed plans and specifications submitted. (See 4 F. R. 4518.)

76. **Photographs, etc., of military and naval defenses.**—*a.* That, whenever, in the interests of national defense, the President shall define certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary. Any person found guilty of a violation of this section shall upon conviction be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. *Sec. 1, act January 12, 1938 (52 Stat. 3; 50 U. S. C. 45, M. L., 1939, sec. 2187a).*

Any person who uses or permits or procures the use of an aircraft for the purpose of making a photograph, sketch, picture, drawing, map, or graphical representation of vital military or naval installations or equipment, in violation of the preceding section, shall be liable to the penalty therein provided. *Sec. 2, act January 12, 1938 (52 Stat. 3; 50 U. S. C. 45a; M. L., 1939, sec. 2187a).*

On and after thirty days from the date upon which the President defines any vital military or naval installation or equipment as being within the category contemplated under the first section of this Act, it shall be unlawful for any person to reproduce, publish, sell, or give away any photograph, sketch, picture,

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drawing, map, or graphical representation of the vital military or naval installations or equipment so defined, without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, unless such photograph, sketch, picture, drawing, map, or graphical representation has clearly indicated thereon that it has been censored by the proper military or naval authority. Any person found guilty of a violation of this section shall upon conviction be punished as provided in the first section of this Act. *Sec. 3, act January 12, 1938 (52 Stat. 3; 50 U. S. C. 45b; M. L., 1939, sec. 2187a).*

* * * * * * *

The provisions of this Act shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States, whether contiguous thereto, or not and offenses under this Act when committed upon or over the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 5, act January 12, 1938 (52 Stat. 4; 50 U. S. C. 45d; M. L., 1939, sec. 2187a).*

b. WHEREAS section 1 of the act of January 12, 1938, 52 Stat. 3, provides:

"That, whenever, in the interests of national defense, the President shall define certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary. Any person found guilty of a violation of this section shall upon conviction be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment."

NOW, THEREFORE, by virtue of the authority vested in me by the foregoing statutory provisions, and in effectuation of the purposes of the said act of January 12, 1938, I hereby define the following as vital military and naval installations or equipment requiring protection against the general dissemination of information relative thereto:

1. All military or naval installations and equipment which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret," "confidential," or "restricted," and all military or naval installations and equipment which may hereafter be so classified, designated, and marked with the approval or at the direction of the President, and located within:

(*a*) Any military or naval reservation, post, arsenal, proving ground, range, mine field, camp, fort, yard, station, district, or area.

(*b*) Any defensive sea area heretofore or hereafter established and existing under authority of section 44 of the United States Criminal Code, as amended by the act of March 4, 1917, 39 Stat. 1194 (U. S. C., title 18, sec. 96).

(*c*) Any airspace reservation heretofore or hereafter established and existing under authority of section 4 of the Air Commerce Act of 1926 (44 Stat. 570, U. S. C., title 49, sec. 174).

(*d*) Any naval harbor closed to foreign vessels.

(*e*) Any area required for fleet purposes.

(*f*) Any commercial establishment engaged in the development or manufacture of military or naval arms, munitions, equipments, designs, ships, or vessels for the United States Army or Navy.

2. All military or naval aircraft, weapons, ammunition, vehicles, ships, vessels, instruments, engines, manufacturing machinery, tools, devices, or any other equipment whatsoever, in the possession of the Army or Navy, or in the course of experimentation, development, manufacture, or delivery for the Army or Navy, which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret," "confidential," or "restricted," and all such articles, materials, or equipment which may hereafter be so classified, designated, and marked with the approval or at the direction of the President.

3. All official military or naval books, pamphlets, documents, reports, maps, charts, plans, designs, models, drawings, photographs, contracts, or specifications, which are now marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret," "confidential," or "restricted," and all such articles or equipment which may hereafter be so marked with the approval or at the direction of the President, *E. O. No. 8381, March 22, 1940; 5 F. R. 1147; 50 U. S. C. 45; M. L., 1939, Supp. I, sec. 2187a.*

c. Chapter 1 of title 2, Canal Zone Code, approved June 19, 1934 (48 Stat. 1122; 48 U. S. C. ch. 6, note) has been amended by the act of December 12, 1941 (55 Stat. 798). This amendment confers upon the Governor of the Panama Canal the following powers:

"* * * the Governor is hereby authorized to make, and from time to time alter and amend, regulations prohibiting or restricting:

"(a) The making of any photograph, sketch, drawing, map, or graphical representation of, within, or upon any such part or feature of the Panama Canal, or any such area, object, installation, or structure within the Canal Zone; and

"(b) The possession of any camera within any area or areas in the Canal Zone which the Governor may designate: *Provided, however,* That no regulation made pursuant to authority contained in this section shall apply to activities of the kind covered by this section which are conducted or performed by persons in the service or employ of the United States in the course of their official duties. * * *" and makes punishable by fine, imprisonment, or both, violation of regulations established thereunder. Pursuant to the foregoing law, the Governor of the Panama Canal has issued regulations prohibiting the photographing of certain areas, objects or structures, establishing areas within which photographing is prohibited, and establishing certain areas within which the possession of cameras is prohibited. *See Part 28, Chapter I, Canal Zone Regulations; 7 F. R. 2135.*

[A. G. 312.11 (8–15–42).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

DISTRIBUTION:
A; E.

U. S. GOVERNMENT PRINTING OFFICE: 1942

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Mr. Friedman

FREE ID:A4127207

ARMY, REGULATIONS } WAR DEPARTMENT,
No. 105–5 } WASHINGTON, *March 15, 1933.*

SIGNAL CORPS

GENERAL PROVISIONS

	Paragraph
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Eligibility of the Signal Corps for various duties	5

1. **Composition.**—The Signal Corps shall consist of one Chief Signal Officer with the rank of major general, three hundred officers in grades from colonel to second lieutenant, inclusive, and five thousand enlisted men, such part of whom as the President may direct being formed into tactical units organized as he may prescribe. (*Sec. 13, national defense act, as amended by act June 4, 1920 (41 Stat. 768; U. S. C. 10, 211; 4828, sec. 47, M. L., 1929).*)

2. **Duties of the Chief Signal Officer.**—In addition to such other duties as may be prescribed, the Chief Signal Officer will have immediate charge, under the direction of the Secretary of War, of the following:

a. The development, procurement, storage, and issue of signal and meteorological equipment and supplies.

b. The development, procurement, storage, and issue of all electrical apparatus associated with direction finding for determining the location of radio stations, aircraft, and marine craft and of all the electrical apparatus associated with range finding.

c. The procurement, storage, and issue of photographic supplies.

d. The preparation and revision of all books, pamphlets, and instruction data required by the Army to make proper use of all signal communication and meteorological equipment.

e. The preparation and revision of all codes and ciphers required by the Army, and in time of war the interception of enemy radio and wire traffic, the goniometric location of enemy radio stations, the solution of intercepted enemy code and cipher messages, and laboratory arrangements for the employment and detection of secret inks.

f. The installation, maintenance, and operation of all military signal communication systems and equipment, including military cable, telephone, and telegraph lines, radio and meteorological apparatus and stations, except the routine maintenance and operation of fixed fire-control communication systems and the installation, maintenance, and operation of temporary systems used by combat troops in field operations as provided for in AR 105–15, over which he will exercise general supervision only.

g. Transmitting messages for the Army, by telegraph or otherwise.

h. The direction of the Signal Corps and the control of the officers, enlisted men, and employees attached thereto.

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* This pamphlet supersedes AR 105–5, December 15, 1926 (including C1, May 10, 1929), which has been changed as follows:
Paragraphs 2 and 3 changed.

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i. Coordinating the training of the personnel assigned to signal duties, under such instructions as may be prescribed in orders from the War Department.

j. The general supervision, coordination, and standardization of all radio operations and the enforcement of regulations concerning the same.

k. The assignment of call letters, radio frequencies, power, type of emissions, and schedules for all Army radio stations.

l. The procurement and supply of photographs and motion pictures directed by the General Staff, and in general all photographic and cinematographic work of the Army not specifically assigned to other arms or services.

m. The assignment of designation numbers to all Army submarine cables and the keeping of records thereof whether used for communication or power purposes.

n. All other duties usually pertaining to military signal communication other than as provided for above.

3. **Unit signal officers.**—*a.* A chief signal officer will be detailed for every expeditionary force and a Signal Corps officer as unit signal officer will normally be detailed for each corps area and every tactical unit larger than a brigade containing Signal Corps troops. When no unit signal officer has been so detailed in orders, the senior Signal Corps officer present for duty with the command will act as such. The unit signal officer will be a member of the staff of his commanding officer. He will be charged, under the direction of his commanding officer, with the command in so far as relates to operations of signal troops not assigned or attached to subordinate units. The unit signal officer is also charged with specific duties as follows:

(1) Acting as adviser to the commander and the staff on signal matters, including the location of command posts.

(2) Preparation of signal operation instructions and signal annexes.

(3) Preparation of codes and ciphers.

(4) Supply of signal equipment and supplies.

(5) Procurement and operation of signal maintenance and repair facilities.

(6) Technical inspection of signal equipment, within limits prescribed by the commander, and recommendations relative to its care and utilization.

(7) Technical supervision, within limits prescribed by the commander, of all signal operations of the command, including training, assignment, replacement, and utilization of signal and communication personnel of units.

(8) Supervision of the installation, maintenance, and operation of the signal communication system, including the message center, of the unit.

(9) Supervision of such activities pertaining to the meteorological, signal intelligence, pigeon, and photographic services as affect the unit.

(10) Insuring that the instructions of the Chief Signal officer relative to keeping technical records and the rendition of technical reports are observed by all Signal Corps officers of the command. See AR 105-45.

b. The corps area signal officers are also responsible under the policy of the War Department and the instructions of the Chief Signal Officer for all matters concerning the Signal Corps in their respective corps areas, including such matters in those posts, camps, and stations not within the jurisdiction of the corps area commander, but within the territorial limits of their respective commands, and excepting only those functions directly under the control of the Chief Signal Officer.

4. **Post signal officers.**—The post signal officer is a staff officer of the post commander and in addition to any other duties which may be assigned him he is charged, under the direction of the post commander, with the following:

a. Supervision of the maintenance and operation of the post telephone system, the post telegraph station, the post radio station, and the post small-arms target range communicating system and all other signal activities of the post except those placed by competent authority under another officer.

b. The preparation and submission of requisitions for all supplies required in connection with Signal Corps activities of the post.

c. He will exercise direct supervision over all personnel engaged in Signal Corps activities of the post and is responsible that such personnel is properly instructed in the performance of its duties.

d. He is responsible for the keeping of such records as are required for the proper administration of the Signal Corps activities of the post.

e. He will make such recommendations as are considered necessary for increasing the efficiency of Signal Corps activities of the post.

5. **Eligibility of the Signal Corps for various duties.**—*a.* Detachments or units of the Signal Corps will be exempt from detail for any other duty, outside their own organization work and training, except when in the judgment of the commanding officer the importance of the duty will not permit exemption.

b. When detachments or units of the Signal Corps of 30 or more men form a part of a garrison, the officers and men may, in the discretion of the commanding officer, be required to perform the necessary guard duty to protect the storehouses, sheds, stables, parks, and corrals pertaining to the Signal Corps, provided such property can not be properly guarded by including observation thereof in the duties of sentinel posts or patrols already established. The necessary police duty around such buildings and property will be assigned to enlisted men of the Signal Corps, but they will be exempt from the ordinary police duties of the garrison.

[A. G. 323.341 (8-31-32).]

BY ORDER OF THE SECRETARY OF WAR:

DOUGLAS MACARTHUR,
General,
Chief of Staff.

OFFICIAL:
JAMES F. MCKINLEY,
Brigadier General,
Acting The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1933

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SIGNAL CORPS

GENERAL PROVISIONS

CHANGES No. 1

WAR DEPARTMENT,
WASHINGTON, *August 21, 1934.*

AR 105–5, March 15, 1933, is changed as follows:

2. Duties of the Chief Signal Officer.— * * *

* * * * * * *

e. The preparation, publication, revision, storage, accounting, and distribution of all codes and ciphers required by the Army, and in time of war the interception of enemy radio and wire traffic, the goniometric location of enemy radio stations, the solution of intercepted enemy code and cipher messages, and laboratory arrangements for the employment and detection of secret inks.

* * * * * * *

[A.G. 311.5 (5–25–34).]

3. Unit signal officers.—*a.* * * *

* * * * * * *

(3) Preparation, publication, storage, accounting, and distribution of codes and ciphers.

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[A.G. 311.5 (5–25–34).]

BY ORDER OF THE SECRETARY OF WAR:

DOUGLAS MACARTHUR,
General,
Chief of Staff.

OFFICIAL:
JAMES F. McKINLEY,
Major General,
The Adjutant General.

79329°—34

U. S. GOVERNMENT PRINTING OFFICE: 1934

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ARMY REGULATIONS | WAR DEPARTMENT,
No. 330–5 | WASHINGTON, *December 30, 1926.*

DOCUMENTS

"SECRET," "CONFIDENTIAL," AND "FOR OFFICIAL USE ONLY"

	Paragraphs
SECTION I. Definition	1
II. "Secret" documents	2–5
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SECTION I

DEFINITION

	Paragraph
"Document" defined	1

1. **"Document" defined.**—In this pamphlet the word "document" will be understood to apply to printed, mimeographed, typed, photostated, and written matter, and to maps, drawings, and photographs.

SECTION II

"SECRET" DOCUMENTS

	Paragraph
"Secret"; when, by whom, and how affixed	2
General precautions to protect contents	3
How prepared for transmission; by whom opened; receipt	4
"Secret"; when, by whom, and how canceled	5

2. **"Secret"; when, by whom, and how affixed.**—A document will be marked "Secret" only when the information it contains is of great importance, and when the safeguarding of that information from actual or potential enemies is of prime necessity. The "Secret" mark will be placed on a document only by, or by authority of, the Secretary of War, the Chief of Staff, a chief of a branch or bureau, or an officer commanding a territorial corps area or department, a tactical division, or a higher tactical unit. The "Secret" mark will be accompanied by the designation of the authority affixing it, or by authority of which it is being affixed, and will be dated and initialed by the officer affixing it.

3. **General precautions to protect contents.**—*a.* A document marked "Secret" is for the personal information and use of the officer to whom it is officially intrusted. He will be personally responsible for its safe custody and will exercise every precaution to prevent unauthorized persons gaining information as to its existence, its whereabouts, or its contents. He will disclose information as to its existence, its whereabouts, or its contents only to those whose duties absolutely require that they have such information; the number of such persons will be limited as much as the necessity of the case permits; and the amount of information disclosed will be limited to that which is absolutely essential to the proper execution of the duties of the persons to whom it is

* This pamphlet supersedes AR 330–5, January 22, 1921, and Changes No. 1, AR 330–5, October 2, 1922.

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given. No person who has information as to the existence, the whereabouts, or the contents of a secret document will disclose any information whatever relative thereto, except as prescribed above.

b. No document marked "Secret" will be taken into front line trenches in a theater of war, or to any other place in which there is a similar danger of capture by the enemy.

c. Documents classed as "Secret" will not be referred to in any catalogue or publication which is not itself marked "Secret."

4. How prepared for transmission; by whom opened; receipt.—*a.* For transmission to another person, whether by mail, messenger, or otherwise, including messengers passing between the branches and offices of the War Department or between different offices of the same headquarters, the sender of a document marked "Secret" will inclose it in an inner and an outer cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way, but plainly marked "Secret" in such manner that the notation may be most readily seen when the outer cover is removed. The inner cover will contain a receipt form which will identify the addressor, the addressee, and the document. The package thus prepared will then be inclosed in an outer cover, which will be sealed and addressed in the ordinary manner with no notation to indicate the secret nature of the contents. See paragraph 15.

b. So far as practicable, the inner cover marked "Secret" will be opened only by the officer to whom addressed. When the inner cover is opened, the receipt form will be dated and signed by the receiving officer and returned to the sender at the earliest practicable moment.

5. "Secret"; when, by whom, and how canceled.—When a document ceases to be secret, its "Secret" marking may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping "Canceled by ——————," or "Canceled by authority of ——————" (the authority which authorizes the cancellation) over the "Secret" mark on the top of the first page of the document, and this cancellation will be dated and initialed by the officer making it. Any other "Secret" marks on such a document will then be stricken out.

SECTION III
CONFIDENTIAL DOCUMENTS

Paragraph
"Confidential"; when, by whom, and how affixed 6
General precautions to protect contents 7
How prepared for transmission; by whom opened; receipt 8
"Confidential"; when, by whom, and how canceled 9

6. "Confidential"; when, by whom, and how affixed.—A document will be marked "Confidential" when it is of less importance and of less secret a nature than one requiring the mark of "Secret," but which must, nevertheless, be guarded from hostile or indiscreet persons. Except in the case of printed documents of the War Department or of general headquarters in the field, the mark "Confidential" will be placed on a document only by a commissioned officer and will be accompanied by the designation of the office which that officer holds, if any.

7. General precautions to protect contents.—Information as to the existence, the whereabouts, or the contents of a document marked "Confidential" will be disclosed by a person possessing such information only to those whose duties require that they have such information. Every person to whom confidential information is intrusted will be personally responsible for its safe-keeping.

8. How prepared for transmission; by whom opened; receipt.—Documents marked "Confidential" will be prepared for transmission in the same manner as prescribed for "Secret" documents (paragraph 4), except that the inner cover will contain a receipt form only when the sender deems it necessary, and that the inner cover may be opened by some responsible person other than the person addressed when so authorized.

9. "Confidential"; when, by whom, and how canceled.—The "Confidential" mark on a document may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping over it "Canceled by ——————" or "Canceled by authority of ——————" (the authority which authorizes the cancellation), and this cancellation will be dated and initialed by the officer making it. Any other "Confidential" marks on such a document will then be stricken out.

SECTION IV
"FOR OFFICIAL USE ONLY" DOCUMENTS

Paragraph
"For official use only"; when affixed; how information treated 10

10. "For official use only"; when affixed; how information treated.—A document will be marked "For official use only" when it contains information which is not to be communicated to the public or to the press, but which may be communicated to any person known to be in the service of the United States whose duties it concerns, or to persons of undoubted loyalty and discretion who are cooperating in Government work. The information contained in documents marked "For official use only" will be treated accordingly.

SECTION V
MILITARY MAPS AND PHOTOGRAPHS

Paragraph
Definition 11
Classification 12
Reports 13
How issued 14

11. Definition.—Military maps and photographs are those intended for use in connection with the training and operations of the forces of the United States; the term includes other maps and photographs which have acquired a military character by reason of overprints or notations placed upon them.

12. Classification.—*a.* Military maps and photographs will be classified as follows:

(1) *Secret.*

(a) In the continental United States, those illustrating an approved war plan (including local defense plans) or any phase thereof.

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(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan (including local defense plans) or any phase thereof, those showing the layout of permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to definitely fix the location of any element of permanent defense works and naval bases (portrayal that the items are prescribed for "Secret" documents (par. 12) will contain a legend that the items will contain a legend that the item only when the legend is required for "Confidential" documents (par. 12)).

(2) *Confidential.*

(*a*) In the continental United States, those showing layout of permanent defense works, and naval bases and the adjacent terrain vital to their defense, and those that serve to definitely fix the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet only those sheets showing defense elements need be classified as confidential. Any other sheets will be dated and initialed by the person signing it. Any other person on such sheets will be dated and initialed by the person signing it. Any other person on such sheets will be dated and initialed by the person signing it. Any other person on such

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DOCUMENTS

"SECRET," "CONFIDENTIAL," AND "FOR OFFICIAL USE ONLY"

CHANGES No. 1

WAR DEPARTMENT,
WASHINGTON, *December 31, 1927.*

AR 330–5, December 30, 1926, is changed as follows:

12. Classification.—*a.* Military maps and photographs will be classified as follows:

* * * * * * *

(3) *For official use only.*

* * * * * * *

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified, which, from their nature, are not suitable for public release.

[A. G. 312.11 (6–30–27).]

b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

* * * * * * *

(3) (Added.) Military maps and photographs now on file will be reclassified when taken from the files for use.

(4) (Added.) The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret," "Confidential," or "For Official Use Only."

[A. G. 312.11 (6–30–27).]

BY ORDER OF THE SECRETARY OF WAR:

C. P. SUMMERALL,
Major General,
Chief of Staff.

OFFICIAL:

LUTZ WAHL,
Major General,
The Adjutant General.

76751°—28

U. S. GOVERNMENT PRINTING OFFICE: 1928

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DOCUMENTS

"SECRET," "CONFIDENTIAL," AND "FOR OFFICIAL USE ONLY"

CHANGES

WAR DEPARTMENT,
WASHINGTON, *March 10, 1933.*

AR 330–5, December 30, 1926, is changed as follows:

12. Classification.—*a.* Military maps and photographs will be classified as follows:

* * * * * * *

(3) *For official use only.*

* * * * * * *

(*b*) (As changed by C 1, December 31, 1927.) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified, which, from their nature, are not suitable for public release.

[A. G. 312.11 (6–30–27).]

b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

* * * * * * *

(3) (As added by C 1, December 31, 1927.) Military maps and photographs now on file will be reclassified when taken from the files for use.

(4) (As added by C 1, December 31, 1927.) The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret," "Confidential," or "For Official Use Only."

[A. G. 312.11 (6–30–27).]

17. Documents requiring to be marked "Secret" or "Confidential."—Any person in the military service who initiates or comes into possession of a document which in his judgment should be marked "Secret" or "Confidential" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed in paragraphs 4 and 15 for secret documents. This applies also to documents originating in other Government agencies bearing marks by those agencies which indicate that they are to any degree secret or confidential.

[A. G. 312.11 (2–24–33).]

19. Marking; use of stamp.—The secret or confidential stamp will be placed both at the top and the bottom of each page of all secret or confidential papers. It should be stamped well down on the page and in such a manner that the marking will not be hidden from view when the sheets are clipped together or bound.

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* These changes supersede C1, December 31, 1927.

158263°—33

REF ID:A4127207

20. Safeguarding documents distributed outside the Army.—Secret or confidential documents which, by their nature, might require distribution outside the Army will contain suitable instructions for their custody and safeguarding in conformity with the requirements of the Army Regulations.

21. Report of loss or subjection to compromise.—Any person in the military service, knowing of the loss or subjection to compromise of a secret or confidential document, will promptly report that fact to the custodian of the document, who will immediately report the loss or compromise to the issuing authority.

[A. G. 312.11 (12–28–32).]

BY ORDER OF THE SECRETARY OF WAR:

DOUGLAS MacARTHUR,
General,
Chief of Staff.

OFFICIAL:

JAMES F. McKINLEY,
Brigadier General,
Acting The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1933

REF ID:A4127207

ARMY REGULATIONS
No. 330–5

WAR DEPARTMENT,
WASHINGTON, *February 12, 1935.*

DOCUMENTS

"SECRET", "CONFIDENTIAL", "FOR OFFICIAL USE ONLY", AND "RESTRICTED"

	Paragraphs
SECTION I. Definition	1
II. "Secret" documents	2–5
III. "Confidential" documents	6–9
IV. "For official use only" documents	10
V. "Restricted" documents	11
VI. Military maps and photographs	12–15
VII. Miscellaneous provisions	16–22

SECTION I.

DEFINITION.

	Paragraph
"Document" defined	1

1. **"Document" defined.**—In this pamphlet the word "document" will be understood to apply to printed, mimeographed, typed, photostated, and written matters, and to maps, drawings, and photographs.

SECTION II.

"SECRET" DOCUMENTS.

	Paragraph
"Secret"; when, by whom, and how affixed	2
General precautions to protect contents	3
How prepared for transmission; by whom opened; receipt	4
"Secret"; when, by whom, and how canceled	5

2. **"Secret"; when, by whom, and how affixed.**—A document will be marked "Secret" only when the information it contains is of great importance and when the safeguarding of that information from actual or potential enemies is of prime necessity. The "Secret" mark will be placed on a document only by, or by authority of, the Secretary of War, the Chief of Staff, a chief of an arm, service, or bureau, or an officer commanding a corps area, a tactical division, or a higher tactical unit. The "Secret" mark will be accompanied by the designation of the authority affixing it, or by authority of which it is being affixed, and will be dated and initialed by the officer affixing it.

3. **General precautions to protect contents.**—*a.* A document marked "Secret" is for the personal information and use of the officer to whom it is officially intrusted. He will be personally responsible for its safe custody and will exercise every precaution to prevent unauthorized persons gaining informa-

* This pamphlet supersedes AR 330–5, December 30, 1926, including C2, March 10, 1933.
110556°—35

tion as to its existence, its whereabouts, or its contents. He will disclose information as to its existence, its whereabouts, or its contents only to those whose duties absolutely require that they have such information; the number of such persons will be limited as much as the necessity of the case permits, and the amount of information disclosed will be limited to that which is absolutely essential to the proper execution of the duties of the persons to whom it is given. No person who has information as to the existence, the whereabouts, or the contents of a secret document will disclose any information whatever relative thereto, except as prescribed above.

b. No document marked "Secret" will be taken into front line trenches in a theater of war, or to any other place in which there is a similar danger of capture by the enemy.

c. Documents classed as "Secret" will not be referred to in any catalogue or publication which is not itself marked "Secret."

4. How prepared for transmission; by whom opened; receipt.—*a.* For transmission to another person, whether by mail, messenger, or otherwise, including messengers passing between the arms and services and offices of the War Department or between different offices of the same headquarters, the sender of a document marked "Secret" will inclose it in an inner and an outer cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way, but plainly marked "Secret" in such manner that the notation may be most readily seen when the outer cover is removed. The inner cover will contain a receipt form which will identify the addressor, the addressee, and the document. The package thus prepared will then be inclosed in an outer cover, which will be sealed and addressed in the ordinary manner with no notation to indicate the secret nature of the contents. See paragraph 16.

b. So far as practicable the inner cover marked "Secret" will be opened only by the officer to whom addressed. When the inner cover is opened, the receipt form will be dated and signed by the receiving officer and returned to the sender at the earliest practicable moment.

5. "Secret"; when, by whom, and how canceled.—When a document ceases to be secret, its "Secret" marking may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping "Canceled by _____" or "Canceled by authority of _____" (the authority which authorizes the cancelation), over the "Secret" mark on the top of the first page of the document, and this cancelation will be dated and initialed by the officer making it. Any other "Secret" marks on such a document will then be stricken out.

SECTION III
"CONFIDENTIAL" DOCUMENTS

Paragraph
"Confidential"; when, by whom, and how affixed 6
General precautions to protect contents 7
How prepared for transmission; by whom opened; receipt 8
"Confidential"; when, by whom, and how canceled 9

6. "Confidential"; when, by whom, and how affixed.—A document will be marked "Confidential" when it is of less importance and of less "secret" a nature than one requiring the mark of "Secret" but which must, nevertheless, be guarded from hostile or indiscreet persons. Except in the case of printed documents of the War Department or of general headquarters in the field, the

* This pamphlet supersedes AR 330-5, December 20, 1923, including C2, March 10, 1928.
110220°—32

mark "Confidential" will be placed on a document only by a commissioned officer and will be accompanied by the designation of the office which that officer holds, if any.

7. General precautions to protect contents.—Information as to the existence, the whereabouts, or the contents of a document marked "Confidential" will be disclosed by a person possessing such information only to those whose duties require that they have such information. Every person to whom confidential information is intrusted will be personally responsible for its safe-keeping.

8. How prepared for transmission; by whom opened; receipt.—Documents marked "Confidential" will be prepared for transmission in the same manner as prescribed for "Secret" documents (par. 4), except that the inner cover will contain a receipt form only when the sender deems it necessary, and that the inner cover may be opened by some responsible person other than the person addressed when so authorized.

9. "Confidential"; when, by whom, and how canceled.—The "Confidential" mark on a document may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping over it "Canceled by _____", or "Canceled by authority of _____" (the authority which authorizes the cancelation), and this cancelation will be dated and initialed by the officer making it. Any other "Confidential" marks on such a document will then be stricken out.

SECTION IV
"FOR OFFICIAL USE ONLY" DOCUMENTS

Paragraph
"For official use only"; when affixed; how information treated 10

10. "For official use only"; when affixed; how information treated.—A document will be marked "For official use only" when it contains information which is not to be communicated to the public or to the press, but which may be communicated to any person known to be in the service of the United States whose duties it concerns, or to persons of undoubted loyalty and discretion who are cooperating in Government work. The information contained in documents marked "For official use only" will be treated accordingly.

SECTION V
"RESTRICTED" DOCUMENTS

Paragraph
"Restricted" documents described 11

11. "Restricted" documents described.—A document is marked "Restricted" when it contains information regarding research work or the design, development, test, production, or use of a unit of military equipment or a component thereof which it is desired to keep secret. Such information is considered as affecting the national defense of the United States within the meaning of the Espionage Act (U. S. C. 50: 31, 32). The treatment of such information and the affixing and cancelation of the marking "Restricted" are prescribed in paragraph 4½, AR 850-25.

SECTION VI

MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
Definition	12
Classification	13
Reports	14
How issued	15

12. Definition.—Military maps and photographs are those intended for use in connection with the training and operations of the forces of the United States; the term includes other maps and photographs which have acquired a military character by reason of overprints or notations placed upon them.

13. Classification.—*a.* Military maps and photographs will be classified as follows:

(1) *Secret.*

(*a*) In the continental United States, those illustrating an approved war plan (including local defense plans) or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan (including local defense plans) or any phase thereof, those showing the layout of permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to definitely fix the location of any element of permanent defense works and naval bases.

(2) *Confidential.*

(*a*) In the continental United States, those showing layout of permanent defense works, and naval bases and the adjacent terrain vital to their defense, and those that serve to definitely fix the location of any element of permanent defense works and naval bases, except that when the complete map or a defense area consists of more than one sheet only those sheets showing defense elements need be classified as confidential.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as secret, showing layout of radio stations, aviation centers, supply bases, arsenals, proving grounds, or of any area vital to defense.

(3) *For official use only.*

(*a*) In the continental United States, those showing layout of radio stations, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified, which from their nature are not suitable for public release.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified, which, from their nature, are not suitable for public release.

(*b*) Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

(1) The War Department for maps and photographs not classified as prescribed in (2) below.

(2) Corps area and similar territorial commanders, and commanding generals of expeditionary forces and foreign garrisons when not organized as territorial departments, for areas within their control.

(*c*) Military maps and photographs now on file will be reclassified when taken from the files for use.

(*d*) The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret", "Confidential", or "For Official Use Only."

14. Reports.—Classification and reclassification of military maps and photographs will be reported, when made, to the War Department. These reports will cover full title and legend of the material classified.

15. How issued.—Secret and confidential maps and photographs will be issued only upon written receipt which will describe the subject matter with sufficient clearness to fully insure identification. Annually, on or about January 1, issuing officers will require renewal of such receipts or the return of the maps or photographs involved.

SECTION VII

MISCELLANEOUS PROVISIONS

	Paragraph
How transmitted; to whom delivered	16
Facts as to character thereof to be communicated with information	17
Documents requiring to be marked "Secret" or "Confidential"	18
One classifying mark only, if more used	19
Marking; use of stamp	20
Safeguarding documents distributed outside the Army	21
Report of loss or subjection to compromise	22

16. How transmitted; to whom delivered.—Documents containing secret matter to be transmitted by mail will be registered. Documents containing confidential matter will be registered when the circumstances warrant it. When documents containing secret or confidential matter are transmitted by hand, the transmission will be intrusted to an officer whenever practicable; otherwise particular care will be exercised that the messenger is trustworthy. In any case such documents will be delivered in person to the officer to whom addressed or to some responsible person designated by him to receive them.

17. Facts as to character thereof to be communicated with information.—A person who communicates information concerning, or contained in, a document marked "Secret", "Confidential", "For official use only", or "Restricted", will at the same time inform the person or persons to whom he communicates the information that is "Secret" or "Confidential" or "For official use only" or "Restricted" as the case may be.

18. Documents requiring to be marked "Secret" or "Confidential."—Any person in the military service who initiates or comes into possession of a document which in his judgment should be marked "Secret" or "Confidential" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed in paragraphs

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and 18 for secret documents. This applies also to documents originating in other Government agencies bearing marks by those agencies which indicate that they are to any degree secret or confidential.

19. **One classifying mark only, if more used.**—A document will not be marked with more than one of the four classifying marks—"Secret", "Confidential", "For official use only", or "Restricted", but should it, through error, be so marked, the most restrictive classification used will be observed.

20. **Marking; use of stamp.**—The secret or confidential stamp will be placed both at the top and the bottom of each page of all secret or confidential papers. It should be stamped well down on the page and in such a manner that the marking will not be hidden from view when the sheets are clipped together or bound.

21. **Safeguarding documents distributed outside the Army.**—Secret or confidential documents which, by their nature, might require distribution outside the Army will contain suitable instructions for their custody and safeguarding in conformity with the requirements of the Army Regulations.

22. **Report of loss or subjection to compromise.**—Any person in the military service knowing of the loss or subjection to compromise of a secret or confidential document will promptly report that fact to the custodian of the document, who will immediately report the loss or compromise to the issuing authority.

[A. G. 400.114 (5-14-34).]

BY ORDER OF THE SECRETARY OF WAR:

DOUGLAS MacARTHUR,
General,
Chief of Staff.

OFFICIAL:
JAMES F. McKINLEY,
Major General,
The Adjutant General.

23. Navy documents.--All requests for Navy secret and confidential documents will be submitted to The Adjutant General. Secret and confidential documents of other departments, when in possession of Army activities, will be safeguardod with the same care as Army secret and confidential documents.
(A.G. 312.11 (4-20-35).)

The above authorized by Circular #24 (5-14-35)

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For sale by the Superintendent of Documents, Washington, D. C. - - - - - - Price 5 cents

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ARMY REGULATIONS } WAR DEPARTMENT,
No. 330–5 } WASHINGTON, *September 23, 1937.*

DOCUMENTS

"SECRET", "CONFIDENTIAL", AND "RESTRICTED"

	Paragraphs
SECTION I. Definitions	1–3
II. Classification and marking of documents, except military maps and photographs	4–11
III. Classification and marking of military maps and photographs	12–15
IV. Safeguarding documents and registered publications	16–26
V. Transmitting documents	27–32

SECTION I

DEFINITIONS

	Paragraph
"Document" defined	1
"Registered publication" defined	2
"Short title" defined	3

1. "Document" defined.—In these regulations the word "document" will be understood to apply to printed, mimeographed, typed, photostated, and written matter, and to maps, drawings, sketches, notes, blueprints, photographs, photographic negatives, and similar matter.

2. "Registered publication" defined.—A "registered publication" is a document each copy of which, because of its nature or classification, is assigned a register number by which it will be accounted for at periodic intervals to the proper office of record.

3. "Short title" defined.—A "short title" is a title which is applied to a document for purposes of security and brevity. It should give no indication of the nature, contents, or classification as to secrecy of the document. It may consist of figures, letters, words, or combinations thereof, but must include an abbreviated designation of the office of origin. A new or revised edition of an old publication should be assigned a new "short title."

SECTION II

CLASSIFICATION AND MARKING OF DOCUMENTS, EXCEPT MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
General	4
"Secret"; when, by whom, and how affixed	5
"Confidential"; when, by whom, and how affixed	6
"Restricted"; when and by whom affixed	7
Responsibility for marking documents "Secret", "Confidential", or "Restricted"	8
One classifying mark only; if more used	9
Marking; use of stamp	10
Reclassification; when, by whom, and how accomplished	11

*This pamphlet supersedes AR 330–5, February 11, 1936, including C 1, July 15, 1937.

14841°—37

REF ID:A4127207

4. **General.**—Documents which require classification under the provisions of these regulations will be prepared so that the least restrictive classification consistent with the proper safeguarding of the contents may be assigned. Insofar as practicable, the contents of documents classified as secret, confidential, or restricted will contain only subject matter appropriate to such classification. Subject matter in amplification thereof that permits of a lower classification may be incorporated in separate documents. The probable distribution should be considered in the preparation of a document which may require classification. The classification and marking of documents will be in accordance with paragraphs 5, 6, and 7.

5. **"Secret"; when, by whom, and how affixed.**—A document will be classified and marked "Secret" only when the information it contains is of such nature that its disclosure might endanger the national security, or cause serious injury to the interests or prestige of the Nation, an individual, or any governmental activity, or be of great advantage to a foreign nation. A document will be classified as "Secret" only by or by authority of the Secretary of War, the Chief of Staff, a chief of an arm, service, or bureau, a general officer or an officer acting in his stead, the commanding officer of a depot or exempted station, the commandant of a service school, or a military attaché. When a document is so classified, the "Secret" mark will be placed on the front page thereof and will be accompanied by the designation of the authority affixing it, or of the authority by which it is being affixed, and will be dated and initialed by the officer affixing it.

6. **"Confidential"; when, by whom, and how affixed.**—A document will be classified and marked "Confidential" when the information it contains is of such nature that its disclosure, although not endangering the national security, might be prejudicial to the interests or prestige of the Nation, an individual, or any governmental activity, or be of advantage to a foreign nation. A document will be classified as "Confidential" only by a commissioned officer. The "Confidential" mark will be placed on the front page of the document.

7. **"Restricted"; when and by whom affixed.**—A document will be classified and marked "Restricted" when the information it contains is for official use only or of such nature that its disclosure should be limited for reasons of administrative privacy, or should be denied the general public. The "Restricted" mark will be placed on a document only by authority of a commissioned officer.

8. **Responsibility for marking documents "Secret", "Confidential", or "Restricted."**—Any person in the military service who initiates or comes into possession of a document which in his judgment should be marked "Secret", "Confidential", or "Restricted" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed for the transmission of documents already bearing such marking. This applies also to documents originating in governmental agencies other than the War Department.

9. **One classifying mark only; if more used.**—A document will not be marked with more than one of the three classifying marks—"Secret", "Confidential", or "Restricted"; but should it through error be so marked, the most restrictive classification used will be observed.

10. **Marking; use of stamp.**—Except in the case of printed documents of the War Department or of general headquarters in the field, in addition to the marks required by paragraphs 5, 6, and 7, the "Secret", "Confidential", or "Restricted" stamp will be placed both at the top and at the bottom of each page of all secret, confidential, or restricted papers. It should be stamped well down on the page and in such a manner that the marking will not be hidden from view when the sheets are clipped together or bound.

11. **Reclassification; when, by whom, and how accomplished.**—When a document ceases to be secret, confidential, or restricted, its classification may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping "Canceled by ——————" or "Canceled by authority of ——————" (the authority which authorizes the cancelation), over the mark on the top of the first page of the document, and this cancelation will be dated and initialed by the officer making it. Any other classifying marks on such a document will then be stricken out. If a less restrictive classification is to be given such a document, the provisions of paragraphs 6, 7, and 10 will be followed.

SECTION III

CLASSIFICATION AND MARKING OF MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
Definition	12
Classification	13
Reports	14
How issued	15

12. **Definition.**—Military maps and photographs are those intended for use in connection with the training and operations of the forces of the United States; the term includes other maps and photographs which have acquired a military character by reason of overprints or notations placed upon them.

13. **Classification.**—*a.* Military maps and photographs will be classified and marked as follows:

(1) *Secret.*

(*a*) In the continental United States, those illustrating an approved war plan (including local defense plans) or defense project, or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan (including local defense plans), or defense project, or any phase thereof, those showing the layout of permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases.

(2) *Confidential.*

(*a*) In the continental United States, those showing layout of permanent defense works, and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet only those sheets showing defense elements need be classified as confidential.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as secret;

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showing layout of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, proving grounds, or of any area vital to defense.

(3) *Restricted.* (Formerly "For official use only.")

(*a*) In the continental United States, those showing layout of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified, which from their nature are not suitable for public release.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified, which from their nature are not suitable for public release.

b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

(1) The War Department, for maps and photographs not classified as prescribed in (2) below.

(2) Corps area commanders, and commanding generals of expeditionary forces and foreign garrisons when not organized as territorial departments, for areas within their control.

c. Military maps and photographs now on file will be reclassified when taken from the files for use.

d. The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret", "Confidential" or "Restricted."

e. The provisions of paragraphs 8, 9, 10, and 11 will apply in marking and classifying maps and photographs.

14. **Reports.**—Classification and reclassification of military maps and photographs will be reported, when made, to the War Department. These reports will cover full title and legend of the material classified. A short title may be added for convenience in further accounting.

15. **How issued.**—"Secret" and "Confidential" maps and photographs will be issued only upon written receipt. Semiannually, on or about January 1 and June 30, issuing officers will require renewal of such receipts or the return of the maps or photographs involved.

SECTION IV

SAFEGUARDING DOCUMENTS AND REGISTERED PUBLICATIONS

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16. **General instructions.**—*a.* "Secret" and "Confidential" documents will habitually be kept in locked safes or other suitable locked containers when not required for immediate use. The most secure storage space available, which should be at least a three-combination safe, will be assigned to the storage of secret and confidential codes, ciphers, war plans, defense projects, and other registered publications.

b. Information which would if reduced to writing cause the resulting document to be classified as "Secret," "Confidential," or "Restricted," will be safeguarded with the same care as is herein prescribed for documents so classified.

c. No information as to the contents of "Secret" documents will be revealed in any other document which is not itself marked "Secret." No information of a confidential or restricted nature contained in "Confidential" or "Restricted" documents will be revealed in any other document which is not in itself marked with the same or a higher classification. Routine correspondence, receipts, returns, and reports of possession, transfer, or destruction need not be classified if reference therein to "Secret," "Confidential," or "Restricted" documents be made by file number or short title only, with no indication of the subject matter or nature of the classification.

d. When a person in the military service appears before Congress or a congressional committee and is required to give testimony on subjects which he knows to be secret or confidential, he will respectfully request that his statements be taken in executive session only, and that they do not appear in the Congressional Record or other document open to public inspection.

e. A person who communicates information of a secret, confidential, or restricted nature will at the same time emphasize to the person or persons to whom he communicates the information that it is "Secret", "Confidential", or "Restricted", as the case may be, and assure himself, if necessary, that such person or persons are informed that to reveal secret, confidential, or restricted matter pertaining to the national defense is a violation of the Espionage Act (act June 15, 1917 (40 Stat. 217); U. S. C. 50, 31, 32; secs. 2181, 2182, M. L., 1929).

f. Clerical work on secret and confidential matter will be performed only by exceptionally trustworthy clerks; preliminary drafts, carbon sheets, and work sheets will be destroyed. Stenographic notes will be destroyed or placed under lock and key.

g. An officer will, upon change of station or severance from the military service, return to the source from which received or otherwise properly account for all "Secret" and "Confidential" documents issued to him.

h. Messages in secret or confidential codes or ciphers will be handled and safeguarded as prescribed in the instructions pertaining to such codes and ciphers, and in accordance with AR 335–5.

17. **Registered publications; designation and safeguarding.**—*a.* The chief of arm, service, or bureau or other officer authorized to originate and issue "Secret" documents will designate as a "Registered publication" every "Secret" document, except correspondence and communications, issued by him, and will cause a semiannual accounting for all copies of such registered publications to be made to him or to other designated office of record. The designation "Registered publication" may also be applied to "Confidential" documents in such cases as the originator may determine as necessary for the public welfare.

b. Every copy of a "Registered publication" will have assigned to it a register number by which it will be accounted for at regular intervals to the proper

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office of record. The classification, the register number, the short title, the office of record to which returns will be made, instructions covering the returns for its accounting, and instructions for its ultimate disposal will be placed on the title sheet or inside front cover of every such "Registered publication"; if this is impracticable, the required data will accompany the registered publication on a separate sheet.

c. Every recipient of "Registered publications" will keep at all times a complete inventory of all "Registered publications" in his charge. He will, on June 30 and December 31 of each year, make or cause to be made by the custodian designated by him an accurate return to the proper offices of record of all "Registered publications" on hand, based on physical inventory by two commissioned officers, if available, one of whom will be the custodian. However, semiannual returns will no longer be made on "Registered publications" which have been placed in custody or storage for historical purposes.

d. Access to the containers, and the combinations or keys thereto, of "Registered publications" will be permitted only to commissioned officers and, unless otherwise prohibited in regulations pertaining to codes and ciphers, to warrant officers and to specially trusted civilian employees specifically authorized by the responsible chief of arm, service, or bureau. Safes containing "Registered publications" will habitually be kept locked, with the full combination operative, whenever they are not under the direct supervision of a person officially entrusted with the combination thereof.

e. When the classification of a "Registered publication" is changed in accordance with paragraph 11, the designated office of record will notify all recipients of such publication of the changed classification thereof.

18. Safeguarding contents of "Secret" documents.—*a.* The distribution and dissemination of secret matter will be confined to the absolute minimum. Secret matter is exclusively for the official use of the person to whom it is divulged. To maintain its inviolability is the duty and responsibility of each person having knowledge or custody thereof, no matter how obtained. It will not be discussed or referred to in the presence of persons not authorized to have knowledge thereof. An officer by virtue of his commission alone is not entitled to knowledge of secret matter. Information as to the contents, nature, or whereabouts of "Secret" documents will be disclosed only to those persons in the Government service whose official duties require such knowledge, and to such other responsible persons of especial trust as of absolute necessity must be informed.

b. No document marked "Secret" will be taken into the front lines in a theater of war or to any other place in which there is a similar danger of capture by the enemy.

19. Safeguarding contents of "Confidential" documents.—Persons to whom confidential matter is entrusted or disclosed are responsible for its safe custody and security. It will not be discussed nor disclosed in the presence of persons not authorized to have knowledge thereof. Information as to the contents, nature, or whereabouts of "Confidential" documents will be disclosed only to those persons in the Government service whose duties require that they have such knowledge, and to such other persons of especial trust as of necessity must be informed.

20. Safeguarding contents of "Restricted" documents.—The information contained in documents marked "Restricted" will not be communicated to the public or to the press, but it may be communicated to any person known to

be in the service of the United States, and to persons of undoubted loyalty and discretion who are cooperating in governmental work.

21. Safeguarding contents of other official communications.—The contents of official communications, whether or not classified as to secrecy, will not be revealed except to those officially entitled to receive them. See paragraph 7, AR 340–15.

22. Safeguarding technical secrets.—Chiefs of arms and services charged with responsibility for the initiation of measures to protect technical secrets in the interest of the public welfare (par. 4, AR 600–700) will base such measures upon the provisions of these regulations and Section VII, AR 850–25.

23. Safeguarding documents distributed outside the Army.—"Secret" or "Confidential" documents which by their nature might require distribution outside the Army will contain suitable instructions for their custody, safeguarding, and ultimate disposition in conformity with the requirements of Army Regulations.

24. Navy documents.—All requests for Navy secret and confidential documents will be submitted to The Adjutant General. Secret and confidential documents of other departments when in possession of Army activities will be safeguarded with the same care as Army "Secret" and "Confidential" documents and will be accounted for in the manner required by the issuing department.

25. Report of loss or subjection to compromise.—*a.* Any person in the military service knowing of the loss or subjection to compromise of a "Secret" or "Confidential" document will promptly report that fact to the custodian of the document, who will immediately report the loss or compromise to the issuing authority.

b. Any custodian having knowledge or suspicion that secret or confidential matter has been lost or compromised will immediately report the facts to his commanding officer, in addition to making the report required by *a* above. The commanding officer will then make a thorough investigation of all the circumstances attendant thereto and will forward to The Adjutant General, through military channels, the report of the investigation and his recommendations in the premises.

26. Reports of destruction.—When competent authority directs the destruction of a "Registered publication" it will be destroyed by burning, by or in the presence of a commissioned officer. The officer witnessing the burning will sign a certificate of destruction which will be forwarded through the headquarters directing the destruction to the office of record indicated in the registered publication. The same procedure will be followed as far as applicable in the destruction of other secret or confidential documents.

SECTION V
TRANSMITTING DOCUMENTS

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27. "Secret" documents; how prepared for transmission; by whom opened; receipt.—*a.* Except during the process of local distribution in the personal custody of persons authorized to handle such matter for transmission to another person, the sender of a document marked "Secret" will inclose it in an inner and an outer cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way but plainly marked "Secret" in such manner that the notation may most readily be seen when the outer cover is removed. The inner cover will contain a receipt form which will identify the addressor, the addressee, and the document. The package thus prepared will then be inclosed in an outer cover, which will be sealed and addressed in the ordinary manner with no notation to indicate the secret nature of the contents.

b. So far as practicable the inner cover marked "Secret" will be opened only by the person to whom addressed. When the inner cover is opened, the receipt form will be dated and signed by the addressee and returned to the sender at the earliest practicable moment.

28. "Secret" documents; how transmitted.—"Secret" documents will be transmitted by an officer messenger or courier whenever practicable. When it is impracticable to transmit secret documents by an officer messenger or courier within the continental limits of the United States, they will be transmitted by the sender by registered mail. For transportation to and from points outside the continental limits of the United States when officer courier is not available, they may be transported by State Department rotary-lock pouch; in the event that neither officer courier nor diplomatic pouch is available, the responsible officer may designate as couriers for this purpose citizens of the United States who are deemed worthy of special trust, such as officers or officials of other Government departments, or masters of vessels under United States registry. Commanding officers of ports of embarkation will arrange for the safe transportation of documents forwarded to them for transmission, entrusting them to the commanding officer of troops on an Army transport when this is practicable and will not involve undue delay.

29. "Confidential" documents; how prepared for transmission; by whom opened; receipt.—Documents marked "Confidential" will be prepared for transmission in the same manner as prescribed for "Secret" documents (par. 27), except that the inner cover will contain a receipt form only when the sender deems it necessary, and that the inner cover may be opened by some responsible person other than the person addressed when so authorized by the addressee.

30. "Confidential" documents; how transmitted.—Documents marked "Confidential" when transmitted by hand will be entrusted only to especially trustworthy messengers. For transmission by mail or express within the continental limits of the United States, "Confidential" documents will be sent by registered mail or insured express. For transmission to and from points outside the United States, they may be sent as prescribed in paragraph 28 for "Secret" documents, or by registered mail on vessels under United States registry, provided they do not pass through any foreign postal systems or the postal system of the Philippines.

31. "Restricted" documents; how transmitted.—Documents marked "Restricted" may be transmitted by ordinary mail, express, or freight to any point. When transmitted by hand, they will be entrusted only to reliable messengers.

32. Transmission by airplane prohibited except in emergency.—Except in emergency, "Secret" and "Confidential" documents will not be transported by airplane (as distinguished from carried for use). When so transported "Secret" documents will be securely wrapped, and weighted if necessary, and will be in the actual custody of an officer not engaged in the flying of the airplane, who will be responsible for their security. "Confidential" documents may be transported by registered air mail when in the opinion of the responsible officer the emergency demands such transmission.

[A. G. 312.11 (4–15–37).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:
E. T. CONLEY,
Major General,
The Adjutant General.

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ARMY REGULATIONS } WAR DEPARTMENT,
No. 330-5 } WASHINGTON, *February 11, 1936.*

DOCUMENTS

"SECRET", "CONFIDENTIAL", AND "RESTRICTED"

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SECTION I

DEFINITIONS

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"Document" defined	1
"Registered publication" defined	2
"Short title" defined	3

1. "Document" defined.—In this pamphlet the word "document" will be understood to apply to printed, mimeographed, typed, photostated, and written matter, and to maps, drawings, sketches, notes, blueprints, photographs, photographic negatives, and similar matter.

2. "Registered publication" defined.—A "registered publication" is a document which, because of its nature or classification, is assigned a register number by which it will be accounted for at periodic intervals to the proper office of record.

3. "Short title" defined.—A "short title" is a title which is applied to a document for purposes of security and brevity. It should give no indication of the nature, contents, or classification as to secrecy of the document. It may consist of figures, letters, words, or combinations thereof, but must include an abbreviated designation of the office of origin. A new or revised edition of an old publication should be assigned a new "short title."

SECTION II

CLASSIFICATION AND MARKING OF DOCUMENTS, EXCEPT MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
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*This pamphlet supersedes AR 330-5, Feb. 12, 1935.

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4. General.—The classification and marking of documents as to secrecy will be conducted by the originator strictly in accordance with the principles set forth in paragraphs 5, 6, and 7. Every effort will be made to word each document so that the least restrictive classification may be assigned consistent with the proper safeguarding of the contents. The probable distribution to be given the document must be considered by the originator in order that widespread dissemination may neither disclose information which must be safeguarded, nor place such a burden upon recipients that proper safeguards are neglected because of too great a volume of overclassified matter.

5. "Secret"; when, by whom, and how affixed.—A document will be classified and marked "Secret" only when the information it contains is of such nature that its disclosure might endanger the national security, or cause serious injury to the interests or prestige of the Nation, an individual, or any governmental activity, or be of great advantage to a foreign nation. A document will be classified as "Secret" only by, or by authority of, the Secretary of War, the Chief of Staff, a chief of arm, service, or bureau, or an officer commanding a corps area, a tactical division, or a higher tactical unit, the commanding officer of a depot or exempted station, the commandant of a service school, or a military attaché. When a document is so classified, the "Secret" mark will be placed on the front page thereof and will be accompanied by the designation of the authority affixing it, or of the authority by which it is being affixed, and will be dated and initialed by the officer affixing it.

6. "Confidential"; when, by whom, and how affixed.—A document will be classified and marked "Confidential" when the information it contains is of such nature that its disclosure, although not endangering our national security, might be prejudical to the interests or prestige of the Nation, an individual, or any governmental activity, or be of advantage to a foreign nation. A document will be classified as "Confidential" only by a commissioned officer. The "Confidential" mark will be placed on the front page of the document and will be accompanied by the designation of the office which the officer holds, if any.

7. "Restricted"; when and by whom affixed.—A document will be classified and marked "Restricted" when the information it contains is for official use only or of such nature that its disclosure should be limited for reasons of administrative privacy, or should be denied the general public. The "Restricted" mark will be placed on a document only by authority of a commissioned officer.

8. Documents requiring to be marked "Secret", "Confidential", or "Restricted."—Any person in the military service who initiates or comes into possession of a document which in his judgment should be marked "Secret", "Confidential", or "Restricted" will take immediate steps to forward it to the authority competent so to mark it, following the same procedure for transmission as is prescribed for the transmission of documents already bearing such marking. This applies also to documents originating in governmental agencies other than the War Department.

9. One classifying mark only; if more used.—A document will not be marked with more than one of the three classifying marks—"Secret", "Confidential", or "Restricted"; but should it, through error, be so marked, the most restrictive classification used will be observed.

10. Marking; use of stamp.—Except in the case of printed documents of the War Department or of general headquarters in the field, in addition to the marks required by paragraphs 5 and 6, the "Secret", "Confidential", or "Restricted" stamp will be placed both at the top and at the bottom of each page of all secret, confidential, or restricted papers. It should be stamped well down on the page and in such a manner that the marking will not be hidden from view when the sheets are clipped together or bound.

11. Reclassification; when, by whom, and how accomplished.—When a document ceases to be secret, confidential, or restricted, its classification may be canceled by the authority which affixed or authorized it, or by higher authority, by writing or stamping "Canceled by [illegible]" or "Canceled by authority of _____ (the authority which authorizes the cancelation)", over the mark on the top of the first page of the document, and this cancelation will be dated and initialed by the officer making it. Any other classifying marks on such a document will then be stricken out. If a less restrictive classification is to be given such a document, the provisions of paragraphs 6, 7, and 10 will be followed.

SECTION III

CLASSIFICATION AND MARKING OF MILITARY MAPS AND PHOTOGRAPHS

	Paragraph
Definition	12
Classification	13
Reports	14
How issued	15

12. Definition.—Military maps and photographs are those intended for use in connection with the training and operations of the forces of the United States; the term includes other maps and photographs which have acquired a military character by reason of overprints or notations placed upon them.

13. Classification.—*a.* Military maps and photographs will be classified and marked as follows:

(1) *Secret.*

(*a*) In the continental United States, those illustrating an approved war plan (including local defense plans) or defense project, or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan (including local defense plans) or defense project, or any phase thereof, those showing the layout of permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases.

(2) *Confidential.*

(*a*) In the continental United States, those showing layout of permanent defense works, and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet only those sheets showing defense elements need be classified as confidential.

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(b) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as "Secret" showing layout of radio stations, aviation centers, air fields, supply bases, arsenals, proving grounds, or of any area vital to defense.

(3) *Restricted.* (Formerly "For official use only.")

(a) In the continental United States, those showing layout of air fields, radio stations, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified, which from their nature are not suitable for public release.

(b) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified which, from their nature, are not suitable for public release.

b. Responsibility for the classification of military maps and photographs rests on the following authorities, but may be delegated within their discretion to appropriate subordinate agencies:

(1) The War Department for maps and photographs not classified as prescribed in (2) below.

(2) Corps area and similar territorial commanders, and commanding generals of expeditionary forces and foreign garrisons when not organized as territorial departments, for areas within their control.

c. Military maps and photographs now on file will be reclassified when taken from the files for use.

d. The precautions prescribed in these regulations will be taken with maps and photographs which have not been reclassified but which are known to be "Secret", "Confidential", or "Restricted."

e. The provisions of paragraphs 8, 9, 10, and 11 will apply in marking and classifying maps and photographs.

14. **Reports.**—Classification and reclassification of military maps and photographs will be reported, when made, to the War Department. These reports will cover full title and legend of the material classified. A short title may be added for convenience in further accounting.

15. **How issued.**—"Secret" and "Confidential" maps and photographs will be issued only upon written receipt. Semiannually, on or about January 1 and June 30, issuing officers will require renewal of such receipts or the return of the maps or photographs involved.

SECTION IV

SAFEGUARDING DOCUMENTS AND REGISTERED PUBLICATIONS

	Paragraph
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Report of loss or subjection to compromise	25

16. **General instructions.**—*a.* "Secret" and "Confidential" documents will be habitually kept in locked safes or other suitable locked containers when not required for immediate use. The most secure storage space available, which should be at least a three-combination safe, will be assigned to the storage of secret and confidential codes, ciphers, war plans, defense projects, and other registered publications.

b. No information as to the contents of "Secret", "Confidential", or "Restricted" documents will be revealed in any other document which is not in itself marked with the same or a higher classification. However, documents referring to a "Restricted" project, but which do not contain technical information regarding it, need not be marked "Restricted."

c. A person who communicates information concerning, or contained in, a document marked "Secret", "Confidential", or "Restricted", will at the same time emphasize to the person or persons to whom he communicates the information that it is "Secret", "Confidential", or "Restricted", as the case may be.

d. Clerical work on secret and confidential matter will be performed only by exceptionally trustworthy clerks; preliminary drafts and work sheets will be destroyed. Stenographic notes will be destroyed or placed under lock and key.

e. An officer will, upon change of station or severance from the military service, return to the source from which received, or otherwise properly account for all "Secret" and "Confidential" documents issued to him.

f. Messages in secret or confidential codes or ciphers will be handled and safeguarded as prescribed in the instructions pertaining to such codes and ciphers, and in accordance with Army Regulations.

17. **Registered publications; designation and safeguarding.**—*a.* The chief of arm, service, or bureau or other officer authorized to originate and issue "Secret" documents will designate as a "Registered publication" every "Secret" document, except correspondence and communications, issued by him, and will cause a semiannual accounting for all copies of such registered publications to be made to him, or to other designated office of record. The designation "registered publication" may also be applied to "Confidential" documents in such cases as the originator may determine as necessary for the public welfare.

b. Every "Registered publication" will have assigned to it a register number, by which it will be accounted for at regular intervals to the proper office of record. The classification, the register number, the short title, instructions for its ultimate disposal, and instructions covering the returns required for its accounting will be placed on the title sheet or inside front cover of every such

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"Registered" publication; if this is impracticable, the required data will accompany the registered publication on a separate sheet.

c. Every recipient of "Registered publications" will keep at all times a complete inventory of all "Registered publications" in his charge. He will make, or cause to be made by a commissioned custodian designated by him, on June 30 and December 31 of each year, an accurate return to the proper office of record, of all "Registered publications" on hand, based on physical inventory by two commissioned officers, if available, one of whom will be the custodian.

d. Access to the containers, and the combinations or keys thereto, of "Registered publications" will be permitted only to commissioned officers and, unless otherwise prohibited in regulations pertaining to codes and ciphers, to specially trusted civilian employees specifically authorized by the responsible chief of arm, service, or bureau. Safes containing "Registered publications" will habitually be kept locked, with the full combination operative, whenever they are not under the direct supervision of a person officially entrusted with the combination thereof.

e. When the classification of a "Registered publication" is changed in accordance with paragraph 11, the designated office of record will notify all recipients of such publication of the changed classification thereof.

18. Safeguarding contents of "Secret" documents.—*a.* The distribution and dissemination of secret matter will be confined to the absolute minimum. Secret matter is exclusively for the official use of the person to whom it is divulged. To maintain its inviolability is the duty and responsibility of each person having knowledge or custody thereof, no matter how obtained. It will not be discussed or referred to in the presence of persons not authorized to have knowledge thereof. An officer by virtue of his commission alone is not entitled to knowledge of secret matter. Information as to the contents, nature, or whereabouts of "Secret documents" will be disclosed only to those persons in the Government service whose official duties require such knowledge, and to such other responsible persons of especial trust as of absolute necessity must be informed.

b. No document marked "Secret" will be taken into front line trenches in a theater of war, or to any other place in which there is a similar danger of capture by the enemy.

c. Documents classed as "Secret" will not be referred to or listed in any catalog or publication which is not itself marked "Secret," except that receipts, returns, and reports of transfer or destruction need not be classified if reference to the related document be made by file number or short title only, with no indication of the subject matter or the nature of the classification.

19. Safeguarding contents of "Confidential" documents.—Persons to whom confidential matter is entrusted or disclosed are responsible for its safe custody and security. It will not be discussed nor disclosed in the presence of persons not authorized to have knowledge thereof. Information as to the contents, nature, or whereabouts of confidential documents will be disclosed only to those persons in the Government service whose duties require that they have such knowledge, and to such other persons of especial trust as of necessity must be informed.

20. Safeguarding contents of "Restricted" documents.—The information contained in documents marked "Restricted" will not be communicated to the public or to the press, but it may be communicated to any person known to

be in the service of the United States, and to persons of undoubted loyalty and discretion who are cooperating in governmental work.

21. Safeguarding contents of other official communications.—The contents of official communications, whether or not classified as to secrecy, will not be revealed except to those officially entitled to receive them. See paragraph 7, AR 340-15.

22. Safeguarding technical secrets.—Chiefs of arms and services charged with responsibility for the initiation of measures to protect technical secrets in the interest of the public welfare (par. 4, AR 600-700) will base such measures upon the provisions of these regulations and Section VI, AR 850-25.

23. Safeguarding documents distributed outside the Army.—"Secret" or "Confidential" documents which, by their nature, might require distribution outside the Army will contain suitable instructions for their custody, safeguarding, and ultimate disposition in conformity with the requirements of Army Regulations.

24. Navy documents.—All requests for Navy secret and confidential documents will be submitted to The Adjutant General. Secret and confidential documents of other departments, when in possession of Army activities, will be safeguarded with the same care as Army "Secret" and "Confidential" documents, and will be accounted for in the manner required by the issuing department.

25. Report of loss or subjection to compromise.—Any person in the military service knowing of the loss or subjection to compromise of a "Secret" or "Confidential" document will promptly report that fact to the custodian of the document, who will immediately report the loss or compromise to the issuing authority.

SECTION V

TRANSMITTING DOCUMENTS

Paragraph

"Secret" documents; how prepared for transmission; by whom opened; receipt 26
"Secret" documents; how transmitted 27
"Confidential" documents; how prepared for transmission; by whom opened; receipt 28
"Confidential" documents; how transmitted 29
"Restricted" documents; how transmitted 30
Transmission by airplane prohibited except in emergency 31

26. "Secret" documents; how prepared for transmission; by whom opened; receipt.—*a.* Except during the process of local distribution in the personal custody of persons authorized to handle such matter for transmission to another person, the sender of a document marked "Secret" will inclose it in an inner and an outer cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way, but plainly marked "Secret" in such manner that the notation may be most readily seen when the outer cover is removed. The inner cover will contain a receipt form which will identify the addressor, the addressee, and the document. The package thus prepared will then be inclosed in an outer cover, which will be sealed and addressed in the ordinary manner with no notation to indicate the secret nature of the contents.

b. So far as practicable the inner cover marked "Secret" will be opened only by the person to whom addressed. When the inner cover is opened, the receipt form will be dated and signed by the addressee and returned to the sender at the earliest practicable moment.

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27. "Secret" documents; how transmitted.—"Secret" documents will be transmitted by an officer messenger or courier whenever practicable. When it is impracticable to transmit secret documents by an officer messenger or courier within the continental limits of the United States, they will be transmitted by registered mail. For transportation to and from points outside the continental limits of the United States, when officer courier is not available, they may be transported by State Department rotary-lock pouch; in the event that neither officer courier nor diplomatic pouch is available, the responsible officer may designate as couriers for this purpose citizens of the United States who are deemed worthy of special trust, such as officers or officials of other Government Departments, or masters of vessels under United States registry. Commanding officers of ports of embarkation will arrange for the safe transportation of documents forwarded to them for transmission, entrusting them to the commanding officer of troops on an Army transport when this is practicable and will not involve undue delay.

28. "Confidential" documents; how prepared for transmission; by whom opened; receipt.—Documents marked "Confidential" will be prepared for transmission in the same manner as prescribed for "Secret" documents (par. 26), except that the inner cover will contain a receipt form only when the sender deems it necessary, and that the inner cover may be opened by some responsible person other than the person addressed when so authorized by the addressee.

29. "Confidential" documents; how transmitted.—Documents marked "Confidential" when transmitted by hand will be entrusted only to especially trustworthy messengers. For transmission by mail or express within the continental limits of the United States, "Confidential" documents will be sent by registered mail or insured express. For transmission to and from points outside the United States, they may be sent as prescribed in paragraph 27 for "Secret" documents, or by registered mail on vessels under United States registry, provided they do not pass through any foreign postal systems or the postal systems of the Philippines.

30. "Restricted" documents; how transmitted.—Documents marked "Restricted" may be transmitted by ordinary mail, express, or freight to any point. When transmitted by hand, they will be entrusted only to reliable messengers.

31. Transmission by airplane prohibited except in emergency.—Except in emergency, "Secret" and "Confidential" documents will not be transported by airplane (as distinguished from carried for use). When so transported they will be securely wrapped, and weighted if necessary, and will be in the actual custody of an officer not engaged in the flying of the airplane, who will be responsible for their security.

[A. G. 312.11 (1-3-36).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:

E. T. CONLEY,
Major General,
The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1936

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ARMY REGULATIONS No. 380-10

WAR DEPARTMENT,
WASHINGTON 25, D. C., 20 September 1943.

LAWS, EXECUTIVE ORDERS, ETC., PERTAINING TO SAFEGUARDING MILITARY INFORMATION

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SECTION I

ESPIONAGE

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1. **Unlawfully obtaining or permitting to be obtained information affecting national defense.**—That (a) Whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, coaling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the

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national defense, owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers or agents, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, or stored, under any contract or agreement with the United States, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place within the meaning of section 6 of this title; or (b) whoever for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or (c) whoever, for the purpose aforesaid, receives or obtains or agrees or attempts or induces or aids another to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts or induces or aids another to receive or obtain it, that it has been or will be obtained, taken, made or disposed of by any person contrary to the provisions of this title; or (d) whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or (e) whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, note, or information, relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 1, Title I, act 15 June 1917 (40 Stat. 217), as amended by sec. 1, act 28 March 1940 (54 Stat. 79; 50 U. S. C. 31).*

2. Unlawfully disclosing information affecting national defense.—(a) Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts to, or aids or induces another to, communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be punished by imprisonment for not more than twenty years: *Provided*, That whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished by death or by imprisonment for not more than thirty years; and (b) whoever, in time of war, with intent

that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for not more than thirty years. *Sec. 2, act 15 June 1917 (40 Stat. 218; 50 U. S. C. 32).*

3. Seditious or disloyal acts or words in time of war.—Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished by a fine of not more than $10,000 or imprisonment for not more than twenty years, or both. *Sec. 3, act 15 June 1917 (40 Stat. 219), revived and restored by act 3 March 1921 (41 Stat. 1359; 50 U. S. C. 33).*

4. Conspiracy to violate preceding sections.—If two or more persons conspire to violate the provisions of sections 2 or 3 of this title, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy. Except as above provided conspiracies to commit offenses under this title shall be punished as provided by section 37 of the Act to codify, revise, and amend the penal laws of the United States approved 4 March 1909. *Sec. 4, Title I, act 15 June 1917 (40 Stat. 219; 50 U. S. C. 34).*

5. Harboring or concealing violators of law.—Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under this title shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 5, Title I, act 15 June 1917 (40 Stat. 219), as amended by sec. 2, act 28 March 1940 (54 Stat. 79; 50 U. S. C. 35).*

6. Designation of prohibited places by proclamation.—The President in time of war or in case of national emergency may by proclamation designate any place other than those set forth in subsection (a) of section 1 hereof in which anything for the use of the Army or Navy is being prepared or constructed or stored as a prohibited place for the purposes of this title: *Provided*, That he shall determine that information with respect thereto would be prejudicial to the national defense. *Sec. 6, Title I, act 15 June 1917 (40 Stat. 219; 50 U. S. C. 36).*

7. Places subject to provisions of chapter.—The provisions of this title shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States whether or not contiguous thereto, and offenses under this title when committed upon the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 8, Title I, act 15 June 1917 (40 Stat. 219; 50 U. S. C. 37).*

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8. Jurisdiction of courts-martial and military commissions.—Nothing contained in this title shall be deemed to limit the jurisdiction of the general courts-martial, military commissions, or naval courts-martial under sections 1342, 1343, and 1624 of the Revised Statutes as amended. *Sec. 7, Title I, act 15 June 1917 (40 Stat. 219; 50 U. S. C. 38).*

9. Jurisdiction of courts of Canal Zone and Philippine Islands of offenses on high seas.—The several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this Act committed within their respective districts, and concurrent jurisdiction with the district courts of the United States of offenses under this Act committed upon the high seas, and of conspiracies to commit such offenses, as defined by section 37 of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved 3 March 1909, and the provisions of said section, for the purpose of this Act, are hereby extended to the Philippine Islands, and to the Canal Zone. In such cases the district attorneys of the Philippine Islands and of the Canal Zone shall have the powers and perform the duties provided in this Act for United States attorneys. *Sec. 2, Title XIII, act 15 June 1917 (40 Stat. 231; 50 U. S. C. 39).*

SECTION II

PHOTOGRAPHING, SKETCHING, MAPPING, ETC., DEFENSIVE INSTALLATIONS

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10. Photographing, etc., defensive installations regulated; penalties.—That, whenever, in the interests of national defense, the President shall define certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary. Any person found guilty of a violation of this section shall upon conviction be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. *Sec. 1, act 12 January 1938 (52 Stat. 3; 50 U. S. C. 45).*

a. Defining certain vital military and naval installations and equipment.—Executive Order 8381, 22 March 1940 (5 F. R. 1147), D. I. Whereas section 1 of the act 12 January 1938 (52 Stat. 3; 50 U. S. C. 45), provides:

NOW, THEREFORE, by virtue of the authority vested in me by the foregoing statutory provisions, and in effectuation of the purposes of the said act of 12 January 1938, I hereby define the following as vital military and naval installations or equipment requiring protection against the general dissemination of information relative thereto:

1. All military or naval installations and equipment which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret", "confidential", or "restricted", and all military or naval installations and equipment which may hereafter be so classified, designated, and marked with the approval or at the direction of the President, and located within:

(a) Any military or naval reservation, post, arsenal, proving ground, range, mine field, camp, fort, yard, station, district, or area.

(b) Any defensive sea area heretofore or hereafter established and existing under authority of section 44 of the United States Criminal Code, as amended by the act of 4 March 1917 (39 Stat. 1194; 18 U. S. C. 96).

(c) Any airspace reservation heretofore or hereafter established and existing under authority of section 4 of the Air Commerce Act of 1926 (44 Stat. 570; 49 U. S. C. 174).

(d) Any naval harbor closed to foreign vessels.

(e) Any area required for fleet purposes.

(f) Any commercial establishment engaged in the development or manufacture of military or naval arms, munitions, equipment, designs, ships, or vessels for the United States Army or Navy.

2. All military or naval aircraft, weapons, ammunition, vehicles, ships, vessels, instruments, engines, manufacturing machinery, tools, devices, or any other equipment whatsoever, in the possession of the Army or Navy, or in the course of experimentation, development, manufacture, or delivery for the Army or Navy, which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret", "confidential", or "restricted", and all such articles, materials, or equipment which may hereafter be so classified, designated, and marked with the approval or at the direction of the President.

3. All official military or naval books, pamphlets, documents, reports, maps, charts, plans, designs, models, drawings, photographs, contracts, or specifications, which are now marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret", "confidential", or "restricted", and all such articles or equipment which may hereafter be so marked with the approval or at the direction of the President.

b. Chapter 1 of title 2, Canal Zone Code, approved 19 June 1934 (48 Stat. 1122; 48 U. S. C. Ch. 6, Note) has been amended by the act of 1 December 1941 (55 Stat. 798). This amendment confers upon the Governor of the Panama Canal the following powers:

* * * the Governor is hereby authorized to make, and from time to time alter and amend, regulations prohibiting or restricting:

(a) The making of any photograph, sketch, drawing, map, or graphical representation of, within, or upon any such part or feature of the Panama Canal, or any such area, object, installation, or structure within the Canal Zone; and

(b) The possession of any camera within any area or areas in the Canal Zone which the Governor may designate: *Provided, however*, That no regulation made pursuant to authority contained in this section shall apply to activities of the kind covered by this section which are conducted or performed by persons in the service or employ of the United States in the course of their official duties. * * * and makes punishable by fine, imprisonment, or both, violation of regulations established thereunder. Pursuant to the foregoing law, the Governor of the Panama Canal has issued regulations prohibiting the photographing of certain areas, objects or structures, establishing areas within which

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photographing is prohibited, and establishing certain areas within which the possession of cameras is prohibited. *See Part 28, Chapter I, Canal Zone Regulations* (*7 F. R. 2135*).

11. Photographing etc., from aircraft.—Any person who uses or permits or procures the use of an aircraft for the purpose of making a photograph, sketch, picture, drawing, map, or graphical representation of vital military or naval installations or equipment, in violation of section 1 of this Act, shall be liable to the penalty therein provided. *Sec. 2, act 12 January 1938* (*52 Stat. 3; 50 U. S. C. 45a*).

12. Reproducing, publishing, selling, etc., uncensored copies.—On and after thirty days from the date upon which the President defines any vital military or naval installation or equipment as being within the category contemplated under the first section of this Act, it shall be unlawful for any person to reproduce, publish, sell, or give away any photograph, sketch, picture, drawing, map, or graphical representation of the vital military or naval installations or equipment so defined, without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, unless such photograph, sketch, picture, drawing, map, or graphical representation has clearly indicated thereon that it has been censored by the proper military or naval authority. Any person found guilty of a violation of this section shall upon conviction be punished as provided in the first section of this Act. *Sec. 3, act 12 January 1938* (*52 Stat. 3; 50 U. S. C. 45b*).

13. "Aircraft," "post," "camp," and "station" defined.—The term "aircraft" as used in this Act means any contrivance known or hereafter invented, used, or designed for navigation or flight in the air. The expression "post, camp, or station" as used in this Act shall be interpreted to include naval vessels, military and naval aircraft, and any separate military or naval command. *Sec. 4, act 12 January 1938* (*52 Stat. 4; 50 U. S. C. 45c*).

14. Geographical application of law.—The provisions of this Act, shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States, whether contiguous thereto, or not and offenses under this Act when committed upon or over the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 5, act 12 January 1938* (*52 Stat. 4; 50 U. S. C. 45d*).

15. Photographing, sketching, mapping, etc., military or naval reservations, properties, equipment, etc., as unlawful.—Whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any navy yard, naval station, or of any military post, fort, camp, station, arsenal, airfield, or other military or naval reservation, or place used for national-defense purposes by the War or Navy Departments, or of any vessel, aircraft, installation, equipment, or other property whatsoever, located within any such post, fort, camp, arsenal, airfield, yard, station, reservation or place, or in the waters adjacent thereto, or in any defensive sea area established in accordance with law; or whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any vessel, aircraft, installation, equipment, or other property relating

to the national defense being manufactured or under construction or repair for or awaiting delivery to the War or Navy Departments or the government of any country whose defense the President deems vital to the defense of the United States under any contract or agreement with the United States or such country or otherwise on behalf of the United States or such country, located at the factory, plant, yard, storehouse, or other place of business of any contractor, subcontractor, or other person, or in the waters adjacent to any such place, shall be punished as provided in this Act. *Sec. 1, act 25 June 1942* (*56 Stat. 390; 50 U. S. C. App. Sup. 781*).

16. Permission to photograph, sketch, map, etc.—Notwithstanding the provisions of section 1 of this Act, the Secretary of War or the Secretary of the Navy is authorized, under such regulations as he may prescribe, to permit photographs, sketches, or other representations to be made when, in his opinion, the interests of national defense will not be adversely affected thereby. *Ses. 2, act 25 June 1942* (*56 Stat. 391; 50 U. S. C. App. Sup. 782*).

17. Penalties for violations.—Any person found guilty of a violation of this Act shall, upon conviction, be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. *Sec. 3, act 25 June 1942* (*56 Stat. 391; 50 U. S. C. App. Sup. 783*).

18. Application to Philippine Islands.—The provisions of this Act shall apply in the Philippine Islands as well as in all other places within the territory or jurisdiction of the United States. *Sec. 4, act 25 June 1942* (*56 Stat. 391; 50 U. S. C. App. Sup. 784*).

19. Effective date of sections 781–785.—This Act shall be effective only for the duration of the present war as determined by proclamation of the President. *Sec. 5, act 25 June 1942* (*56 Stat. 391; 50 U. S. C. App. Sup. 785*).

20. Regulations under Public Law 627.—The following regulations, promulgated by the Secretary of War and the Secretary of the Navy pursuant to Section 2 of Public Law 627, which appeared in 7 Federal Register 7307, are published for the information and guidance of all concerned:

MAKING OF PHOTOGRAPHS, SKETCHES, ETC., OF MILITARY OR NAVAL SUBJECTS

Pursuant to the authority conferred upon the Secretary of War and the Secretary of the Navy by the Act of Congress approved 25 June 1942 (Public Law Number 627—77th Congress), "to prevent the making of photographs and sketches of military or naval reservations, naval vessels, and other naval and military properties, and for other purposes," the following regulations are hereby prescribed:

(a) Sketches, photographs, photographic negatives, blueprints, plans, maps, models, copies or other representations, may be made of any area, place, property, or thing, described in the Act of Congress approved 25 June 1942, (Public Law Number 627—77th Congress), only upon the expressed permission of the Secretary or his authorized representative having jurisdiction of the subject matter. Such permission will be granted only if the interests of national defense will not be adversely affected thereby.

(b) The authorized representatives who may grant the necessary permission are:

War Department. Any Commanding General of a Defense Command, Theater of Operations, Department or Service Command, Director of War Department Bureau of Public Relations, or any Commander of a post, camp, or station.

Navy Department. Fleet Commanders or Commanders of any major subdivision thereof, Commanders of Sea Frontiers, District Commandants, the Director of the Office of Public Relations, Commanding Officers of Ships, Aircraft Squadrons,

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or Stations, or, an officer of the U. S. Marine Corps having a command equivalent to any of the foregoing.

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21. Unauthorized publication or use of communications.—No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided*, That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast, or transmitted by amateurs or others for the use of the general public, or relating to ships in distress. *Sec. 605, act 19 June 1934 (48 Stat. 1103; 47 U. S. C. 605).*

22. General penalty.—Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing, in this Act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided herein, by a fine of not more than $10,000 or by imprisonment for a term of not more than two years, or both. *Sec. 501, act 19 June 1934 (48 Stat. 1100; 47 U. S. C. 501).*

23. Violation of rules, regulations, etc.—Any person who willfully and knowingly violates any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act, or any rule, regulation, restriction,

or condition made or imposed by any international radio or wire communications treaty or convention, or regulations annexed thereto, to which the United States is or may hereafter become a party, shall, in addition to any other penalties provided by law, be punished, upon conviction thereof, by a fine of not more than $500 for each and every day during which such offense occurs. *Sec. 502, act 19 June 1934 (48 Stat. 1100; 47 U. S. C. 502).*

24. Powers and duties of commission.—Except as otherwise provided in this Act, the (Federal Communications) Commission from time to time, as public convenience, interest, or necessity requires, shall— * * *

(m) (1) Have authority to suspend the license of any operator (radio) upon proof sufficient to satisfy the Commission that the licensee— * * *

(C) has willfully damaged or permitted radio apparatus or installations to be damaged; or

(D) has transmitted superfluous radio communications or signals * * * or has knowingly transmitted—

(1) false or deceptive signals or communications, or

(2) a call signal or letter which has not been assigned by proper authority to the station he is operating; or

(E) has willfully or maliciously interfered with any other radio communications or signals; * * *. *Sec. 303, act 19 June 1934 (48 Stat. 1082), as amended by sec. 5 and 6 (a and b) act 20 May 1937 (50 Stat. 190, 191; 47 U. S. C. 303).*

NOTE.—The Rules and Regulations of the Federal Communications Commission also prohibit the acts mentioned in the above section.

a. On 14 June 1940, the Federal Communications Commission issued a formal notice to all classes of commercial radio operators reading as follows:

On 10 June 1940, the Commission issued a warning specifically addressed to ship radio operators and ship station licensees against the transmission of superfluous, unnecessary or unidentified communications. The purpose of this notice is to emphasize the importance of strict compliance with the previous notice and at the same time to call attention specifically that the provisions of statute and treaty prohibiting the transmission of superfluous, unnecessary or unidentified communications apply to all commercial operators as well as those communicating from ship stations.

The General Radio Regulations (Cairo Revision, 1938) annexed to the International Telecommunications Convention (Madrid, 1932,) to which this Government is a party, and the Communications Act of 1934, specifically prohibit the transmission of superfluous, unnecessary or unidentified communications. The Commission intends to uphold vigorously these provisions of law and treaty and will hold all commercial radio operators and station licensees strictly accountable for any violation.

b. On 21 August 1941, the Defense Communications Board issued a formal notice to all persons engaged in the wire or radiocommunications industry, including manufacturing, reading as follows:

WHEREAS on account of the importance to national defense of the plants and facilities of the communications industry it appears desirable to restrict free access thereto;

BE IT THEREFORE RESOLVED that persons engaged in the wire or radiocommunications industry, including manufactoring, be requested to take all measures necessary to ensure that access to premises containing communications equipment or facilities (other than the premises necessarily open to the general public) be restricted to employees, federal, state or local government officers acting in their official capacity, and other persons considered necessary by the management in the conduct of its business.

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BE IT FURTHER RESOLVED that all persons engaged in the wire or radio-communications industry, including manufacturing, be requested to exclude representatives of any foreign government, persons, associations or corporations, from access to the premises containing communications equipment or facilities (other than premises necessarily open to the general public) except only upon express permission granted at the direction of the Defense Communications Board.

c. On 25 March 1942, the Defense Communication Board issued Order Number 3, authorizing the Secretary of War and the Secretary of the Navy to take appropriate measures to safeguard the security of military and naval messages handled by means of radio communication and wire communication, as defined in the Communications Act of 1934, under the jurisdiction of the United States, reading as follows:

WHEREAS, the Defense Communications Board has, by E.O. 8964, 10 December 1941, and E.O. 9089, 6 March 1942, been authorized, if the national security and defense and the successful conduct of the war so demand, to prescribe classes and types of radio stations and stations for wire communications and facilities or portions thereof which shall be subject to the use, control, supervision, inspection, or closure in accordance with such prescription, by the Department of War, Department of Navy, or other agency of the United States Government, designated by the Board;

AND WHEREAS, it is necessary in the interest of the national security and defense, and for the successful prosecution of the war that the Government of the United States safeguard the security of all military and naval messages handled by means of radio communication and wire communication, as defined in the Communications Act of 1934, under the jurisdiction of the United States;

AND WHEREAS, The Defense Communications Board has determined that the national security and defense and the successful conduct of the war so demand;

NOW, THEREFORE, By virtue of authority vested in the Board under E.O. 8964, 10 December 1941, and E.O. 9089, 6 March 1942, the Board hereby authorizes the Secretary of War and the Secretary of the Navy, acting jointly or severally, to take such steps, institute such measures, and issue such regulations and orders as shall be necessary to safeguard all military and naval messages handled by means of radio communication and wire communication under the jurisdiction of the United States in order to ensure that all such communications be transmitted rapidly, securely, and inviolate and further to ensure that no communication of spurious origin, purporting to be a military or naval communication, be transmitted by means of radio or wire communication.

25. War powers of President.—(a) During the continuance of a war in which the United States is engaged, the President is authorized, if he finds it necessary for the national defense and security, to direct that such communications as in his judgment may be essential to the national defense and security shall have preference or priority with any carrier subject to this Act. He may give these directions at and for such times as he may determine, and may modify, change, suspend, or annul them and for any such purpose he is hereby authorized to issue orders directly, or through such person or persons as he designates for the purpose, or through the Commission. Any carrier complying with any such order or direction for preference or priority herein authorized shall be exempt from any and all provisions in existing law imposing civil or criminal penalties, obligations, or liabilities upon carriers by reason of giving preference or priority in compliance with such order or direction.

(b) It shall be unlawful for any person during any war in which the United States is engaged to knowingly or willfully, by physical force or intimidation by threats of physical force, obstruct or retard or aid in obstructing or retarding interstate or foreign communication by radio or wire. The President is hereby authorized, whenever in his judgment the public interest requires, to employ the

armed forces of the United States to prevent any such obstruction or retardation of communications: *Provided*, That nothing in this section shall be construed to repeal, modify, or affect either section 6 or section 20 of an Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved 15 October 1914.

(c) Upon proclamation by the President that there exists war or a threat of war or a state of public peril or disaster or other national emergency, or in order to preserve the neutrality of the United States, the President may suspend or amend, for such time as he may see fit, the rules and regulations applicable to any or all stations within the jurisdiction of the United States as prescribed by the Commission, and may cause the closing of any station for radio communication and the removal therefrom of its apparatus and equipment, or he may authorize the use or control of any such station and/or its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the owners.

(d) Upon proclamation by the President that there exists a state or threat of war involving the United States, the President, if he deems it necessary in the interest of the national security and defense, may, during a period ending not later than six months after the termination of such state or threat of war and not later than such earlier date as the Congress by concurrent resolution may designate, (1) suspend or amend the rules and regulations applicable to any or all facilities or stations for wire communication within the jurisdiction of the United States as prescribed by the Commission, (2) cause the closing of any facility or station for wire communication and the removal therefrom of its apparatus and equipment, or (3) authorize the use or control of any such facility or station and its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the owners.

(e) The President shall ascertain the just compensation for such use or control and certify the amount ascertained to Congress for appropriation and payment to the person entitled thereto. If the amount so certified is unsatisfactory to the person entitled thereto, such person shall be paid only 75 per centum of the amount and shall be entitled to sue the United States to recover such further sum as added to such payment of 75 per centum will make such amount as will be just compensation for the use and control. Such suit shall be brought in the manner provided by paragraph 20 of section 24, or by section 145, of the Judicial Code, as amended.

(f) Nothing in subsection (c) or (d) shall be construed to amend, repeal, impair, or affect existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transmission of Government communications, or the issue of stocks and bonds by any communication system or systems.

(g) Nothing in subsection (c) or (d) shall be construed to authorize the President to make any amendment to the rules and regulations of the Commission which the Commission would not be authorized by law to make; and nothing in subsection (d) shall be construed to authorize the President to take any action the force and effect of which shall continue beyond the date after which taking of such action would not have been authorized. *Sec. 606, act 19 June 1934 (48 Stat. 1104), as amended by sec. 1 and 2, act 26 January 1942 (56 Stat. 18; 47 U. S. C. 606).*

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SECTION IV

OFFENSES AGAINST POSTAL SERVICE

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26. Stealing, secreting, or embezzling mail matter, or attempting to do so.—Whoever shall steal, take, or abstract, or by fraud or deception obtain, or attempt so to obtain, from or out of any mail, post office, or station thereof, or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or shall abstract or remove from any such letter, package, bag, or mail, any article or thing contained therein, or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail, or any article or thing contained therein; or whoever shall steal, take, or abstract, or by fraud or deception obtain any letter, postal card, package, bag, or mail, which has been left for collection upon or adjacent to a collection box or other authorized depository of mail matter; or whoever shall buy, receive, or conceal, or aid in buying, receiving, or concealing, or shall unlawfully have in his possession, any letter, postal card, package, bag, or mail, or any article or thing contained therein, which has been so stolen, taken, embezzled, or abstracted, as herein described, knowing the same to have been stolen, taken, embezzled, or abstracted; or whoever shall take any letter, postal card, or package out of any post office or station thereof, or out of any authorized depository for mail matter or from any letter or mail carrier, or which has been in any post office or station thereof, or other authorized depository, or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or to pry into the business or secrets of another, or shall open, secrete, embezzle, or destroy the same, shall be fined not more than $2,000 or imprisoned not more than five years, or both. *Sec. 194, act 4 March 1909 (35 Stat. 1125), as amended by act 25 February 1925 (43 Stat. 977), as amended by act 26 August 1935 (49 Stat. 867), as amended by act 7 August 1939 (53 Stat. 1256; 18 U. S. C. 317).*

27. Certain letters or writings nonmailable; opening letters.—Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing, of any kind, in violation of any of the provisions of this Act is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier: *Provided*, That nothing in this Act shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, or other person upon a search warrant authorized by law, to open any letter not addressed to himself. *Sec. 1, act 15 June 1917 (40 Stat. 230; 18 U. S. C. 343).*

28. Using or attempting to use mails for transmission of matter declared nonmailable by title; jurisdiction of offense.—Whoever shall use or attempt to use the mails or Postal Service of the United States for the transmission of any matter declared by Title XII of this Act to be nonmailable, shall be punished by imprisonment for not more than ten years and may, in the discretion of the

court, be fined not more than $5,000. Any person violating any provision of this title may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed. *Sec. 3, act 15 June 1917 (40 Stat. 230) as amended by sec. 9, act 28 March 1940 (54 Stat. 80; 18 U. S. C. 345).*

SECTION V

TRADING WITH THE ENEMY ACT OF 1917

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29. Acts prohibited.—It shall be unlawful—

(a) For any person in the United States, except with the license of the President, granted to such person, or to the enemy, or ally of enemy, as provided in this Act, to trade, or attempt to trade, either directly or indirectly, with, to, or from, or for, or on account of, or on behalf of, or for the benefit of, any other person, with knowledge or reasonable cause to believe that such other person is an enemy or ally of enemy, or is conducting or taking part in such trade, directly or indirectly, for, or on account of, or on behalf of, or for the benefit of, an enemy or ally of enemy.

(b) For any person, except with the license of the President, to transport or attempt to transport into or from the United States, or for any owner, master, or other person in charge of a vessel of American registry to transport or attempt to transport from any place to any other place, any subject or citizen of an enemy or ally of enemy nation, with knowledge or reasonable cause to believe that the person transported or attempted to be transported is such subject or citizen.

(c) For any person (other than a person in the service of the United States Government or of the Government of any nation, except that of an enemy or ally of enemy nation, and other than such persons or classes of persons as may be exempted hereunder by the President or by such person as he may direct), to send, or take out of, or bring into, or attempt to send, or take out of, or bring into the United States, any letter or other writing or tangible form of communication, except in the regular course of the mail; and it shall be unlawful for any person to send, take, or transmit, or attempt to send, take, or transmit out of the United States, any letter or other writing, book, map, plan, or other paper, picture, or any telegram, cablegram, or wireless message, or other form of communication intended for or to be delivered, directly or indirectly, to an enemy or ally of enemy: *Provided, however*, That any person may send, take, or transmit out of the United States anything herein forbidden if he shall first submit the same to the President, or to such officer as the President may direct, and shall obtain the license or consent of the President, under such rules and regulations, and with such exemptions, as shall be prescribed by the President.

(d) Whenever, during the present war, the President shall deem that the public safety demands it, he may cause to be censored under such rules and regulations as he may from time to time establish, communications by mail, cable, radio, or other means of transmission passing between the United States and any foreign country he may from time to time specify, or which may be carried by any vessel or other means of transportation touching at any port, place, or territory of the

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United States and bound to or from any foreign country. Any person who willfully evades or attempts to evade the submission of any such communication to such censorship or willfully uses or attempts to use any code or other device for the purpose of concealing from such censorship the intended meaning of such communication shall be punished as provided in section sixteen of this Act. *Sec. 3, act 6 October 1917 (40 Stat. 412; 50 U. S. C. App. 3).*

SECTION VI

FIRST WAR POWERS ACT 1941

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Censorship of communications; penalties and forfeitures	30	14

30. Censorship of communications; penalties and forfeitures.—Whenever, during the present war, the President shall deem that the public safety demands it, he may cause to be censored under such rules and regulations as he may from time to time establish, communications by mail, cable, radio, or other means of transmission passing between the United States and any foreign country he may from time to time specify, or which may be carried by any vessel or other means of transportation touching at any port, place, or Territory of the United States and bound to or from any foreign country. Any person who willfully evades or attempts to evade the submission of any such communication to such censorship or willfully uses or attempts to use any code or other device for the purpose of concealing from such censorship the intended meaning of such communication shall, upon conviction, be fined not more than $10,000, or, if a natural person, imprisoned for not more than ten years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents, or any vessel, together with her tackle, apparel, furniture, and equipment, concerned in such violation shall be forfeited to the United States. *Sec. 303, act 18 December 1941 (55 Stat. 840; 50 U. S. C. App. Sup. 618).*

SECTION VII

COORDINATION OF FEDERAL REPORTING SERVICES

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31. Unlawful disclosure of information; penalties; release of information to other agencies.—(a) In the event that any information obtained in confidence by a Federal agency is released by that agency to another Federal agency, all the provisions of law (including penalties) which relate to the unlawful disclosure of any such information shall apply to the officers and employees of the agency to which such information is released to the same extent and in the same manner as such provisions apply to the officers and employees of the agency which originally obtained such information; and the officers and employees of the agency to which the information is released shall in addition be subjected to the same provisions of law (including penalties) relating to the unlawful disclosure of such information as if the information had been collected directly by such agency.

(b) Information obtained by a Federal agency from any person or persons may, pursuant to this Act, be released to any other Federal agency only if (1) the information shall be released in the form of statistical totals or summaries; or (2) the information as supplied by persons to a Federal agency shall not, at the time of collection, have been declared by that agency or by any superior authority to be confidential; or (3) the persons supplying the information shall consent to the release of it to a second agency by the agency to which the information was originally supplied; or (4) the Federal agency to which another Federal agency shall release the information has authority to collect the information itself and such authority is supported by legal provision for criminal penalties against persons failing to supply such information. *Sec. 4, act 24 December 1942 (56 Stat. 1079; 5 U. S. C. Sup. 139b.)*

SECTION VIII

OFFENSES AGAINST OPERATIONS OF GOVERNMENT

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32. Falsely pretending to be United States officer.—Whoever, with intent to defraud either the United States or any person, shall falsely assume or pretend to be an officer or employee acting under the authority of the United States, or any department, or any officer of the Government thereof, or under the authority of any corporation owned or controlled by the United States, and shall take upon himself to act as such, or shall in such pretended character demand or obtain from any person or from the United States, or any department, or any officer of the Government thereof, or any corporation owned or controlled by the United States, any money, paper, document, or other valuable thing, shall be fined not more than $1,000 or imprisoned not more than three years, or both. *Sec. 32, act 4 March 1909 (35 Stat. 1095) as amended by act 28 February 1938 (52 Stat. 82; 18 U. S. C. 76).*

33. Purloining, stealing, or injuring property of United States or property manufactured under contract for War or Navy Departments.—(C) Whoever shall take and carry away or take for his use, or for the use of another, with intent to steal or purloin, or shall willfully injure or commit any depredation against, any property of the United States, or any branch or department thereof, or any corporation in which the United States of America is a stockholder, or any property which has been or is being made, manufactured, or constructed

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under contract for the War or Navy Departments of the United States, shall be punished as follows: If the value of such property exceeds the sum of $50, by a fine of not more than $10,000 or imprisonment for not more than ten years, or both; if the value of such property does not exceed the sum of $50, by a fine of not more than $1,000 or by imprisonment in a jail for not more than one year, or both. Value, as used in this section, shall mean market value or cost price, either wholesale or retail, whichever shall be the greater. *Sec. 35, act 4 March 1909 (35 Stat. 1095) as amended by act 23 October 1918 (40 Stat. 1015)* as *amended by act 18 June 1934 (48 Stat. 996) as amended by act 4 April 1938 (52 Stat. 198; 18 U. S. C. 82).*

34. Embezzling arms and stores.—Whoever shall steal, embezzle, or knowingly apply to his own use, or unlawfully sell, convey, or dispose of, any ordnance, arms, ammunition, clothing, subsistence, stores, money, or other property of the United States, furnished or to be used for the military or naval service, shall be punished as prescribed in section 35 of this Act. *Sec. 36, act 4 March 1909 (35 Stat. 1096; 18 U. S. C. 87).*

35. Injuries to fortifications or harbor defenses: jurisdiction of offenses committed within Canal Zone or defensive sea areas.—Whoever shall willfully trespass upon, injure, or destroy any of the works or property or material of any submarine mine or torpedo or fortification or harbor-defense system owned or constructed or in process of construction by the United States, or shall willfully interfere with the operation or use of any such submarine mine, torpedo, fortification, or harbor-defense system, or shall knowingly, willfully, or wantonly violate any duly authorized and promulgated order or regulation of the President governing persons or vessels within the limits of defensive sea areas, which defensive sea areas are hereby authorized to be established by order of the President from time to time as may be necessary in his discretion for purposes of national defense, shall be punished on conviction thereof in a district or circuit court of appeals of the United States for the district or circuit in which the offense is committed, or into which the offender is first brought, by a fine of not more than $5,000, or by imprisonment for a term not exceeding five years, or by both, in the discretion of the court. *Provided*, offenses hereunder committed within the Canal Zone or within any defensive sea areas which the President is authorized to establish by this section, shall be cognizable in the District Court of the Canal Zone, and jurisdiction is hereby conferred upon said court to hear and determine all such cases arising under this section and to impose the penalties herein provided for the violation of any of its provisions. *Sec. 1, act 7 July 1898 (30 Stat. 717), as amended by sec. 44, act 4 March 1909 (35 Stat. 1097), as amended by act 4 March 1917 (39 Stat. 1194), as amended by sec. 19, act 22 May 1917 (40 Stat. 89; 18 U. S. C. 96).*

36. Unlawfully entering military reservation, fort, or arsenal.—Whoever, within the territory or jurisdiction of the United States, including the Canal Zone, Puerto Rico, and the Philippine Islands, shall go upon any military reservation, Army post, fort, or arsenal, for any purpose prohibited by law or military regulation made in pursuance of law, or whoever shall reenter or be found within any such reservation, post, fort, or arsenal, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof, shall be fined not more than $500, or imprisoned not more than six months, or both. *Sec. 45, act 4 March 1909 (35 Stat. 1097), as amended by act 28 March 1940 (54 Stat. 80; 18 U. S. C. 97).*

37. Unlawfully entering, remaining, leaving, or committing acts in military areas or zones.—Whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, under the authority of an Executive order of the President, by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine of not to exceed $5,000 or to imprisonment for not more than one year, or both, for each offense. *Act 21 March 1942 (56 Stat. 173; 18 U. S. C. Sup. 97a).*

38. Possession or control of property or papers in aid of foreign government designed or intended for violating penal statutes, treaty rights, or obligations of United States; or rights under law of nations.—Whoever, in aid of any foreign Government, shall knowingly and willfully have possession of or control over any property or papers designed or intended for use or which is used as the means of violating any penal statute, or any of the rights or obligations of the United States under any treaty or the law of nations, shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $1,000. The words "foreign government", as used in this Act and in sections 156, 157, 161, 170, 171, 172, 173, and 220 of the Act of 4 March 1909, entitled "An Act to codify, revise, and amend the penal laws of the United States," shall be deemed to include any Government, faction, or body of insurgents within a country with which the United States is at peace, which Government, faction, or body of insurgents may or may not have been recognized by the United States as a Government. *Sec. 4, act 15 June 1917 (40 Stat. 226); sec. 22, act 15 June 1917 (40 Stat. 230), as amended by sec. 8, act 28 March 1940 (54 Stat. 80; 18 U. S. C. 98).*

39. Robbery of personal property of Uniter States.—Whoever shall rob another of any kind or description of personal property belonging to the United States, or shall feloniously take and carry away the same, shall be fined not more than $5,000, or imprisoned not more than ten years, or both. *Sec. 46, act 4 March 1909 (35 Stat. 1097; 18 U. S. C. 99.)*

40. Embezzling public moneys or other property.—Whoever shall embezzle, steal, or purloin any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, shall be fined not more than $5,000, or imprisoned not more than five years, or both. *Sec. 1, act 3 March 1875 (18 Stat. 479), as amended by sec. 47, act 4 March 1909 (35 Stat. 1097; 18 U. S. C. 100).*

41. Receiving stolen public property.—Whoever shall receive, conceal, or aid in concealing, or shall have or retain in his possession with intent to convert to his own use or gain, any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, which has theretofore been embezzled, stolen, or purloined by any other person, knowing the same to have been so embezzled, stolen, or purloined, shall be fined not more than $5,000, or imprisoned not more than five years, or both; and such person may be tried either before or after the conviction of the principal offender. *Sec. 2, act 3 March 1875 (18 Stat. 479), as amended by sec. 48, act 4 March 1909 (35 Stat. 1098; 18 U. S. C. 101).*

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42. Injuries to telegraph lines.—Whoever shall willfully or maliciously injure or destroy any of the works, property, or material of any telegraph, telephone, or cable line, or system, operated or controlled by the United States, whether constructed or in process of construction, or shall willfully or maliciously interfere in any way with the working or use of any such line, or system, or shall willfully or maliciously obstruct, hinder, or delay the transmission of any communication over any such line, or system, shall be fined not more than $1,000, or imprisoned not more than three years, or both. *Act 23 June 1874 (18 Stat. 250), as amended by sec. 60, act 4 March 1909 (35 Stat. 1099; 18 U. S. C. 116).*

43. Falsely making or forging naval, military, or official pass.—Whoever shall falsely make, forge, counterfeit, alter, or tamper with any naval, military, or with wrongful or fraudulent intent, shall use or have in his possession any such pass or permit, or shall personate or falsely represent himself to be or not to be a person to whom such pass or permit has been duly issued, or shall willfully allow any other person to have or use any such pass or permit, issued for his use alone, shall be fined not more than $2,000 or imprisoned not more than five years, or both. *Sec. 3, act of 15 June 1917 (40 Stat. 228; 18 U. S. C. 132.)*

SECTION IX

FOREIGN AGENTS AND PROPAGANDA

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44. Acting as foreign governmental agent without notice to Secretary of State.—Whoever, other than a diplomatic or consular officer or attache, shall act in the United States as an agent of a foreign government without prior notification to the Secretary of State shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $5,000. *Sec. 3, act 15 June 1917 (40 Stat. 226), as amended by sec. 6, act 28 March 1940 (54 Stat. 80; 22 U.S.C. 601).*

SECTION X

OFFENSES AGAINST EXISTENCE OF GOVERNMENT

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45. Criminal correspondence with foreign governments; redress of private injuries excepted.—Every citizen of the United States, whether actually resident or abiding within the same, or in any place subject to the jurisdiction thereof, or in any foreign country, who, without the permission or authority of the Government, directly or indirectly, commences or carries on any verbal or written correspondence or intercourse with any foreign government or any officer or agent thereof, with an intent to influence the measures or conduct of any foreign gov-

LAWS, EXECUTIVE ORDERS, ETC., PERTAINING TO SAFEGUARDING MILITARY INFORMATION

CHANGES No. 1

WAR DEPARTMENT,
WASHINGTON 25, D. C., 25 September 1943.

AR 380–10, 20 September 1943, is changed as follows:

43. Falsely making or forging naval, military, or official pass.—Whoever shall falsely make, forge, counterfeit, alter, or tamper with any naval, military, or official pass or permit, issued by or under the authority of the United States, or with wrongful or fraudulent intent, shall use or have in his possession any such pass or permit, or shall personate or falsely represent himself to be or not to be a person to whom such pass or permit has been duly issued, or shall willfully allow any other person to have or use any such pass or permit, issued for his use alone, shall be fined not more than $2,000 or imprisoned not more than five years, or both. *Sec. 3, act of 15 June 1917 (40 Stat. 228; 18 U. S. C. 132).*

[A. G. 380.01 (25 Sep 43).] (C 1, 25 Sep 43.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

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ernment or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the Government of the United States; and every person, being a citizen of or resident within the United States or in any place subject to the jurisdiction thereof, and not duly authorized, who counsels, advises, or assists in any such correspondence with such intent, shall be fined not more than $5,000 and imprisoned not more than three years; but nothing in this section shall be construed to abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government or any of its agents or subjects. *Sec. 5, act 4 March 1909 (35 Stat. 1088), as amended by act 22 April 1932 (47 Stat. 132; 18 U.S.C. 5).*

46. Organizations carrying on subversive political and civilian military activities; definitions.—For the purposes of this Act—

(a) The term "Attorney General" means the Attorney General of the United States;

(b) The term "organization" means any group, club, league, society, committee, association, political party, or combination of individuals, whether incorporated or otherwise, but such term shall not include any corporation, association, community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes;

(c) The term "political activity" means any activity the purpose or aim of which, or one of the purposes or aims of which, is the control by force or overthrow of the Government of the United States or a political subdivision thereof, or any State or political subdivision thereof;

(d) An organization shall be deemed to be engaged in "civilian military activity" if (1) it gives instruction to, or prescribes instruction for, its members in the use of firearms or other weapons or any substitute therefor, or military or naval science, or (2) it receives from any other organization or from any individual instruction in military or naval science, or (3) it engages in any military or naval maneuvers or activities, or (4) it engages, either with or without arms, in drills or parades of a military or naval character, or (5) it engages in any other form of organized activity which in the opinion of the Attorney General constitutes preparation for military action; and

(e) An organization shall be deemed "subject to foreign control" if (1) it solicits or accepts financial contributions, loans, or support of any kind, directly or indirectly, from, or is affiliated directly or indirectly with, a foreign government or a political subdivision thereof, or an agent, agency, or instrumentality of a foreign government or political subdivision thereof, or a political party in a foreign country, or an international political organization, or (2) its policies, or any of them, are determined by or at the suggestion of, or in collaboration with, a foreign government or political subdivision thereof, or agent, agency, or instrumentality of a foreign government or a political subdivision thereof, or a political party in a foreign country, or an international political organization. *Sec. 1, act 17 October 1940 (54 Stat. 1201; 18 U. S. C. 14).*

47. Same; penalties.—Any violation of any of the provisions of this Act shall be punishable by a fine of not more than $10,000 or by imprisonment for not more than five years, or both. * * *. *Sec. 4, act 17 October 1940 (54 Stat. 1204; 18 U. S. C. 17).*

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SECTION XI

WILLFUL DESTRUCTION, ETC., OF WAR OR NATIONAL-DEFENSE MATERIAL

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48. Destroying or injuring national-defense materials, etc.—Whoever, with intent to injure, interfere with, or obstruct the national defense of the United States, shall willfully injure or destroy, or shall attempt to so injure or destroy, any national-defense material, national-defense premises, or national-defense utilities, as herein defined, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act 20 April 1918 (40 Stat. 533) as added by sec. 5, act 30 November 1940 (54 Stat. 1221; 50 U. S. C. 105).*

49. Making or causing national-defense material to be made in defective manner.—Whoever, with intent to injure, interfere with, or obstruct the national defense of the United States, shall willfully make or cause to be made in a defective manner, or attempt to make or cause to be made in a defective manner, any national-defense material, as herein defined, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such national-defense material, as herein defined, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act 20 April 1918 (40 Stat. 533) as added by sec. 6, act 30 November 1940 (54 Stat. 1221; 50 U. S. C. 106).*

SECTION XII

INTERFERENCE WITH HOMING PIGEONS OWNED BY UNITED STATES

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50. Prohibited acts.—It is hereby declared to be unlawful to knowingly entrap, capture, shoot, kill, possess, or in any way detain an Antwerp, or homing pigeon, commonly called carrier pigeon, which is owned by the United States or bears a band owned and issued by the United States having thereon the letters "U. S. A." or "U. S. N." and a serial number. *Sec. 1, act 19 April 1918 (40 Stat. 533; 50 U. S. C. 111).*

51. Possession of pigeons as evidence of violation of law.—The possession or detention of any pigeon described in section 1 of this Act by any person or persons in any loft, house, cage, building, or structure in the ownership or under the control of such person or persons without giving immediate notice by registered mail to the nearest military or naval authorities, shall be prima facie evidence of a violation of this Act. *Sec. 2, act 19 April 1918 (40 Stat. 533; 50 U. S. C. 112).*

52. Punishment.—Any person violating the provisions of this Act shall, upon conviction, be punished by a fine of not more than $100, or by imprisonment for not more than six months, or by both such fine and imprisonment. *Sec. 3, act 19 April 1918 (40 Stat. 533; 50 U. S. C. 113).*

SECTION XIII

WAR OFFENSES

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53. Relieving, corresponding with, or aiding the enemy.—Whosoever relieves or attempts to relieve the enemy with arms, ammunition, supplies, money, or other things, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death or such other punishment as a court-martial or military commission may direct. *Act 4 June 1920, AW81 (41 Stat. 804; 10 U. S. C. 1553).*

54. Spies.—Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death. *Act 4 June 1920, AW82 (41 Stat. 804; 10 U. S. C. 1554).*

SECTION XIV

MILITARY AREAS, ETC.

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55. Executive order—Secretary of War authorized to prescribe military areas.—The following Executive Order (No. 9066) is published for the information and guidance of all concerned:

AUTHORIZING THE SECRETARY OF WAR TO PRESCRIBE MILITARY AREAS.

WHEREAS the successful prosecution of the War requires every possible protection against espionage and against sabotage to national-defense material, national defense premises, and national-defense utilities as defined in sec. 4 act 20 April 1918, (40 Stat. 533), as amended by act 30 November 1940, (54 Stat. 1220), and act 21 August 1941, (55 Stat. 655; 50 U. S. C. 104):

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, and Commander in Chief of the Army and Navy, I hereby authorize and direct the Secretary of War, and the Military Commanders whom he may from time to time designate, whenever he or any designated Commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion. The Secretary of War is hereby authorized to provide for residents of any such area who are excluded therefrom, such transportation, food, shelter, and other accommodations as may be necessary, in the judgment of the Secretary of War or the said Military Commander, and until other arrangements are made, to accomplish the purpose of this order. The designation of military areas in any region or locality shall supersede designations of prohibited and restricted areas by the Attorney General, under the Proclamations of 7 and 8 December 1941, and shall supersede the responsibility and authority of the Attorney General under the said Proclamations in respect of such prohibited and restricted areas.

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I hereby further authorize and direct the Secretary of War and the said Military Commanders to take such other steps as he or the appropriate Military Commander may deem advisable to enforce compliance with the restrictions applicable to each Military area hereinabove authorized to be designated, including the use of Federal troops and other Federal Agencies, with authority to accept assistance of state and local agencies.

I hereby further authorize and direct all Executive Departments, Independent establishments and other Federal Agencies, to assist the Secretary of War or the said Military Commanders in carrying out this Executive Order, including the furnishing of medical aid, hospitalization, food, clothing, transportation, use of land, shelter, and other supplies, equipment, utilities, facilities, and services.

This order shall not be construed as modifying or limiting in any way the authority heretofore granted under E. O. 8972, 12 December 1941, nor shall it be construed as limiting or modifying the duty and responsibility of the Federal Bureau of Investigation, with respecqt to the investigation of alleged acts of sabotage or the duty and responsibility of the Attorney General and the Department of Justice under the Proclamations of 7 and 8 December 1941, prescribing regulations for the conduct and control of alien enemies, except as such duty and responsibility is superseded by the designation of military areas hereunder. 7 *F. R. 1407.*

56. Executive Order (No. 8972) authorizing the Secretary of War and the Secretary of the Navy to establish and maintain military guard and patrols, and to take other appropriate measures, to protect certain national-defense material, premises, and utilities from injury or destruction.

WHEREAS the United States is now at war; and

WHEREAS there exists a serious and immediate potential danger of sabotage to national-defense material, national-defense premises, and national-defense utilities which may menace our maximum productive effort; and

WHEREAS the Congress of the United States has in recent enactments recognized this danger by enjoining efforts to injure, interfere with, or obstruct the national defense, and providing severe penalties therefor; and

WHEREAS it is considered necessary in the interests of national defense that in particular situations where hazardous, dangerous, or other unfavorable conditions may from time to time exist, special precautionary measures be taken by establishing and maintaining military guards and patrols or other appropriate means to protect from injury or destruction national-defense material, national-defense premises, and national-defense utilities;

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, and Commander-in-Chief of the Army and Navy of the United States, I hereby authorize and direct the Secretary of War, whenever he deems such action to be necessary or desirable, and the Secretary of the Navy, whenever he deems such action to be necessary or desirable, to establish and maintain military guards and patrols, and to take other appropriate measures, to protect from injury or destruction national-defense material, national-defense premises, and national-defense utilities, as defined in act of 20 April 1918 (40 Stat. 533), as amended by act of 30 November 1940 (54 Stat. 1220), and act of 21 August 1941 (55 Stat. 655).

This order shall not be construed as limiting or modifying the duty and responsibility of the Federal Bureau of Investigation, Department of Justice, with respect to the Investigation of alleged acts of sabotage. (6 F. R. 6420.)

SECTION XV

MISCELLANEOUS ACTS

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57. Eligibility for award of contract restricted to citizens; employment of aliens.—Only citizens of the United States, and corporations of which not less than three-fourths of the capital stock is owned by citizens of the United States, and of which the members of the boards of directors are citizens of the United States, and having manufacturing plants located within the continental limits of the United States shall be eligible to be awarded any contract under this section to furnish or construct aircraft, aircraft parts or aeronautical accessories for the United States Government, except that a domestic corporation whose stock shall be listed on a stock exchange shall not be barred by the provisions of this section unless and until foreign ownership or control of a majority of its stock shall be known to the Secretary of War or the Secretary of the Navy, as the case may be, and no aliens employed by a contractor for furnishing or constructing aircraft, or aircraft parts, or aeronautical accessories for the United States shall be permitted to have access to the plans or specifications or the work under construction or to participate in the contract trials without the written consent beforehand of the Secretary of the department concerned. *Sec. 10 (j), act 2 July 1926 (44 Stat. 787; 10 U. S. C. 310 (j)).*

58. Protection of diplomatic codes.—Whoever, by virtue of his employment by the United States, shall obtain from another or shall have custody of or access to, or shall have had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or competent authority, publish or furnish to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act 10 June 1933 (48 Stat. 122; 22 U. S. C. 135).*

SECTION XVI

LAWS AND REGULATIONS GOVERNING INTERNATIONAL TRAFFIC IN ARMS

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59. Special provisions in regard to military secrets.—*a.* Under provisions of Part V of the Laws and Regulations Administered by the Department of State Governing the International Traffic in Arms, Ammunition, and Implements of War and Other Munitions of War, 1939, the Secretary of State will not issue a license authorizing the exportation of any arms, ammunition, or implements of war considered by the Secretary of War or by the Secretary of the Navy as instruments or appliances included among the articles covered by those terms as used in this act if, in their opinion, they involve military secrets of interest to the national defense. The articles which may be so considered are those falling within one of the following categories.

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(1) Articles, the whole or any features of which have been or are being developed or manufactured by or for the War Department, or the Navy Department or with the participation of either of the Departments; and

(2) Articles, the whole or any features of which have been used or are being used by the War Department or the Navy Department or which either Department has contracted to procure.

b. Included among articles developed by or for the War Department or the Navy Department are those which have been contracted for by either of those Departments, or which have been developed in accordance with Army or Navy specifications and submitted to either Department for evaluation for procurement.

c. Prospective exporters of arms, ammunition, and implements of war should, before applying for a license to authorize the exportation of any article falling within the above categories which may possibly involve military secrets of interest to the national defense, communicate with the Secretary of State in advance of the proposed shipment in order that he may be in a position to ascertain for the prospective exporter whether or not military secrets are, in fact, involved therein. The articles upon which a determination is requested should be designated clearly and specifically, the type and model designations being included. Where applicable, Army or Navy drawing numbers should be given, or detailed plans and specifications submitted. *See 4 F. R. 4518.*

[A. G. 380.01 (23 Jul 43).]

BY ORDER OF THE SECRETARY OF WAR.

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

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ARMY REGULATIONS } WAR DEPARTMENT,
No. 380–5 } WASHINGTON, *June 10, 1939.*

SAFEGUARDING MILITARY INFORMATION*

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SECTION I

GENERAL

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1. **Definitions.**—To facilitate an understanding of these regulations, the following terms are defined:

a. Aircraft.—The term "aircraft" includes all weight-carrying devices or structures designed to be supported by the air, either by buoyance or by dynamic action.

b. Airspace reservation.—An airspace reservation is the airspace located above an area on the surface of the land or water, designated and set apart by Executive order of the President or by a State, Commonwealth, or Territory, over which the flight of aircraft is prohibited, or restricted for the purpose of national defense or for other governmental purposes.

c. Classified military information.—Classified military information includes all information concerning documents, cryptographic devices, development proj-

*This pamphlet supersedes AR 30–1205, December 30, 1924; AR 330–5, September 23, 1937; AR 335–5, July 1937; and section VI, AR 850–25, July 23, 1936.

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ects, and matériel classified as *secret, confidential,* or *restricted,* as well as the items themselves. All other military information, documents, development projects, and matériel are regarded as unclassified.

d. Cryptographic material.—Cryptographic material includes all documents and devices employed in changing plain-language messages into unintelligible form by means of codes and ciphers.

e. Cryptographic security.—Cryptographic security is that branch of signal communication which deals with the provision of technically sound cryptographic systems, their proper use, and their careful safeguarding.

f. Document.—The term "document" includes printed, mimeographed, typed, photostated, and written matter of all kinds; maps, photomaps, and aerial photographs and mosaics; drawings, sketches, notes, and blueprints, or photostatic copies thereof; photographs and photographic negatives; engineering data; correspondence and plans relating to research and development projects; and all other similar matter.

g. Engineering data.—The term "engineering data" comprises drawings, blueprints, photostats, photographs, mathematical calculations, formulas, processes, and all similar items that can be reduced to documentary form.

h. Foreign government.—The term "foreign government" includes any recognized or nonrecognized government and any faction or body of insurgents within a country with which the United States is at peace.

i. Matériel.—The term "matériel" comprises military arms, armament, equipment, and supplies of all classes, both complete and in process of development and construction, models that show features in whole or in part, designs, mock-ups, jigs, fixtures, and dies, and all other components or accessories of military equipment.

j. Mock-up.—A mock-up is a model, usually full size and constructed of inexpensive material, made for the purpose of studying the construction and use of an article of matériel or mechanical device.

k. Paraphrasing.—Paraphrasing is the changing of the word order or words and the length of a message without changing the meaning.

l. Photomap.—A photomap is a reproduction of an aerial mosaic, composite, or single vertical used in place of or to supplement a map.

m. Registered document.—A registered document is a secret or confidential document or cryptographic device which is assigned a register number for use in accounting to the office of record at periodic intervals.

n. Reserved area.—A reserved area is an area on the surface of the land or water designated and set apart by Executive order of the President for purposes of national defense, admittance to which is either prohibited or restricted.

o. Short title.—A short title is a designation applied to a registered document for purposes of security and brevity. It consists of figures, letters, words, or combinations thereof, and an abbreviated designation of the office of origin without giving any information relative to classification or content of the document.

p. United States.—The term "United States" as used in this Act includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States. *Sec. 1, Title XIII, act June 15, 1917 (40 Stat. 231); 59 U. S. C. 40; M. L. 1929, sec. 2187.*

q. Visitor.—As used in these regulations a visitor is any person admitted to a Government or commercial manufacturing establishment engaged in classified work or project for the War Department except—

(1) A person employed on the work or project, or

(2) A person directly and officially concerned with the work or project.

2. Responsibility.—*a.* The safeguarding of classified military information is the responsibility of all military personnel, of civilian employees of the War Department, and of the management and employees of all commercial firms engaged in classified work or projects for the War Department. Classified military information will be discussed only with military or civilian personnel having a legitimate interest therein.

b. Commanding officers, administrative officers, and procurement agencies are responsible that military personnel, civilian employees of the War Department, and the management and employees of commercial firms engaged in classified projects or developments for the War Department are familiar with the pertinent provisions of these regulations.

3. Right to possess classified military information.—*a.* No person in the military service or employed by it is entitled to classified military information solely by virtue of his commission or official position. Such information will be entrusted only to those who need it in the performance of their official duties and to insure teamwork and efficient instruction of personnel, proper planning, or proper maintenance of equipment.

b. Photographs of classified features of military equipment or of other classified items will be made by members of the military service or by civilian employees of the War Department only when necessary in the conduct of their official duties and if made will not be developed or printed in commercial establishments or retained in their personal possession.

4. Dissemination of classified military information.—*a.* When classified military information is disseminated under the provisions of these regulations to persons not subject to military law, they will be informed that it affects the national defense of the United States within the meaning of the Espionage Act and that its transmission to an unauthorized person is prohibited.

b. Publication of articles by military personnel.—The inclusion of classified military information in any article published by a member of the Army of the United States is prohibited unless specifically authorized by the War Department. For additional information relative to publication of articles see AR 310-10, 600-10, and 600-700.

c. Oral discussions of classified military information.—Either public or private discussion of classified military information by members of the military service with or in the presence of unauthorized personnel is strictly forbidden.

5. Requests for military information.—*a.* Requests from private individuals or firms for classified military information will be referred through channels to the corps area commander or chief of the arm or service concerned, who, if unable to make reply or if another agency is interested, will refer the matter to The Adjutant General for appropriate action.

b. Requests for military information by foreign nationals, including representatives of foreign governments, such as military and air attachés, will be referred to the Military Intelligence Division, War Department General Staff, for necessary action.

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6. One classification only.—A document or article of matériel will not be assigned more than one of the three classifications—*secret, confidential,* or *restricted,* but should this happen through error the more restrictive classification will apply.

7. Overclassification.—Documents or matériel requiring classification under the provisions of these regulations will be assigned the least restrictive classification consistent with the proper safeguarding of the information or matériel concerned. Overclassification will be avoided.

8. Secret matter.—*a. When classified secret.*—Documents, cryptographic devices, development projects, or articles of matériel will be classified and, if practicable, marked *secret* when disclosure of the information or features contained therein might endanger national security, cause serious injury to the interest or prestige of the nation or any governmental activity, or would be of great advantage to a foreign nation.

b. Examples of items classified as secret.

(1) War plans.

(2) Documents relating to the design and development of new matériel and containing information of the type described in *a* above.

(3) Codes, ciphers, and cryptographic devices used to transmit secret information.

(4) Certain military maps and photomaps.

(*a*) In the continental United States, those illustrating and identified with a war plan, including local defense plans, defense projects, or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan, including local defense plans, defense projects, or any phase thereof; those showing the lay-out of permanent defense works and naval bases and the adjacent terrain vital to their defense; and those that serve to fix definitely the location of any element of permanent defense works and naval bases.

(5) Information concerning items of matériel and methods of assembly classified as *secret* by a chief of arm or service.

(6) Photographs, photostats, diagrams, or models of any secret document or essential part of secret matériel.

c. Authority to classify as secret.—Matters may be classified as *secret* only by or by authority of the Secretary of War; the Assistant Secretary of War; the Chief of Staff, or an Assistant Chief of Staff of the War Department General Staff; a chief of arm, service, or bureau; a general officer; the commanding officer of a depot, post, camp, or station; the commandant of a general or special service school; or a military attaché.

d. Dissemination of secret matter.—The dissemination of secret matter will be held to the absolute minimum. Information as to the contents or whereabouts of secret matter will be disclosed only to those persons whose duties require such knowledge. It is exclusively for the official use of the person to whom it is divulged or issued, who will be responsible for its safe custody and security. Its inviolability is the duty and responsibility of all persons having knowledge thereof, no matter how obtained.

9. Confidential matter.—*a. When classified as confidential.*—Documents, cryptographic devices, development projects, and articles of matériel will be classified and, if practicable, marked *confidential* when disclosure of the information contained therein, although not endangering the national security, might be prejudicial to the interest or prestige of the United States, a governmental activity, or an individual, or be of advantage to a foreign nation.

b. Examples of items classified as confidential:

(1) Regulations governing joint action of the Army and the Navy.

(2) Documents relating to the design and development of new matériel and containing information of the type described in *a* above.

(3) Codes, ciphers, and cryptographic devices used to transmit confidential information.

(4) Certain military maps and photomaps.

(*a*) In the continental United States, those showing lay-out of the permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases; except that when the complete map of a defense area consists of more than one sheet, only those sheets showing defense elements need be classified as *confidential.*

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as *secret,* showing lay-out of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, proving grounds, or any area vital to defense.

(5) Technical information, such as research of processes of manufacture which may be a distinct military asset and not a matter of general knowledge, and other technical items of the type described in *a* above.

(6) Photographs, photostats, diagrams, or models of any confidential document or essential part of confidential matériel.

(7) Certain reports, orders, or instructions pertaining to individuals, such as those relating to investigations, special assignments, and others.

c. Authority to classify as confidential.—Documents, development projects, matériel, or technical information may be classified as *confidential* by any commissioned officer.

d. Dissemination of confidential matter.—Confidential military information will neither be discussed with nor disclosed to unauthorized persons. The contents or whereabouts of confidential documents, cryptographic devices, or matériel will be disclosed only to those persons in the Government service whose duties require that they have such knowledge and to such other persons of especial trust who must be informed. Those to whom confidential information is entrusted or disclosed are responsible for its safe custody and security.

10. Restricted matter.—*a. When classified as restricted.*—A document, cryptographic device, development project, or article of matériel will be classified and, if practicable, marked *restricted* when information contained therein is for offi-

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cial use only, or when its disclosure should be limited for reasons of administrative privacy or denied the general public.

b. Examples of items classified as restricted.

(1) Certain parts of mobilization plans and regulations.

(2) Documents relating to the design and development of new matériel containing information of the type described in *a* above.

(3) Procurement plans.

(4) Codes, ciphers, and cryptographic devices used to transmit restricted information.

(5) Certain training and technical regulations.

(6) Certain Army extension courses.

(7) Certain documents regarding engineering principles and design details, composition, method of processing or assembling, which are vital to the functioning or use of an article of matériel.

(8) Certain military maps and photomaps.

(*a*) In the continental United States, those showing lay-out of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified which are not suitable for public release; and

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified which are not suitable for public release.

(9) Photographs, photostats, diagrams, or models of any restricted document or essential part of restricted matériel.

(10) All information relative to war reserves.

c. Authority to classify as restricted.—Documents, development projects, technical data, and matériel may be classified as *restricted* by any commissioned officer.

d. Dissemination of restricted matter.—The information contained in restricted documents and the essential characteristics of restricted matériel will not be communicated to the public or to the press, but may be given to any person known to be in the service of the United States and to persons of undoubted loyalty and discretion who are cooperating in Government work.

11. **Classification of information from other governmental agencies.**—Information obtained from the Navy Department or other governmental agency will be placed in the same relative classification as that in which it is carried by the controlling agency.

12. **Testimony before Congress.**—*a.* When a person in the military service appears before a committee of Congress and is called upon to give testimony which he knows to be confidential or restricted, he will respectfully request that his statements be taken in executive session only and not appear in the record of hearings, the Congressional Record, or other document open to public inspection.

b. When called upon to give testimony which he knows to be secret, unless he has previously been authorized by the Secretary of War to give such testimony, he will respectfully state that he is not authorized to disclose the information desired, and will inform the appropriate member of Congress that a written request for the specific information should be transmitted to the Secretary of War. Testimony of a secret nature, when authorized by the Secretary of War, will be given only in executive session under the conditions cited in *a* above.

With regard to policies and facts which the public interest does not require to be kept secret, confidential, or restricted, see AR 600-10.

13. **Legislation pertaining to the War Department.**—*a.* Recommendations to the War Department for legislation will be classified as *secret, confidential,* or *restricted* until released by the Secretary of War. Prior to such release, no information as to any legislative recommendation will be revealed to any individual or association not under War Department control except as may be required by law.

b. The nature and content of reports of the War Department on bills referred to it by committees of Congress will not be disclosed to individuals or agencies outside the War Department.

14. **Loss or subjection to compromise.**—Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of a secret or confidential document or article of matériel will promptly report that fact to the custodian of the document or matériel. The proper commanding officer will then make a thorough investigation of the circumstances, fix the responsibility, and send to The Adjutant General, through military channels, a report with his recommendation in the case.

15. **Reproduction of classified matter.**—*a.* Agencies entrusted with the printing or reproduction, storage, and issue of classified documents will be informed of the applicable provisions of these regulations.

b. The commandants of the general and special service schools are responsible that the printing or reproduction plants of their respective commands release no classified information to personnel or agencies not entitled thereto.

c. Chiefs of arms and services are responsible that service magazines or journals published under their supervision comply with the provisions of these regulations relative to security of classified military information.

d. Information contained in classified documents may be referred to in other documents which are unclassified or marked with a lower classification only by, or by authority of an officer qualified to classify as *secret*. See paragraph 8*c*.

e. Whenever correspondence, documents, drawings, prints, photographs, or models pertaining to secret, confidential, or restricted matériel disclose information regarding engineering principles, design details, composition, methods of processing or of assembly which are vital to the manufacture, functioning, or use of the matériel, they will be appropriately classified.

f. Clerical and technical work on secret and confidential matter will be performed only by trustworthy personnel.

g. Preparation of press releases based on coded messages.—Officers authorized to prepare information to be made public will constantly bear in mind that such material may be of great value to the enemy signal intelligence service. Information received or sent in cryptographed messages will be paraphrased prior to release to the public.

h. For additional instructions relative to the discussion of military, political, diplomatic, and classified subjects, see AR 600-700.

16. **Cancelation or change of classification.**—*a.* The authority making the original classification or higher authority may cancel or change the classification of a document by writing or stamping over the mark at the top of the first page, "Classification canceled or changed to ," or "Classifi-

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cation canceled or changed to ... by authority of ..., adding the date and the initials of the officer making the change.

b. The authority making the original classification or higher authority may cancel or change the classification of matériel by appropriate letters of instruction.

SECTION II

DOCUMENTS

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Transmission of classified documents 18
Routine correspondence, receipts, and reports 19
Storage of classified documents 20
Return of secret and confidential documents 21
Destruction of classified documents 22

17. Marking of classified documents.—*a. Manner of marking.*

(1) Classified books or pamphlets, the pages of which are permanently and securely fastened together, will be plainly and conspicuously marked or stamped *secret, confidential,* or *restricted* on the cover, title page, and first page.

(2) Classified communications and other material not permanently and securely fastened together, except as indicated in (3), (4), and (5) below, will be marked or stamped with the appropriate classification at the top and bottom of each page. The marking at the top will be so placed that it will not be hidden from view when the pages are clipped or stapled together.

(3) Classified photographic negatives, drawings, or tracings will carry a legend of the proper classification in such position that it will be reproduced on all copies made therefrom. Photographs made from negatives not so inscribed will be marked at the top and on the back with the proper classification.

(4) Contracts for the manufacture of classified matériel will be plainly and conspicuously marked, not typed, with the proper classification on the first page.

(5) Classified maps and photomaps will be appropriately marked under the scale.

b. Additional marking of classified documents issued to authorized civilians.—Documents containing classified military information furnished persons other than those of the military and naval services and their civilian employees will, in addition to being marked *secret, confidential,* or *restricted,* bear the following notation:

> 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. Its transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

c. Special marking of secret documents.—All secret documents will show the authority for the classification and the date affixed.

18. Transmission of classified documents.—*a. Secret documents.*

(1) *Between officers of the same headquarters or station.*—At headquarters commanded by an authority qualified to make the secret

classification, the commanding officer will provide for the security of interoffice transmission of secret documents.

(2) *Between posts, camps, or stations.*—Within the United States and its possessions secret documents will be transmitted by an officer-messenger or courier when practicable, otherwise by United States registered mail. When an officer-courier is not available, such documents may be transported to and from foreign countries and the Philippine Commonwealth by State Department rotary lock pouch. If neither officer-courier nor diplomatic pouch is available, the responsible officer may entrust secret documents to reliable citizens of the United States, such as officers or officials of other governmental departments or masters of vessels of United States registry. If no undue delay will result, commanding officers of ports of embarkation will entrust secret documents to the commanding officer of troops on and Army transport for delivery. If none of the foregoing means of transportation are available, corps area commanders and commanding officers of exempted stations are authorized to transmit secret documents by registered mail in a United States sea post office, provided they do not pass through any foreign postal system or that of the Philippine Commonwealth.

(3) *Preparation for transmission.*—Except when personally delivered by authorized personnel, secret documents transmitted from one person to another will be inclosed in an inner and an outer cover. Typewritten matter in the document will be protected by a cover sheet, or by a method of folding, from direct contact with the inner cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way but plainly marked *secret* so that the notation will be seen when the outer cover is removed, and will contain a receipt form which will identify the addressor, the addressee, and the document. The outer cover will be sealed and addressed in the ordinary manner with no notation to indicate its secret classification.

(4) *Action upon receipt of secret matter.*

(*a*) Prior to opening a sealed package or envelope containing secret documents, the seals and wrappers will be carefully inspected to determine whether there has been any tampering. If any evidence of tampering is noted, the facts will be reported immediately to the issuing authority, who will initiate an investigation without delay.

(*b*) The inner cover, marked *secret,* will be opened only by the person to whom addressed or by personnel specifically designated by him. The receipt form will be dated and signed and immediately returned to the sender. The inner cover will be destroyed by burning if the subject matter of the inclosure has been in contact therewith.

(5) *Transmission by aircraft.*—Secret documents, except those used by Air Corps personnel during flight, will be transported by aircraft only under exceptional circumstances. When so transported they will be securely wrapped and placed in the custody of an officer

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other than the pilot. When the flight is to be made over water the document will also be weighted.

b. Confidential documents.—(1) *Between offices, posts, camps, or stations.*—Confidential documents may be transmitted by any authorized messenger, insured express, or registered mail to any point in the United States and its possessions, provided they do not pass through a foreign postal system and are carried in ships of United States registry.

(2) *Preparation for transmission.*—A confidential document will be prepared for transmission in the same manner as a secret document except that the inner cover will contain a receipt form only when the sender deems it necessary and may be opened by any responsible person authorized by the addressee.

(3) *Transmission by aircraft.*—Confidential documents, except those used by Air Corps personnel during flight, will be transported by military aircraft or by registered air mail only when in the opinion of the responsible officer the emergency demands it.

c. Restricted documents.—Restricted documents may be transmitted by any authorized messenger, or by ordinary mail, express, or freight to any point in the United States and its possessions, provided they do not pass through a foreign postal system and are carried on ships of United States registry.

19. **Routine correspondence, receipts, and reports.**—Routine correspondence, receipts, or returns, and reports of possession, transfer, or destruction need not be classified if reference therein to classified or registered documents is made by file number or short title only, with no indication of the subject matter or classification.

20. **Storage of classified documents.**—*a. Storage of classified documents not registered.*—(1) Secret and confidential documents, other than registered documents, will be stored in the most secure files available in a room that is kept locked when not in use.

(2) Restricted documents will be stored and handled in such a manner as to insure a reasonable degree of security.

b. Storage of registered documents.—(1) Registered documents will be stored in the most secure space available, preferably the equivalent of a three combination safe.

(2) Only commissioned officers, warrant officers, and specially trusted enlisted men and civilian employees will be permitted to have access to the containers of registered documents or the combinations or keys thereto.

(3) Safes containing registered documents will habitually be kept locked with the full combination whenever they are not under the direct and supervision of a person officially entrusted with the combination.

c. Cryptographic documents.—So far as practicable, cipher tables, alphabets, and keys will not be kept in the same container as the code books, documents, and devices to which they apply.

d. Daily inspection.—At every headquarters an inspection will be made each day immediately before the close of business to insure that all secret and confidential documents and cryptographic devices have been properly put away.

Security in the field.—In tactical operations, actual or simulated, the commanding officer of the unit concerned is responsible that all documents are given the maximum security possible under the circumstances. No secret document will be taken into the front lines.

21. **Return of secret and confidential documents.**—Upon change of station or separation from the military service, an officer will return to the source from which received, or otherwise properly account for, all secret and confidential documents which have been issued to him.

22. **Destruction of classified documents.**—*a. Secret and confidential documents.*—(1) When competent authority directs the destruction of secret or confidential documents, they will be burned in the presence of an officer, who will submit a certificate of destruction to the headquarters concerned. If the documents are registered, the certificate will be sent to the officer directing the destruction, who will forward it to the office of record indicated in the registered document.

(2) Preliminary drafts, carbon sheets, plates, stencils, stenographic notes, and work sheets containing secret or confidential data will be destroyed by their persons responsible for their production or immediately after they have served their purpose, or will be given the same classification and safeguarded in the same manner as the material produced from them.

b. Restricted documents.—Restricted documents will be destroyed in any convenient way which will render them useless.

SECTION III
REGISTERED DOCUMENTS

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23. **Authority to designate.**—Officers authorized to originate and issue secret or confidential documents will designate as *registered* such secret and confidential documents issued by them as they deem necessary in the interest of national defense. *Only documents of exceptional importance will be registered.*

24. **Additional marking.**—*a.* In addition to the marking *secret* or *confidential*, the title page or inside front cover of a registered document will ordinarily show the register number, short title, office of record to which returns will be made, and instructions covering the returns for its accounting and for its ultimate disposal. If this is not practicable, the required data will accompany the registered document on a separate sheet.

b. All references to registered documents in semiannual or transfer reports, ordinary reports of destruction, or unclassified documents or correspondence will be by short title only, and such reports or correspondence need not be classified. Any correspondence or paper which refers to a registered document by a title

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other than the short title must have the same classification as the registered document.

25. Revised edition.—A new or revised edition of an old registered document should be assigned a new short title.

26. Notification of change of classification.—When the classification of a registered document is changed, the office of record will notify all offices to which it has been issued.

27. Inventory and report of possession.—*a.* Custodians will keep a complete inventory of all registered documents except those listed in *c* below and will make, or have made, on June 30 and December 31 of each year, an accurate return therefor to the proper office of record.

b. In making a semiannual report of possession the following details will be observed:

(1) Each item will be physically inspected and its register number checked against the inventory.

(2) At headquarters having two or more commissioned officers the custodian and one other disinterested officer will make the inventory and both will sign the report. If the headquarters has only one commissioned officer, the report will so state.

c. No semiannual report of possession will be made of—

(1) Training editions of code books, cipher alphabets, or keys, or of nonregistered cipher devices accounted for as ordinary property.

(2) Registered documents which have been placed in custody or storage for historical purposes.

d. Whenever a registered document is found which is not charged to the finder, a reasonable effort will be made to determine the office to which it pertains. If this is not found, the document will be forwarded through military channels to the issuing authority for disposition.

28. Report of transfer.—*a.* When a registered document is transferred from one person to another, a certificate of transfer in triplicate will be made. The certificate, containing an acknowledgment of receipt by the receiving officer, will be dated and signed by the transferring officer.

b. Immediately upon completion of the transfer, the original of the transfer certificate will be forwarded direct to the office of origin. A copy of the certificate of transfer will be retained by each of the officers concerned.

c. Whenever a registered document is removed from its proper place of custody and issued to another person, the custodian will require a written receipt.

29. Prescribed forms.—*a.* War Department Form No. 32 (Record Card—Registered Documents and Devices) will be used for recording all temporary transactions involving an individual registered document.

b. War Department Form No. 33 (Record Card—Registered Documents and Devices—Station) will be used by each officer making a consolidated record of all transactions concerning registered documents. It serves as a check to prevent the undiscovered loss of the individual card, War Department Form No. 32.

c. War Department Form No. 34 (Semiannual or Transfer Report of Registered Documents or Devices) will be used in transferring registered documents and in reporting the semiannual inventory thereof.

SECTION VI

CRYPTOGRAPHIC SECURITY

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30. Authorization of cryptographic systems.—All codes, ciphers, and cipher devices intended for use in the military service will be authorized only by the War Department. For forces in the field in time of war, this authority will be delegated to the commanding general, GHQ, and may be delegated to theater commanders and to oversea department commanders for special use within their departments.

31. Personal use of authorized codes forbidden.—The use of any authorized code, cipher system, or cipher device for cryptographing personal messages is forbidden.

32. Personnel authorized to perform cryptographic duties.—*a. Secret messages.*—The cryptographing and decryptographing of messages classified as *secret* will be performed only under the direct supervision of a commissioned officer. It is preferable that this class of work be done by commissioned officers, but the commanding officer may in his discretion authorize by name, in writing, its performance by exceptionally reliable warrant officers, enlisted men, or civilian employees.

b. Confidential messages.

(1) At all headquarters in time of peace and at headquarters of divisions and larger units in time of war, the cryptographing and decryptographing of confidential messages will be performed by the personnel as prescribed for secret messages.

(2) At all headquarters of units smaller than a division in time of war, messages classified as *confidential* will be cryptographed or decryptographed by personnel of the cryptographic section of the message center.

c. Restricted messages.—At all headquarters in time of peace, messages classified as *restricted* will be cryptographed or decryptographed by personnel whose duties normally require the performance of this work.

33. Cryptographic security officer.—*a.* At each headquarters maintaining a message center there will be a cryptographic security officer, who ordinarily will be the officer in charge of the message center. He will be the custodian of cryptographic material and will be responsible for all measures necessary to insure cryptographic security.

b. If the cryptographic security officer believes that, in view of his knowledge of other messages on the same or like subject, a message has been incorrectly

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classified, or if he believes that the regulations governing the drafting and classifying of the message have been violated, he will request the originator to make the necessary change in the message or in its classification. If the originator does not comply with the request of the cryptographic security officer, the matter will be referred to the commanding officer of the headquarters concerned for final decision.

c. Cryptographic duties at any station where there is no regularly constituted message center will be performed by the originator of the message, or by personnel especially designated by the commanding officer. When cryptographic work is thus performed, the files of literal plain-text messages and of cryptograms must be kept in different safes.

34. Sources of danger to cryptographic security.—By far the most prolific sources of danger to cryptographic security arise from violations of principles governing the following:

a. The physical security of technical paraphernalia pertaining to the cryptographic system.

b. The drafting of radiograms, cablegrams, and telegrams and their classification as *secret, confidential, or restricted.*

c. The selection of the specific cryptographic system and the actual cryptographing.

d. The handling and filing of literal, paraphrase, and cryptographic versions of messages.

e. The preparation of information copies and press releases in which the contents of cryptographic messages are communicated to others.

f. The selection of a means of transmission and the methods used in sending a message.

35. Responsibility for classification of messages.—*a.* Within the limitations prescribed in paragraph 41*b* the originator of a message is responsible for its classification, unless special instructions governing particular cases have been received from higher authority. He is also responsible for the proper marking of the message before forwarding it for cryptographing and transmission.

b. A message will invariably be classified and marked *secret* or *confidential* under the following circumstances:

(1) When it contains information which is secret or confidential except when marked SEND IN CLEAR above the signature of the sender. The originator will place the words SEND IN CLEAR on a message only when rapidity of transmission is of more importance than the disclosure of content.

(2) When it contains matter the transmission of which in plain language is prohibited by AR 105-25.

(3) When there will be a saving in time or in the cost of transmission.

36. Drafting messages.—*a.* Routine reports and messages which must be given a wide distribution, or whose contents may eventually be furnished the press, or which contain extracts or quotations from a newspaper, magazine, or any other document available to the public, will be prepared so as to permit their transmission in plain language or will be classified as *restricted.* When such matter is relevant to the context of a confidential or secret message and must be quoted verbatim, the quotation will be made in a separate message in a restricted code or cipher, and the confidential or secret message will state that the quotation is being sent separately.

b. Standardization of the content and form of such documents as field orders and operation instructions is necessary, but when fixed expressions are repeated in a message construction the results are exceedingly dangerous to cryptographic security. Hence stereotyped phraseology and set form of expression, especially at the beginning or end of a message, will not be used. Examples of stereotyped beginnings are as follows: "Reference your," "Reurad," "Reference my," and "Reference." Necessary references will be placed in the body of the message.

c. Words not important to the sense will be omitted. Conjunctions and prepositions will be reduced to the minimum, and every effort will be made to avoid repetition of words.

d. The originator of all classified messages will paraphrase such portions as are quoted from—

(1) A message in plain language.

(2) A message in the same or another cryptographic system.

(3) A newspaper, magazine, or document available to the public.

e. Punctuation words, such as stop, period, and comma, will be avoided whenever the meaning is clear without them. Punctuation marks should be spelled out when it is essential that they be transmitted in the body of the message.

37. Selection of cryptographic system.—*a.* Subject to modification as outlined in paragraph 33*b*, the classification *secret, confidential, or restricted* given a message by its originator governs the cryptographic system to be used in cryptographing the message.

b. Messages dealing with the same subject will normally be sent in the same cryptographic system. Only a higher headquarters concerned is authorized to change the cryptographic system employed. If a change is authorized, previous messages will not be referred to by their reference numbers.

c. The mere acknowledgment of a cryptographed message need not be classified and if unclassified will not be cryptographed.

d. When the same clear-text message is transmitted to several addressees, it will ordinarily be cryptographed but once and sent to all addressees. If this is impossible because all addressees do not have identical codes or ciphers, the text of each message which must be cryptographed in a different system will be carefully and differently paraphrased for each system before cryptographing.

38. Paraphrasing messages.—If two or more messages present only minor differences in wording, each will be paraphrased differently to destroy cryptographic similarities. The resulting paraphrases will alter not only the wording and length of original messages but will be substantially different from each other.

39. Method of handling outgoing secret messages.—*a.* The originator will prepare and number all copies of secret messages, send the original to the message center, and retain one copy for temporary file. Other carbon copies, all numbered and bearing the following notation, may be sent to local officers directly concerned:

The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked "secret."

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This copy will be safeguarded with the greatest care and will be returned to the originator without delay. All such copies will be destroyed when returned.

b. The original plain-text copy sent to the message center by the originator will be cryptographed at the cryptographic section of the message center. In message centers serving tactical units one original and one carbon copy of the cryptographed message will be made and the original will be sent to the transmitting agency. In the zone of the interior the number of copies to be made of the cryptographed message will be determined by the commanding officer of the headquarters concerned. All work sheets used in cryptographing the message will be immediately destroyed by burning.

c. The original copy of the literal plain text will be marked *Sent in secret code* and returned to the originator who will place it in his secret file for outgoing messages and destroy the retained copy by burning. Only one copy of the literal text will be filed at the originator's office.

d. The transmitting agency will send the cryptographed message, retaining at least one copy in its file of outgoing messages for final disposition in accordance with local regulations.

e. In tactical operations when time permits, secret messages will normally be carried by a staff officer or special messenger operating as a direct agent of the transmitting office. They may be transmitted by electrical or other means available to the message center when the time of transmission can be reduced thereby.

40. Method of handling incoming secret messages.—*a.* An incoming secret message will be copied in duplicate by the receiving operator; the original will go to the cryptographic section of the message center and the carbon copy to the files of the receiving station or message center, where it will be disposed of in accordance with local regulations.

b. A cryptographer will decryptograph the message, making only one copy of the decryptographed literal plain text, which will be marked *Received in secret code* and delivered to the addressee. The cryptographed version will be retained in the files of the message center, where it will be disposed of in accordance with local regulations. All work sheets used in decryptographing will be destroyed by burning. The cryptographic section will not retain any copy of the plain text in its files. The placing on the message blank of any marks or notations even remotely connected with the cryptographic system or steps in decryptographing the message, such as underlining key words, indicating groupings corresponding to lengths of columns of key, etc., is forbidden.

c. The addressee may make and circulate a limited number of carbon copies for the information of other officers directly concerned. Such copies will bear the notation and be destroyed as indicated in *b* above. Only one copy of the literal text of the message will be kept in the addressee's office.

41. Method of handling outgoing and incoming confidential messages.—*a. At administrative headquarters having fixed message centers.*—Whenever practicable, the procedure to be followed in the transmission of messages in confidential codes or ciphers will be substantially the same as that prescribed for those transmitted in secret code or cipher. They will, however, be marked and handled in accordance with provisions of these regulations governing confidential documents.

b. In tactical operations, simulated or actual.—All messages not classified as *secret* will be regarded as *confidential* but need not be so marked. The procedure to be followed is prescribed in Basic Field Manual, Volume IV, and in other pertinent regulations and instructions issued by proper authority. The policy regarding transmission of messages is as follows:

In time of emergency all radio messages except those noted below are transmitted in cryptographic form. When the tactical situation is such that time cannot be spared for cryptographing, and when the information to be transmitted, if intercepted by the enemy, cannot be acted upon in time to influence the situation in question, a commanding officer or his authorized representative may order the transmission of a message in plain language by a radio station serving his headquarters or command. See paragraph 350.

42. Method of handling restricted messages.—The procedure to be followed in the handling of messages in restricted codes and ciphers will be substantially the same as that prescribed for those in confidential code or cipher, except that the number of copies need not be limited nor need they be numbered.

43. Confirmation copies of cryptographed messages prohibited.—The sending by any means whatsoever of confirmation copies of messages transmitted in code or cipher is strictly prohibited.

44. Disposition or destruction of registered cryptographic material.—*a.* Whenever a person who has been issued registered secret or confidential codes, ciphers, cipher devices, or documents pertaining thereto, has no further need for them, he will report that fact to the Chief Signal Officer, or in the case of the field forces to the signal officer, GHQ.

b. When it has become highly probable that cryptographic material will be subject to loss or compromise, all documents and translations of messages will be destroyed by burning, and the cipher machines or devices will be destroyed beyond use or repair.

c. When cryptographic documents or devices have become unserviceable through long use, request for their replacement will be made to the issuing authority.

SECTION V

MATÉRIEL

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45. Authority to classify.—Whenever the chief of an arm or service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel, or a component thereof, shall determine that the maintenance of any degree of secrecy regarding them is suffi-

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suggestion or request of the company tending to preserve secrecy. If at any time conditions at any plant, or any action of a company or its employees, jeopardize the security of classified matter pertaining to the War Department or violate the provisions of the Espionage Act, the Army representative or inspector will request the contractor to take prompt remedial action. If adequate precautionary measures are not taken immediately, he will report promptly to the chief of the arm or service concerned and, if the situation requires, to the commanding general of the corps area in which the item is in process of manufacture.

b. When Army and Navy inspectors are on duty at the same plant, the Army inspector will coordinate all security measures with the Navy inspector in order to avoid conflicting demands upon contractors.

53. Responsibility of Government contractors.—*a.* A private individual, firm, or corporation which enters into a contract to engage in technical work for the War Department becomes responsible in matters within his or its control for the safeguarding of all secret, confidential, or restricted matters that may be disclosed or that may be developed in connection therewith. A clause to this effect will be included in such a contract, but its omission will not release the contractor from his responsibility under the Espionage Act.

b. Contractors are responsible that all classified projects allotted to subcontractors or agents are fully protected by a similar agreement.

c. Whenever for any reason a contract agreement or subcontract has been made which does not include a security clause, but later is found to involve secret, confidential, or restricted matter, the supply arm or service concerned will take the necessary steps to insure that the project or work is properly classified and that the contractor, agent, or subcontractor is informed of the classification and of his responsibility in the matter.

54. Tests of classified matériel.—Tests of classified matériel will be adequately safeguarded by all responsible officers.

55. Public display of classified matériel.—*a.* Commanding officers are responsible that all classified parts, components, or features of matériel are properly safeguarded during maneuvers, drills, parades, ceremonies, assemblages, demonstrations, or exhibitions open to the general public.

b. (1) Photographs of equipment while in process of development or those revealing processes of manufacture are prohibited unless authorized by the chief of supply arm or service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited by the instructions issued therewith.

(2) Requests for permission to take photographs of classified matériel, projects or processes of manufacture will be referred to the War Department through the proper chief of supply arm or service. If authority is granted, it will be with the understanding that the resulting photographs will be submitted to the War Department for inspection or review prior to release.

56. Release of information or sale of matériel.—*a.* Domestic sale, divulging information in connection with negotiations for foreign sale, foreign sale, and foreign manufacture of items of Army and Navy matériel and equipment are not permitted unless the War and Navy Departments are agreed that military secrecy is not compromised thereby.

International traffic in arms.

(1) The State Department administers international traffic in arms and military matériel coming within the scope of the Regulations Governing the International Traffic in Arms, Ammunitions, and Implements of War and Other Munitions of War.

(2) The State Department will not release for foreign sale any item of matériel coming within the scope of these regulations until the War and Navy Departments have stated that there is no objection to the release on grounds of secrecy affecting the national defense.

SECTION VI

VISITORS

	Paragraph
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57. Classification.—*a. Foreign nationals.*—For the purpose of these regulations foreign nationals include

(1) Representatives, officials, or employees of a foreign government having an official status.

(2) All other foreign nationals and citizens of the United States representing a foreign government, firm, or corporation.

b. United States citizens.—All citizens of the United States not included in *a* above.

58. Authority for admission.—*a. General.*—Correspondence and communications relating to visits will be routed direct between the various offices concerned.

b. Foreign nationals.

(1) Foreign nationals (see par. 57*a*) will be admitted to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects only on written authority of the Assistant Chief of Staff, G–2, War Department General Staff. Their applications will be made through the appropriate diplomatic representative and will include the following information:

(*a*) Name in full.

(*b*) Official title or position.

(*c*) Name of plant or plants to which admission is desired.

(*d*) Date of visit or dates between which visits are desired.

(*e*) Purpose of visit.

(2) Prior to authorizing a visit to a War Department or commercial manufacturing establishment engaged in classified work or projects, the Assistant Chief of Staff, G–2, War Department General Staff, will secure the recommendations of the Navy Department and the chief of the supply arm or service concerned.

c. United States citizens.—Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or com-

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mercial manufacturing establishments engaged on classified work or projects under the following conditions:

(1) Casual visitors may be admitted provided no secret, confidential, or restricted work or project is shown or discussed.

(2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating with the War Department, work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible chief of supply arm or service. Authority for admission will be in writing.

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to manufacturing establishments engaged on work for the War Department provided classified matters, projects, or processes of manufacture are not shown or discussed with them. News items, photographs, and motion pictures resulting from the visit must be submitted to the Assistant Chief of Staff, G–2, War Department General Staff, for release prior to publication.

59. Responsibility of commanding officer, Army representative, or inspector.—*a.* The commanding officer of a military manufacturing establishment or the Army representative or inspector at a commercial manufacturing establishment is the local representative of the War Department in all matters regarding the admission of visitors. If, in his opinion, the situation at the time makes the admission of a visitor inadvisable, he is empowered to postpone the visit and request instructions from the office which authorized it.

b. The commanding officer or Army representative will make a report to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of supply arm or service, giving the following information concerning foreigners who visit establishments engaged in classified projects:

(1) Name, official position, and nationality.
(2) Authority for the visit.
(3) Matters in which the visitors showed the greatest interest.
(4) General nature of questions asked.
(5) Expressed object of the visit.
(6) Inspector's estimate of the real object of the visit.
(7) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.
(8) A brief list of what was shown and explained.

60. Responsibility of Government contractors.—*a.* Contractors or subcontractors engaged in work for the War Department must place such restrictions on the movements of persons employed or entering their plants or offices as will give adequate security to secret, confidential, or restricted matters in their possession. In view of the wide differences in organization, arrangement, and physical make-up of individual plants, no specific rules are practicable. Therefore, local conditions at the plant and the classification of the project will determine the security measures to be adopted.

b. The following general procedure in regard to visitors at establishments or plants engaged in classified projects for the War Department is prescribed:

(1) Visitors will be accompanied during their stay at the plant by the inspector or Army representative, a member of his office, or some responsible person who is specifically informed as to the necessary

limitations or restrictions, the scope of the visit, and the information which may be furnished.

(2) Unless specifically authorized by the authorities mentioned in paragraph 58, visitors will not be allowed in any shop, laboratory, drafting room, or section of a plant where secret, confidential, or restricted matériel is located or where classified work is in progress, nor will they be permitted to take photographs.

c. (1) War Department contractors will submit to the contracting officer at the end of each month, and upon the completion of the work or project, a report of all visitors who have gained information concerning the classified work or projects. These reports will include the following information:

(*a*) Name, official position, and nationality.
(*b*) Address.
(*c*) Authority for visit.

(2) The contracting officer will submit the reports to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of supply arm or service.

SECTION VII

AIRSPACE RESERVATIONS, RESERVED AREAS, AND RESTRICTED AREAS

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61. Airspace reservations.—*a. Airspace reservations over military installations or reservations established by Executive order.*

(1) For reasons of national defense, flying over Aberdeen Proving Ground, portions of Fort Hoyle and Edgewood Arsenal Military Reservations, and portions of Bush River, Gunpowder River, and Chesapeake Bay—all in the State of Maryland—is prohibited or restricted by Executive Order No. 7985, October 8, 1938.

(2) For reasons of public safety, civil aircraft is forbidden by Executive Order No. 7138, August 12, 1935, to operate over the following reservations or areas except by special permission of the War Department or the Navy Department:

Picatinny Arsenal, Dover, New Jersey.
Savanna Ordnance Depot, Savanna, Illinois.
Nansemond Ordnance Depot, Portsmouth, Virginia.
Wingate Ordnance Depot, Gallup, New Mexico.
Camp Stanley Ordnance Reservation, Leon Springs, Texas.
Fort Hancock, Sandy Hook, New Jersey.
Fort Saulsbury, about 4 miles east of Milford, Delaware.
Fort Pickens, western portion of Santa Rosa Island, Pensacola Bay, Florida.
Fort Barry, near Point Bonita Lighthouse, San Francisco Bay, California.
Fort Canby, near Cape Disappointment Lighthouse, Washington.
Fort Casey, near Admiralty Head Lighthouse, Washington.

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Naval Ammunition Depot, Hingham, Massachusetts.
Naval Ammunition Depot, Fort Lafayette, New York.
Naval Ammunition Depot, Lake Denmark, New Jersey.
Naval Ammunition Depot, St. Juliens Creek, Virginia.
Naval Ammunition Depot, Hawthorne, Nevada.
Naval Ammunition Depot, Mare Island, California.
Naval Ammunition Depot, Puget Sound, Washington.
Naval Mine Depot, Yorktown, Virginia.
Naval Torpedo Station, Newport, Rhode Island.
Naval Torpedo Station, Keyport, Washington.
Naval Ordnance Plant, Baldwin, Long Island, New York.
Naval Fuel Depot, San Diego, California.
That part of the Aleutian Islands, Alaska, with their territorial waters, lying west of the 167th meridian, west longitude.

(3) Executive Order No. 8251, September 12, 1939, declares the airspace above the Canal Zone, including the territorial waters within the three-mile marine boundary at each end of the Canal as a military airspace reservation, to be known as the "Canal Zone Military Reservation," and sets forth the regulations governing the operation of private aircraft therein.

(4) By Executive Order No. 5281, February 17, 1930, the airspace over each of the following harbors, declared closed ports by Executive Order No. 1613, September 23, 1912, was reserved and set aside for governmental purposes as a prohibited area within which civil aircraft are not authorized to navigate except by special authority of the United States Navy Department:

Tortugas, Florida.
Great Harbor, Culebra.
Guantanamo Naval Station, Cuba.
Pearl Harbor, Hawaii.
Guam.
Subic Bay, Philippine Islands.
Kiska, Aleutian Islands.

b. Territory of Hawaii.—Section 3, Air Commerce Regulations of the Territory of Hawaii, prohibits private and commercial aircraft from flying over or crossing any part of Diamond Head and the fortifications of Fort Kamehameha and Fort Weaver.

c. Philippine Commonwealth.—Flying by any aircraft other than those of the United States and Philippine Governments within a distance of six miles from the perimeter of Corregidor Island, Fraile Island, Carabao Island, and Caballo Island, Manila Bay, and Subic Bay, Island of Luzon, and within two miles of the perimeter of Cavite Peninsula, Manila Bay, is prohibited by Section 80, Air Commerce Regulations, the Government of the Philippine Islands, dated October 15, 1935.

d. Responsibility of commanding officers.—The commanding officer of a military reservation, post, camp, station, or installation over which an airspace reservation has been established is responsible for the surveillance of the designated airspace and for prompt report to The Adjutant General, through military channels, of any illegal flight therein.

62. Restricted areas.—*a. Designation.*—The commanding officer of a post, camp, station, or installation is responsible for the designation and proper safeguarding of restricted areas. If local conditions dictate, he will mark all ordinary entrances or approaches to such areas with a sign reading as follows:

WARNING
RESTRICTED AREA
It is unlawful to enter within this _____ without written permission of _____
(Area, building, etc.) (Authority.)

b. Procedure in case of violation.

(1) The commanding officer of a military reservation, post, camp, station, or installation will cause any person, not subject to military law, who enters a restricted area or building, to be detained, warned of his rights, and interrogated by proper authority. If it is a first offense and there is no evidence of deliberate intent, the offender may be warned against repetition and released upon the surrender of any unlawful photograph, sketch, picture, drawing, map, or graphic representation in his possession. Otherwise the offender will be delivered without unnecessary delay to the nearest United States marshal with a written statement of the facts, the names and addresses of the witnesses, and such pertinent exhibits as may be available.

(2) When an investigation reveals that a person not subject to military law has entered such a restricted area or building, custody of the individual not having been effected, the commanding officer will promptly forward in writing to the nearest United States district attorney a report of all the facts, including the names and addresses of the witnesses.

(3) A report will be made through military channels to the corps area commander of each case brought to the attention of civil authority and will include a brief of all the facts and copies of all pertinent communications.

SECTION VIII

TROOP MOVEMENTS IN WAR

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63. General.—*a.* The provisions of this section apply only in time of war.

b. Officers and men will avoid talk or discussion of military matters while in any public place and will view with suspicion any person asking questions about military subjects or discussing such topics where there is even remote possibility that the information may reach the enemy.

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All persons connected with the military service who receive information of proposed inland or oversea movements of organizations, detachments, or individuals are forbidden to make public the details of such movements.

(1) The names of organizations, ports of embarkation, or ships to be used in troop movements, or the date of departure, arrival, or embarkation will not be disclosed.

(2) When it is necessary to advise relatives or other civilians of approaching departure, persons connected with the military service will not convey any information in regard to rail routing, probable time and date of departure from or arrival at any station, names of ships, ports of embarkation, or the destination of organizations.

c. In time of war commanding officers are responsible that their commands are instructed in the provisions of this section of the regulations and in the dangers involved in leakage of information concerning troop movements.

64. Rail movements.—The marking of cars or baggage to indicate an oversea destination, the date of departure, or the name of the ship is forbidden. Baggage for oversea shipment will be addressed to the commanding officer of the port, or, where a port of embarkation or debarkation has been established, to the port storage officer.

65. Embarkation.—*a. Admission to piers.*

(1) All persons not on official business will be excluded from the piers at all times.

(2) Only official photographers will be permitted to take cameras within the limits of the pier or overseas.

(3) Arrangements will be made to have farewells completed before arrival at the piers. No members of families, relatives, or friends of those sailing will be allowed at the piers or thereabouts on the day of sailing. Should any such persons be found there, they will be ordered away summarily by the guard and report will be made of the officer or enlisted man with whom they were seen or with whom they attempted to communicate.

b. Movement of troops.—At ports of embarkation troop movements will be made insofar as practicable without attracting undue attention. Troops will be held at ease, bands will not play, colors will be cased, and no noise of any kind will be permitted.

66. Movements of vessels.—In harbors, vessels loaded with troops or supplies will be moved under cover of darkness, whenever possible. If vessels must be moved during daylight, the commanding officer of troops will hold his men below deck or within deck superstructures to prevent attracting attention. Signals by flags or whistles should be limited to those necessary for safe navigation.

67. Overseas.—After arrival overseas no information will be given concerning names or destinations of organizations, names of vessels, data concerning convoys, routes pursued, measures taken to avoid attack, dates of arrival, debarkation, or departure, or number of troops or kind of cargoes carried.

SECTION XI
EXTRACTS FROM PERTINENT LAWS AND REGULATIONS

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68. Military reservations, unlawful entry.—Whoever shall go upon any military reservation, army post, fort, or arsenal, for any purpose prohibited by law or military regulation made in pursuance of law, or whoever shall reenter or be found within any such reservation, post, fort, or arsenal, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof, shall be fined not more than five hundred dollars, or imprisoned not more than six months or both. *Sec. 45, act March 4, 1909 (35 Stat. 1097), 8 U. S. C. 97; M. L. 1929, sec. 816.*

69. The Espionage Act.—*a. Unlawfully obtaining or permitting to be obtained information affecting national defense.*—That (a) whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, coaling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the national defense, owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers, or agents, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, or stored, under any contract or agreement with the United States, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place within the meaning of section six of this title; or (b) whoever for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or (c) whoever, for the purpose aforesaid, receives or obtains or agrees or attempts or induces or aids another to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts or induces or aids another to receive or obtain it, that it has been or will be obtained, taken, made or disposed of by any person contrary to the provisions of this title; or (d) whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book,

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sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or (e) whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, or information, relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than two years, or both. *Sec. 1, Title I, act June 15, 1917 (40 Stat. 217); 50 U. S. C. 31; M. L. 1929, sec. 2181.*

b. Unlawfully disclosing information affecting national defense.—(a) Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts to, or aids or induces another to, communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be punished by imprisonment for not more than twenty years: *Provided*, That whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished by death or by imprisonment for not more than thirty years; and (b) whoever, in time of war, with intent that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for not more than thirty years. *Sec. 2, Title I, act June 15, 1917 (40 Stat. 218); 50 U. S. C. 32; M. L. 1929, sec. 2182.*

c. Conspiracy to violate preceding sections.—If two or more persons conspire to violate the provisions of sections two or three of this title, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy. Except as above provided conspiracies to commit offenses under this title shall be punished as provided by section thirty-seven of the Act to codify, revise, and amend the penal laws of the United States approved March fourth, nineteen hundred and nine. *Sec. 4, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 34; M. L. 1929, sec. 2185.*

d. Harboring or concealing violators of law.—Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has

committed, or is about to commit, an offense under this title shall be punished by a fine of not more than $10,000 or by imprisonment for not more than two years, or both. *Sec. 5, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 35.*

e. Designation of prohibited places by proclamation.—The President in time of war or in case of national emergency may by proclamation designate any place other than those set forth in subsection (a) of section one hereof in which anything for the use of the Army or Navy is being prepared or constructed or stored as a prohibited place for the purposes of this title: *Provided*, That he shall determine that information with respect thereto would be prejudicial to the national defense. *Sec. 6, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 36; M. L. 1929, sec. 2186.*

f. Places subject to provisions of this title.—The provisions of this title shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States whether or not contiguous thereto, and offenses under this title when committed upon the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 8, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 37.*

g. Jurisdiction of courts-martial and military commissions.—Nothing contained in this title shall be deemed to limit the jurisdiction of the general courts-martial, military commissions, or naval courts-martial under sections thirteen hundred and forty-two, thirteen hundred and forty-three, and sixteen hundred and twenty-four of the Revised Statutes as amended. *Sec. 7, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 38.*

h. Jurisdiction of courts of Canal Zone and Philippine Islands of offenses on high seas.—The several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this Act committed within their respective districts, and concurrent jurisdiction with the district courts of the United States of offenses under this Act committed upon the high seas, and of conspiracies to commit such offenses, as defined by section thirty-seven of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine, and the provisions of said section; for the purpose of this Act, are hereby extended to the Philippine Islands, and to the Canal Zone. In such cases the district attorneys of the Philippine Islands and of the Canal Zone shall have the powers and perform the duties provided in this Act for United States attorneys. *Sec. 2, Title XVI, act June 15, 1917 (40 Stat. 231); 50 U. S. C. 39.*

70. **The Air Corps Act.**—* * * no aliens employed by a contractor for furnishing or constructing aircraft, or aircraft parts, or aeronautical accessories for the United States shall be permitted to have access to the plans or specifications or the work under construction or to participate in the contract trials without the written consent beforehand of the Secretary of the department concerned. *Sec. 10 (j), act July 2, 1926 (44 Stat. 780); 10 U. S. C. 310 (j); M. L. 1929, sec. 2041.*

71. **Protection of diplomatic codes.**—That whoever, by virtue of his employment by the United States, shall obtain from another or shall have custody of or access to, or shall have had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or

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competent authority, publish or furnish to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act June 10, 1933 (48 Stat. 122); 22 U. S. C. 135.*

72. Wire or radio communication.—*a. Unauthorized publication or use of communications.*—No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided*, That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast or transmitted by amateurs or others for the use of the general public or relating to ships in distress. *Act June 19, 1934 (48 Stat. 1103); 47 U. S. C. 605.*

b. General penalty.—Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing in this Act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided herein, by a fine of not more than $10,000 or by imprisonment for a term of not more than two years, or both. *Act June 19, 1934 (48 Stat. 1100); 47 U. S. C. 501.*

73. Laws and regulations governing international traffic in arms.—*a. Special provisions in regard to military secrets.*—Under the provisions of Part V of the Laws and Regulations Administered by the Department of State Governing International Traffic in Arms, Ammunition, and Implements of War and Other Munitions of War, 1938, the Secretary of State will not issue a license authorizing the exportation of any arms, ammunition, or implements of war considered by the Secretary of War or by the Secretary of the Navy as instruments or appliances included among the articles covered by those terms as used

in this act, if, in their opinion, they involve military secrets of interest to the national defense. The articles which may be so considered are those falling within one of the following categories:

(1) Articles, the whole or any features of which have been or are being developed or manufactured by or for the War Department or the Navy Department or with the participation of either of those Departments; and

(2) Articles, the whole or any features of which have been used or are being used by the War Department or the Navy Department or which either Department has contracted to procure.

b. Included among articles developed by or for the War Department or the Navy Department are those which have been contracted for by either department, or which have been developed in accordance with Army or Navy specifications and submitted to either department for evaluation for procurement.

c. Prospective exporters of arms, ammunition, and implements of war should, before applying for a license to authorize the exportation of any article falling within the above categories which may possibly involve military secrets of interest to the national defense, communicate with the Secretary of State in advance of the proposed shipment in order that he may be in a position to ascertain for the prospective exporter whether or not military secrets are, in fact, involved therein.

74. Photographs, etc., of military and naval defenses.—That, whenever, in the interests of national defense, the President shall define certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary. Any person found guilty of a violation of this section shall upon conviction be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

SEC. 2.—Any person who uses or permits or procures the use of an aircraft for the purpose of making a photograph, sketch, picture, drawing, map, or graphical representation of vital military or naval installations or equipment, in violation of the preceding section, shall be liable to the penalty therein provided.

SEC. 3.—On and after thirty days from the date upon which the President defines any vital military or naval installation or equipment as being within the category contemplated under the first section of this Act, it shall be unlawful for any person to reproduce, publish, sell, or give away any photograph, sketch, picture, drawing, map, or graphical representation of the vital military or naval installations or equipment so defined, without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, unless such photograph, sketch, picture, drawing, map, or graphical representation has clearly indicated thereon that it has been censored by the proper military or naval authority. Any person found

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guilty of a violation of this section shall upon conviction be punished as provided in the first section of this Act.

SEC. 5.—The provisions of this Act shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States, whether contiguous thereto or not, and offenses under this Act when committed upon or over the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder.

Act January 12, 1938 (52 Stat. 3).

[A.G. 312.11 (5-4-39).]

BY ORDER OF THE SECRETARY OF WAR:

MALIN CRAIG,
Chief of Staff.

OFFICIAL:

E. S. ADAMS,
Major General,
The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1939

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ARMY REGULATIONS — WAR DEPARTMENT
No. 380-5 — WASHINGTON, June 18, 1941

SAFEGUARDING MILITARY INFORMATION

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GENERAL

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1. **Definitions.**—To facilitate an understanding of these regulations, the following terms are defined:

a. Aircraft.—The term "aircraft" includes all weight-carrying devices or structures designed to be supported by the air, either by buoyance or by dynamic action.

b. Airspace reservation.—An airspace reservation is the airspace located above an area on the surface of the land or water, designated and set apart by Executive order of the President or by a State, Commonwealth, or Territory, over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes.

c. Classified military information.—Classified military information includes all information concerning documents, cryptographic devices, development projects, and matériel classified as *secret*, *confidential*, or *restricted*, as well as the items themselves. All other military information, documents, development projects, and matériel are regarded as unclassified.

***This pamphlet supersedes AR 380-5, June 10, 1939, including section I, Circular No. 6, section III, Circular No. 80, section II, Circular No. 108, Circular No. 121, and section IV, Circular No. 138, War Department, 1940, and section I, Circular No. 78, War Department, 1941.**

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d. Cryptographic material.—Cryptographic material includes all documents and devices employed in changing plain-language messages into unintelligible form by means of codes and ciphers.

e. Cryptographic security.—Cryptographic security is that branch of signal communication which deals with the provision of technically sound cryptographic systems, their proper use, and their careful safeguarding.

f. Document.—The term "document" includes printed, mimeographed, typed, photostated, and written matter of all kinds; maps, photomaps, and aerial photographs and mosaics; drawings, sketches, notes, and blueprints, or photostatic copies thereof; photographs and photographic negatives; engineering data; correspondence and plans relating to research and development projects; and all other similar matter. See also subparagraph 4m.

g. Engineering data.—The term "engineering data" comprises drawings, blueprints, photostats, photographs, mathematical calculations, formulas, processes, and all similar items that can be reduced to documentary form.

h. Foreign government.—The term "foreign government" includes any recognized or nonrecognized government and any faction or body of insurgents within a country with which the United States is at peace.

i. Matériel.—The term "matériel" comprises military arms, armament, equipment, and supplies of all classes, both complete and in process of development and construction, models that show features in whole or in part, designs, mock-ups, jigs, fixtures, and dies, and all other components or accessories of military equipment.

j. Mock-up.—A mock-up is a model, usually full size and constructed of inexpensive material, made for the purpose of studying the construction and use of an article of matériel or mechanical device.

k. Paraphrasing.—~~Paraphrasing is the changing of the word order or words and the length of a message without changing the meaning.~~ See AR 380-5

l. Photomap.—A photomap is a reproduction of an aerial mosaic, composite, or single vertical used in place of or to supplement a map. See current

m. Registered document.—A registered document is a secret or confidential document or cryptographic device which is assigned a register number for use in accounting to the office of record at periodic intervals.

n. Reserved area.—A reserved area is an area on the surface of the land or water designated and set apart by Executive order of the President for purposes of national defense, admittance to which is either prohibited or restricted.

o. Short title.—A short title is a designation applied to a registered document for purposes of security and brevity. It consists of figures, letters, words, or combinations thereof, and an abbreviated designation of the office of origin without giving any information relative to classification or content of the document.

p. United States.—The term "United States" as used in this Act includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States. *Sec. 1, Title XIII, act June 15, 1917 (40 Stat. 231); 50 U. S. C. 40; M. L. 1939, sec. 2187.*

q. Visitor.—As used in these regulations a visitor is any person admitted to a Government or commercial manufacturing establishment engaged in classified work or project for the War Department except—

(1) A person employed on the work or project, or

(2) A person directly and officially concerned with the work or project.

2. **Responsibility.**—*a.* The safeguarding of classified military information is the responsibility of all military personnel, civilian employees of the War Department, and of the management and employees of all commercial firms engaged in classified work or projects for the War Department. Classified military information will be discussed only with military or civilian personnel having a legitimate interest therein.

b. Commanding officers, administrative officers, and procurement agencies are responsible that military personnel, civilian employees of the War Department, and the management and employees of commercial firms engaged in classified projects or developments for the War Department are familiar with the pertinent provisions of these regulations.

3. **Right to possess classified military information.**—*a.* No person in the military service or employed by it is entitled to classified military information solely by virtue of his commission or official position. Such information will be entrusted only to those who need it in the performance of their official duties and to insure teamwork and efficient instruction of personnel, proper planning, or proper maintenance of equipment.

b. Photographs of classified features of military equipment or of other classified items will be made by members of the military service or by civilian employees of the War Department only when necessary in the conduct of their official duties and if made will not be developed or printed in commercial establishments or retained in their personal possession.

4. **Dissemination of classified military information.**—*a.* When classified military information is disseminated under the provisions of these regulations to persons not subject to military law, they will be informed that it affects the national defense of the United States within the meaning of the Espionage Act and that its transmission to an unauthorized person is prohibited. See also 17b

b. Publication of articles by military personnel.—The inclusion of classified military information in any article published by a member of the Army of the United States is prohibited unless specifically authorized by the War Department. For additional information relative to publication of articles see AR 310-10, 600-10, and 600-700.

c. Oral discussions of classified military information.—Either public or private discussion of classified military information by members of the military service with or in the presence of unauthorized personnel is strictly forbidden.

5. **Requests for military information.**—*a.* Requests from private individuals or firms for classified military information will be referred through channels to the corps area commander or chief of the arm or service concerned, who, if unable to make reply or if another agency is interested, will refer the matter to The Adjutant General for appropriate action.

b. Requests for military information by foreign nationals, including representatives of foreign governments, such as military and air attachés, will be referred to the Military Intelligence Division, War Department General Staff, for necessary action.

c. Applications for information or records compiled and furnished at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs will be referred to the Under Secretary of War for necessary action. The service of any process or subpena for the production of any such record will be reported immediately by the person on whom it is served

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to the United States attorney for the district in which the service is made and, at the same time, direct to the Under Secretary of War.

6. One classification only.—A document or article of matériel will not be assigned more than one of the three classifications—*secret*, *confidential*, or *restricted*, but should this happen through error the more restrictive classification will apply.

7. Overclassification.—Documents or matériel requiring classification under the provisions of these regulations will be assigned the least restrictive classification consistent with the proper safeguarding of the information or matériel concerned. Overclassification will be avoided.

8. Secret matter.—*a. When classified secret.*—Documents, cryptographic devices, developmental projects, or articles of matériel will be classified and, if practicable, marked *secret* when disclosure of the information or features contained therein might endanger national security, cause serious injury to the interest or prestige of the nation or any governmental activity, or would be of great advantage to a foreign nation.

b. Examples of items classified as secret.

(1) War plans.

(2) Documents relating to the design and development of new matériel and containing information of the type described in *a* above.

(3) Codes, ciphers, and cryptographic devices used to transmit secret information.

(4) Certain military maps and photomaps:

(*a*) In the continental United States, those illustrating and identified with a war plan, including local defense plans, defense projects, or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan, including local defense plans, defense projects, or any phase thereof; those showing the lay-out of permanent defense works and naval bases and the adjacent terrain vital to their defense; and those that serve to fix definitely the location of any element of permanent defense works and naval bases.

(5) Information concerning items of matériel and methods of assembly classified as *secret* by a chief of arm or service.

(6) Photographs, photostats, diagrams, or models of any secret document or essential part of secret matériel.

c. Authority to classify as secret.—Matters may be classified as *secret* only by or by authority of the Secretary of War; the Under Secretary of War; an Assistant Secretary of War; the Chief of Staff; or an Assistant Chief of Staff of the War Department General Staff; a chief of army service, or the National Guard Bureau; a general officer; the commanding officer of a depot, post, camp, or station; the commandant of a general or special service school; or a military attaché.

d. Dissemination of secret matter.—The dissemination of secret matter will be held to the absolute minimum. Information as to the contents or whereabouts of secret matter will be disclosed only to those persons whose duties require such knowledge. It is exclusively for the official use of the person to whom it is divulged or issued, who will be responsible for its safe custody and security. Its inviolability is the duty and responsibility of all persons having knowledge thereof, no matter how obtained.

9. Confidential matter.—*a. When classified as confidential.*—Documents, cryptographic devices, development projects, and articles of matériel will be classified and, if practicable, marked *confidential* when disclosure of the information contained therein, although not endangering the national security, might be prejudicial to the interest or prestige of the United States, a governmental activity, or an individual, or be of advantage to a foreign nation.

b. Examples of items classified as confidential.

(1) Regulations governing joint action of the Army and the Navy.

(2) Documents relating to the design and development of new matériel and containing information of the type described in *a* above.

(3) Codes, ciphers, and cryptographic devices used to transmit confidential information.

(4) Certain military maps and photomaps:

(*a*) In the continental United States, those showing lay-out of the permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet, only those sheets showing defense elements need be classified as *confidential*.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as *secret*, showing lay-out of military and naval (radio) stations, air bases, airdromes, air depots, supply bases, arsenals, proving grounds, or any area vital to defense.

(5) Technical information, such as research of processes of manufacture which may be a distinct military asset and not a matter of general knowledge, and other technical items of the type described in *a* above.

(6) Photographs, photostats, diagrams, or models of any confidential document or essential part of confidential matériel.

(7) Certain reports, orders, or instructions pertaining to individuals, such as those relating to investigations, special assignments, and others.

(8) Information and records compiled at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs. *See sec. 5a, added to act June 3, 1916, by sec. 5, act June 4, 1920 (41 Stat. 764); 10 U.S.C. 1193; M.L. 1939, sec. 1225.*

(9) Information which will indicate the strengths of garrisons in overseas departments and possessions, and the Atlantic bases, or information indicating the composition of units or the total quantity of specific items of equipment pertaining thereto, except that mail addresses will include organizational designations.

c. Authority to classify as confidential.—Documents, development projects, matériel, or technical information may be classified as *confidential* by any commissioned officer.

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d. Dissemination of confidential matter.—Confidential military information will neither be discussed with nor disclosed to unauthorized persons. The contents or whereabouts of confidential documents, cryptographic devices, or matériel will be disclosed only to those persons in the Government service whose duties require that they have such knowledge and to such other persons of especial trust who must be informed. Those to whom confidential information is entrusted or disclosed are responsible for its safe custody and security.

10. Restricted matter.—*a. When classified as restricted.*—A document, cryptographic device, development project, or article of matériel will be classified and, if practicable, marked *restricted* when information contained therein is for official use only, or when its disclosure should be limited for reasons of administrative privacy or denied the general public.

b. Examples of items classified as restricted.

(1) Certain parts of mobilization plans and regulations.

(2) Documents relating to the design and development of new matériel containing information of the type described in *a* above.

(3) Procurement plans.

(4) Codes, ciphers, and cryptographic devices used to transmit restricted information.

(5) Certain training and technical regulations.

(6) Certain Army extension courses.

(7) Certain documents regarding engineering principles and design details, composition, method of processing or assembling, which are vital to the functioning or use of an article of matériel.

(8) Certain military maps and photomaps.

(*a*) In the continental United States, those showing lay-out of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified which are not suitable for public release; and

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified which are not suitable for public release.

(9) Photographs, photostats, diagrams, or models of any restricted document or essential part of restricted matériel.

(10) All information relative to war reserves.

c. Authority to classify as restricted.—Documents, development projects, technical data, and matériel may be classified as *restricted* by any commissioned officer.

d. Dissemination of restricted matter.—The information contained in restricted documents and the essential characteristics of restricted matériel will not be communicated to the public or to the press, but may be given to any person known to be in the service of the United States and to persons of undoubted loyalty and discretion who are cooperating in Government work.

11. Classification of information from other governmental agencies.—Information obtained from the Navy Department or other governmental agency will be placed in the same relative classification as that in which it is carried by the controlling agency.

12. Testimony before Congress.—*a.* When a person in the military service appears before a committee of Congress and is called upon to give testimony which he knows to be confidential or restricted, he will respectfully request that his statements be taken in executive session only and not appear in the record of hearings, the Congressional Record, or other document open to public inspection.

b. When called upon to give testimony which he knows to be secret, unless he has previously been authorized by the Secretary of War to give such testimony, he will respectfully state that he is not authorized to disclose the information desired, and will inform the appropriate member of Congress that a written request for the specific information should be transmitted to the Secretary of War. Testimony of a secret nature, when authorized by the Secretary of War, will be given only in executive session under the conditions cited in *a* above.

c. With regard to policies and facts which the public interest does not require to be kept secret, confidential, or restricted, see AR 600–10.

13. Legislation pertaining to the War Department.—*a.* Recommendations to the War Department for legislation will be classified as *secret*, *confidential*, or *restricted* until released by the Secretary of War. Prior to such release, no information as to any legislative recommendation will be revealed to any individual or association not under War Department control except as may be required by law.

b. The nature and content of reports of the War Department on bills referred to it by committees of Congress will not be disclosed to individuals or agencies outside the War Department.

14. Loss or subjection to compromise.—Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of a secret or confidential document or article of matériel will promptly report that fact to the custodian of the document or matériel. The proper commanding officer will then make a thorough investigation of the circumstances, fix the responsibility, and send to The Adjutant General, through military channels, a report with his recommendation in the case.

15. Reproduction of classified matter.—*a.* Agencies entrusted with the printing or reproduction, storage, and issue of classified documents will be informed of the applicable provisions of these regulations.

b. The commandants of the general and special service schools are responsible that the printing or reproduction plants of their respective commands release no classified information to personnel or agencies is not entitled thereto.

c. Chiefs of arms and services are responsible that service magazines or journals published under their supervision comply with the provisions of these regulations relative to security of classified military information.

d. Information contained in classified documents may be referred to in other documents which are unclassified or marked with a lower classification only by, or by authority of, an officer qualified to classify as *secret*. See paragraph 8*c*.

e. Whenever correspondence, documents, drawings, prints, photographs, or models pertaining to secret, confidential, or restricted matériel disclose information regarding engineering principles, design details, composition, methods of processing or of assembly which are vital to the manufacture, functioning, or use of the matériel, they will be appropriately classified.

f. Clerical and technical work on secret and confidential matter will be performed only by trustworthy personnel.

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will never be released verbatim but

g. Preparation of press releases based on coded messages.—Officers authorized to prepare information to be made public will constantly bear in mind that such matériel may be of great value to the enemy signal intelligence service. Information received or sent in cryptographed messages will be paraphrased prior to release to the public.

h. For additional instructions relative to the discussion of military, political, diplomatic, and classified subjects, see AR 600-700.

16. Cancelation or change of classification.—*a.* The authority making the original classification, or higher authority, may cancel or change the classification of a document by writing or stamping over the mark at the top of the first page, "Classification canceled or changed to ____," or "Classification canceled or changed to ____ by authority of," adding the date ~~and the initials~~ of the officer making the change.

name and rank

b. The authority making the original classification or higher authority may cancel or change the classification of matériel by appropriate letters of instruction.

SECTION II

DOCUMENTS

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17. Marking of classified documents.—*a. Manner of marking.*

(1) Classified books or phamphlets, the pages of which are permanently and securely fastened together, will be plainly and conspicuously marked or stamped *secret, confidential,* or *restricted* on the cover, title page, and first page.

(2) Classified communications and other material not permanently and securely fastened together, except as indicated in (3), (4), and (5) below, will be marked or stamped with the appropriate classification at the top and bottom of each page. The marking at the top will be so placed that it will not be hidden from view when the pages are clipped or stapled together.

(3) Classified photographic negatives, drawings, or tracings will carry a legend of the proper classification in such position that it will be reproduced on all copies made therefrom. Photographs made from negatives not so inscribed will be marked at the top and on the back with the proper classification.

(4) Contracts for the manufacture of classified matériel will be plainly and conspicuously marked, not typed, with the proper classification on the first page.

(5) Classified maps and photomaps will be appropriately marked under the scale.

b. Additional marking of classified documents issued to authorized civilians.—Documents containing classified military information furnished persons other than those of the military and naval services and their civilian employees will,

in addition to being marked *secret, confidential,* or *restricted,* bear the following notation:

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.

c. Special marking of secret documents.—All secret documents will show the authority for the classification and the date affixed.

18. Transmission of classified documents.—*a. Secret documents.*

(1) *Between officers of the same headquarters or station.*—At headquarters commanded by an authority qualified to make the secret classification, the commanding officer will provide for the security of interoffice transmission of secret documents.

(2) *Between posts, camps, or stations.*—Within the United States and its possessions secret documents will be transmitted by an officer-messenger or courier when practicable, otherwise by United States registered mail. When an officer-courier is not available, such documents may be transported to and from foreign countries and the Philippine Commonwealth by State Department rotary lock pouch. If neither officer-courier nor diplomatic pouch is available, the responsible officer may entrust secret documents to reliable citizens of the United States, such as officers or officials of other governmental departments or masters of vessels of United States registry. If no undue delay will result, commanding officers of ports of embarkation will entrust secret documents to the commanding officer of troops on an Army transport for delivery. If none of the foregoing means of transportation are available, corps area commanders and commanding officers of exempted stations are authorized to transmit secret documents by registered mail in a United States sea post office, provided they do not pass through any foreign postal system or that of the Philippine Commonwealth.

(3) *Preparation for transmission.*—Except when personally delivered by authorized personnel, secret documents transmitted from one person to another will be inclosed in an inner and an outer cover. Typewritten matter in the document will be protected by a cover sheet, or by a method of folding, from direct contact with the inner cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way but plainly marked *secret* so that the notation will be seen when the outer cover is removed and will contain a receipt form which will identify the addressor, the addressee, and the document. The outer cover will be sealed and addressed in the ordinary manner with no notation to indicate its secret classification.

(4) *Action upon receipt of secret matter.*

(*a*) Prior to opening a sealed package or envelope containing secret documents, the seals and wrappers will be carefully inspected to determine whether there has been any tampering. If any evidence of tampering is noted, the facts will be reported immediately to the issuing authority, who will initiate an investigation without delay.

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(b) The inner cover marked *secret* will be opened only by the person to whom addressed or by personnel specifically designated by him. The receipt form will be dated and signed and immediately returned to the sender. The inner cover will be destroyed by burning if the subject matter of the inclosure has been in contact therewith.

(5) *Transmission by aircraft.*—Secret documents, except those used by Air Corps personnel during flight, will be transported by aircraft or by registered air mail only under exceptional circumstances when in the opinion of one of the authorities designated in paragraph 8c the emergency demands it. When transmitted by military aircraft they will be securely wrapped and placed in the custody of an officer other than the pilot. When the flight of the military aircraft is to be made over water the document will also be weighted.

b. *Confidential documents.*

(1) *Between offices, posts, camps, or stations.*—(a) Except as indicated in (b) below, confidential documents will be transmitted by an authorized messenger, insured express, or registered mail to any point in the United States and its possessions, provided they do not pass through a foreign postal system and are carried in ships of United States registry.

(b) Confidential documents pertaining to military intelligence may be transmitted by ordinary mail when in the opinion of the forwarding officer no serious consequences would be entailed by their loss.

(2) *Preparation for transmission.*—A confidential document will be prepared for transmission in the same manner as a secret document except that the inner cover will contain a receipt form only when the sender deems it necessary and may be opened by any responsible person authorized by the addressee.

(3) *Transmission by aircraft.*—Confidential documents, except those used by Air Corps personnel during flight, will be transported by military aircraft or by registered air mail only when in the opinion of the responsible officer the emergency demands it.

c. *Restricted documents.*—Restricted documents may be transmitted by any authorized messenger, or by ordinary mail, express, or freight to any point in the United States and its possessions, provided they do not pass through a foreign postal system and are carried on ships of United States registry.

19. **Routine correspondence, receipts, and reports.**—Routine correspondence, receipts, or returns, and reports of possession, transfer, or destruction need not be classified if reference therein to classified or registered documents is made by file number or short title only, with no indication of the subject matter or classification.

20. **Storage of classified documents.**—*a. Storage of classified documents not registered.*

(1) Secret and confidential documents, other than registered documents, will be stored in the most secure files available in a room that is kept locked when not in use.

(2) Restricted documents will be stored and handled in such a manner as to insure a reasonable degree of security.

b. Storage of registered documents.

(1) Registered documents will be stored in the most secure space available, preferably the equivalent of a three-combination safe.

(2) Only commissioned officers, warrant officers, and specially trusted enlisted men and civilian employees will be permitted to have access to the containers of registered documents or the combinations or keys thereto.

(3) Safes containing registered documents will habitually be kept locked with the full combination whenever they are not under the direct supervision of a person officially entrusted with the combination.

c. Cryptographic documents.—So far as practicable, cipher tables, alphabets, and keys will not be kept in the same container as the code books, documents, and devices to which they apply.

d. Daily inspection.—At every headquarters an inspection will be made each day immediately before the close of business to insure that all secret and confidential documents and cryptographic devices have been properly put away.

e. Security in the field.—In tactical operations, actual or simulated, the commanding officer of the unit concerned is responsible that all documents are given the maximum security possible under the circumstances. No secret document will be taken into the front lines.

21. **Return of secret and confidential documents.**—Upon change of station or separation from the military service, an officer will return to the source from which received, or otherwise properly account for, all secret and confidential documents which have been issued to him.

22. **Destruction of classified documents.**—*a. Secret and confidential documents.*

(1) When competent authority directs the destruction of secret or confidential documents, they will be burned in the presence of an officer, who will submit a certificate of destruction to the headquarters concerned. If the documents are registered, the certificate will be sent to the officer directing the destruction, who will forward it to the office of record indicated in the registered document.

(2) Preliminary drafts, carbon sheets, plates, stencils, stenographic notes, and work sheets containing secret or confidential data will be destroyed by the person responsible for their production immediately after they have served their purpose or will be given the same classification and safeguarded in the same manner as the material produced from them.

b. Restricted documents.—Restricted documents will be destroyed in any convenient way which will render them useless.

SECTION III

REGISTERED DOCUMENTS

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23. Authority to designate.—Officers authorized to originate and issue secret or confidential documents will designate as *registered* such secret and confidential documents issued by them as they deem necessary in the interest of national defense. *Only documents of exceptional importance will be registered.*

24. Additional marking.—*a.* In addition to the marking *secret* or *confidential*, the title page or inside front cover of a registered document will ordinarily show the register number, short title, office of record to which returns will be made, and instructions covering the returns for its accounting and for its ultimate disposal. If this is not practicable, the required data will accompany the registered document on a separate sheet.

b. All references to registered documents in semiannual or transfer reports, ordinary reports of destruction, or unclassified documents or correspondence will be by short title only, and such reports or correspondence need not be classified. Any correspondence or paper which refers to a registered document by a title other than the short title must have the same classification as the registered document.

25. Revised edition.—A new or revised edition of an old registered document should be assigned a new short title.

26. Notification of change of classification.—When the classification of a registered document is changed, the office of record will notify all offices to which it has been issued.

27. Inventory and report of possession.—*a.* Custodians will keep a complete inventory of all registered documents except those listed in *c* below and will make, or have made, on June 30 and December 31 of each year, an accurate return therefor to the proper office of record.

b. In making a semiannual report of possession the following details will be observed:

(1) Each item will be physically inspected and its register number checked against the inventory.

(2) At headquarters having two or more commissioned officers the custodian and one other disinterested officer will make the inventory and both will sign the report. If the headquarters has only one commissioned officer, the report will so state.

c. No semiannual report of possession will be made of—

(1) Training editions of code books, cipher alphabets, or keys, or of nonregistered cipher devices accounted for as ordinary property.

(2) Registered documents which have been placed in custody or storage for historical purposes.

d. Whenever a registered document is found which is not charged to the finder, a reasonable effort will be made to determine the office to which it pertains. If this is not found, the document will be forwarded through military channels to the issuing authority for disposition.

28. Report of transfer.—*a.* When a registered document is transferred from one person to another, a certificate of transfer, in triplicate will be made. The certificate, containing an acknowledgment of receipt by the receiving officer, will be dated and signed by the transferring officer.

b. Immediately upon completion of the transfer, the original of the transfer certificate will be forwarded direct to the office of origin. A copy of the certificate of transfer will be retained by each of the officers concerned.

c. Whenever a registered document is removed from its proper place of custody and issued to another person, the custodian will require a written receipt.

29. Prescribed forms.—*a.* War Department Form No. 32 (Record Card—Registered Documents or Devices) will be used for recording all temporary transactions involving an individual registered document.

b. War Department Form No. 33 (Record Card—Registered Documents or Devices—Station) will be used by each officer making a consolidated record of all transactions concerning registered documents. It serves as a check to prevent the undiscovered loss of the individual card, War Department Form No. 32.

c. War Department Form No. 34 (Semiannual or Transfer Report of Registered Documents or Devices) will be used in transferring registered documents and in reporting the semiannual inventory thereof.

SECTION IV

CRYPTOGRAPHIC SECURITY

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30. Authorization of cryptographic systems.—All codes, ciphers, and cipher devices intended for use in the military service will be authorized only by the War Department. For forces in the field in time of war, this authority will be delegated to the commanding general, GHQ, and may be delegated to theater commanders and to oversea department commanders for special use within their departments.

31. Personal use of authorized codes forbidden.—The use of any authorized code, cipher system, or cipher device for cryptographing personal messages is forbidden.

32. Personnel authorized to perform cryptographic duties.—*a.* No authorized cryptographic system will be employed by any person who is not thoroughly

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familiar with the provisions of these regulations and all instructions pertaining to the cryptographic system to be employed.

b. Secret messages.—The cryptographing and decryptographing of messages classified as *secret* will be performed only under the direct supervision of a commissioned officer. For the specific qualifications of personnel who may be permitted actually to perform secret cryptographic work, reference should be made to letter instructions on this subject issued by the War Department.

c. Confidential messages.—(1) At all headquarters in time of peace and at headquarters of divisions and larger units in time of war, the cryptographing and decryptographing of confidential messages will be performed by personnel as prescribed for secret messages.

(2) At all headquarters of units smaller than a division in time of war, messages classified as *confidential* will be cryptographed or decryptographed by personnel of the cryptographic section of the message center.

d. Restricted messages.—At all headquarters in time of peace, messages classified as *restricted* will be cryptographed or decryptographed by personnel whose duties normally require the performance of this work.

33. **Cryptographic security officer.**—*a.* At each headquarters maintaining a message center there will be a cryptographic security officer, who ordinarily will be the officer in charge of the message center. He will be the custodian of cryptographic material and will be responsible for all measures necessary to insure cryptographic security.

b. If the cryptographic security officer believes that, in view of his knowledge of other messages on the same or like subject, a message has been incorrectly classified, or if he believes that the regulations governing the drafting and classifying of the message have been violated, he will request the originator to make the necessary change in the message or in its classification. If the originator does not comply with the request of the cryptographic security officer, the matter will be referred to the commanding officer of the headquarters concerned for final decision.

c. Cryptographic duties at any station where there is no regularly constituted message center will be performed by the originator of the message or by personnel especially designated by the commanding officer. When cryptographic work is thus performed, the files of literal plain text messages and of cryptograms must be kept in different locked containers.

34. **Sources of danger to cryptographic security.**—By far the most prolific sources of danger to cryptographic security arise from violations of principles governing the following:

a. The physical security of technical paraphernalia pertaining to the cryptographic system.

b. The drafting of radiograms, cablegrams, and telegrams and their classification as *secret*, *confidential*, or *restricted*.

c. The selection of the specific cryptographic system and the actual cryptographing.

d. The handling and filing of literal, paraphrase, and cryptographic versions of messages.

e. The inclusion of the literal plain text of cryptographed messages in documents (both classified and unclassified), information copies, and press releases without paraphrasing.

f. The selection of a means of transmission and the methods used in sending a message.

The foregoing sources of danger are covered in detail in other paragraphs of these regulations.

35. **Responsibility for classification of messages.**—*a.* Within the limitations prescribed in paragraph 41*b*, the originator of a message is responsible that the classification given to it conforms to the definition given in paragraphs 8, 9, and 10. He is also responsible for the proper marking of the message before forwarding it for cryptographing and transmission.

b. A message will invariably be classified and marked *secret*, *confidential*, or *restricted*—

(1) When it contains information which is secret, or confidential except when marked SEND IN CLEAR, as indicated in paragraph 41*b*(2).

(2) When it contains matter the transmission of which in plain language is prohibited by AR 105–25.

36. **Drafting messages.**—*a.* Routine reports and messages which must be given a wide distribution, or whose contents have been or may eventually be furnished the press, or which contain extracts or quotations from a newspaper, magazine, or any other document available to the public, will be prepared so as to permit their transmission in plain language or will be classified as *restricted*.

b. Standardization of the content and form of such documents as field orders and operation instructions is necessary, but when fixed expressions are repeated in a message the results are exceedingly dangerous to cryptographic security. Hence stereotyped phraseology and set form of expression, especially at the beginning or end of a message, will not be used. Examples of stereotyped beginning are as follows: "Reference your," "Reurad," "Reference my," etc. Necessary references will be placed in the body of the message.

c. Words not important to the sense will be omitted. Conjunctions and prepositions will be reduced to the minimum, and every effort will be made to avoid repetition of words.

d. The originator of all classified messages will paraphrase such portions as are quoted from—

(1) A message in plain language.

(2) A message in the same or another cryptographic system.

(3) A newspaper, magazine, or document available to the public.

e. Punctuation words, such as stop, period, and comma, will be avoided whenever the meaning is clear without them. Punctuation marks should be spelled out when it is essential that they be transmitted in the body of the message.

37. **Selection of cryptographic system.**—*a.* Subject to modification as outlined in paragraph 33*b*, the classification *secret*, *confidential*, or *restricted* given a message by its originator governs the cryptographic system to be used in cryptographing the message.

b. In order to prevent the cryptographing of *identical* subject matter by means of *different* codes and ciphers, once the message has been cryptographed, all subsequent messages on the same subject will normally be similarly cryptographed. Only a higher headquarters concerned is authorized to change the cryptographic system employed. If a change is authorized, *reference to previous messages by their reference numbers will be avoided.*

Add prohibition re mixing of plain + crypt. text

c. The mere acknowledgment of a cryptographed message need not be classified.

d. When the same clear-text message is transmitted to several addressees, it will ordinarily be cryptographed but once and sent to all addressees. If this is impossible because all addressees do not have identical codes or ciphers, the text of each message which must be cryptographed in a different system will be carefully and differently paraphrased for each system before cryptographing.

38. Paraphrasing messages.—*a.* To paraphrase a message is to rewrite it so that its meaning is the same but its phraseology is different.

b. In paraphrasing, it is not sufficient to paraphrase only the beginning or ending of the message; the entire message will be subjected to the process.

c. Paraphrasing consists in applying all the following processes to the message:

(1) Changing the sequence of the paragraphs.

(2) Changing the sequence of the sentences in each paragraph.

(3) Shifting the positions of the subject, predicate, and modifiers in each sentence.

(4) Changing from active to passive voice or vice versa.

(5) Substituting synonyms or equivalent expressions.

d. When paraphrasing must be resorted to in connection with messages having identical or nearly identical plain text, effort will be made to change the lengths of the paraphrased version so that the cryptograms will not resemble each other even in that respect.

e. A paraphrase of a message will be accorded the same classification as the original message.

39. Method of handling outgoing secret messages.—*a.* The originator will prepare and number all copies of secret messages, send the original to the message center, and retain one copy for temporary file. Other carbon copies, all numbered and bearing the following notation, may be sent to local officers directly concerned:

> The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked "secret." This copy will be safeguarded with the greatest care, and will be returned to the originator without delay.

All such copies will be carefully accounted for by the originator and will be destroyed when returned.

b. The original plain-text copy sent to the message center by the originator will be cryptographed at the cryptographic section of the message center. In message centers serving tactical units one copy only of the cryptographed message will be made and it will be sent to the transmitting agency. In the zone of the interior the number of copies to be made of the cryptographed message will be determined by the commanding officer of the headquarters concerned. All work sheets used in cryptographing the message will be immediately destroyed by burning.

c. Except in tactical units the original copy of the literal plain text will be marked SENT (date) and returned to the originator who will place it in his secret file for outgoing messages and destroy the retained copy by burning. In tactical units the plain-text copy will be filed at the message center. Only one copy of the literal text will be filed at the originator's office.

d. The transmitting agency will send the cryptographed message, retaining at least one copy in its file of outgoing messages for final disposition in accordance with local regulations.

e. In tactical operations when time permits, secret messages will normally be carried by a staff officer or special messenger operating as a direct agent of the transmitting office. Messages so handled will normally not be cryptographed. Secret messages may be transmitted by electrical or other means available to the message center when the time of transmission can be reduced thereby.

40. Method of handling incoming secret messages.—*a.* An incoming secret message will be copied in duplicate by the receiving operator; the original will go to the cryptographic section of the message center and the carbon copy to the files of the receiving station or message center, where it will be disposed of in accordance with local regulations.

b. A cryptographer will decryptograph the message, making only one copy of the decryptographed literal plain text, which will be marked SECRET and delivered to the addressee. The cryptographed version will be retained in the files of the message center, where it will be disposed of in accordance with local regulations. All work sheets used in decryptographing will be destroyed by burning. The cryptographic section will not retain any copy of the plain text in its files. The placing on the message blank of any marks or notations even remotely connected with the cryptographic system or steps in decryptographing the message, such as underlining key words, indicating groupings corresponding to lengths of columns of key, etc., is forbidden.

c. The addressee may make and circulate a limited number of literal copies for the information of other officers directly concerned. These carbon copies will all be numbered and bear the following notation:

> The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked SECRET. This copy will be safeguarded with the greatest care and will be returned to _____ without delay.

All such information copies will be carefully accounted for by the addressee and will be destroyed when returned. Only one copy of the literal text of the message will be kept in the addressee's office.

41. Method of handling outgoing and incoming confidential messages.—*a. At administrative headquarters having fixed message centers.*—Whenever practicable, the procedure to be followed in the handling of messages in confidential codes or ciphers will be substantially the same as that prescribed for those transmitted in secret code or cipher. They will, however, be marked and safeguarded in accordance with provisions of these regulations governing confidential documents.

b. In tactical operations, simulated or actual.

(1) All messages not classified as *secret* will be regarded as *confidential* but need not be so marked. The procedure to be followed is prescribed in FM 24-5, and in other pertinent regulations and instructions issued by proper authority. All radio messages except those noted in (2) below will be transmitted in cryptographic form.

(2) When the tactical situation is such that time cannot be spared for cryptographing, and when the information to be transmitted, if intercepted by the enemy, cannot be acted upon in time to influence the situation in question, a commanding officer or his authorized

representative may order the transmission of a message in plain language by a radio station serving his headquarters or command.

Such written messages will be marked SEND IN CLEAR over the signature of the commander or his authorized representative.

42. Method of handling restricted messages.—The procedure to be followed in the handling of messages in restricted codes and ciphers will be substantially the same as that prescribed for those in confidential code or cipher, except that the number of copies need not be limited nor need they be numbered.

43. Confirmation copies of cryptographed messages prohibited.—The sending by any means whatsoever of confirmation copies of the plain text of messages transmitted in code or cipher is strictly prohibited.

44. Disposition or destruction of registered cryptographic material.—*a.* Whenever a person who has been issued registered secret or confidential codes, ciphers, cipher devices, or documents pertaining thereto, has no further need for them, he will report that fact to the Chief Signal Officer, or in the case of the field forces in time of war to the signal officer, GHQ.

b. When it has become highly probable that cryptographic material will be subject to loss or compromise, all documents and translations of messages will be destroyed by burning, and the cipher machines or devices will be destroyed beyond use or repair, and if possible, beyond recognition.

c. When cryptographic documents or devices have become unserviceable through long use, request for their replacement will be made to the issuing authority.

SECTION V
MATÉRIEL

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45. Authority to classify.—Whenever the chief of an arm or service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel, or a component thereof, shall determine that the maintenance of any degree of secrecy regarding them is sufficiently important to the national defense, he will classify it as *secret*, *confidential*, or *restricted*.

46. Notification of classification or reclassification.—Whenever the chief of an arm or service in charge of a research project, design, development, test, or production of a unit of matériel or component thereof shall determine that the matériel should remain classified after issue or that a change or cancelation of classification is desired, he will notify The Adjutant General, who in turn will inform all concerned.

47. Responsibility for safeguarding technical information.—*a.* Chiefs of arms and services engaged in the preparation of plans, research, and development work, or new design, test, production, procurement, storage, or use of classified matériel are responsible for the promulgation of such additional instructions as may be required for the safeguarding of information in the offices, establishments, laboratories, shops, or army posts under their jurisdiction.

b. All secret, confidential, or restricted models, exhibits, dies, machines, and other similar items which are to be loaned, leased, or given to a commercial organization will be properly marked to indicate classification when practicable. If such marking is impracticable, the commercial organization will be specifically notified in writing of the classification of such items and of the pertinent provisions of the Espionage Act.

48. Classification of information from commercial firms.—Information obtained from civilian manufacturers concerning proprietary processes will be classified as *confidential*, unless otherwise authorized by the firm concerned.

49. Dissemination of classified technical information.—Classified information concerning technical projects or developments may be imparted only to persons in the military and naval services of the United States, including civilian employees, who have a legitimate interest therein, and to American citizens of known loyalty and discretion who of necessity must be informed because of their cooperation in the work, project, or development.

50. Invitations for bids and contracts.—*a.* Prior to furnishing a prospective bidder or contractor with drawings, specifications, or other pertinent information concerning any project or projects of a secret, confidential, or restricted nature, and annually thereafter so long as such documents, etc., are in his custody, a general secrecy agreement reading substantially as follows will be signed by the individual or by a responsible officer of the firm or corporation concerned:

In consideration of the receipt of drawings, specifications, and accompanying inclosures, models, or matériel, and information disclosed orally, concerning projects of a secret, confidential, or restricted nature, delivered to the undersigned prior to or coincident with the date of this agreement and listed on Exhibit "A" which is attached hereto and made a part hereof, or to be issued to the undersigned subsequent to the date of this agreement, the following terms are agreed to on behalf of the undersigned individual, firm, or corporation, and any and all representatives, agents, employees, or subbidders or subcontractors thereof:

1. The undersigned will neither supply nor disclose any information regarding the drawings, specifications, and accompanying inclosures, or models or matériel, or information disclosed orally, referred to herein to any unauthorized person, nor incorporate in other projects special features of design or construction peculiar to such drawings, specifications, and accompanying inclosures, or models or matériel, or information disclosed orally.

2. The undersigned will not permit any alien employed or to be employed by the undersigned or by any subbidder or subcontractor to have access to the drawings, specifications, and accompanying inclosures, or models or matériel referred to herein, or to engineering principles, composition, subassemblies, or assemblies which are vital to the functioning or use of the article, without the written consent beforehand of the Secretary of War.

3. The undersigned will not make or permit to be made reproductions of the drawings, specifications, and accompanying inclosures or of the models or matériel, except as specifically authorized by the contracting officer, or his duly authorized representative. If reproduction of any drawings, specifications, and accompanying papers, or of models or matériel, is authorized, the undersigned will promptly submit the product obtained to the contracting officer or his duly authorized representative for censorship or such other action as he may deem necessary.

4. If a bid is not submitted on a project of a secret, confidential, or restricted nature as to which drawings, specifications, and accompanying inclosures, and models or matériel have been issued to the undersigned, or if a bid is made and not accepted, or in case award is made, upon the completion of the contract the undersigned will promptly return by hand, by registered mail, or by insured express, such drawings, specifications, and accompanying papers, or models or matériel, together with all copies thereof, to the office from which the original copies were received.

5. (*a*) The undersigned agrees to bring or cause to be brought to the attention of all persons engaged in the preparation of the bid, whether submitted or not, including subbidders and their employees, the following provisions of law:

Espionage Act: Subparagraphs (d) and (e), section 1, act June 15, 1917 (40 Stat. 217); 50 U. S. C. 31; M. L., 1939, sec. 2181, as amended by the act of March 28, 1940 (Public, No. 443, 76th Cong.).

Section 1, act January 12, 1938 (52 Stat. 3); 50 U. S. C. 45; M. L. 1939, sec. 2187a, and Executive Order No. 8381, dated March 22, 1940 (sec. II, Bull. 3, W. D., 1940), issued pursuant thereto.

Section 11 of the act of June 28, 1940 (Bull. No. 15, W. D., 1940).

(*b*) If the successful bidder on any project, the undersigned agrees also to bring or cause to be brought to the attention of all persons engaged in the performance of the contract, including persons employed on subcontracts, the provisions of the law enumerated in (*a*) above.

6. The undersigned further agrees that no information in connection with any secret, confidential, or restricted project will be given to any person not in the contractor's and/or subcontractor's employ except upon the written consent beforehand of the contracting officer or his duly authorized repersentative.

b. The execution of the general secrecy agreement required in *a* above with any individual, firm, or corporation prior to the delivery of any classified military information, and the annual secrecy agreements executed thereafter, will constitute authority for delivery to such individual, firm, or corporation from time to time of other or additional classified information pertaining to any secret, confidential, or restricted project, without the necessity of executing a specific secrecy agreement in each case. A receipt substantially as follows will be obtained when the additional classified data are submitted to those who have entered into such agreement:

Receipt is acknowledged of _____ and it is recognized that these data are classified and come within the purview of the secrecy agreement signed by _____ on _____.

51. Consultations with responsible manufacturers.—The commanding officers of arsenals and depots and other officers engaged in work on Government contracts are authorized to consult with all interested manufacturers or their representatives, inventors, and other persons concerning technical matters in which they have a legitimate interest. They will, however, inform all such persons of the classification of the projects, works, and developments.

52. Responsibility of Army representatives or inspectors.—*a.* Army representatives or inspectors of the supply arms or services are the local representatives of the War Department and will take the necessary measures to insure the safeguarding of classified information or projects in the hands of the contractors or in process of manufacture in their plants.

b. Army representatives or inspectors will advise contractors as to their responsibilities and the practical measures to be taken to safeguard secret, confidential, and restricted matters and will act favorably, if practicable, on any

suggestion or request of the company tending to preserve secrecy. If at any time conditions at any plant, or any action of a company or its employees, jeopardize the security of classified matter pertaining to the War Department or violate the provisions of the Espionage Act, the Army representative or inspector will request the contractor to take prompt remedial action. If adequate precautionary measures are not taken immediately, he will report promptly to the chief of the arm or service concerned and, if the situation requires, to the commanding general of the corps area in which the item is in process of manufacture.

c. When Army and Navy inspectors are on duty at the same plant, the Army inspector will coordinate all security measures with the Navy inspector in order to avoid conflicting demands upon contractors.

53. Responsibility of Government contractors.—*a.* A private individual, firm, or corporation which enters into a contract to engage in technical work for the War Department becomes responsible in matters within his or its control for the safeguarding of all secret, confidential, or restricted matters that may be disclosed or that may be developed in connection therewith. A clause to this effect will be included in such a contract, but its omission will not release the contractor from his responsibility under the Espionage Act.

b. Contractors are responsible that all classified projects allotted to subcontractors or agents are fully protected by a similar agreement.

c. Whenever for any reason a contract, agreement, or subcontract has been made which does not include a security clause but later is found to involve secret, confidential, or restricted matter, the supply arm or service concerned will take the necessary steps to insure that the project or work is properly classified and that the contractor, agent, or subcontractor is informed of the classification and of his responsibility in the matter.

54. Tests of classified matériel.—Tests of classified matériel will be adequately safeguarded by all responsible officers.

55. Public display of classified matériel.—*a.* Commanding officers are responsible that all classified parts, components, or features of matériel are properly safeguarded during maneuvers, drills, parades, ceremonies, assemblages, demonstrations, or exhibitions open to the general public.

b. (1) Photographs of equipment while in process of development or those revealing processes of manufacture are prohibited unless authorized by the chief of supply arm or service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited by the instructions issued therewith.

(2) Requests for permission to take photographs of classified matériel, projects, or processes of manufacture will be referred to the War Department through the proper chief of supply arm or service. If authority is granted, it will be with the understanding that the resulting photographs will be submitted to the War Department for review prior to release.

56. Release of information or sale of matériel.—*a.* Domestic sale, divulging information in connection with negotiations for foreign sale, foreign sale, and foreign manufacture of items of Army and Navy matériel and equipment are not permitted unless the War and Navy Departments are agreed that military secrecy is not compromised thereby.

b. International traffic in arms.—(1) The State Department administers international traffic in arms and military matériel coming within the scope of the Regulations Governing the International Traffic in Arms, Ammunitions, and Implements of War and Other Munitions of War.

(2) The State Department will not release for foreign sale any item coming within the scope of these regulations until the War and Navy Departments have stated that there is no objection to the release on grounds of secrecy affecting the national defense.

SECTION VI

VISITORS

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57. Classification.—*a. Foreign nationals.*—For the purpose of these regulations foreign nationals include—

(1) Representatives, officials, or employees of a foreign government having an official status.

(2) All other foreign nationals and citizens of the United States representing a foreign government, firm, or corporation.

b. United States citizens.—All citizens of the United States not included in *a* above.

58. Authority for admission.—*a. General.*—Correspondence and communications relating to visits will be routed direct between the various offices concerned.

b. Foreign nationals.—

(1) Foreign nationals (see par. 57*a*) will be admitted to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects only on written authority of the Assistant Chief of Staff, G–2, War Department General Staff. Their applications will be made through the appropriate diplomatic representative and will include the following information:

(*a*) Name in full.
(*b*) Official title or position.
(*c*) Name of plant or plants to which admission is desired.
(*d*) Date of visit or dates between which visits are desired.
(*e*) Purpose of visit.

(2) Prior to authorizing a visit to a War Department or commercial manufacturing establishment engaged in classified work or projects, the Assistant Chief of Staff, G–2, War Department General Staff, will secure the recommendations of the Navy Department and the chief of the supply arm or service concerned.

c. United States citizens.—Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

(1) Casual visitors may be admitted provided no secret, confidential, or restricted work or project is shown or discussed.

(2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating in War Department work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible chief of supply arm or service. Authority for admission will be in writing.

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to manufacturing establishments engaged on work for the War Department provided classified matters, projects, or processes of manufacture are not shown or discussed with them. News items, photographs, and motion pictures resulting from the visit must be submitted to the Assistant Chief of Staff, G–2, War Department General Staff, for release prior to publication.

59. Responsibility of commanding officer, Army representative, or inspector.—*a.* The commanding officer of a military manufacturing establishment or the Army representative or inspector at a commercial manufacturing establishment is the local representative of the War Department in all matters regarding the admission of visitors. If, in his opinion, the situation at the time makes the admission of a visitor inadvisable, he is empowered to postpone the visit and request instructions from the office which authorized it.

b. The commanding officer or Army representative will make a report to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of supply arm or service, giving the following information concerning foreigners who visit establishments engaged in classified projects:

(1) Name, official position, and nationality.
(2) Authority for the visit.
(3) Matters in which the visitors showed the greatest interest.
(4) General nature of questions asked.
(5) Expressed object of the visit.
(6) Inspector's estimate of the real object of the visit.
(7) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.
(8) A brief list of what was shown and explained.

60. Responsibility of Government contractors.—*a.* Contractors or subcontractors engaged in work for the War Department must place such restrictions on the movements of persons employed or entering their plants or offices as will give adequate security to secret, confidential, or restricted matters in their possession. In view of the wide differences in organization, arrangement, and physical make-up of individual plants, no specific rules are practicable. Therefore, local conditions at the plant and the classification of the project will determine the security measures to be adopted.

b. The following general procedure in regard to visitors at establishments or plants engaged in classified projects for the War Department is prescribed:

(1) Visitors will be accompanied during their stay at the plant by the inspector or Army representative, a member of his office, or some responsible person who is specifically informed as to the necessary limitations or restrictions, the scope of the visit, and the information which may be furnished.

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(2) Unless specifically authorized by the authorities mentioned in paragraph 58, visitors will not be allowed in any shop, laboratory, drafting room, or section of a plant where secret, confidential, or restricted matériel is located or where classified work is in progress, nor will they be permitted to take photographs.

(1) War Department contractors will submit to the contracting officer at the end of each month, and upon the completion of the work or project, a report of all visitors who have gained information concerning the classified work or projects. These reports will include the following information:

(a) Name, official position, and nationality.
(b) Address or business or profession.
(c) Authority for visit.

(2) The contracting officer will submit the reports to the Assistant Chief of Staff, G-2, War Department General Staff, through the appropriate chief of supply arm or service.

SECTION IV

AIRSPACE RESERVATIONS, RESERVED AREAS, AND RESTRICTED AREAS

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61. Airspace reservations.—*a. Airspace reservations over military installations or reservations established by Executive order.*

(1) For reasons of national defense, flying over Aberdeen Proving Ground, portions of Fort Hoyle and Edgewood Arsenal Military Reservations, and portions of Bush River, Gunpowder River, and Chesapeake Bay—all in the State of Maryland—is prohibited or restricted by Executive Order No. 7985, October 8, 1938.

(2) For reasons of public safety, civil aircraft is forbidden by Executive Order No. 7138, August 12, 1935, to operate over the following reservations or areas except by special permission of the War Department or the Navy Department:

Picatinny Arsenal, Dover, New Jersey.
Savanna Ordnance Depot, Savanna, Illinois.
Nansemond Ordnance Depot, Portsmouth, Virginia.
Wingate Ordnance Depot, Gallup, New Mexico.
Camp Stanley Ordnance Reservation, Leon Springs, Texas.
Fort Hancock, Sandy Hook, New Jersey.
Fort Saulsbury, about 4 miles east of Milford, Delaware.
Fort Pickens, western portion of Santa Rosa Island, Pensacola Bay, Florida.
Fort Barry, near Point Bonita Lighthouse, San Francisco Bay, California.
Fort Canby, near Cape Disappointment Lighthouse, Washington.
Fort Casey, near Admiralty Head Lighthouse, Washington.
Naval Ammunition Depot, Hingham, Massachusetts.
Naval Ammunition Depot, Fort Lafayette, New York.
Naval Ammunition Depot, Lake Denmark, New Jersey.

Naval Ammunition Depot, St. Juliens Creek, Virginia.
Naval Ammunition Depot, Hawthorne, Nevada.
Naval Ammunition Depot, Mare Island, California.
Naval Ammunition Depot, Puget Sound, Washington.
Naval Mine Depot, Yorktown, Virginia.
Naval Torpedo Station, Newport, Rhode Island.
Naval Torpedo Station, Keyport, Washington.
Naval Ordnance Plant, Baldwin, Long Island, New York.
Naval Fuel Depot, San Diego, California.

That part of the Aleutian Islands, Alaska, with their territorial waters, lying west of the 167th meridian, west longitude.

(3) Executive Order No. 8251, September 12, 1939, declares the airspace above the Canal Zone, including the territorial waters within the 3-mile marginal boundary at each end of the Canal as a military airspace reservation, to be known as the "Canal Zone Military Reservation," and sets forth the regulations governing the operation of private aircraft therein.

(4) By Executive Order No. 5281, February 17, 1930, the airspace over each of the following harbors, declared closed ports by Executive Order No. 1613, September 23, 1912, was reserved and set aside for governmental purposes as a prohibited area within which civil aircraft are not authorized to navigate except by special authority of the United States Navy Department:

Tortugas, Florida.
Great Harbor, Culebra.
Guantanamo Naval Station, Cuba.
Pearl Harbor, Hawaii.
Guam.
Subic Bay, Philippine Islands.
Kiska, Aleutian Islands.

b. Territory of Hawaii.—Section 3, Air Commerce Regulations of the Territory of Hawaii, prohibits private and commercial aircraft from flying over or crossing any part of Diamond Head and the fortifications of Fort Kamehameha and Fort Weaver.

c. Philippine Commonwealth.—Flying by any aircraft other than those of the United States and Philippine Governments within a distance of 6 miles from the perimeter of Corregidor Island, Fraile Island, Carabao Island, and Caballo Island, Manila Bay, and Subic Bay, Island of Luzon, and within 2 miles of the perimeter of Cavite Peninsula, Manila Bay, is prohibited by section 80, Air Commerce Regulations, the Government of the Philippine Islands, dated October 15, 1935.

d. Responsibility of commanding officers.—The commanding officer of a military reservation, post, camp, station, or installation over which an airspace reservation has been established is responsible for the surveillance of the designated airspace and for prompt report to The Adjutant General, through military channels, of any illegal flight therein.

62. Restricted areas.—*a. Designation.*—The commanding officer of a post, camp, station, or installation is responsible for the designation and proper safeguarding of restricted areas. If local conditions dictate, he will mark all ordinary entrances or approaches to such areas with a sign reading as follows:

REF ID:A4127207

WARNING

RESTRICTED AREA

It is unlawful to enter within this _____ without written permission of _____
(Area, building, etc.) (Authority)

b. Procedure in case of violation.

(1) The commanding officer of a military reservation, post, camp, station, or installation will cause any person not subject to military law who enters a restricted area or building to be detained, warned of his rights, and interrogated by proper authority. If it is a first offense and there is no evidence of deliberate intent, the offender may be warned against repetition and released upon the surrender of any unlawful photograph, sketch, picture, drawing, map, or graphic representation in his possession. Otherwise the offender will be delivered without unnecessary delay to the nearest United States marshal with a written statement of the facts, the names and addresses of the witnesses, and such pertinent exhibits as may be available.

(2) When an investigation reveals that a person not subject to military law has entered such a restricted area or building, custody of the individual not having been effected, the commanding officer will promptly forward in writing to the nearest United States district attorney a report of all the facts, including the names and addresses of the witnesses.

(3) A report will be made through military channels to the corps area commander of each case brought to the attention of civil authority and will include a brief of all the facts and copies of all pertinent communications.

SECTION VIII
TROOP MOVEMENTS IN WAR

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63. General. *a.* The provisions of this section apply only in time of war.

b. Officers and men will avoid talk or discussion of military matters while in any public place and will view with suspicion any person asking questions about military subjects or discussing such topics where there is even remote possibility that the information may reach the enemy.

c. All persons connected with the military service, who receive information of proposed inland or oversea movements of organizations, detachments, or individuals are forbidden to make public the details of such movements.

d. (1) The names of organizations, ports of embarkation, or ships to be used in troop movements, or the date of departure, arrival, or embarkation will not be disclosed.

(2) When it is necessary to advise relatives or other civilians of approaching departure, persons connected with the military service will not convey any information in regard to rail routing, probable time and date of departure from or arrival at any station, names of ships, ports of embarkation, or the destination of organizations.

e. In time of war commanding officers are responsible that their commands are instructed in the provisions of this section of the regulations and in the dangers involved in leakage of information concerning troop movements.

64. Rail movements.—The marking of cars or baggage to indicate an oversea destination, the date of departure, or the name of the ship is forbidden. Baggage for oversea shipment will be addressed to the commanding officer of the port or, where a port of embarkation or debarkation has been established, to the port storage officer.

65. Embarkation.—*a. Admission to piers.*

(1) All persons not on official business will be excluded from the piers at all times.

(2) Only official photographers will be permitted to take cameras within the limits of the pier or overseas.

(3) Arrangements will be made to have farewells completed before arrival at the piers. No members of families, relatives, or friends of those sailing would be allowed at the piers or thereabouts on the day of sailing. Should any such persons be found there, they will be ordered away summarily by the guard and report will be made of the officer or enlisted man with whom they were seen or with whom they attempted to communicate.

b. Movement of troops.—At ports of embarkation troop movements will be made insofar as practicable without attracting undue attention. Troops will be held at ease, bands will not play, colors will be cased, and no noise of any kind will be permitted.

66. Movement of vessels.—In harbors, vessels loaded with troops or supplies will be moved under cover of darkness, whenever possible. If vessels must be moved during daylight, the commanding officer of troops will hold his men below deck or within deck superstructures to prevent attracting attention. Signals by flags or whistles should be limited to those necessary for safe navigation.

67. Overseas.—After arrival overseas no information will be given concerning names or destinations of organizations, names of vessels, data concerning convoys, routes pursued, measures taken to avoid attack, dates of arrival, debarkation, or departure, or number of troops or kind of cargoes carried.

SECTION IX

EXTRACTS FROM PERTINENT LAWS AND REGULATIONS

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68. **Military reservations, unlawful entry.**—Whoever shall go upon any military reservation, army post, fort, or arsenal, for any purpose prohibited by law or military regulation made in pursuance of law, or whoever shall reenter or be found within any such reservation, post, fort, or arsenal, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both. *Sec. 45, act March 4, 1909 (35 Stat. 1097), 8 U. S. C. 97; M. L. 1939, sec. 816.*

69. **The Espionage Act.**—*a. Unlawfully obtaining or permitting to be obtained information affecting national defense.*—That (a) whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, coaling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the national defense, owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers or agents, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, or stored, under any contract or agreement with the United States, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place within the meaning of section six of this title; or (b) whoever for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or (c) whoever, for the purpose aforesaid, receives or obtains or agrees or attempts or induces or aids another to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts or induces or aids another to receive or obtain it, that it has been or will be obtained, taken, made or disposed of by any person contrary to the provisions of this title; or (d) whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book,

sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or wilfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or (e) whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, or information relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 1, Title I, act June 15, 1917 (40 Stat. 217); 50 U. S. C. 31; M. L. 1939, sec. 2181; sec. 1, act March 28, 1940 (Public No. 443, 76th Cong.).*

b. Unlawfully disclosing information affecting national defense.—(a) Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts to, or aids or induces another to, communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be punished by imprisonment for not more than twenty years: *Provided*, That whoever shall violate the provisions of subsection (a) of this section in time of war, shall be punished by death or by imprisonment for not more than thirty years; and (b) whoever, in time of war, with intent that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for not more than thirty years. *Sec. 2, Title I, act June 15, 1917 (40 Stat. 218); 50 U. S. C. 32; M. L. 1939, sec. 2182.*

c. Conspiracy to violate preceding sections.—If two or more persons conspire to violate the provisions of sections two or three of this title, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy. Except as above provided, conspiracies to commit offenses under this title shall be punished as provided by section thirty-seven of the Act to codify, revise, and amend the penal laws of the United States approved March fourth, nineteen hundred and nine. *Sec. 4, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 34; M. L. 1939, sec. 2185.*

REF ID:A4127207

d. Harboring or concealing violators of law.—Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under this title shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 5, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 35; sec. 2, act March 28, 1940 (Public No. 443, 76th Cong.).*

e. Designation of prohibited places by proclamation.—The President in time of war or in case of national emergency may by proclamation designate any place other than those set forth in subsection (a) of section one hereof in which anything for the use of the Army or Navy, is being prepared or constructed or stored as a prohibited place for the purposes of this title: *Provided*, That he shall determine that information with respect thereto would be prejudicial to the national defense. *Sec. 6, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 36; M. L., 1939, sec. 2186.*

f. Places subject to provisions of this title.—The provisions of this title shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States whether or not contiguous thereto, and offenses under this title when committed upon the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 8, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 37.*

g. Jurisdiction of courts-martial and military commissions.—Nothing contained in this title shall be deemed to limit the jurisdiction of the general courts-martial, military commissions, or naval courts-martial under sections thirteen hundred and forty-two, thirteen hundred and forty-three, and sixteen hundred and twenty-four of the Revised Statutes as amended. *Sec. 7, Title I, act June 15, 1917 (40 Stat. 219); 50 U. S. C. 38.*

h. Jurisdiction of courts of Canal Zone and Philippine Islands of offenses on high seas.—The several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this Act committed within their respective districts; and concurrent jurisdiction with the district courts of the United States of offenses under this Act committed upon the high seas, and of conspiracies to commit such offenses, as defined by section thirty-seven of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine, and the provisions of said section for the purpose of this Act, are hereby extended to the Philippine Islands, and to the Canal Zone. In such cases the district attorneys of the Philippine Islands and of the Canal Zone shall have the powers and perform the duties provided in this Act for United States attorneys. *Sec. 2, Title XIII, act June 15, 1917 (40 Stat. 231); 50 U. S. C. 39.*

70. The Air Corps Act.—* * * no aliens employed by a contractor for furnishing or constructing aircraft, or aircraft parts, or aeronautical accessories for the United States shall be permitted to have access to the plans or specifications or the work under construction or to participate in the contract trials without the written consent beforehand of the Secretary of the department concerned. *Sec. 10 (j), act July 2, 1926 (44 Stat. 780); 10 U. S. C. 310 (j); M. L. 1939, sec. 1942.*

71. Protection of classified plans and specifications.—(a) No aliens employed by a contractor in the performance of secret, confidential, or restricted Government contracts shall be permitted to have access to the plans or specifications, or the work under such contracts, or to participate in the contract trials, unless the written consent of the head of the Government department concerned has first been obtained, and any person who willfully violates or through negligence permits the violation of the provisions of this subsection shall be fined not more than $10,000 or imprisoned not more than five years, or both.

(b) Any alien who obtains employment on secret, confidential, or restricted Government contracts by willful misrepresentation of his alien status, or who makes such willful misrepresentation while seeking such employment, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) For the purpose of this section, the term "person" shall be construed to include an individual, partnership, association, corporation, or other business enterprise. *Sec. 11, act June 28, 1940 (Bull. No. 15, W. D., 1940).*

72. Protection of diplomatic codes.—That whoever, by virtue of his employment by the United States, shall obtain from another or shall have had custody of or access to, or shall have had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or competent authority, publish or furnish to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act June 10, 1933 (48 Stat. 122); 22 U. S. C. 135.*

73. Wire or radio communication.—*a. Unauthorized publication or use of communications.*—No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communications by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided*, That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast, or transmitted by ama-

feurs or others for the use of the general public, or relating to ships in distress. *Act June 19, 1934 (48 Stat. 1103); 47 U. S. C. 605.*

b. General penalty.—Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing in this Act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided herein, by a fine of not more than $10,000 or by imprisonment for a term of not more than two years, or both. *Act June 19, 1934 (48 Stat. 1100); 47 U. S. C. 501.*

74. Laws and regulations governing international traffic in arms.—*a. Special provisions in regard to military secrets.*—Under the provisions of Part V of the Laws and Regulations Administered by the Department of State Governing International Traffic in Arms, Ammunition, and Implements of War and Other Munitions of War, 1938, the Secretary of State will not issue a license authorizing the exportation of any arms, ammunition, or implements of war considered by the Secretary of War or by the Secretary of the Navy as instruments or appliances included among the articles covered by those terms as used in this Act, if in their opinion they involve military secrets of interest to the national defense. The articles which may be so considered are those falling within one of the following categories:

(1) Articles, the whole or any features of which have been or are being developed or manufactured by or for the War Department or the Navy Department or with the participation of either of those Departments; and

(2) Articles, the whole or any features of which have been used or are being used by the War Department or the Navy Department or which either Department has contracted to procure.

b. Included among articles developed by or for the War Department or the Navy Department are those which have been contracted for by either department or which have been developed in accordance with Army or Navy specifications and submitted to either Department for evaluation for procurement.

c. Prospective exporters of arms, ammunition, and implements of war should, before applying for a license to authorize the exportation of any article falling within the above categories which may possibly involve military secrets of interest to the national defense, communicate with the Secretary of State in advance of the proposed shipment in order that he may be in a position to ascertain for the prospective exporter whether or not military secrets are, in fact, involved therein.

75. Photographs, etc., of military and naval defenses.—*a.* That, whenever, in the interests of national defense, the President shall define certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary. Any person found guilty of a violation of this section shall upon conviction be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

SEC. 2. Any person who uses or permits or procures the use of any aircraft for the purpose of making a photograph, sketch, picture, drawing, map, or graphical representation of vital military or naval installations or equipment in violation of the preceding section, shall be liable to the penalty therein provided.

SEC. 3. On and after thirty days from the date upon which the President defines any vital military or naval installation or equipment as being within the category contemplated under the first section of this Act, it shall be unlawful for any person to reproduce, publish, sell, or give away any photograph, sketch, picture, drawing, map, or graphical representation of the vital military or naval installations or equipment so defined, without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, unless such photograph, sketch, picture, drawing, map, or graphical representation has clearly indicated thereon that it has been censored by the proper military or naval authority. Any person found guilty of a violation of this section shall upon conviction be punished as provided in the first section of this Act.

SEC. 5. The provisions of this Act shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States, whether contiguous thereto, or not and offenses under this Act when committed upon or over the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder.

Act Jan. 12, 1938, (52 Stat. 3)

b. WHEREAS section 1 of the act of January 12, 1938, 52 Stat. 3, provides:

"That, whenever, in the interests of national defense, the President shall define certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary. Any person found guilty of a violation of this section shall upon conviction be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment."

NOW, THEREFORE, by virtue of the authority vested in me by the foregoing statutory provisions, and in effectuation of the purposes of the said act of January 12, 1938, I hereby define the following as vital military and naval installations or equipment requiring protection against the general dissemination of information relative thereto:

1. All military or naval installations and equipment which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret," "confidential," or "restricted," and all military or naval installations and equipment which may hereafter

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be so classified, designated, and marked with the approval or at the direction of the President, and located within:

(*a*) Any military or naval reservation, post, arsenal, proving ground, range, mine field, camp, fort, yard, station, district, or area.

(*b*) Any defensive sea area heretofore or hereafter established and existing under authority of section 44 of the United States Criminal Code, as amended by the act of March 4, 1917, 39 Stat. 1194 (U. S. C., title 18, sec. 96).

(*c*) Any airspace reservation heretofore or hereafter established and existing under authority of section 4 of the Air Commerce Act of 1926 (44 Stat. 570, U. S. C., title 49, sec. 174).

(*d*) Any naval harbor closed to foreign vessels.

(*e*) Any area required for fleet purposes.

(*f*) Any commercial establishment engaged in the development or manufacture of military or naval arms, munitions, equipment, designs, ships, or vessels for the United States Army or Navy.

2. All military or naval aircraft, weapons, ammunition, vehicles, ships, vessels, instruments, engines, manufacturing machinery, tools, devices, or any other equipment whatsoever, in the possession of the Army or Navy, or in the course of experimentation, development, manufacture, or delivery for the Army or Navy, which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret," "confidential," or "restricted," and all such articles, materials, or equipment which may hereafter be so classified, designated, and marked with the approval or at the direction of the President.

3. All official military or naval books, pamphlets, documents, reports, maps, charts, plans, designs, models, drawings, photographs, contracts, or specifications, which are now marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret," "confidential," or "restricted," and all such articles or equipment which may hereafter be so marked with the approval or at the direction of the President. *E. O. No. 8381, March 22, 1940.*

[A.G. 312.11 (3-1-41).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

E. S. ADAMS,
Major General,
The Adjutant General.

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 1

WAR DEPARTMENT,
WASHINGTON, November 5, 1942.

AR 380–5, September 28, 1942, is changed as follows:

19. Transmission of classified documents.—*a. Secret documents.*

* * * * * * *

(5) *Transmission by aircraft.*—Secret documents, except those used by Army Air Forces personnel during flight, will be transported by aircraft or by registered air mail only under exceptional circumstances when in the opinion of one of the authorities designated in paragraph 3*c* the emergency demands it. When transmitted by military aircraft they will be securely wrapped and placed in the custody of an officer other than the pilot. When the flight of the military aircraft is to be made over water the document will also be weighted.

* * * * * * *

[A. G. 312.11 (11–4–42). (C 1, Nov. 5, 1942.)]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 2

WAR DEPARTMENT,
WASHINGTON, December 14, 1942.

AR 380–5, September 28, 1942, is changed as follows:

5. Restricted matter.

* * * * * * *

b. Examples of items classified as restricted:

* * * * * * *

(8) Certain military maps, certain photomaps and all aerial photographs.

(*a*) In the continental United States, those showing lay-out of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, and the adjacent terrain vital to their defense, including photographs not otherwise classified which are not suitable for public release; and

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all topographic maps and photographs not otherwise classified which are not suitable for public release.

(*c*) All aerial photographs not classified ***secret*** or ***confidential.***

* * * * * * *

[A. G. 312.11 (12–1–42).] (C 2, Dec. 14, 1942.)

19. Transmission of classified documents.

* * * * * * *

c. Restricted documents.—Restricted documents may be transmitted by any authorized messenger, or by ordinary mail, express, or freight to any point in the United States and its possessions, provided they are carried on vessels or aircraft of United States registry, allied registry, or such vessels or aircraft, although not of United States or allied registry, which are controlled and operated by the United States and do not pass through a foreign postal system. Restricted documents will be transmitted to and from foreign countries either in vessels or aircraft of United States registry, allied registry, or such vessels or aircraft, although not of United States or allied registry, which are controlled and operated by the United States.

[A. G. 312.11 (12–1–42).] (C 2, Dec. 14, 1942.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 3

WAR DEPARTMENT,
WASHINGTON, December 22, 1942.

AR 380–5, September 28, 1942, is changed as follows:

10. Cancelation or change of classification.—*a.* The authority making the original classification, or higher authority, may cancel or change the classification of a document by writing or stamping over the mark at the top of the first page, "Classification canceled or changed to ____, by authority of (*officer authorized to change*), by (*name and grade of officer making the change and the date thereof*)." This paragraph will in no way be construed as a limitation upon paragraph 38.

* * * * * * *

[A. G. 312.11 (11–13–42).] (C 3, Dec. 22, 1942.)

37. Drafting messages.

* * * * * * *

b. Standardization of the content and form of such documents as field orders and operation instructions is necessary, but when fixed expressions are repeated in a message the results are exceedingly dangerous to cryptographic security. Hence stereotyped phraseology and set form of expression, especially at the beginning or end of a message, will not be used. Examples of stereotyped beginning are as follows: "Reference your," "Reurad," "Reference my," etc. Necessary references will be placed in the body of the message. The use of words and phrases as "padding" at the beginning and/or end of messages tends to produce stereotyped phraseology and is prohibited except as specifically prescribed by instruction for the use of certain cryptographic systems.

* * * * * * *

[A. G. 312.11 (11–13–42).] (C 3, Dec. 22, 1942.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 4

WAR DEPARTMENT,
WASHINGTON, January 1, 1943.

AR 380–5, September 28, 1942, is changed as follows:

59. Authority for admission.

* * * * * * *

c. United States citizens.—Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

* * * * * * *

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to manufacturing establishments engaged on work for the War Department, provided classified matter, projects, or processes of manufacture are not shown or discussed with them. News items, photographs, and motion pictures resulting from the visit must be submitted to the War Department Bureau of Public Relations for review prior to publication.

[A. G. 312.11 (12–17–42).] (C 4, Jan. 1, 1943.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 5

WAR DEPARTMENT,
WASHINGTON, January 23, 1943.

AR 380–5, September 28, 1942, is changed as follows:

57½. Protection of shipments via commercial carriers within the United States or its possessions.—*a. Selection of shipping method.*—Disclosure of information pertaining to classified matériel will be prevented during transportation by one of the following methods of shipment, to be determined by a commissioned officer of the service, force, or organization authorizing its movement qualified to make such classification, by a higher authority so qualified, or by a military attaché.

b. Protection as for documents.—If size and quantity permit, classified matériel may be handled in the same manner as provided for similarly classified documents in paragraph 19. In cases where matériel is of such size or quantity as to create suspicion of its character and entail additional risk when transported in the same manner as documents, another method will be used.

c. Railway express service protected by carrier's guards.—Secret or confidential shipments may be shipped via Railway Express Agency, Incorporated, after advance arrangements have been made for carrier to guard matériel from the time it leaves the hands of consignor until delivered to consignee. Notwithstanding the general prohibition of insurance on Government shipments, any classified shipments may be shipped at their actual value and notation of such value made on the bills of lading. (See AR 30–905, 30–950, and 55–155). The officer determining the method of shipment will certify to the officer issuing the bill of lading the valuation to be used.

d. Ordinary railway express service protected by military guards.—This method of shipment may be chosen for secret or confidential matériel as provided in *a* above. In such case the principles of regulations governing guarding of freight shipments (see par. 8, AR 55–155) will be followed so far as appropriate for express service, with the definite exception that guards with express shipments will be furnished with transportation requests. The number of guards detailed to protect the shipment will be a minimum consistent with security requirements.

e. Air express via commercial air lines protected by military guards.—The provisions of *d* above will govern generally.

f. Rail freight service protected by military guards.—See paragraph 8, AR 55–155.

g. Ordinary motor truck freight protected by military guards.—The principles of paragraph 8, AR 55–155, will govern. Only one guard will be used for short runs unless more are necessary.

h. Water freight service protected by military guards.—The principles of paragraph 8, AR 55–155, will govern. When vessels are used which have

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arrangements for carrying passengers, transportation requests will be issued. When vessels are used which do not have arrangements for carrying public passengers, carriage free or at a reasonable charge, with appropriate arrangements for meals, will be negotiated.

i. Straight or mixed troop trains.—Classified matériel accompanying troops will be adequately guarded by organization personnel.

j. Guards.—Guards sufficiently armed will be provided in accordance with paragraph 8, AR 55–155. Neither carrier's nor military guards will be used for the sole purpose of preventing disclosure of information of restricted matériel. Guarded service may be used on any shipment when necessary to prevent physical sabotage. When possible, where concealment of the arm is not necessary, submachine guns, automatic rifles, or rifles should be provided in preference to pistols.

[A. G. 312.11 (1–19–43).] (C 5, Jan. 23, 1943.)

58. Classification.

* * * * * * *

c. Canadian nationals will be considered as and accorded the same privileges as citizens of the United States with respect to the matter of visits to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects.

[A. G. 312.11 (1–19–43).] (C 5, Jan. 23, 1943.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

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U. S. GOVERNMENT PRINTING OFFICE: 1943

REF ID:A4127207

AR 380–5
C 8

SAFEGUARDING MILITARY INFORMATION

CHANGES No. 8

WAR DEPARTMENT,
WASHINGTON, February 24, 1943.

AR 380–5, September 28, 1942, is changed as follows:

14. **Requests for military information.**—*a.* All requests from private individuals, firms, or corporations and Federal or State agencies or departments for classified military information (except those requests defined under *b* and *c* below) are governed by the provisions of AR 410–5.

* * * * * * *

[A. G. 312.11 (1–21–43).] (C 8, Feb. 24, 1943.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

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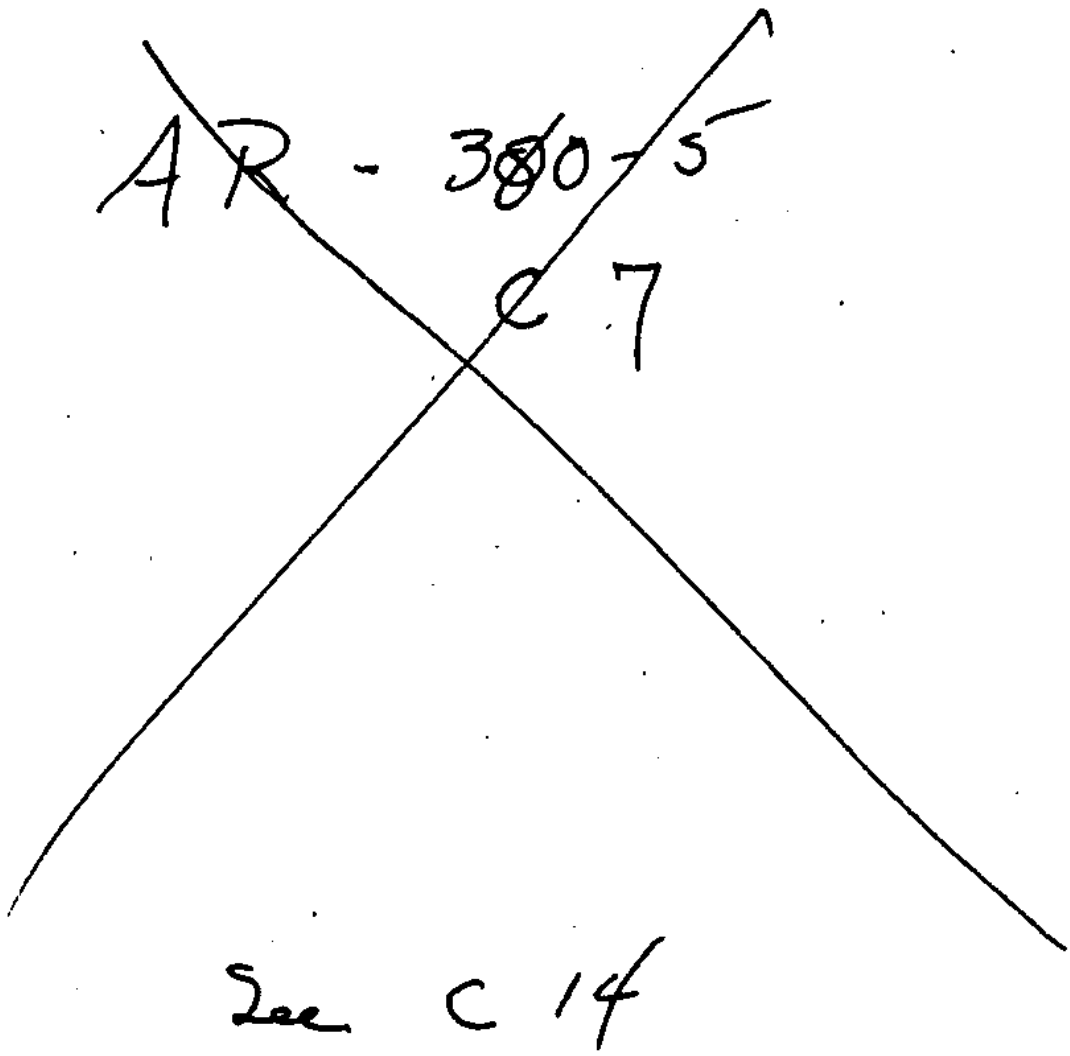

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 9

WAR DEPARTMENT,
WASHINGTON, March 16, 1943.

AR 380–5, September 28, 1942, is changed as follows:

12. Reproduction of classified matter.

* * * * * * *

c. The Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, and the Commanding General of the Army Service Forces are responsible that service magazines or journals published under their supervision comply with the provisions of these regulations relative to security of classified military information, and will submit all material for such publications to the Bureau of Public Relations for review and action before release.

* * * * * * *

[A. G. 312.11 (2–17–43).] (C 9, Mar. 16, 1943.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 10

WAR DEPARTMENT,
WASHINGTON, April 20, 1943.

AR 380–5, September 28, 1942, is changed as follows:

66. Embarkation.

* * * * * * *

b. Movement of troops.—At ports of embarkation troop movements will be made so far as practicable without attracting undue attention. Authority to use bands during embarkation of troops is left to the discretion of port commanders where, in their opinion, the playing of a band will not jeopardize the security of the movement.

[A. G. 312.11 (3–13–43).] (C 10, Apr. 20, 1943.)

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 11

WAR DEPARTMENT,
WASHINGTON, 11 June 1943.

AR 380–5, 28 September 1942, is changed as follows:

11. Loss or subjection to compromise.—Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of a secret or confidential document or article of matériel will promptly report that fact to the custodian of the document or matériel. The proper commanding officer will notify the office responsible for its issue, by the fastest means available, of the loss or subjection to compromise of a secret or registered item, or confidential operational plans, codes, ciphers, and weapons or equipment of vital importance to current or future operations, and will then in the case of a secret or confidential item make a thorough investigation of the circumstances, fix the responsibility, and send to The Adjutant General, through military channels, a report with his recommendation in the case.

[A. G. 312.11 (21 Apr. 43).] (C 11, 11 June 43.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

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U. S. GOVERNMENT PRINTING OFFICE: 1943

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 12

WAR DEPARTMENT,
WASHINGTON 25, D. C., 26 June 1943

AR 380–5, 28 September 1942, is changed as follows:

61. Responsibility of Government contractors.

* * * * * * *

c. Rescinded.

[A. G. 312.11 (11 Jun 43).] (C 12, 26 Jun 43.)

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

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U. S. GOVERNMENT PRINTING OFFICE: 1943

REF ID:A4127207

ARMY REGULATIONS } WAR DEPARTMENT,
No. 380-5 } WASHINGTON, September 28, 1942.

SAFEGUARDING MILITARY INFORMATION

Read

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SECTION I

GENERAL

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1. **Purpose.**—Military information is of varying degrees of value to foreign governments and therefore requires the exercise of varying degrees of precaution for its safety. For the purpose of providing the necessary variations in safeguarding the several types of critical information, the classifications outlined in paragraphs 3, 4, and 5 have been established. All military information, documents, development projects, and matériel other than that classified as above are regarded as unclassified.

2. **Definitions.**—*a. Aircraft.*—The term "aircraft" includes all weight-carrying devices or structures designed to be supported by the air, either by buoyance or by dynamic action.

b. Air space reservation.—An air space reservation is the air space located above an area on the surface of the land or water, designated and set apart by Executive order of the President or by a State, Commonwealth, or Territory,

*This pamphlet supersedes AR 380-5, June 18, 1941, including section II, Circular No. 231; section V, Circular No. 242; and section II, Circular No. 252, War Department, 1941; section IV, Circular No. 35, and section I, Circular No. 109, War Department, 1942.

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over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes.

c. Classified military information.—Classified military information includes all information concerning documents, cryptographic devices, development projects, and matériel classified as secret, confidential, or restricted, as well as the items themselves. All other military information, documents, development projects, and matériel are regarded as unclassified.

d. Cryptographic material.—Cryptographic material includes all documents and devices employed in changing plain-language messages into unintelligible form by means of codes and ciphers.

e. Cryptographic security.—Cryptographic security is that branch of signal communication which deals with the provision of technically sound cryptographic systems, their proper use, and their careful safeguarding.

f. Document.—The term "document" includes printed, mimeographed, typed, photostated, and written matter of all kinds; maps, photomaps, and aerial photographs and mosaics; drawings, sketches, notes, and blueprints, or photostatic copies thereof; photographs and photographic negatives; engineering data; correspondence and plans relating to research and development projects; and all other similar matter.

g. Engineering data.—The term "engineering data" comprises drawings, blueprints, photostats, photographs, mathematical calculations, formulas, processes, and all similar items that can be reduced to documentary form.

h. Foreign government.—The term "foreign government" includes any recognized or nonrecognized government and any faction or body of insurgents within a country with which the United States is at peace.

i. Matériel.—The term "matériel" comprises military arms, armament, equipment, and supplies of all classes, both complete and in process of development and construction, models that show features in whole or in part, designs, mock-ups, jigs, fixtures, and dies, and all other components or accessories of military equipment.

j. Mock-up.—A mock-up is a model, usually full size, and constructed of inexpensive material, made for the purpose of studying the construction and use of an article of matériel or mechanical device.

k. Paraphrasing.—To paraphrase a message is to rewrite it so that its meaning is the same but its phraseology is different.

l. Photomap.—A photomap is a reproduction of an aerial mosaic, composite, or single vertical used in place of or to supplement a map.

m. Registered document.—A registered document is an important secret, confidential, or restricted document or cryptographic device which is assigned a register number for use in accounting to the office of record at periodic intervals.

n. Reserved area.—A reserved area is an area on the surface of the land or water designated and set apart by Executive order of the President for purposes of national defense, admittance to which is either prohibited or restricted.

o. Short title.—A short title is a designation applied to a registered document for purposes of security and brevity. It consists of figures, letters, words, or combinations thereof, and usually contains an abbreviated designation of the office of origin without giving any information relative to classification or content of the document.

p. United States.—The term "United States" as used in these regulations includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States. *Sec. I, Title XIII, act June 15, 1917 (40 Stat. 231; 50 U. S. C. 40; M. L., 1939, sec. 2187).*

q. Visitor.—As used in these regulations a visitor is any person admitted to a Government or commercial manufacturing establishment engaged in classified work or project for the War Department except—

(1) A person employed on the work or project, or

(2) A person directly and officially concerned with the work or project.

3. Secret matter.—*a. When classified secret.*—Documents, cryptographic devices, development projects, or articles of matériel will be classified and, if practicable, marked ***secret*** when disclosure of the information or features contained therein might endanger national security, cause serious injury to the interest or prestige of the nation or any governmental activity, or would be of great advantage to a foreign nation.

b. Examples of items classified as secret:

(1) War plans.

(2) Documents relating to the design and development of new matériel and containing information of the type described in *a* above.

(3) Codes, ciphers, and cryptographic devices used to transmit secret information.

(4) Certain military maps and photomaps.

(*a*) In the continental United States, those illustrating and identified with a war plan, including local defense plans, defense projects, or any phase thereof.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those illustrating an approved war plan, including local defense plans, defense projects, or any phase thereof; those showing the lay-out of permanent defense works and naval bases and the adjacent terrain vital to their defense; and those that serve to fix definitely the location of any element of permanent defense works and naval bases.

(5) Information concerning items of matériel and methods of assembly classified as *secret* by a chief of a supply service.

(6) Photographs, photostats, diagrams, or models of any secret document or essential part of secret matériel.

(7) Troop movements—see section VIII.

(8) Information which will indicate the strength of garrisons in oversea departments and foreign territory occupied by the forces of the United States or information indicating the composition of units or the total quantity of specific items of equipment pertaining thereto, except that mailing addresses will include organizational designations.

c. Authority to classify as secret.—Matters may be classified as ***secret*** only by or by authority of the Secretary of War, the Under Secretary of War, an Assistant Secretary of War, the Chief of Staff, the Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, the Commanding General of the Services of Supply, an Assistant Chief of Staff of the War Department General Staff, the chiefs of the supply and administrative services, a general officer, the commanding officer of a depot, post, camp, station, or independent command, the commandant of a general or special service school, the chief of a military mission, a military attaché, or a military observer.

d. Dissemination of secret matter.—The dissemination of secret matter will be held to the absolute minimum. Information as to the contents or whereabouts of

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secret matter will be disclosed only to those persons whose duties require such knowledge. It is exclusively for the official use of the person to whom it is divulged or issued, who will be responsible for its safe custody and security. Its inviolability is the duty and responsibility of all persons having knowledge thereof, no matter how obtained.

4. Confidential matter.—*a. When classified as confidential.*—Documents, cryptographic devices, development projects, and articles of matériel will be classified and, if practicable, marked ***confidential*** when disclosure of the information contained therein, although not endangering the national security, might be prejudicial to the interest or prestige of the United States, a governmental activity, or an individual, or be of advantage to a foreign nation.

b. Examples of items classified as confidential:

(1) Regulations governing joint action of the Army and the Navy.

(2) Documents relating to the design and development of new matériel and containing information of the type described in *a* above.

(3) Codes, ciphers, and cryptographic devices used to transmit confidential information.

(4) Certain military maps and photomaps.

(*a*) In the continental United States, those showing lay-out of the permanent defense works and naval bases and the adjacent terrain vital to their defense, and those that serve to fix definitely the location of any element of permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet, only those sheets showing defense elements need be classified as *confidential*.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as *secret*, showing lay-out of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, proving grounds, or any area vital to defense.

(5) Technical information, such as research of processes of manufacture which may be a distinct military asset and not a matter of general knowledge, and other technical items of the type described in *a* above.

(6) Photographs, photostats, diagrams, or models of any confidential document or essential part of confidential matériel.

(7) Certain reports, orders, or instructions pertaining to individuals, such as those relating to investigations, special assignments, and others.

(8) Information and records compiled at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs. *See sec. 5a, added to act June 3, 1916, by sec. 5, act June 4, 1920, (41 Stat. 764; 10 U. S. C. 1193; M. L., 1939, sec. 1925).*

(9) Shipments of machine prepared and manually prepared monthly personnel rosters and W. D., A. G. O. Form No. 303 (Report of Change) for organizations and individuals outside the continental limits of the United States. Rosters and reports of change included in any shipment need not be individually classified.

(10) All information relative to specific quantities of war reserves.

c. Authority to classify as confidential.—Documents, development projects, matériel, or technical information may be classified as *confidential* by any commissioned officer.

d. Dissemination of confidential matter.—Confidential military information will neither be discussed with nor disclosed to unauthorized persons. The contents or whereabouts of confidential documents, cryptographic devices, or matériel will be disclosed only to those persons in the Military Establishment whose duties require that they have such knowledge and to such other persons of especial trust who must be informed. Those to whom confidential information is entrusted or disclosed are responsible for its safe custody and security.

5. Restricted matter.—*a. When classified as restricted.*—A document, cryptographic device, development project, or article of matériel will be classified and, if practicable, marked ***restricted*** when information contained therein is for official use only, or when its disclosure should be limited for reasons of administrative privacy or denied the general public.

b. Examples of items classified as restricted:

(1) Certain parts of mobilization plans and regulations.

(2) Documents relating to the design and development of new matériel containing information of the type described in *a* above.

(3) Procurement plans.

(4) Codes, ciphers, and cryptographic devices used to transmit restricted information.

(5) Certain training and technical regulations.

(6) Certain Army extension courses.

(7) Certain documents regarding engineering principles and design details, composition, method of processing or assembling, which are vital to the functioning or use of an article of matériel.

(8) All military maps, photomaps, and aerial photographs in the possession of the War Department or to be hereafter drafted, developed, or reproduced for the War Department in the continental United States or in oversea possessions and foreign territory occupied by the forces of the United States not classified as *secret* or *confidential*.

(9) Photographs, photostats, diagrams, or models of any restricted document or essential part of restricted matériel.

(10) Strength returns for all stations within the continental United States.

c. Authority to classify as restricted.—Documents, development projects, technical data, and matériel may be classified as *restricted* by any commissioned officer.

d. Dissemination of restricted matter.—The information contained in restricted documents and the essential characteristics of restricted matériel may be given to any person known to be in the service of the United States and to persons of undoubted loyalty and discretion who are cooperating in Government work, but will not be communicated to the public or to the press except by authorized military public relations agencies.

6. Classification of information from other governmental agencies.—Information obtained from the Navy Department, other governmental agency, or friendly foreign government will be placed in the same relative classification as that in which it is carried by the controlling agency.

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7. One classification only.—A document or article of matériel will not be assigned more than one of the three classifications, *secret*, *confidential*, or *restricted*, but if this happens through error the more restrictive classification will apply.

8. Overclassification.—Documents or matériel requiring classification under the provisions of these regulations will be assigned the least restrictive classification consistent with the proper safeguarding of the information or matériel concerned. Overclassification will be avoided since it causes unnecessary delay in the transmission of messages and depreciates the importance of classified information in the minds of handling personnel.

9. Responsibility.—*a.* The safeguarding of classified military information is the responsibility of all military personnel, civilian employees of the War Department, and of the management and employees of all commercial firms engaged in classified work or projects for the War Department. Classified military information will be discussed only with military or civilian personnel having a legitimate interest therein.

b. Commanding officers, administrative officers, and procurement agencies are responsible that military personnel, civilian employees of the Military Establishment, and the management and employees of commercial firms engaged in classified projects or developments for the War Department are familiar with the pertinent provisions of these regulations. Clerical and technical work on SECRET and CONFIDENTIAL matter, to the extent practicable, will be performed only by duly investigated and approved personnel.

10. Cancelation or change of classification.—*a.* The authority making the original classification, or higher authority, may cancel or change the classification of a document by writing or stamping over the mark at the top of the first page, "Classification canceled or changed to ——————, by authority of (*officer authorized to change*), by (*name and grade of officer making the change and the date thereof*)."

b. The authority making the original classification or higher authority may cancel or change the classification of matériel by appropriate letters of instruction.

c. In the case of messages which have been previously cryptographed no change in classification should be made unless the text has been carefully paraphrased.

11. Loss or subjection to compromise.—Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of a secret or confidential document or article of matériel will promptly report that fact to the custodian of the document or matériel. The proper commanding officer will then make a thorough investigation of the circumstances, fix the responsibility, and send to The Adjutant General, through military channels, a report with his recommendation in the case.

12. Reproduction of classified matter.—*a.* Agencies entrusted with the printing or reproduction, storage, and issue of classified documents will be informed of the applicable provisions of these regulations. The authority directing the preparation, printing, or reproduction of classified documents will be responsible for the disposal of the notes, manuscripts, type, plates, stencils, negatives; and wastage incident thereto in a manner which will safeguard the secrecy of the information being reproduced.

b. The commandants of the general and special service schools are responsible that the printing or reproduction plants of their respective commands release no classified information to personnel or agencies not entitled thereto.

c. The Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, and the Commanding General of the Services of Supply are responsible that service magazines or journals published under their supervision comply with the provisions of these regulations relative to security of classified military information, and will submit all material for such publications to the War Department Manuscript Board for review and action before release.

d. Whenever correspondence, documents, drawings, prints, photographs, or models pertaining to secret, confidential, or restricted matériel disclose information regarding engineering principles, design details, composition, methods of processing or of assembly which are vital to the manufacture, functioning, or use of the matériel, they will be appropriately classified.

e. Information contained in classified documents may be referred to in other documents which are unclassified or marked with a lower classification only by, or by authority of, an officer qualified to classify as *secret*.

f. Preparation of press releases based on coded messages.—Officers authorized to prepare information to be made public will constantly bear in mind that such material may be of great value to the enemy signal intelligence service. Information received or sent in cryptographic messages will never be released verbatim but will be carefully paraphrased before release to the public.

g. For additional instructions relative to the discussion of military, political, diplomatic, and classified subjects, see AR 600–700.

13. Right to possess classified military information.—*a.* No person in the military service or employed by it is entitled to classified military information solely by virtue of his commission or official position. Such information will be entrusted only to those who need it in the performance of their official duties and to insure teamwork and efficient instruction of personnel, proper planning, or proper maintenance of equipment.

b. Photographs of classified features of military equipment or of other classified items will be made by members of the military service or by civilian employees of the War Department only when necessary in the conduct of their official duties and if made will not be developed or printed in commercial establishments or retained in their personal possession.

14. Requests for military information.—*a.* Requests from private individuals or firms for classified military information will be referred through channels to the Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, the Commanding General of the Services of Supply, the Commanding General of the army or the service command concerned, who, if unable to make reply, or if another agency is interested, will refer the matter to The Adjutant General for appropriate action.

b. Requests for military information by foreign nationals, including representatives of foreign governments, such as military and air attachés, will be referred to the Military Intelligence Division, War Department General Staff, for necessary action.

c. Applications for information or records compiled and furnished at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs will be referred to the Under Secretary of War for necessary action. The service of any process or subpena for the production of any such record will be reported immediately by the person on whom it is served to the United States attorney for the district in which the service is made and, at the same time, direct to the Under Secretary of War.

REF ID:A4127207

15. Dissemination of classified military information.—*a.* Except as regards information to be released to the press by authorized military public relations agencies, when classified military information is disseminated under the provisions of these regulations to persons not subject to military law, they will be informed that it affects the national defense of the United States within the meaning of the Espionage Act and that its transmission to an unauthorized person is prohibited. See also paragraph 18*b*.

b. Publication of articles or books.—The inclusion of classified military information in any article or book published by a member of the Army of the United States or by a civilian employee of the Military Establishment is prohibited unless specifically authorized by the War Department. For additional information relative to publication of articles, see AR 310-10, 600-10, and 600-700.

c. Oral discussions of classified military information.—Either public or private discussion of classified military information by members of the Military Establishment with or in the presence or hearing of unauthorized personnel is strictly forbidden.

16. Testimony before Congress.—*a.* When a person in the military service appears before a committee of Congress and is called upon to give testimony which he knows to be confidential or restricted, he will respectfully request that his statements be taken in executive session only and not appear in the record of hearings, the Congressional Record, or other document open to public inspection.

b. When called upon to give testimony which he knows to be secret, unless he has previously been authorized by the Secretary of War to give such testimony, he will respectfully state that he is not authorized to disclose the information desired, and will inform the appropriate member of Congress that a written request for the specific information should be transmitted to the Secretary of War. Testimony of a secret nature, when authorized by the Secretary of War, will be given only in executive session under the conditions cited in *a* above.

c. With regard to policies and facts which the public interest does not require to be kept secret, confidential, or restricted, see AR 600-10.

17. Legislation pertaining to War Department.—*a.* Recommendations to the War Department for legislation will be classified as *secret, confidential,* or *restricted* until released by the Secretary of War. Prior to such release, no information as to any legislative recommendation will be revealed to any individual or association not under War Department control except as may be required by law.

b. The nature and content of reports of the War Department on bills referred to it by committees of Congress will not be disclosed to individuals or agencies outside the War Department.

SECTION II

DOCUMENTS

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Routine correspondence, receipts, and reports	20
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18. Marking of classified documents.—*a. Manner of marking.*

(1) Classified books or pamphlets, the pages of which are permanently and securely fastened together, will be plainly and conspicuously marked or stamped *secret, confidential,* or *restricted* on the cover, title page, and first page.

(2) Classified communications and other material not permanently and securely fastened together, except as indicated in (3), (4), and (5) below, will be marked or stamped with the appropriate classification at the top and bottom of each page. The marking at the top will be so placed that it will not be hidden from view when the pages are clipped or stapled together.

(3) Classified photographic negatives, drawings, or tracings will carry a legend of the proper classification in such position that it will be reproduced on all copies made therefrom. Photographs made from negatives not so inscribed will be marked at the top and on the back with the proper classification.

(4) Contracts for the manufacture of classified matériel will be plainly and conspicuously marked, not typed, with the proper classification on the first page.

(5) Classified maps and photomaps will be appropriately marked under the scale.

b. Additional marking of classified documents issued to authorized civilians.—Documents containing classified military information furnished persons other than those of the military and naval services and their civilian employees will, in addition to being marked *secret, confidential,* or *restricted,* bear the following notation:

> 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.

c. Special marking of secret documents.—All secret documents will show the authority for the classification and the date affixed.

19. Transmission of classified documents.—*a. Secret documents.*

(1) *Between offices of same headquarters or station.*—At headquarters commanded by an authority qualified to make the secret classification, the commanding officer will provide for the security of interoffice transmission of secret documents.

(2) *Between posts, camps, or stations.*—Within the United States and its possessions secret documents will be transmitted by an officer-messenger or courier when practicable, otherwise by United States registered mail. When an officer courier is not available, such documents may be transported to and from foreign countries and the Philippine Commonwealth by State Department rotary lock pouch. If neither officer-courier nor diplomatic pouch is available, the responsible officer may entrust secret documents to reliable citizens of the United States, such as officers or officials of other governmental departments or masters of vessels of United States registry. If no undue delay will result, commanding officers of ports of embarkation will entrust secret documents to the commanding officer of troops on an Army transport for delivery. If none of the foregoing means of transportation are available, commanding generals of service commands and commanding

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officers of exempted stations are authorized to transmit secret documents by registered mail in a United States sea post office, provided they do not pass through any foreign postal system or that of the Philippine Commonwealth.

(3) *Preparation for transmission.*—Except when personally delivered by authorized personnel, secret documents transmitted from one person to another will be inclosed in an inner and an outer cover. Typewritten matter in the document will be protected by a cover sheet, or by a method of folding, from direct contact with the inner cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way but plainly marked *secret* so that the notation will be seen when the outer cover is removed and will contain a receipt form which will identify the addressor, the addressee, and the document. The outer cover will be sealed and addressed in the ordinary manner with no notation to indicate its secret classification.

(4) *Action upon receipt of secret matter.*

(*a*) Prior to opening a sealed package or envelope containing secret documents, the seals and wrappers will be carefully inspected to determine whether there has been any tampering. If any evidence of tampering is noted, the facts will be reported immediately to the issuing authority, who will initiate an investigation without delay.

(*b*) The inner cover marked *secret* will be opened only by the person to whom addressed or by personnel specifically designated by him. The receipt form will be dated and signed and immediately returned to the sender. The inner cover will be destroyed by burning if the subject matter of the inclosure has been in contact therewith.

(5) *Transmission by aircraft.*—Secret documents, except those used by Army Air Forces personnel during flight, will be transported by aircraft or by registered air mail only under exceptional circumstances when in the opinion of one of the authorities designated in paragraph 8c the emergency demands it. When transmitted by military aircraft they will be securely wrapped and placed in the custody of an officer other than the pilot. When the flight of the military aircraft is to be made over water the document will also be weighted.

b. Confidential documents.—(1) *Between offices, posts, camps, or stations.*

(*a*) Except as indicated in (*b*) below, confidential documents will be transmitted by an authorized messenger, insured express, or registered mail to any point in the United States and its possessions, provided they are carried in ships of United States registry and do not pass through a foreign postal system. When confidential documents are to be transported to and from foreign countries the means described in *a*(2) above will be used.

(*b*) Confidential documents pertaining to military intelligence may be transmitted by ordinary mail when in the opinion of the forwarding officer no serious consequences would be entailed by their loss.

(2) *Preparation for transmission.*—A confidential document will be prepared for transmission in the same manner as a secret document except that the inner cover will contain a receipt form only when the sender deems it necessary and may be opened by any responsible person authorized by the addressee.

(3) *Transmission by aircraft.*—Confidential documents, except those used by Army Air Forces personnel during flight, will be transported by military aircraft or by registered air mail only when in the opinion of the responsible officer the emergency demands it.

c. Restricted documents.—Restricted documents may be transmitted by any authorized messenger, or by ordinary mail, express, or freight to any point in the United States and its possessions, provided they are carried on ships of United States registry and do not pass through a foreign postal system. Restricted documents will be transmitted to and from foreign countries in the same manner as secret documents.

20. Routine correspondence, receipts, and reports.—Routine correspondence, receipts, or returns, and reports of possession, transfer, or destruction need not be classified if reference therein to classified or registered documents is made by file number or short title only, with no indication of the subject matter or classification.

21. Storage of classified documents.—*a. Storage of classified documents not registered.*

(1) Secret and confidential documents, other than registered documents, will be stored in the most secure files available in a room that is kept locked when not in use.

(2) Restricted documents will be stored and handled in such a manner as to insure a reasonable degree of security.

b. Storage of registered documents.

(1) Registered documents will be stored in the most secure space available, preferably the equivalent of a three-combination safe. If a three-combination safe is not available, then the documents should be kept constantly under armed guard.

(2) Only commissioned officers, warrant officers, and specially trusted enlisted men and civilian employees will be permitted to have access to the containers of registered documents or the combinations or keys thereto.

(3) Safes containing registered documents will habitually be kept locked with the full combination whenever they are not under the direct supervision of a person officially entrusted with the combination.

c. Cryptographic documents.—So far as practicable, cipher tables, alphabets, and keys will not be kept in the same container as the code books, documents, and devices to which they apply. No SECRET document will be taken forward of battalion command post.

d. Daily inspection.—At every headquarters an inspection will be made each day immediately before the close of business to insure that all secret and confidential documents and cryptographic devices have been properly put away.

e. Security in field.—In tactical operations, actual or simulated, the commanding officer of the unit concerned is responsible that all documents are given the maximum security possible under the circumstances. No secret document will be taken into the front lines.

f. Security aboard ship.—Where a ship's strong room is available, classified documents in transit will be stored therein.

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22. Return of secret and confidential documents.—Upon change of station or separation from the military service, an officer will return to the source from which received, or otherwise properly account for, all secret and confidential documents which have been issued to him.

23. Destruction of classified documents.—*a. Secret and confidential documents.* (1) When competent authority directs the destruction of secret or confidential documents, they will be burned by the custodian thereof in the presence of a disinterested officer. The certificate of destruction will be signed by both the custodian and the witnessing officer before submission to the officer directing the destruction. If the documents are registered, the certificate, signed by the custodian and the witnessing officer, will be sent to the officer directing the destruction, who will forward it to the office of record indicated in the registered document. If the headquarters has only one commissioned officer, the report will so state. Exceptions hereto may be authorized only by the War Department.

(2) Preliminary drafts, carbon sheets, plates, stencils, stenographic notes, and work sheets containing secret or confidential data will be destroyed by the person responsible for their production immediately after they have served their purpose or will be given the same classification and safeguarded in the same manner as the material produced from them.

b. Restricted documents.—Restricted documents will be destroyed in any convenient way which will render them useless.

SECTION III

REGISTERED DOCUMENTS

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24. Authority to designate.—Officers authorized to originate and issue secret, confidential, or restricted documents will designate as *registered* such secret, confidential, and restricted documents issued by them as they deem necessary in the interest of national defense. *Only documents of exceptional importance will be registered.*

25. Additional marking.—*a.* In addition to the marking *secret*, *confidential*, or *restricted*, the title page or inside front cover of a registered document will ordinarily show the register number, short title, office of record to which returns will be made, and instructions covering the returns for its accounting and for its ultimate disposal. If this is not practicable, the required data will accompany the registered document on a separate sheet.

b. All references to registered documents in semiannual or transfer reports, ordinary reports of destruction, or unclassified documents or correspondence will be by short title only, and such reports or correspondence need not be classified. Any correspondence or paper which refers to a registered document by a title

other than the short title must have the same classification as the registered document.

26. Revision or reproduction.—*a.* A new or revised edition of an old registered document may be assigned a new short title, but, where this is undesirable, the old short title followed by a symbol which will differentiate the new edition from the old edition is permissible.

b. Reproduction of a registered document is forbidden except by authority of the office of origin.

27. Notification of change of classification.—When the classification of a registered document is changed, the office of record will notify all offices to which it has been issued.

28. Inventory and report of possession.—*a.* Custodians will keep a complete inventory of all registered documents except those listed in *c* below and will make, or have made, on June 30 and December 31 of each year, an accurate return therefor to the proper office of record.

b. In making a semiannual report of possession the following details will be observed:

(1) Each item will be physically inspected and its register number checked against the inventory.

(2) At headquarters having two or more commissioned officers the custodian and one other disinterested officer will make the inventory and both will sign the report. If the headquarters has only one commissioned officer, the report will so state.

c. No semiannual report of possession will be made of—

(1) Training editions of code books, cipher alphabets, or keys, or of nonregistered cipher devices accounted for as ordinary property.

(2) Registered documents which have been placed in custody or storage for historical purposes.

d. Whenever a registered document is found which is not charged to the finder, a reasonable effort will be made to determine the office to which it pertains. If this is not found, the document will be forwarded through military channels to the issuing authority for disposition.

29. Reports of transfer and destruction.—*a.* When a registered document is transferred from one person to another, or if the custodian remains the same but the organization's designation changes, a certificate of transfer in triplicate will be made. The certificate, containing an acknowledgment of receipt by the receiving officer, will be dated and signed by the transferring officer.

b. Immediately upon completion of the transfer, the original of the transfer certificate will be forwarded direct to the office of origin. A copy of the certificate of transfer will be retained by each of the officers concerned.

c. Whenever a registered document is removed from its proper place of custody and issued to another person, the custodian will require a written receipt.

d. Registered documents will not be accounted for as prescribed for ordinary property in AR 35-6520. The forms described in paragraph 30 will be used in lieu of shipping tickets, memorandum receipts, stock record cards, etc.

e. The issuing authority normally designates when registered documents will be destroyed and upon such notification registered documents will be destroyed as indicated in paragraph 23 and report of destruction forwarded.

30. Prescribed forms.—*a.* War Department Form No. 32 (Record Card Registered Documents or Devices) will be used for recording all temporary transactions involving an individual registered document.

b. War Department Form No. 33 (Record Card—Registered Documents or Devices—Station) will be used by each officer making a consolidated record of all transactions concerning registered documents. It serves as a check to prevent the undiscovered loss of the individual card, War Department Form No. 32.

c. War Department Form No. 34 (Semiannual or Transfer Report of Registered Documents or Devices) will be used in transferring registered documents and in reporting the semiannual inventory thereof.

d. Other forms authorized by separate branches for special purposes such as report of destruction will be employed where applicable.

SECTION IV

CRYPTOGRAPHIC SECURITY

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31. Authorization of cryptographic systems.—All codes, ciphers, and cipher devices intended for use in the military service will be authorized only by the War Department. For forces in the field in time of war, this authority may be delegated to theater commanders and to oversea department commanders for special use within their theaters or departments.

32. Restrictions on use of authorized codes.—*a.* The use of any authorized code, cipher system, or cipher device for cryptographing personal messages is forbidden.

b. Messages for other departments of the Government and for commercial firms engaged in producing war matériel under Government contract may, when necessary, be cryptographed in War Department systems provided the text as supplied by the other Government department or firm is paraphrased before transmission without reference to the originator and also after transmission if delivery is made to an agency other than a military establishment.

33. Personnel authorized to perform cryptographic duties.—*a.* No authorized cryptographic system will be employed by any person who is not thoroughly familiar with the provisions of these regulations and all instructions pertaining to the cryptographic system to be employed.

b. Secret messages.—The cryptographing and decryptographing of messages classified as *secret* will be performed under the supervision of a commissioned officer. For the specific qualifications of personnel who may be permitted actually to perform secret crytographic work, reference should be made to letter instructions on this subject issued by the War Department.

c. Confidential messages.

(1) At all headquarters of divisions and larger units the cryptographing and decryptographing of confidential messages will be performed by personnel as prescribed for secret messages.

(2) At all headquarters of units smaller than a division, messages classified as *confidential* will be crytographed or decryptographed by personnel of the cryptographic section of the message center.

d. Restricted messages.—At all headquarters, messages classified as restricted will be cryptographed or decryptographed by personnel whose duties normally require the performance of this work.

34. Cryptographic security officer.—*a.* At each headquarters maintaining a message center there will be a cryptographic security officer, who ordinarily will be the officer in charge of the message center. He will be the custodian of cryptographic material and will be responsible for all measures necessary to insure cryptographic security.

b. If the cryptographic security officer believes that, in view of his knowledge of other messages on the same or like subject, a message has been incorrectly classified, or if he believes that the regulations governing the drafting and classifying of the message have been violated, he will request the originator to make the necessary change in the message or in its classification. If the originator does not comply with the request of the cryptographic security officer, the matter will be referred to the commanding officer of the headquarters concerned for final decision.

c. Cryptographic duties at any station where there is no regularly constituted message center will be performed by the originator of the message or, by personnel especially designated by the commanding officer. When cryptographic work is thus performed, the files of literal plain text messages and of cryptograms must be kept in different locked containers.

35. Sources of danger to cryptographic security.—In order to insure cryptographic security the following principles must be observed:

a. Cryptographic material will be given the most secure storage available and will never be left unattended except when deposited in a three-combination safe or its equivalent. See also paragraph 21*c* in this connection.

b. Care must be exercised in the drafting of messages destined to be cryptographed. The originator of any classified message is responsible for strict compliance with the provisions of paragraph 37.

c. The classification of messages must receive careful consideration by the originator since overclassification and underclassification are equally to be avoided. When a message has been classified and sent, all subsequent messages referring thereto must bear the same classification if any reference is made to the original message by subject or serial number, except where the originator underclassified the original communication, in which case the proper higher classification will be used. See paragraphs 6 to 11, inclusive.

d. The selection of the proper cryptographic system is a responsibility of the cryptographic security officer or the custodian of cryptographic material where there is no cryptographic security officer. He should be governed by the provisions of paragraph 38.

e. If time and availability of personnel permit, the cryptographed text of messages should be checked prior to transmission. The check should determine that the instructions governing the system employed are carefully followed. Particular care must be taken to assure that no plain text appears in the body of the message.

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f. The handling and filing of both plain and cryptographed text should conform to the procedure described in paragraphs 40 to 44, inclusive.

g. Paraphrasing is resorted to as a protection to the cryptographic system and will not be used in such a manner as to permit loose handling of classified messages. Paraphrasing is employed only when the content of the classified message is released to the public or given a wide distribution within the Army, or when it is necessary to repeat in a different cryptographic system or in a different key of the same system, all or portions of a previously cryptographed message, or message sent in plain language.

36. Responsibility for classification of messages.—*a.* Within the limitations prescribed in paragraph 42*b* the originator of a message is responsible that the classification given to it conforms to the definition given in paragraphs 2, 3, and 4. He is also responsible for the proper marking of the message before forwarding it for cryptographing and transmission.

b. A message will invariably be classified and marked *secret, confidential,* or *restricted*—

(1) When it contains information which is secret or confidential except when marked SEND IN CLEAR as indicated in paragraph 42*b*(2).

(2) When it contains matter the transmission of which in plain language is prohibited by AR 105-25.

37. Drafting messages.—*a.* Routine reports and messages which must be given a wide distribution, or the contents of which have been or may eventually be furnished the press, or which contain extracts or quotations from a newspaper, magazine, or any other document available to the public, will be prepared so as to permit their transmission in plain language or will be classified as *restricted.*

b. Standardization of the content and form of such documents as field orders and operation instructions is necessary, but when fixed expressions are repeated in a message the results are exceedingly dangerous to cryptographic security. Hence stereotyped phraseology and set form of expression, especially at the beginning or end of a message, will not be used. Examples of stereotyped beginning are as follows: "Reference your," "Reurad," "Reference my," etc. Necessary references will be placed in the body of the message.

c. Words not important to the sense will be omitted. Conjunctions and prepositions will be reduced to the minimum, and every effort will be made to avoid repetition of words.

d. The originator of all classified messages will paraphrase such portions as are quoted from—

(1) A message in plain language.

(2) A message in the same or another cryptographic system.

(3) A newspaper, magazine, or document available to the public.

e. Punctuation words, such as stop, period, and comma, will be avoided whenever the meaning is clear without them. Punctuation marks should be spelled out when it is essential that they be transmitted in the body of the message.

38. Selection of cryptographic system.—*a.* Subject to modification as outlined in paragraph 34*b*, the classification *secret, confidential,* or *restricted* given a message by its originator governs the cryptographic system to be used in cryptographing the message.

b. In order to prevent the cryptographing of *identical* subject matter by means of *different* codes and ciphers, once the message has been cryptographed, all subsequent messages on the same subject will normally be similarly cryptographed. Only a higher headquarters concerned is authorized to change the cryptographic system employed. If a change is authorized, *reference to previous messages by their reference numbers will be avoided.*

c. The mere acknowledgment of a cryptographed message need not be classified.

d. When the same clear-text message is transmitted to several addressees, it will ordinarily be cryptographed but once and sent to all addressees. If this is impossible because all addressees do not have identical codes or ciphers, the text of each message which must be cryptographed in a different system will be carefully and differently paraphrased for each system before cryptographing. This paraphrasing is the responsibility of the cryptographic security officer who should furnish the originator copies of each of the paraphrased versions.

39. Paraphrasing messages.—*a.* In paraphrasing, it is not sufficient to paraphrase only the beginning or ending of the message; the entire message will be subjected to the process.

b. Paraphrasing consists in applying all the following processes to the message:

(1) Changing the sequence of the paragraphs.

(2) Changing the sequence of the sentences in each paragraph.

(3) Shifting the positions of the subject, predicate, and modifiers in each sentence.

(4) Changing from active to passive voice or vice versa.

(5) Substituting synonyms or equivalent expressions.

c. When paraphrasing must be resorted to in connection with messages having identical or nearly identical plain text, effort will be made to change the lengths of the paraphrased version so that the cryptograms will not resemble each other even in that respect.

d. A paraphrase of a message will be accorded the same classification as the original message.

40. Method of handling outgoing secret messages.—*a.* The procedure hereinafter described will be followed at all headquarters, except the War Department in which the procedure will be as determined by the Chief of Staff.

b. The originator will prepare and number all copies of secret messages, send the original to the message center, and retain one copy for temporary file. Other carbon copies, all numbered and bearing the following notation, may be sent to local officers directly concerned:

> The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked *secret.* This copy will be safeguarded with the greatest care and will be returned to the originator without delay.
>
> All such copies will be carefully accounted for by the originator and will be destroyed when returned.

c. The original plain-text copy sent to the message center by the originator will be cryptographed at the cryptographic section of the message center. In message centers serving tactical units one copy only of the cryptographed message will be made and it will be sent to the transmitting agency. In the zone of the interior the number of copies to be made of the cryptographed message will be determined by the commanding officer of the headquarters concerned. All work sheets used in cryptographing the message will be immediately destroyed by burning.

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d. The original copy of the literal plain text will be marked SENT (date) and returned to the originator who will place it in his secret file for outgoing messages and destroy the retained copy by burning. Only one copy of the literal text will be filed in the originator's office.

e. The transmitting agency will send the cryptographed message, retaining at least one copy in its file of outgoing messages for final disposition in accordance with local regulations.

41. Method of handling incoming secret messages.—*a.* The procedure hereinafter described will be followed at all headquarters, except the War Department in which the procedure will be as determined by the Chief of Staff.

b. An incoming secret message will be copied in duplicate by the receiving operator; the original will go to the cryptographic section of the message center and the carbon copy to the files of the receiving station or message center, where it will be disposed of in accordance with local regulations.

c. A cryptographer will decryptograph the message, making only one copy of the decryptographed literal plain text, which will be marked SECRET and delivered to the addressee. The cryptographed version will be retained in the files of the message center, where it will be disposed of in accordance with local regulations. All work sheets used in decryptographing will be destroyed by burning. The cryptographic section will not retain any copy of the plain text in its files. The placing on the message blank of any marks or notations even remotely connected with the cryptographic system or steps in decryptographing the message, such as underlining key words, indicating groupings corresponding to lengths of columns of key, etc., is forbidden.

d. The addressee may make and circulate a limited number of literal copies for the information of other officers directly concerned. These carbon copies will all be numbered and bear the following notation:

> The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked SECRET. This copy will be safeguarded with the greatest care and will be returned to _____ without delay.
>
> All such information copies will be carefully accounted for by the addressee and will be destroyed when returned. Only one copy of the literal text of the message will be kept in the addressee's office.

42. Method of handling outgoing and incoming confidential messages.—*a. At administrative headquarters having fixed message centers.*—Whenever practicable, the procedure to be followed in the handling of messages in confidential codes or ciphers will be substantially the same as that prescribed for those transmitted in secret code or cipher, except within the War Department in which the procedure will be as determined by the Chief of Staff. They will, however, be marked and safeguarded in accordance with provisions of these regulations governing confidential documents.

b. In tactical operations, simulated or actual.

(1) All messages not classified as *secret* will be regarded as *confidential* but need not be so marked. The procedure to be followed is prescribed in FM 24–5, and in other pertinent regulations and instructions issued by proper authority. All radio messages except those noted in (2) below will be transmitted in cryptographic form.

(2) When the tactical situation is such that time cannot be spared for cryptographing, and when the information to be transmitted, if intercepted by the enemy, cannot be acted upon in time to influence

the situation in question, a commanding officer or his authorized representative may order the transmission of a message in plain language by a radio station serving his headquarters or command. Such written messages will be marked SEND IN CLEAR over the signature of the commander or his authorized representative.

43. Method of handling restricted messages.—The procedure to be followed in the handling of messages in restricted codes and ciphers will be substantially the same as that prescribed for those in confidential code or cipher, except that the number of copies need not be limited nor need they be numbered.

44. Confirmation copies of cryptographed messages prohibited.—The sending by any means whatsoever of confirmation copies of the plain text of messages transmitted in code or cipher is strictly prohibited.

45. Disposition or destruction of registered cryptographic material.—*a.* Whenever a person who has been issued registered secret or confidential codes, ciphers, cipher devices, or documents pertaining thereto, has no further need for them, he will report that fact to the Chief Signal Officer or in the case of the field forces in time of war to the signal officer of the headquarters charged with the issue of such documents.

b. When it has become highly probable that cryptographic material will be subject to loss or compromise, all documents and translations of messages will be destroyed by burning, and the cipher machines or devices will be destroyed beyond use or repair, and if possible, beyond recognition.

c. When cryptographic documents or devices have become unserviceable through long use, request for their replacement will be made to the issuing authority.

SECTION V

MATÉRIEL

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46. Authority to classify.—Whenever the chief of a supply service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel or a component thereof shall determine that the maintenance of any degree of secrecy regarding them is sufficiently important to the national defense, he will classify it as *secret, confidential,* or *restricted.*

47. Notification of classification or reclassification.—Whenever the chief of a supply service in charge of a research project, design, development, test, or production of a unit of matériel or component thereof shall determine that the matériel should remain classified after issue or that a change or cancelation of classification is desired, he will notify The Adjutant General, who in turn will inform all concerned.

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48. Responsibility for safeguarding technical information.—*a.* Chiefs of supply services engaged in the preparation of plans, research, and development work, or new design, test, production, procurement, storage, or use of classified matériel are responsible for the promulgation of such additional instructions as may be required for the safeguarding of information in the offices, establishments, laboratories, shops, or Army posts under their jurisdiction.

b. All secret, confidential, or restricted models, exhibits, dies, machines, and other similar items which are to be loaned, leased, or given to a commercial organization will be properly marked to indicate classification when practicable. If such marking is impracticable, the commercial organization will be specifically notified in writing of the classification of such items and of the pertinent provisions of the Espionage Act.

49. Classification of information from commercial firms.—Information obtained from civilian manufacturers concerning proprietary processes will be classified as *confidential* unless otherwise authorized by the firm concerned.

50. Dissemination of classified technical information.—Classified information concerning technical projects or developments may be imparted only to persons in the military and naval services of the United States, including civilian employees, who have a legitimate interest therein, and to American citizens of known loyalty and discretion who of necessity must be informed because of their cooperation in the work, project, or development.

51. Invitations for bids and contracts.—*a.* Prior to furnishing a prospective bidder or contractor with drawings, specifications, or other pertinent information concerning any project or projects of a secret, confidential, or restricted nature and annually thereafter so long as such documents, etc., are in his custody, a general secrecy agreement reading substantially as follows will be signed by the individual or by a responsible officer on behalf of the firm or corporation concerned:

In consideration of the receipt of drawings, specifications, and accompanying inclosures, models, or matériel, and information disclosed orally, concerning projects of a secret, confidential, or restricted nature, delivered to the undersigned prior to or coincident with the date of this agreement and listed on Exhibit A which is attached hereto and made a part hereof, or to be issued to the undersigned subsequent to the date of this agreement, the following terms are agreed to by or on behalf of the undersigned individual, firm, or corporation, and any and all representatives, agents, employees, or subbidders or subcontractors thereof:

1. The undersigned will neither supply nor disclose any information regarding the drawings, specifications, and accompanying inclosures, or models or matériel, or information disclosed orally, referred to herein to any unauthorized person, or incorporate in other projects special features of design or construction peculiar to such drawings, specifications, and accompanying inclosures, or models or matériel, or information disclosed orally.

2. The undersigned will not permit any alien employed or to be employed by the undersigned or by any subbidder or subcontractor to have access to the drawings, specifications, and accompanying inclosures, or models or matériel referred to herein, or to engineering principles, composition, subassemblies, or assemblies which are vital to the functioning or use of the article or to the work under any contract for the production thereof, or to the contract trials, without the written consent beforehand of the Secretary of War.

3. The undersigned will not make or permit to be made reproductions of the drawings, specifications, and accompanying inclosures or of the models or matériel, except as specifically authorized by the contracting officer or his duly authorized representative. If reproduction of any drawings, specifications, and accompanying papers, or of models or matériel, is authorized, the undersigned will promptly submit the product obtained to the contracting officer or his duly authorized representative for censorship or such other action as he may deem necessary.

4. If a bid is not submitted on a project of a secret, confidential, or restricted nature as to which drawings, specifications, and accompanying inclosures, and models or matériel have been issued to the undersigned, or if a bid is made and not accepted, or in case award is made, upon the completion of the contract the undersigned will promptly return by hand, by registered mail, or by insured express, such drawings, specifications, and accompanying papers, or models or matériel, together with all copies thereof, to the office from which the original copies were received.

5. (*a*) The undersigned agrees to bring or cause to be brought to the attention of all persons engaged in the preparation of the bid, whether submitted or not, including subbidders and their employees, the following provisions of law:

Espionage Act: Subparagraphs (d) and (e), sec. 1, act June 15, 1917 (40 Stat. 217); sec. 1, act March 28, 1940 (54 Stat. 79; 50 U. S. C. 31; M. L. 1939, Supp. I, sec. 2181).

Sec. 1, act January 12, 1938 (52 Stat. 3; 50 U. S. C. 45; M. L. 1939, sec. 2187a); and E. O. 8381, March 22, 1940; 5 F. R. 1147; 50 U. S. C. 45; M. L., 1939, Supp. I, sec. 2187a.

Second War Powers Act, 1942, sections 1402, 1403, act March 27, 1942 (Public Law 507, 77th Cong.).

(*b*) If the successful bidder on any project, the undersigned agrees also to bring or cause to be brought to the attention of all persons engaged in the performance of the contract, including persons employed on subcontracts, the provisions of the law enumerated in (*a*) above.

6. The undersigned further agrees that no information in connection with any secret, confidential, or restricted project will be given to any person not in the contractor's or subcontractor's employ except upon the written consent beforehand of the contracting officer or his duly authorized representative.

b. The execution of the general secrecy agreement required in *a* above with any individual, firm, or corporation prior to the delivery of any classified military information, and the annual secrecy agreements executed thereafter, will constitute authority for delivery to such individual, firm, or corporation from time to time of other or additional classified information pertaining to any secret, confidential, or restricted project, without the necessity of executing a specific secrecy agreement in each case. A receipt substantially as follows will be obtained when the additional classified data are submitted to those who have entered into such agreement.

Receipt is acknowledged of _____ and it is recognized that these data are classified and come within the purview of the secrecy agreement signed by _____ on _____.

52. Consultations with responsible manufacturers.—The commanding officers of arsenals and depots and other officers engaged in work on Government contracts are authorized to consult with all interested manufacturers or their representatives, inventors, and other persons concerning technical matters in which they have a legitimate interest. They will, however, inform all such persons of the classification of the projects, works, and developments.

53. Responsibility of Army representatives or inspectors.—*a.* Army representatives or inspectors of the supply service are the local representatives of the War Department and will take the necessary measures to insure the safeguarding of classified information or projects in the hands of the contractors or in process of manufacture in their plants.

b. Army representatives or inspectors will advise contractors as to their responsibilities and the practical measures to be taken to safeguard secret, confidential, and restricted matters and will act favorably, if practicable, on any suggestion or request of the company tending to preserve secrecy. If at any time conditions at any plant, or any action of a company or its employees, jeopardize the security of classified matter pertaining to the War Department

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or violate the provisions of the Espionage Act, the Army representative or inspector will request the contractor to take prompt remedial action. If adequate precautionary measures are not taken immediately, he will report promptly to the chief of the supply service concerned and, if the situation requires, to the commanding general of the service command in which the item is in process of manufacture.

c. When Army and Navy inspectors are on duty at the same plant, the Army inspector will coordinate all security measures with the Navy inspector in order to avoid conflicting demands upon contractors.

54. Responsibility of Government contractors.—*a.* A private individual, firm, or corporation which enters into a contract to engage in technical work for the War Department becomes responsible in matters within his or its control for the safeguarding of all secret, confidential, or restricted matters that may be disclosed or that may be developed in connection therewith. A clause to this effect will be included in such a contract, but its omission will not release the contractor from his responsibility under the Espionage Act and other pertinent laws.

b. Contractors are responsible that all classified projects allotted to subcontractors or agents are fully protected by a similar agreement.

c. Whenever for any reason a contract agreement or subcontract has been made which does not include a security clause but later is found to involve secret, confidential, or restricted matter, the supply service concerned will take the necessary steps to insure that the project or work is properly classified and that the contractor, agent, or subcontractor is informed of the classification and of his responsibility in the matter.

55. Tests of classified matériel.—Tests of classified matériel will be adequately safeguarded by all responsible officers.

56. Public display of classified matériel.—*a.* Commanding officers are responsible that all classified parts, components, or features of matériel are properly safeguarded during maneuvers, drills, parades, ceremonies, assemblages, demonstrations, or exhibitions open to the general public.

b. (1) Photographs of equipment while in process of development or those revealing processes of manufacture are prohibited unless authorized by the chief of supply service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited by the instructions issued therewith.

(2) Requests for permission to take photographs of classified matériel, projects, or processes of manufacture will be referred to the War Department through the proper chief of supply service. If authority is granted, it will be with the understanding that the resulting photographs will be submitted to the War Department for review prior to release.

57. Release of information or sale of matériel.—*a.* Domestic sale, divulging information in connection with negotiations for foreign sale, and foreign manufacture of items of Army and Navy matériel and equipment are not permitted unless the War and Navy Departments are agreed that military secrecy is not compromised thereby.

b. International traffic in arms.

(1) The State Department administers international traffic in arms and military matériel coming within the scope of the Regulations Governing the International Traffic in Arms, Ammunitions, and Implements of War and Other Munitions of War.

(2) The State Department will not release for foreign sale any item coming within the scope of these regulations until the War and Navy Departments have stated that there is no objection to the release on grounds of secrecy affecting the national defense.

SECTION VI

VISITORS

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Responsibility of Government contractors 60
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58. Classification.—*a. Foreign nationals.*—For the purpose of these regulations foreign nationals include—

(1) Representatives, officials, or employees of a foreign government having an official status.

(2) All other foreign nationals and citizens of the United States representing a foreign government, firm, or corporation.

b. United States citizens.—All citizens of the United States not included in *a* above.

59. Authority for admission.—*a. General.*—Correspondence and communications relating to visits will be routed direct between the various offices concerned.

b. Foreign nationals.

(1) Foreign nationals (see par. 58*a*) will be admitted to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects, and to military posts, camps, and airfields only on written authority of the Assistant Chief of Staff, G–2, War Department General Staff.

(2) Application for such visits will be made through the appropriate diplomatic representatives except in the case of foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States, for whom applications will be submitted by their employers, approved by the commanding officer or management of the establishment to be visited, and forwarded with the recommendation of the chief of the supply service or appropriate commanding general of the service command concerned to the Assistant Chief of Staff, G–2, War Department General Staff.

(3) Applications submitted through either of the channels described above will include the following information:

(*a*) Name in full.

(*b*) Official title or position.

(*c*) Name of plant or plants, posts, camps, or airfields to which admission is desired.

(*d*) Date of visit or dates between which visits are desired.

(*e*) Purpose of visit.

For foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States the following additional information will be required:

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(f) Nationality.

(g) Length of service with present employer.

(4) Prior to authorizing a visit to a War Department or commercial manufacturing establishment engaged in classified work or projects, the Assistant Chief of Staff, G-2, War Department General Staff, will secure the recommendations of the Navy Department and the chief of the supply service concerned. Members of the armed forces of Canada and Mexico may, however, be admitted to Army posts, camps, and airfields near the borders of those countries for occasional visits on the authority of the commanding general of the army, defense command, or service command having jurisdiction over such posts, camps, or airfields, without reference to higher authority.

c. United States citizens.—Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

(1) Casual visitors may be admitted provided no secret, confidential, or restricted work or project is shown or discussed.

(2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating in War Department work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible chief of supply service. Authority for admission will be in writing.

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to manufacturing establishments engaged on work for the War Department provided classified matters, projects, or processes of manufacture are not shown or discussed with them. News items, photographs, and motion pictures resulting from the visit must be submitted to the Assistant Chief of Staff, G-2, War Department General Staff, for release prior to publication.

60. Responsibility of commanding officer, Army representative, or inspector.—*a.* The commanding officer of a military manufacturing establishment or the Army representative or inspector at a commercial manufacturing establishment is the local representative of the War Department in all matters regarding the admission of visitors. If, in his opinion, the situation at the time makes the admission of a visitor inadvisable, he is empowered to postpone the visit and request instructions from the office which authorized it.

b. The commanding officer, or Army representative will make a report to the Assistant Chief of Staff, G-2, War Department General Staff, through the appropriate chief of supply service or commanding general, service command, giving the following information concerning foreigners who visit establishments engaged in classified projects:

(1) Name, official position, and nationality.

(2) Authority for the visit.

(3) Matters in which the visitors showed the greatest interest.

(4) General nature of questions asked.

(5) Expressed object of the visit.

(6) Inspector's estimate of the real object of the visit.

(7) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.

(8) A brief list of what was shown and explained.

61. Responsibility of Government contractors.—*a.* Contractors or subcontractors engaged in work for the War Department must place such restrictions on the movements of persons employed or entering their plants or offices as will give adequate security to secret, confidential, or restricted matters in their possession. In view of the wide differences in organization, arrangement, and physical make-up of individual plants, no specific rules are practicable. Therefore, local conditions at the plant and the classification of the project will determine the security measures to be adopted.

b. The following general procedure in regard to visitors at establishments or plants engaged in classified projects for the War Department is prescribed:

(1) Visitors will be accompanied during their stay at the plant by the Inspector or Army representative, a member of his office, or some responsible person who is specifically informed as to the necessary limitations or restrictions, the scope of the visit, and the information which may be furnished.

(2) Unless specifically authorized by the authorities mentioned in paragraph 59, visitors will not be allowed in any shop, laboratory, drafting room, or section of a plant where secret, confidential, or restricted matériel is located or where classified work is in progress, nor will they be permitted to take photographs.

(1) War Department contractors will submit to the commanding general of the service command, chief of supply service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, to whom their plants are assigned for continuing protection, at the end of each month, and upon the completion of the work or project, a report of all visitors who have gained information concerning the classified work or projects. These reports will include the following information:

(*a*) Name, official position, and nationality.

(*b*) Address.

(*c*) Authority for visit.

(*d*) Whether authorization for visit was written or oral.

(*e*) Whether authorization for visit was received prior to or simultaneous with the visit.

(*f*) Number of authorizations received for which the corresponding visits were not made, with detailed information in each case.

(2) The commanding general of the service command, chief of supply service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, to whom their plants are assigned for continuing protection, will submit the reports, to the Assistant Chief of Staff, G-2, War Department General Staff, through the appropriate chief of supply service.

SECTION VII

AIR SPACE RESERVATIONS, RESERVED AREAS, AND RESTRICTED AREAS

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Restricted areas	62

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62. Air space reservations.—*a. Establishment.*—Air space reservations over military installations or reservations over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes are established by Executive order of the President of the United States, or by a State, Commonwealth, or Territory.

b. Territory of Hawaii.—Section 3, Air Commerce Regulations of the Territory of Hawaii, prohibits private and commercial aircraft from flying over or crossing any part of Diamond Head and the fortifications of Fort Kamehameha and Fort Weaver.

c. Philippine Commonwealth.—Flying by any aircraft other than those of the United States and Philippine Governments within a distance of 6 miles from the perimeter of Corregidor Island, Fraile Island, Carabao Island, and Caballo Island, Manila Bay, and Subic Bay, Island of Luzon, and within 2 miles of the perimeter of Cavite Peninsula, Manila Bay, is prohibited by section 80, Air Commerce Regulations, the Government of the Philippine Islands, dated October 15, 1935.

d. Responsibility of commanding officers.—The commanding officer of a military reservation, post, camp, station, or installation over which an air space reservation has been established is responsible for the surveillance of the designated air space and for prompt report to The Adjutant General, through military channels, of any illegal flight therein.

63. Restricted areas.—*a. Designation.*—The commanding officer of a post, camp, station, or installation is responsible for the designation and proper safeguarding of restricted areas. If local conditions dictate, he will mark all ordinary entrances or approaches to such areas with a sign reading as follows:

WARNING
RESTRICTED AREA
It is unlawful to enter within this _____ without written permission of _____
(Area, building, etc.) (Authority)

b. Procedure in case of violation.

(1) The commanding officer of a military reservation, post, camp, station, or installation will cause any person not subject to military law who enters a restricted area or building to be detained, warned of his rights, and interrogated by proper authority. If it is a first offense and there is no evidence of deliberate intent, the offender may be warned against repetition and released upon the surrender of any unlawful photograph, sketch, picture, drawing, map, or graphic representation in his possession. Otherwise the offender will be delivered without unnecessary delay to the nearest United States marshal with a written statement of the facts, the names and addresses of the witnesses, and such pertinent exhibits as may be available.

(2) When an investigation reveals that a person not subject to military law has entered such a restricted area or building, custody of the individual not having been effected, the commanding officer will promptly forward in writing to the nearest United States district attorney a report of all the facts, including the names and addresses of the witnesses.

(3) A report will be made through military channels to the commanding general of the service command of each case brought to the attention of civil authority and will include a brief of all the facts and copies of all pertinent communications.

SECTION VIII
TROOP MOVEMENTS

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64. General.—*a.* Movement of troops or individuals, or any group or class of such movements may be classified as secret, confidential, or restricted by, or by authority of, any officer authorized to make or authorize secret classifications under paragraph 3*c*. All information relating to movements thus classified will be treated as in the same category as the movements to which it relates and all movements so classified will be governed by all the provisions of this section.

b. Officers and men will avoid talk or discussion of military matters while in any public place and will view with suspicion any person asking questions about military subjects or discussing such topics where there is even remote possibility that the information may reach the enemy.

c. All persons connected with the military service who receive information of proposed inland or oversea movements, classified in accordance with *a* above, of organizations, detachments, or individuals are forbidden to make public the details of such movements.

d. (1) The names of organizations, ports of embarkation, or ships to be used in troop movements, or the date of departure, arrival, or embarkation will not be disclosed.

(2) When it is necessary to advise relatives or other civilians of approaching departure, persons connected with the military service will not convey any information in regard to rail routing, probable time and date of departure from or arrival at any station, names of ships, ports of embarkation, or the destination of organizations.

e. Commanding officers of troops or individuals affected by the provisions of this section are responsible that such troops or individuals are instructed in such provisions, advised of their applicability, and warned of the danger involved in leakage of information concerning troop movements.

65. Rail movements.—The marking of cars or baggage to indicate an oversea destination, the date of departure, or the name of the ship is forbidden. Baggage for oversea shipment will be addressed to the commanding officer of the port or, where a port of embarkation or debarkation has been established, to the port storage officer.

66. Embarkation.—*a. Admission to piers.*

(1) All persons not on official business will be excluded from the piers at all times.

(2) Only official photographers will be permitted to take cameras within the limits of the pier or overseas.

(3) Arrangements will be made to have farewells completed before arrival at the piers. No members of families, relatives, or friends of those sailing will be allowed at the piers or thereabouts on the day of sailing. If any such persons are found there, they will be ordered away summarily by the guard and report will be made of the officer or enlisted man with whom they were seen or with whom they attempted to communicate.

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As discussed
As requested
Concurrence or comments
Information & forwarding
Information & return
Information & file
Recommendation
Signature if approved
Your action by
Info upon which to base reply

What wrong with this picture?
Poe + Lee ruins

b. Movement of troops.—At ports of embarkation troop movements will be made so far as practicable without attracting undue attention. Troops will be held at ease, bands will not play, colors will be cased, and no noise of any kind will be permitted.

67. Movement of vessels.—In harbors, vessels loaded with troops or supplies will be moved under cover of darkness, whenever possible. If vessels must be moved during daylight, the commanding officer of troops will hold his men below deck or within deck superstructures to prevent attracting attention. Signals by flags or whistles will be limited to those necessary for safe navigation.

68. Overseas.—*a.* After arrival overseas no information will be given concerning names or destinations of organizations, names of vessels, data concerning convoys, routes pursued, measures taken to avoid attack, dates of arrival, debarkation, or departure, or number of troops or kind of cargoes carried.

b. The disclosure of the place of execution or acknowledgment on a legal instrument by one in or with the armed forces overseas is authorized providing the military necessity of secrecy of strength and location of troops does not require suppression of such information, providing also that such disclosure is necessary to the legality of the instrument and the execution of the instrument cannot be deferred without undue hardship, and providing the information disclosed will be of no substantial value to the enemy when and if it may reach him.

SECTION IX

EXTRACTS FROM PERTINENT LAWS AND REGULATIONS

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Military reservations, unlawful entry	69
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69. Military reservations, unlawful entry.—Whoever, within the territory or jurisdiction of the United States, including the Canal Zone, Puerto Rico, and the Philippine Islands, shall go upon any military reservation, army post, fort, or arsenal, for any purpose prohibited by law or military regulation made in pursuance of law, or whoever shall reenter or be found within any such reservation, post, fort, or arsenal, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both. *Sec. 45, act March 4, 1909 (35 Stat. 1097); act March 28, 1940 (54 Stat. 80; 18 U. S. C. 97; M. L., 1939, Supp. I, sec. 816).*

70. Espionage Act.—*a. Unlawfully obtaining or permitting to be obtained information affecting national defense.*—That (a) whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, coaling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the national defense, owned or constructed, or in progress of construction

by the United States, or under the control of the United States, or of any of its officers or agents, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, or stored, under any contract or agreement with the United States, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place within the meaning of section six of this title; or (b) whoever, for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or (c) whoever, for the purpose aforesaid, receives or obtains or agrees or attempts or induces or aids another to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts or induces or aids another to receive or obtain it, that it has been or will be obtained, taken, made, or disposed of by any person contrary to the provisions of this title; or (d) whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or (e) whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, or information, relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 1, Title I, act June 15, 1917 (40 Stat. 217); sec. 1, act March 28, 1940 (54 Stat. 79; 50 U. S. C. 31; M. L., 1939, Supp. I, sec. 2181).*

b. Unlawfully disclosing information affecting national defense.—(a) Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts to, or aids or induces another to, communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be punished by imprisonment for not more than twenty years: *Provided*, That whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished by death or by imprisonment for not more than thirty years; and (b) whoever, in time of war, with intent that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt

to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States; or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for not more than thirty years. *Sec. 2, Title I, act June 15, 1917 (40 Stat. 218; 50 U. S. C. 32; M. L. 1939, sec. 2182).*

c. Conspiracy to violate preceding sections.—If two or more persons conspire to violate the provisions of sections two or three of this title, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy. Except as above provided conspiracies to commit offenses under this title shall be punished as provided by section thirty-seven of the Act to codify, revise, and amend the penal laws of the United States approved March fourth, nineteen hundred and nine. *Sec. 4, Title I, act June 15, 1917 (40 Stat. 219; 50 U. S. C. 34; M. L. 1939, sec. 2185).*

d. Harboring or concealing violators of law.—Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under this title shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 5, Title I, act June 15, 1917 (40 Stat. 219); sec. 2, act March 28, 1940 (54 Stat. 79; 50 U. S. C. 35).*

e. Designation of prohibited places by proclamation.—The President in time of war or in case of national emergency may by proclamation designate any place other than those set forth in subsection (a) of section one hereof in which anything for the use of the Army or Navy is being prepared or constructed or stored as a prohibited place for the purposes of this title: *Provided,* That he shall determine that information with respect thereto would be prejudicial to the national defense. *Sec. 6, Title I, act June 15, 1917 (40 Stat. 219; 50 U. S. C. 36; M. L., 1939, sec. 2186).*

f. Places subject to provisions of this title.—The provisions of this title shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States whether or not contiguous thereto, and offenses under this title when committed upon the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 8, Title I, act June 15, 1917 (40 Stat. 219; 50 U. S. C. 37).*

g. Jurisdiction of courts-martial and military commissions.—Nothing contained in this title shall be deemed to limit the jurisdiction of the general courts-martial, military commissions, or naval courts-martial under sections thirteen hundred and forty-two, thirteen hundred and forty-three, and sixteen hundred and twenty-four of the Revised Statutes as amended. *Sec. 7, Title I, act June 15, 1917 (40 Stat. 219; 50 U. S. C. 38).*

h. Jurisdiction of courts of Canal Zone and Philippine Islands of offenses on high seas.—The several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this Act committed within their respective districts, and concurrent jurisdiction with the district courts of the United States of offenses under this Act committed

upon the high seas, and of conspiracies to commit such offenses, as defined by section thirty-seven of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine, and the provisions of said section, for the purpose of this Act, are hereby extended to the Philippine Islands, and to the Canal Zone. In such cases the district attorneys of the Philippine Islands and of the Canal Zone shall have the powers and perform the duties provided in this Act for United States attorneys. *Sec. 2, Title XIII, act June 15, 1917 (40 Stat. 231; 50 U. S. C. 39).*

71. Photographing and sketching of military or naval reservations prohibited.—That whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any navy yard, naval station, or of any military post, fort, camp, station, arsenal, airfield, or other military or naval reservation, or place used for national defense purposes by the War or Navy Departments, or of any vessel, aircraft, installation, equipment, or other property whatsoever, located within any such post, fort, camp, arsenal, airfield, yard, station, reservation or place, or in the waters adjacent thereto, or in any defensive sea area established in accordance with law; or whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any vessel, aircraft, installation, equipment, or other property relating to the national defense being manufactured or under construction or repair for or awaiting delivery to the War or Navy Departments or the government of any country whose defense the President deems vital to the defense of the United States under any contract or agreement with the United States or such country or otherwise on behalf of the United States or such country, located at the factory, plant, yard, storehouse, or other place of business of any contractor, subcontractor, or other person, or in the waters adjacent to any such place, shall be punished as provided herein. *Sec. 1, act June 25, 1942 (sec II, Bull. 31, 1942).*

Notwithstanding the provisions of section 1, the Secretary of War or the Secretary of the Navy is authorized, under such regulations as he may prescribe, to permit photographs, sketches, or other representations to be made, when, in his opinion, the interests of national defense will not be adversely affected thereby. *Sec. 2, act June 25, 1942 (sec. II, Bull. 31, 1942).*

Any person found guilty of a violation of this Act shall, upon conviction, be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. *Sec. 3, act June 25, 1942 (sec. II, Bull. 31, 1942).*

The provisions of this Act shall apply in the Philippine Islands as well as in all other places within the territory or jurisdiction of the United States. *Sec. 4, act June 25, 1942 (sec. II, Bull. 31, 1942).*

This Act shall be effective only for the duration of the present war as determined by proclamation of the President. *Sec. 5, act June 25, 1942 (sec. II, Bull. 31, 1942).*

72. Air Corps Act.—* * * no aliens employed by a contractor for furnishing or constructing aircraft, or aircraft parts, or aeronautical accessories for the United States shall be permitted to have access to the plans or specifications or the work under construction or to participate in the contract trials, without the written consent beforehand of the Secretary of the department concerned. *Sec. 10-(j), act July 2, 1926 (44 Stat. 787; 10 U. S. C. 310-(j); M. L. 1939, sec. 1942).*

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73. **Protection of diplomatic codes.**—That whoever, by virtue of his employment by the United States, shall obtain from another or shall have custody of or access to, or shall have had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or competent authority, publish or furnish to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act June 10, 1933 (48 Stat. 122; 22 U. S. C., 135).*

74. **Wire or radio communication.**—*a. Unauthorized publication or use of communications.*—No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communications by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided,* That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast, or transmitted by amateurs or others for the use of the general public, or relating to ships in distress. *Act June 19, 1934 (48 Stat. 1103; 47 U. S. C. 605).*

b. General penalty.—Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing, in this Act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction, thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided herein, by a fine of not more than $10,000 or by imprisonment for a term of not more than two years, or both. *Act June 19, 1934 (48 Stat. 1100; 47 U. S. C. 501).*

75. **Laws and regulations governing international traffic in arms.**—*a. Special provisions in regard to military secrets.*—Under the provisions of Part V of the Laws and Regulations Administered by the Department of State Governing the International Traffic in Arms, Ammunition, and Implements of War and Other Munitions of War, 1939, the Secretary of State will not issue a license author-

izing the exportation of any arms, ammunition, or implements of war considered by the Secretary of War or by the Secretary of the Navy as instruments or appliances included among the articles covered by those terms as used in this act if, in their opinion, they involve military secrets of interest to the national defense. The articles which may be so considered are those falling within one of the following categories:

(1) Articles, the whole or any features of which have been or are being developed or manufactured by or for the War Department or the Navy Department or with the participation of either of those Departments; and

(2) Articles, the whole or any features of which have been used or are being used by the War Department or the Navy Department or which either Department has contracted to procure.

b. Included among articles developed by or for the War Department or the Navy Department are those which have been contracted for by either of those Departments, or which have been developed in accordance with Army or Navy specifications and submitted to either Department for evaluation for procurement.

c. Prospective exporters of arms, ammunition, and implements of war should, before applying for a license to authorize the exportation of any article falling within the above categories which may possibly involve military secrets of interest to the national defense, communicate with the Secretary of State in advance of the proposed shipment in order that he may be in a position to ascertain for the prospective exporter whether or not military secrets are, in fact, involved therein. The articles upon which a determination is requested should be designated clearly and specifically, the type and model designations being included. Where applicable, Army or Navy drawing numbers should be given, or detailed plans and specifications submitted. (See 4 F. R. 4518.)

76. **Photographs, etc., of military and naval defenses.**—*a.* That, whenever, in the interests of national defense, the President shall define certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary. Any person found guilty of a violation of this section shall upon conviction be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. *Sec. 1, act January 12, 1938 (52 Stat. 3; 50 U. S. C. 45, M. L., 1939, sec. 2187a).*

Any person who uses or permits or procures the use of an aircraft for the purpose of making a photograph, sketch, picture, drawing, map, or graphical representation of vital military or naval installations or equipment, in violation of the preceding section, shall be liable to the penalty therein provided. *Sec. 2, act January 12, 1938 (52 Stat. 3; 50 U. S. C. 45a; M. L., 1939, sec. 2187a).*

On and after thirty days from the date upon which the President defines any vital military or naval installation or equipment as being within the category contemplated under the first section of this Act, it shall be unlawful for any person to reproduce, publish, sell, or give away any photograph, sketch, picture,

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drawing, map, or graphical representation of the vital military or naval installations or equipment so defined, without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, unless such photograph, sketch, picture, drawing, map, or graphical representation has clearly indicated thereon that it has been censored by the proper military or naval authority. Any person found guilty of a violation of this section shall upon conviction be punished as provided in the first section of this Act. *(Sec. 3, act January 12, 1938 (52 Stat. 3; 50 U. S. C. 45b; M. L., 1939, sec. 2187a).*

* * * * * *

The provisions of this Act shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States, whether contiguous thereto, or not, and offenses under this Act when committed upon or over the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *(Sec. 5, act January 12, 1938 (52 Stat. 4; 50 U. S. C. 45d; M. L. 1939, sec. 2187a).*

b. WHEREAS section 1 of the act of January 12, 1938, 52 Stat. 3, provides:

"That, whenever, in the interests of national defense, the President shall define certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary. Any person found guilty of a violation of this section shall upon conviction be punished by a fine of not more than $1,000, or by imprisonment for not more than one year, or by both such fine and imprisonment."

NOW, THEREFORE, by virtue of the authority vested in me by the foregoing statutory provisions, and in effectuation of the purposes of the said act of January 12, 1938, I hereby define the following as vital military and naval installations or equipment requiring protection against the general dissemination of information relative thereto:

1. All military or naval installations and equipment which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret," "confidential," or "restricted," and all military or naval installations and equipment which may hereafter be so classified, designated, and marked with the approval or at the direction of the President, and located within:

(*a*) Any military or naval reservation, post, arsenal, proving ground, range, mine field, camp, fort, yard, station, district, or area.

(*b*) Any defensive sea area heretofore or hereafter established and existing under authority of section 44 of the United States Criminal Code, as amended by the act of March 4, 1917, 39 Stat. 1194. (U. S. C., title 18, sec. 96).

(*c*) Any airspace reservation heretofore or hereafter established and existing under authority of section 4 of the Air Commerce Act of 1926 (44 Stat. 570, U. S. C., title 49, sec. 174).

(*d*) Any naval harbor closed to foreign vessels.

(*e*) Any area required for fleet purposes.

(*f*) Any commercial establishment engaged in the development or manufacture of military or naval arms, munitions, equipments, designs, ships, or vessels for the United States Army or Navy.

2. All military or naval aircraft, weapons, ammunition, vehicles, ships, vessels, instruments, engines, manufacturing machinery, tools, devices, or any other equipment whatsoever, in the possession of the Army or Navy, or in the course of experimentation, development, manufacture, or delivery for the Army or Navy which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret," "confidential," or "restricted," and all such articles, materials, or equipment which may hereafter be so classified, designated, and marked with the approval or at the direction of the President.

3. All official military or naval books, pamphlets, documents, reports, maps, charts, plans, designs, models, drawings, photographs, contracts, or specifications, which are now marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret," "confidential," or "restricted," and all such articles or equipment which may hereafter be so marked with the approval or at the direction of the President, *E. O. No. 8381, March 22, 1940; 5 F. R. 1147; 50 U. S. C. 45; M. L., 1939, Supp. I, sec. 2187a.*

c. Chapter 1 of title 2, Canal Zone Code, approved June 19, 1934 (48 Stat. 1122, 48 U. S. C. ch. 6, note) has been amended by the act of December 12, 1941 (55 Stat. 798). This amendment confers upon the Governor of the Panama Canal the following powers:

"* * * the Governor is hereby authorized to make, and from time to time alter and amend, regulations prohibiting or restricting:

"(a) The making of any photograph, sketch, drawing, map, or graphical representation of, within, or upon any such part or feature of the Panama Canal, or any such area, object, installation, or structure within the Canal Zone; and

"(b) The possession of any camera within any area or areas in the Canal Zone which the Governor may designate: *Provided, however,* That no regulation made pursuant to authority contained in this section shall apply to activities of the kind covered by this section which are conducted or performed by persons in the service or employ of the United States in the course of their official duties. * * * and makes punishable by fine, imprisonment, or both, violation of regulations established thereunder. Pursuant to the foregoing law, the Governor of the Panama Canal has issued regulations prohibiting the photographing of certain areas, objects or structures, establishing areas within which photographing is prohibited, and establishing certain areas within which the possession of cameras is prohibited. *See Part 28, Chapter I, Canal Zone Regulations; 7 F. R. 2135.*

[A. G. 312.11 (8–15–42).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

DISTRIBUTION:
A; E.

U. S. GOVERNMENT PRINTING OFFICE: 1942

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19 Aug. 43

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classified material.

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AR. 380-5
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ARMY REGULATIONS No. 380–10

WAR DEPARTMENT,
WASHINGTON 25, D. C., 20 September 1943.

LAWS, EXECUTIVE ORDERS, ETC., PERTAINING TO SAFEGUARDING MILITARY INFORMATION

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SECTION I

ESPIONAGE

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1. Unlawfully obtaining or permitting to be obtained information affecting national defense.—That (a) Whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, coaling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the

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national defense, owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers or agents, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, or stored, under any contract or agreement with the United States, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place within the meaning of section 6 of this title; or (b) whoever for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or (c) whoever, for the purpose aforesaid, receives or obtains or agrees or attempts or induces or aids another to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts or induces or aids another to receive or obtain it, that it has been or will be obtained, taken, made or disposed of by any person contrary to the provisions of this title; or (d) whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or (e) whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, note, or information, relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 1, Title I, act 15 June 1917 (40 Stat. 217), as amended by sec. 1, act 28 March 1940 (54 Stat. 79; 50 U. S. C. 31).*

2. Unlawfully disclosing information affecting national defense.—(a) Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts to, or aids or induces another to, communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be punished by imprisonment for not more than twenty years: *Provided*, That whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished by death or by imprisonment for not more than thirty years; and (b) whoever, in time of war, with intent

that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for not more than thirty years. *Sec. 2, act 15 June 1917 (40 Stat. 218; 50 U. S. C. 32).*

3. Seditious or disloyal acts or words in time of war.—Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished by a fine of not more than $10,000 or imprisonment for not more than twenty years, or both. *Sec. 3, act 15 June 1917 (40 Stat. 219), revived and restored by act 3 March 1921 (41 Stat. 1359; 50 U. S. C. 33).*

4. Conspiracy to violate preceding sections.—If two or more persons conspire to violate the provisions of sections 2 or 3 of this title, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy. Except as above provided conspiracies to commit offenses under this title shall be punished as provided by section 37 of the Act to codify, revise, and amend the penal laws of the United States approved 4 March 1909. *Sec. 4, Title I, act 15 June 1917 (40 Stat. 219; 50 U. S. C. 34).*

5. Harboring or concealing violators of law.—Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under this title shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $10,000. *Sec. 5, Title I, act 15 June 1917 (40 Stat. 219), as amended by sec. 2, act 28 March 1940 (54 Stat. 79; 50 U. S. C. 35).*

6. Designation of prohibited places by proclamation.—The President in time of war or in case of national emergency may by proclamation designate any place other than those set forth in subsection (a) of section 1 hereof in which anything for the use of the Army or Navy is being prepared or constructed or stored as a prohibited place for the purposes of this title: *Provided*, That he shall determine that information with respect thereto would be prejudicial to the national defense. *Sec. 6, Title I, act 15 June 1917 (40 Stat. 219; 50 U. S. C. 36).*

7. Places subject to provisions of chapter.—The provisions of this title shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States whether or not contiguous thereto, and offenses under this title when committed upon the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 8, Title I, act 15 June 1917 (40 Stat. 219; 50 U. S. C. 37).*

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8. Jurisdiction of courts-martial and military commissions.—Nothing contained in this title shall be deemed to limit the jurisdiction of the general courts-martial, military commissions, or naval courts-martial under sections 1342, 1343, and 1624 of the Revised Statutes as amended. *Sec. 7, Title I, act 15 June 1917 (40 Stat. 219; 50 U. S. C. 38).*

9. Jurisdiction of courts of Canal Zone and Philippine Islands of offenses on high seas.—The several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this Act committed within their respective districts, and concurrent jurisdiction with the district courts of the United States of offenses under this Act committed upon the high seas, and of conspiracies to commit such offenses, as defined by section 37 of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved 3 March 1909, and the provisions of said section, for the purpose of this Act, are hereby extended to the Philippine Islands, and to the Canal Zone. In such cases the district attorneys of the Philippine Islands and of the Canal Zone shall have the powers and perform the duties provided in this Act for United States attorneys. *Sec. 2, Title XIII, act 15 June 1917 (40 Stat. 231; 50 U. S. C. 39).*

SECTION II

PHOTOGRAPHING, SKETCHING, MAPPING, ETC., DEFENSIVE INSTALLATIONS

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10. Photographing, etc., defensive installations regulated; penalties.—That, whenever, in the interests of national defense, the President shall define certain vital military and naval installations or equipment as requiring protection against the general dissemination of information relative thereto, it shall be unlawful to make any photograph, sketch, picture, drawing, map, or graphical representation of such vital military and naval installations or equipment without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, and promptly submitting the product obtained to such commanding officer or higher authority for censorship or such other action as he may deem necessary. Any person found guilty of a violation of this section shall upon conviction be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. *Sec. 1, act 12 January 1938 (52 Stat. 3; 50 U. S. C. 45).*

a. Defining certain vital military and naval installations and equipment.—Executive Order 8381, 22 March 1940 (5 F. R. 1147), D. I. Whereas section 1 of the act 12 January 1938 (52 Stat. 3; 50 U. S. C. 45), provides:

NOW, THEREFORE, by virtue of the authority vested in me by the foregoing statutory provisions, and in effectuation of the purposes of the said act of 12 January 1938, I hereby define the following as vital military and naval installations or equipment requiring protection against the general dissemination of information relative thereto:

1. All military or naval installations and equipment which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret", "confidential", or "restricted", and all military or naval installations and equipment which may hereafter be so classified, designated, and marked with the approval or at the direction of the President, and located within:

(a) Any military or naval reservation, post, arsenal, proving ground, range, mine field, camp, fort, yard, station, district, or area.

(b) Any defensive sea area heretofore or hereafter established and existing under authority of section 44 of the United States Criminal Code, as amended by the act of 4 March 1917 (39 Stat. 1194; 18 U. S. C. 96).

(c) Any airspace reservation heretofore or hereafter established and existing under authority of section 4 of the Air Commerce Act of 1926 (44 Stat. 570; 49 U. S. C. 174).

(d) Any naval harbor closed to foreign vessels.

(e) Any area required for fleet purposes.

(f) Any commercial establishment engaged in the development or manufacture of military or naval arms, munitions, equipment, designs, ships, or vessels for the United States Army or Navy.

2. All military or naval aircraft, weapons, ammunition, vehicles, ships, vessels, instruments, engines, manufacturing machinery, tools, devices, or any other equipment whatsoever, in the possession of the Army or Navy, or in the course of experimentation, development, manufacture, or delivery for the Army or Navy, which are now classified, designated, and marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret", "confidential", or "restricted", and all such articles, materials, or equipment which may hereafter be so classified, designated, and marked with the approval or at the direction of the President.

3. All official military or naval books, pamphlets, documents, reports, maps, charts, plans, designs, models, drawings, photographs, contracts, or specifications, which are now marked under the authority or at the direction of the Secretary of War or the Secretary of the Navy as "secret", "confidential", or "restricted", and all such articles or equipment which may hereafter be so marked with the approval or at the direction of the President.

b. Chapter 1 of title 2, Canal Zone Code, approved 19 June 1934 (48 Stat. 1122; 48 U. S. C. Ch. 6, Note) has been amended by the act of 1 December 1941 (55 Stat. 798). This amendment confers upon the Governor of the Panama Canal the following powers:

* * * the Governor is hereby authorized to make, and from time to time alter and amend, regulations prohibiting or restricting:

(a) The making of any photograph, sketch, drawing, map, or graphical representation of, within, or upon any such part or feature of the Panama Canal, or any such area, object, installation, or structure within the Canal Zone; and

(b) The possession of any camera within any area or areas in the Canal Zone which the Governor may designate: *Provided, however,* That no regulation made pursuant to authority contained in this section shall apply to activities of the kind covered by this section which are conducted or performed by persons in the service or employ of the United States in the course of their official duties. * * * and makes punishable by fine, imprisonment, or both, violation of regulations established thereunder. Pursuant to the foregoing law, the Governor of the Panama Canal has issued regulations prohibiting the photographing of certain areas, objects or structures, establishing areas within which

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photographing is prohibited, and establishing certain areas within which the possession of cameras is prohibited. *See Part 28, Chapter I, Canal Zone Regulations (7 F. R. 2135).*

11. Photographing etc., from aircraft.—Any person who uses or permits or procures the use of an aircraft for the purpose of making a photograph, sketch, picture, drawing, map, or graphical representation of vital military or naval installations or equipment, in violation of section 1 of this Act, shall be liable to the penalty therein provided. *Sec. 2, act 12 January 1938 (52 Stat. 3; 50 U. S. C. 45a).*

12. Reproducing, publishing, selling, etc., uncensored copies.—On and after thirty days from the date upon which the President defines any vital military or naval installation or equipment as being within the category contemplated under the first section of this Act, it shall be unlawful for any person to reproduce, publish, sell, or give away any photograph, sketch, picture, drawing, map, or graphical representation of the vital military or naval installations or equipment so defined, without first obtaining permission of the commanding officer of the military or naval post, camp, or station concerned, or higher authority, unless such photograph, sketch, picture, drawing, map, or graphical representation has clearly indicated thereon that it has been censored by the proper military or naval authority. Any person found guilty of a violation of this section shall upon conviction be punished as provided in the first section of this Act. *Sec. 3, act 12 January 1938 (52 Stat. 3; 50 U. S. C. 45b).*

13. "Aircraft," "post," "camp," and "station" defined.—The term "aircraft" as used in this Act means any contrivance known or hereafter invented, used, or designed for navigation or flight in the air. The expression "post, camp, or station" as used in this Act shall be interpreted to include naval vessels, military and naval aircraft, and any separate military or naval command. *Sec. 4, act 12 January 1938 (52 Stat. 4; 50 U. S. C. 45c).*

14. Geographical application of law.—The provisions of this Act, shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States, whether contiguous thereto, or not and offenses under this Act when committed upon or over the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 5, act 12 January 1938 (52 Stat. 4; 50 U. S. C. 45d).*

15. Photographing, sketching, mapping, etc., military or naval reservations, properties, equipment, etc., as unlawful.—Whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any navy yard, naval station, or of any military post, fort, camp, station, arsenal, airfield, or other military or naval reservation, or place used for national-defense purposes by the War or Navy Departments, or of any vessel, aircraft, installation, equipment, or other property whatsoever, located within any such post, fort, camp, arsenal, airfield, yard, station, reservation or place, or in the waters adjacent thereto, or in any defensive sea area established in accordance with law; or whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any vessel, aircraft, installation, equipment, or other property relating

to the national defense being manufactured or under construction or repair for or awaiting delivery to the War or Navy Departments or the government of any country whose defense the President deems vital to the defense of the United States under any contract or agreement with the United States or such country or otherwise on behalf of the United States or such country, located at the factory, plant, yard, storehouse, or other place of business of any contractor, subcontractor, or other person, or in the waters adjacent to any such place, shall be punished as provided in this Act. *Sec. 1, act 25 June 1942 (56 Stat. 390; 50 U. S. C. App. Sup. 781).*

16. Permission to photograph, sketch, map, etc.—Notwithstanding the provisions of section 1 of this Act, the Secretary of War or the Secretary of the Navy is authorized, under such regulations as he may prescribe, to permit photographs, sketches, or other representations to be made when, in his opinion, the interests of national defense will not be adversely affected thereby. *Ses. 2, act 25 June 1942 (56 Stat. 391; 50 U. S. C. App. Sup. 782).*

17. Penalties for violations.—Any person found guilty of a violation of this Act shall, upon conviction, be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. *Sec. 3, act 25 June 1942 (56 Stat. 391; 50 U. S. C. App. Sup. 783).*

18. Application to Philippine Islands.—The provisions of this Act shall apply in the Philippine Islands as well as in all other places within the territory or jurisdiction of the United States. *Sec. 4, act 25 June 1942 (56 Stat. 391; 50 U. S. C. App. Sup. 784).*

19. Effective date of sections 781–785.—This Act shall be effective only for the duration of the present war as determined by proclamation of the President. *Sec. 5, act 25 June 1942 (56 Stat. 391; 50 U. S. C. App. Sup. 785).*

20. Regulations under Public Law 627.—The following regulations, promulgated by the Secretary of War and the Secretary of the Navy pursuant to Section 2 of Public Law 627, which appeared in 7 Federal Register 7307, are published for the information and guidance of all concerned:

MAKING OF PHOTOGRAPHS, SKETCHES, ETC., OF MILITARY OR NAVAL SUBJECTS

Pursuant to the authority conferred upon the Secretary of War and the Secretary of the Navy by the Act of Congress approved 25 June 1942 (Public Law Number 627—77th Congress), "to prevent the making of photographs and sketches of military or naval reservations, naval vessels, and other naval and military properties, and for other purposes," the following regulations are hereby prescribed:

(a) Sketches, photographs, photographic negatives, blueprints, plans, maps, models, copies or other representations, may be made of any area, place, property, or thing, described in the Act of Congress approved 25 June 1942, (Public Law Number 627—77th Congress), only upon the expressed permission of the Secretary or his authorized representative having jurisdiction of the subject matter. Such permission will be granted only if the interests of national defense will not be adversely affected thereby.

(b) The authorized representatives who may grant the necessary permission are:

War Department. Any Commanding General of a Defense Command, Theater of Operations, Department or Service Command, Director of War Department Bureau of Public Relations, or any Commander of a post, camp, or station.

Navy Department. Fleet Commanders or Commanders of any major subdivision thereof, Commanders of Sea Frontiers, District Commandants, the Director of the Office of Public Relations, Commanding Officers of Ships, Aircraft Squadrons,

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or Stations, or, an officer of the U. S. Marine Corps having a command equivalent to any of the foregoing.

SECTION III

RADIO AND WIRE COMMUNICATION

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21. Unauthorized publication or use of communications.—No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided*, That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast, or transmitted by amateurs or others for the use of the general public, or relating to ships in distress. *Sec. 605, act 19 June 1934 (48 Stat. 1103; 47 U. S. C. 605).*

22. General penalty.—Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing, in this Act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided herein, by a fine of not more than $10,000 or by imprisonment for a term of not more than two years, or both. *Sec. 501, act 19 June 1934 (48 Stat. 1100; 47 U. S. C. 501).*

23. Violation of rules, regulations, etc.—Any person who willfully and knowingly violates any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act, or any rule, regulation, restriction,

or condition made or imposed by any international radio or wire communications treaty or convention, or regulations annexed thereto, to which the United States is or may hereafter become a party, shall, in addition to any other penalties provided by law, be punished, upon conviction thereof, by a fine of not more than $500 for each and every day during which such offense occurs. *Sec. 502, act 19 June 1934 (48 Stat. 1100; 47 U. S. C. 502).*

24. Powers and duties of commission.—Except as otherwise provided in this Act, the (Federal Communications) Commission from time to time, as public convenience, interest, or necessity requires, shall— * * *

(m) (1) Have authority to suspend the license of any operator (radio) upon proof sufficient to satisfy the Commission that the licensee— * * *

(C) has willfully damaged or permitted radio apparatus or installations to be damaged; or

(D) has transmitted superfluous radio communications or signals * * * or has knowingly transmitted—

(1) false or deceptive signals or communications, or

(2) a call signal or letter which has not been assigned by proper authority to the station he is operating; or

(E) has willfully or maliciously interfered with any other radio communications or signals; * * *. *Sec. 303, act 19 June 1934 (48 Stat. 1082), as amended by sec. 5 and 6 (a and b) act 20 May 1937 (30 Stat. 190, 191; 47 U. S. C. 303).*

NOTE.—The Rules and Regulations of the Federal Communications Commission also prohibit the acts mentioned in the above section.

a. On 14 June 1940, the Federal Communications Commission issued a formal notice to all classes of commercial radio operators reading as follows:

On 10 June 1940, the Commission issued a warning specifically addressed to ship radio operators and ship station licensees against the transmission of superfluous, unnecessary or unidentified communications. The purpose of this notice is to emphasize the importance of strict compliance with the previous notice and at the same time to call attention specifically that the provisions of statute and treaty prohibiting the transmission of superfluous, unnecessary or unidentified communications apply to all commercial operators as well as those communicating from ship stations.

The General Radio Regulations (Cairo Revision, 1938) annexed to the International Telecommunications Convention (Madrid, 1932,) to which this Government is a party, and the Communications Act of 1934, specifically prohibit the *transmission of superfluous, unnecessary or unidentified communications.* The Commission intends to uphold vigorously these provisions of law and treaty and will hold all commercial radio operators and station licensees strictly accountable for any violation.

b. On 21 August 1941, the Defense Communications Board issued a formal notice to all persons engaged in the wire or radiocommunications industry, including manufacturing, reading as follows:

WHEREAS on account of the importance to national defense of the plants and facilities of the communications industry it appears desirable to restrict free access thereto;

BE IT THEREFORE RESOLVED that persons engaged in the wire or radiocommunications industry, including manufactoring, be requested to take all measures necessary to ensure that access to premises containing communications equipment or facilities (other than the premises necessarily open to the general public) be restricted to employees, federal, state or local government officers acting in their official capacity, and other persons considered necessary by the management in the conduct of its business.

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BE IT FURTHER RESOLVED that all persons engaged in the wire or radio communications industry, including manufacturing, be requested to exclude representatives of any foreign government, persons, associations or corporations, from access to the premises containing communications equipment or facilities (other than premises necessarily open to the general public) except only upon express permission granted at the direction of the Defense Communications Board.

c. On 25 March 1942, the Defense Communication Board issued Order Number 3, authorizing the Secretary of War and the Secretary of the Navy to take appropriate measures to safeguard the security of military and naval messages handled by means of radio communication and wire communication, as defined in the Communications Act of 1934, under the jurisdiction of the United States, reading as follows;

WHEREAS, the Defense Communications Board has, by E.O. 8964, 10 December 1941, and E.O. 9089, 6 March 1942, been authorized, if the national security and defense and the successful conduct of the war so demand, to prescribe classes and types of radio stations and stations for wire communications and facilities or portions thereof which shall be subject to the use, control, supervision, inspection, or closure in accordance with such prescription, by the Department of War, Department of Navy, or other agency of the United States Government, designated by the Board;

AND WHEREAS, it is necessary in the interest of the national security and defense, and for the successful prosecution of the war that the Government of the United States safeguard the security of all military and naval messages handled by means of radio communication and wire communication, as defined in the Communications Act of 1934, under the jurisdiction of the United States;

AND WHEREAS, The Defense Communications Board has determined that the national security and defense and the successful conduct of the war so demand;

NOW, THEREFORE, By virtue of authority vested in the Board under E.O. 8964, 10 December 1941, and E.O. 9089, 6 March 1942, the Board hereby authorizes the Secretary of War and the Secretary of the Navy, acting jointly or severally, to take such steps, institute such measures, and issue such regulations and orders as shall be necessary to safeguard all military and naval messages handled by means of radio communication and wire communication under the jurisdiction of the United States in order to ensure that all such communications be transmitted rapidly, securely, and inviolate and further to ensure that no communication of spurious origin, purporting to be a military or naval communication, be transmitted by means of radio or wire communication.

25. War powers of President.—(a) During the continuance of a war in which the United States is engaged, the President is authorized, if he finds it necessary for the national defense and security, to direct that such communications as in his judgment may be essential to the national defense and security shall have preference or priority with any carrier subject to this Act. He may give these directions at and for such times as he may determine, and may modify, change, suspend, or annul them and for any such purpose he is hereby authorized to issue orders directly, or through such person or persons as he designates for the purpose, or through the Commission. Any carrier complying with any such order or direction for preference or priority herein authorized shall be exempt from any and all provisions in existing law imposing civil or criminal penalties, obligations, or liabilities upon carriers by reason of giving preference or priority in compliance with such order or direction.

(b) It shall be unlawful for any person during any war in which the United States is engaged to knowingly or willfully, by physical force or intimidation by threats of physical force, obstruct or retard or aid in obstructing or retarding interstate or foreign communication by radio or wire. The President is hereby authorized, whenever in his judgment the public interest requires, to employ the

armed forces of the United States to prevent any such obstruction or retardation of communications: *Provided*, That nothing in this section shall be construed to repeal, modify, or affect either section 6 or section 20 of an Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved 15 October 1914.

(c) Upon proclamation by the President that there exists war or a threat of war or a state of public peril or disaster or other national emergency, or in order to preserve the neutrality of the United States, the President may suspend or amend, for such time as he may see fit, the rules and regulations applicable to any or all stations within the jurisdiction of the United States as prescribed by the Commission, and may cause the closing of any station for radio communication and the removal therefrom of its apparatus and equipment, or he may authorize the use or control of any such station and/or its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the owners.

(d) Upon proclamation by the President that there exists a state or threat of war involving the United States, the President, if he deems it necessary in the interest of the national security and defense, may, during a period ending not later than six months after the termination of such state or threat of war and not later than such earlier date as the Congress by concurrent resolution may designate, (1) suspend or amend the rules and regulations applicable to any or all facilities or stations for wire communication within the jurisdiction of the United States as prescribed by the Commission, (2) cause the closing of any facility or station for wire communication and the removal therefrom of its apparatus and equipment, or (3) authorize the use or control of any such facility or station and its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the owners.

(e) The President shall ascertain the just compensation for such use or control and certify the amount ascertained to Congress for appropriation and payment to the person entitled thereto. If the amount so certified is unsatisfactory to the person entitled thereto, such person shall be paid only 75 per centum of the amount and shall be entitled to sue the United States to recover such further sum as added to such payment of 75 per centum will make such amount as will be just compensation for the use and control. Such suit shall be brought in the manner provided by paragraph 20 of section 24, or by section 145, of the Judicial Code, as amended.

(f) Nothing in subsection (c) or (d) shall be construed to amend, repeal, impair, or affect existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transmission of Government communications, or the issue of stocks and bonds by any communication system or systems.

(g) Nothing in subsection (c) or (d) shall be construed to authorize the President to make any amendment to the rules and regulations of the Commission which the Commission would not be authorized by law to make; and nothing in subsection (d) shall be construed to authorize the President to take any action the force and effect of which shall continue beyond the date after which taking of such action would not have been authorized. *Sec. 606, act 19 June 1934 (48 Stat. 1104), as amended by sec. 1 and 2, act 26 January 1942 (56 Stat. 18; 47 U. S. C. 606).*

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SECTION IV

OFFENSES AGAINST POSTAL SERVICE

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Certain letters or writings nonmailable; opening letters	27	12
Using or attempting to use mails for transmission of matter declared nonmailable by title; jurisdiction of offense	28	12

26. Stealing, secreting, or embezzling mail matter, or attempting to do so.—Whoever shall steal, take, or abstract, or by fraud or deception obtain, or attempt so to obtain, from or out of any mail, post office, or station thereof, or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or shall abstract or remove from any such letter, package, bag, or mail, any article or thing contained therein, or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail, or any article or thing contained therein; or whoever shall steal, take, or abstract, or by fraud or deception obtain any letter, postal card, package, bag, or mail, which has been left for collection upon or adjacent to a collection box or other authorized depository of mail matter; or whoever shall buy, receive, or conceal, or aid in buying, receiving, or concealing, or shall unlawfully have in his possession, any letter, postal card, package, bag, or mail, or any article or thing contained therein, which has been so stolen, taken, embezzled, or abstracted, as herein described, knowing the same to have been stolen, taken, embezzled, or abstracted; or whoever shall take any letter, postal card, or package out of any post office or station thereof, or out of any authorized depository for mail matter or from any letter or mail carrier, or which has been in any post office or station thereof, or other authorized depository, or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or to pry into the business or secrets of another, or shall open, secrete, embezzle, or destroy the same, shall be fined not more than $2,000 or imprisoned not more than five years, or both. *Sec. 194, act 4 March 1909 (35 Stat. 1125), as amended by act 25 February 1925 (43 Stat. 977), as amended by act 26 August 1935 (49 Stat. 867), as amended by act 7 August 1939 (53 Stat. 1256; 18 U. S. C. 317).*

27. Certain letters or writings nonmailable; opening letters.—Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing, of any kind, in violation of any of the provisions of this Act is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier: *Provided*, That nothing in this Act shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, or other person upon a search warrant authorized by law, to open any letter not addressed to himself. *Sec. 1, act 15 June 1917 (40 Stat. 230; 18 U. S. C. 343).*

28. Using or attempting to use mails for transmission of matter declared nonmailable by title; jurisdiction of offense.—Whoever shall use or attempt to use the mails or Postal Service of the United States for the transmission of any matter declared by Title XII of this Act to be nonmailable, shall be punished by imprisonment for not more than ten years and may, in the discretion of the

court, be fined not more than $5,000. Any person violating any provision of this title may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed. *Sec. 3, act 15 June 1917 (40 Stat. 230) as amended by sec. 9, act 28 March 1940 (54 Stat. 80; 18 U. S. C. 345).*

SECTION V

TRADING WITH THE ENEMY ACT OF 1917

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29. Acts prohibited.—It shall be unlawful—

(a) For any person in the United States, except with the license of the President, granted to such person, or to the enemy, or ally of enemy, as provided in this Act, to trade, or attempt to trade, either directly or indirectly, with, to, or from, or for, or on account of, or on behalf of, or for the benefit of, any other person, with knowledge or reasonable cause to believe that such other person is an enemy or ally of enemy, or is conducting or taking part in such trade, directly or indirectly, for, or on account of, or on behalf of, or for the benefit of, an enemy or ally of enemy.

(b) For any person, except with the license of the President, to transport or attempt to transport into or from the United States, or for any owner, master, or other person in charge of a vessel of American registry to transport or attempt to transport from any place to any other place, any subject or citizen of an enemy or ally of enemy nation, with knowledge or reasonable cause to believe that the person transported or attempted to be transported is such subject or citizen.

(c) For any person (other than a person in the service of the United States Government or of the Government of any nation, except that of an enemy or ally of enemy nation, and other than such persons or classes of persons as may be exempted hereunder by the President or by such person as he may direct), to send, or take out of, or bring into, or attempt to send, or take out of, or bring into the United States, any letter or other writing or tangible form of communication, except in the regular course of the mail; and it shall be unlawful for any person to send, take, or transmit, or attempt to send, take, or transmit out of the United States, any letter or other writing, book, map, plan, or other paper, picture, or any telegram, cablegram, or wireless message, or other form of communication intended for or to be delivered, directly or indirectly, to an enemy or ally of enemy: *Provided, however*, That any person may send, take, or transmit out of the United States anything herein forbidden if he shall first submit the same to the President, or to such officer as the President may direct, and shall obtain the license or consent of the President, under such rules and regulations, and with such exemptions, as shall be prescribed by the President.

(d) Whenever, during the present war, the President shall deem that the public safety demands it, he may cause to be censored under such rules and regulations as he may from time to time establish, communications by mail, cable, radio, or other means of transmission passing between the United States and any foreign country he may from time to time specify, or which may be carried by any vessel or other means of transportation touching at any port, place, or territory of the

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United States and bound to or from any foreign country. Any person who willfully evades or attempts to evade the submission of any such communication to such censorship or willfully uses or attempts to use any code or other device for the purpose of concealing from such censorship the intended meaning of such communication shall be punished as provided in section sixteen of this Act. *Sec. 3, act 6 October 1917 (40 Stat. 412; 50 U. S. C. App. 3).*

SECTION VI

FIRST WAR POWERS ACT 1941

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Censorship of communications; penalties and forfeitures	30	14

30. Censorship of communications; penalties and forfeitures.—Whenever, during the present war, the President shall deem that the public safety demands it, he may cause to be censored under such rules and regulations as he may from time to time establish, communications by mail, cable, radio, or other means of transmission passing between the United States and any foreign country he may from time to time specify, or which may be carried by any vessel or other means of transportation touching at any port, place, or Territory of the United States and bound to or from any foreign country. Any person who willfully evades or attempts to evade the submission of any such communication to such censorship or willfully uses or attempts to use any code or other device for the purpose of concealing from such censorship the intended meaning of such communication shall, upon conviction, be fined not more than $10,000, or, if a natural person, imprisoned for not more than ten years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents, or any vessel, together with her tackle, apparel, furniture, and equipment, concerned in such violation shall be forfeited to the United States. *Sec. 303, act 18 December 1941 (55 Stat. 840; 50 U. S. C. App. Sup. 618).*

SECTION VII

COORDINATION OF FEDERAL REPORTING SERVICES

	Paragraph	Page
Unlawful disclosure of information; penalties; release of information to other agencies	31	14

31. Unlawful disclosure of information; penalties; release of information to other agencies.—(a) In the event that any information obtained in confidence by a Federal agency is released by that agency to another Federal agency, all the provisions of law (including penalties) which relate to the unlawful disclosure of any such information shall apply to the officers and employees of the agency to which such information is released to the same extent and in the same manner as such provisions apply to the officers and employees of the agency which originally obtained such information; and the officers and employees of the agency to which the information is released shall in addition be subjected to the same provisions of law (including penalties) relating to the unlawful disclosure of such information as if the information had been collected directly by such agency.

(b) Information obtained by a Federal agency from any person or persons may, pursuant to this Act, be released to any other Federal agency only if (1) the information shall be released in the form of statistical totals or summaries; or (2) the information as supplied by persons to a Federal agency shall not, at the time of collection, have been declared by that agency or by any superior authority to be confidential; or (3) the persons supplying the information shall consent to the release of it to a second agency by the agency to which the information was originally supplied; or (4) the Federal agency to which another Federal agency shall release the information has authority to collect the information itself and such authority is supported by legal provision for criminal penalties against persons failing to supply such information. *Sec. 4, act 24 December 1942 (56 Stat. 1079; 5 U. S. C. Sup. 139b.)*

SECTION VIII

OFFENSES AGAINST OPERATIONS OF GOVERNMENT

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32. Falsely pretending to be United States officer.—Whoever, with intent to defraud either the United States or any person, shall falsely assume or pretend to be an officer or employee acting under the authority of the United States, or any department, or any officer of the Government thereof, or under the authority of any corporation owned or controlled by the United States, and shall take upon himself to act as such, or shall in such pretended character demand or obtain from any person or from the United States, or any department, or any officer of the Government thereof, or any corporation owned or controlled by the United States, any money, paper, document, or other valuable thing, shall be fined not more than $1,000 or imprisoned not more than three years, or both. *Sec. 32, act 4 March 1909 (35 Stat. 1095) as amended by act 28 February 1938 (52 Stat. 82; 18 U. S. C. 76).*

33. Purloining, stealing, or injuring property of United States or property manufactured under contract for War or Navy Departments.—(C) Whoever shall take and carry away or take for his use, or for the use of another, with intent to steal or purloin, or shall willfully injure or commit any depredation against, any property of the United States, or any branch or department thereof, or any corporation in which the United States of America is a stockholder, or any property which has been or is being made, manufactured, or constructed

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under contract for the War or Navy Departments of the United States, shall be punished as follows: If the value of such property exceeds the sum of $50, by a fine of not more than $10,000 or imprisonment for not more than ten years, or both; if the value of such property does not exceed the sum of $50, by a fine of not more than $1,000 or by imprisonment in a jail for not more than one year, or both. Value, as used in this section, shall mean market value or cost price, either wholesale or retail, whichever shall be the greater. *Sec. 35, act 4 March 1909 (35 Stat. 1095) as amended by act 23 October 1918 (40 Stat. 1015)* as *amended by act 18 June 1934 (48 Stat. 996) as amended by act 4 April 1938 (52 Stat. 198; 18 U. S. C. 82).*

34. Embezzling arms and stores.—Whoever shall steal, embezzle, or knowingly apply to his own use, or unlawfully sell, convey, or dispose of, any ordnance, arms, ammunition, clothing, subsistence, stores, money, or other property of the United States, furnished or to be used for the military or naval service, shall be punished as prescribed in section 35 of this Act. *Sec. 36, act 4 March 1909 (35 Stat. 1096; 18 U. S. C. 87).*

35. Injuries to fortifications or harbor defenses: jurisdiction of offenses committed within Canal Zone or defensive sea areas.—Whoever shall willfully trespass upon, injure, or destroy any of the works or property or material of any submarine mine or torpedo or fortification or harbor-defense system owned or constructed or in process of construction by the United States, or shall willfully interfere with the operation or use of any such submarine mine, torpedo, fortification, or harbor-defense system, or shall knowingly, willfully, or wantonly violate any duly authorized and promulgated order or regulation of the President governing persons or vessels within the limits of defensive sea areas, which defensive sea areas are hereby authorized to be established by order of the President from time to time as may be necessary in his discretion for purposes of national defense, shall be punished on conviction thereof in a district or circuit court of appeals of the United States for the district or circuit in which the offense is committed, or into which the offender is first brought, by a fine of not more than $5,000, or by imprisonment for a term not exceeding five years, or by both, in the discretion of the court. *Provided*, offenses hereunder committed within the Canal Zone or within any defensive sea areas which the President is authorized to establish by this section, shall be cognizable in the District Court of the Canal Zone, and jurisdiction is hereby conferred upon said court to hear and determine all such cases arising under this section and to impose the penalties herein provided for the violation of any of its provisions. *Sec. 1, act 7 July 1898 (30 Stat. 717), as amended by sec. 44, act 4 March 1909 (35 Stat. 1097), as amended by act 4 March 1917 (39 Stat. 1194), as amended by sec. 19, act 22 May 1917 (40 Stat. 89; 18 U. S. C. 96).*

36. Unlawfully entering military reservation, fort, or arsenal.—Whoever, within the territory or jurisdiction of the United States, including the Canal Zone, Puerto Rico, and the Philippine Islands, shall go upon any military reservation, Army post, fort, or arsenal, for any purpose prohibited by law or military regulation made in pursuance of law, or whoever shall reenter or be found within any such reservation, post, fort, or arsenal, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof, shall be fined not more than $500, or imprisoned not more than six months, or both. *Sec. 45, act 4 March 1909 (35 Stat. 1097), as amended by act 28 March 1940 (54 Stat. 80; 18 U. S. C. 97).*

37. Unlawfully entering, remaining, leaving, or committing acts in military areas or zones.—Whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, under the authority of an Executive order of the President, by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable to any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine of not to exceed $5,000 or to imprisonment for not more than one year, or both, for each offense. *Act 21 March 1942 (56 Stat. 173; 18 U. S. C. Sup. 97a).*

38. Possession or control of property or papers in aid of foreign government designed or intended for violating penal statutes, treaty rights, or obligations of United States; or rights under law of nations.—Whoever, in aid of any foreign Government, shall knowingly and willfully have possession of or control over any property or papers designed or intended for use or which is used as the means of violating any penal statute, or any of the rights or obligations of the United States under any treaty or the law of nations, shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $1,000. The words "foreign government", as used in this Act and in sections 156, 157, 161, 170, 171, 172, 173, and 220 of the Act of 4 March 1909, entitled "An Act to codify, revise, and amend the penal laws of the United States," shall be deemed to include any Government, faction, or body of insurgents within a country with which the United States is at peace, which Government, faction, or body of insurgents may or may not have been recognized by the United States as a Government. *Sec. 4, act 15 June 1917 (40 Stat. 226); sec. 22, act 15 June 1917 (40 tSat. 230), as amended by sec. 8, act 28 March 1940 (54 Stat. 80; 18 U. S. C. 98).*

39. Robbery of personal property of Uniter States.—Whoever shall rob another of any kind or description of personal property belonging to the United States, or shall feloniously take and carry away the same, shall be fined not more than $5,000, or imprisoned not more than ten years, or both. *Sec. 46, act 4 March 1909 (35 Stat. 1097; 18 U. S. C. 99.)*

40. Embezzling public moneys or other property.—Whoever shall embezzle, steal, or purloin any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, shall be fined not more than $5,000, or imprisoned not more than five years, or both. *Sec. 1, act 3 March 1875 (18 Stat. 479), as amended by sec. 47, act 4 March 1909 (35 Stat. 1097; 18 U. S. C. 100).*

41. Receiving stolen public property.—Whoever shall receive, conceal, or aid in concealing, or shall have or retain in his possession with intent to convert to his own use or gain, any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, which has theretofore been embezzled, stolen, or purloined by any other person, knowing the same to have been so embezzled, stolen, or purloined, shall be fined not more than $5,000, or imprisoned not more than five years, or both; and such person may be tried either before or after the conviction of the principal offender. *Sec. 2, act 3 March 1875 (18 Stat. 479), as amended by sec. 48, act 4 March 1909 (35 Stat. 1098; 18 U. S. C. 101).*

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42. Injuries to telegraph lines.—Whoever shall willfully or maliciously injure or destroy any of the works, property, or material of any telegraph, telephone, or cable line, or system, operated or controlled by the United States, whether constructed or in process of construction, or shall willfully or maliciously interfere in any way with the working or use of any such line, or system, or shall willfully or maliciously obstruct, hinder, or delay the transmission of any communication over any such line, or system, shall be fined not more than $1,000, or imprisoned not more than three years, or both. *Act 23 June 1874 (18 Stat. 250), as amended by sec. 60, act 4 March 1909 (35 Stat. 1099; 18 U. S. C. 116).*

43. Falsely making or forging naval, military, or official pass.—Whoever shall falsely make, forge, counterfeit, alter, or tamper with any naval, military, or with wrongful or fraudulent intent, shall use or have in his possession any such pass or permit, or shall personate or falsely represent himself to be or not to be a person to whom such pass or permit has been duly issued, or shall willfully allow any other person to have or use any such pass or permit, issued for his use alone, shall be fined not more than $2,000 or imprisoned not more than five years, or both. *Sec. 3, act of 15 June 1917 (40 Stat. 228; 18 U. S. C. 132.)*

SECTION IX

FOREIGN AGENTS AND PROPAGANDA

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44. Acting as foreign governmental agent without notice to Secretary of State.—Whoever, other than a diplomatic or consular officer or attache, shall act in the United States as an agent of a foreign government without prior notification to the Secretary of State shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than $5,000. *Sec. 3, act 15 June 1917 (40 Stat. 226), as amended by sec. 6, act 28 March 1940 (54 Stat. 80; 22 U.S.C. 601).*

SECTION X

OFFENSES AGAINST EXISTENCE OF GOVERNMENT

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45. Criminal correspondence with foreign governments; redress of private injuries excepted.—Every citizen of the United States, whether actually resident or abiding within the same, or in any place subject to the jurisdiction thereof, or in any foreign country, who, without the permission or authority of the Government, directly or indirectly, commences or carries on any verbal or written correspondence or intercourse with any foreign government or any officer or agent thereof, with an intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the Government of the United States; and every person, being a citizen of or resident within the United States or in any place subject to the jurisdiction thereof, and not duly authorized, who counsels, advises, or assists in any such correspondence with such intent, shall be fined not more than $5,000 and imprisoned not more than three years; but nothing in this section shall be construed to abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government or any of its agents or subjects. *Sec. 5, act 4 March 1909 (35 Stat. 1088), as amended by act 22 April 1932 (47 Stat. 132; 18 U.S.C. 5).*

46. Organizations carrying on subversive political and civilian military activities; definitions.—For the purposes of this Act—

(a) The term "Attorney General" means the Attorney General of the United States;

(b) The term "organization" means any group, club, league, society, committee, association, political party, or combination of individuals, whether incorporated or otherwise, but such term shall not include any corporation, association, community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes;

(c) The term "political activity" means any activity the purpose or aim of which, or one of the purposes or aims of which, is the control by force or overthrow of the Government of the United States or a political subdivision thereof, or any State or political subdivision thereof;

(d) An organization shall be deemed to be engaged in "civilian military activity" if (1) it gives instruction to, or prescribes instruction for, its members in the use of firearms or other weapons or any substitute therefor, or military or naval science, or (2) it receives from any other organization or from any individual instruction in military or naval science, or (3) it engages in any military or naval maneuvers or activities, or (4) it engages, either with or without arms, in drills or parades of a military or naval character, or (5) it engages in any other form of organized activity which in the opinion of the Attorney General constitutes preparation for military action; and

(e) An organization shall be deemed "subject to foreign control" if (1) it solicits or accepts financial contributions, loans, or support of any kind, directly or indirectly, from, or is affiliated directly or indirectly with, a foreign government or a political subdivision thereof, or an agent, agency, or instrumentality of a foreign government or political subdivision thereof, or a political party in a foreign country, or an international political organization, or (2) its policies, or any of them, are determined by or at the suggestion of, or in collaboration with, a foreign government or political subdivision thereof, or agent, agency, or instrumentality of a foreign government or a political subdivision thereof, or a political party in a foreign country, or an international political organization. *Sec. 1, act 17 October 1940 (54 Stat. 1201; 18 U. S. C. 14).*

47. Same; penalties.—Any violation of any of the provisions of this Act shall be punishable by a fine of not more than $10,000 or by imprisonment for not more than five years, or both. * * *. *Sec. 4, act 17 October 1940 (54 Stat. 1204; 18 U. S. C. 17).*

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SECTION XI

WILLFUL DESTRUCTION, ETC., OF WAR OR NATIONAL-DEFENSE MATERIAL

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Destroying or injuring national-defense materials, etc	48	20
Making or causing national-defense material to be made in defective manner	49	20

48. Destroying or injuring national-defense materials, etc.—Whoever, with intent to injure, interfere with, or obstruct the national defense of the United States, shall willfully injure or destroy, or shall attempt to so injure or destroy, any national-defense material, national-defense premises, or national-defense utilities, as herein defined, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act 20 April 1918 (40 Stat. 533) as added by sec. 5, act 30 November 1940 (54 Stat. 1221; 50 U. S. C. 105).*

49. Making or causing national-defense material to be made in defective manner.—Whoever, with intent to injure, interfere with, or obstruct the national defense of the United States, shall willfully make or cause to be made in a defective manner, or attempt to make or cause to be made in a defective manner, any national-defense material, as herein defined, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such national-defense material, as herein defined, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act 20 April 1918 (40 Stat. 533) as added by sec. 6, act 30 November 1940 (54 Stat. 1221; 50 U. S. C. 106).*

SECTION XII

INTERFERENCE WITH HOMING PIGEONS OWNED BY UNITED STATES

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50. Prohibited acts.—It is hereby declared to be unlawful to knowingly entrap, capture, shoot, kill, possess, or in any way detain an Antwerp, or homing pigeon, commonly called carrier pigeon, which is owned by the United States or bears a band owned and issued by the United States having thereon the letters "U. S. A." or "U. S. N." and a serial number. *Sec. 1, act 19 April 1918 (40 Stat. 533; 50 U. S. C. 111).*

51. Possession of pigeons as evidence of violation of law.—The possession or detention of any pigeon described in section 1 of this Act by any person or persons in any loft, house, cage, building, or structure in the ownership or under the control of such person or persons without giving immediate notice by registered mail to the nearest military or naval authorities, shall be prima facie evidence of a violation of this Act. *Sec. 2, act 19 April 1918 (40 Stat. 533; 50 U. S. C. 112).*

52. Punishment.—Any person violating the provisions of this Act shall, upon conviction, be punished by a fine of not more than $100, or by imprisonment for not more than six months, or by both such fine and imprisonment. *Sec. 3, act 19 April 1918 (40 Stat. 533; 50 U. S. C. 113).*

SECTION XIII

WAR OFFENSES

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53. Relieving, corresponding with, or aiding the enemy.—Whosoever relieves or attempts to relieve the enemy with arms, ammunition, supplies, money, or other things, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death or such other punishment as a court-martial or military commission may direct. *Act 4 June 1920, AW81 (41 Stat. 804; 10 U. S. C. 1553).*

54. Spies.—Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death. *Act 4 June 1920, AW82 (41 Stat. 804; 10 U. S. C. 1554).*

SECTION XIV

MILITARY AREAS, ETC.

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Executive Order (No. 8972) protection of certain national-defense material, premises, and utilities from injury or destruction	56	22

55. Executive order—Secretary of War authorized to prescribe military areas.—The following Executive Order (No. 9066) is published for the information and guidance of all concerned:

AUTHORIZING THE SECRETARY OF WAR TO PRESCRIBE MILITARY AREAS.

WHEREAS the successful prosecution of the War requires every possible protection against espionage and against sabotage to national-defense material, national defense premises, and national-defense utilities as defined in sec. 4 act 20 April 1918, (40 Stat. 533), as amended by act 30 November 1940, (54 Stat. 1220), and act 21 August 1941, (55 Stat. 655; 50 U. S. C. 104):

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, and Commander in Chief of the Army and Navy, I hereby authorize and direct the Secretary of War, and the Military Commanders whom he may from time to time designate, whenever he or any designated Commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion. The Secretary of War is hereby authorized to provide for residents of any such area who are excluded therefrom, such transportation, food, shelter, and other accommodations as may be necessary, in the judgment of the Secretary of War or the said Military Commander, and until other arrangements are made, to accomplish the purpose of this order. The designation of military areas in any region or locality shall supersede designations of prohibited and restricted areas by the Attorney General, under the Proclamations of 7 and 8 December 1941, and shall supersede the responsibility and authority of the Attorney General under the said Proclamations in respect of such prohibited and restricted areas.

REF ID:A4127207

I hereby further authorize and direct the Secretary of War and the said Military Commanders to take such other steps as he or the appropriate Military Commander may deem advisable to enforce compliance with the restrictions applicable to each Military area hereinabove authorized to be designated, including the use of Federal troops and other Federal Agencies, with authority to accept assistance of state and local agencies.

I hereby further authorize and direct all Executive Departments, independent establishments and other Federal Agencies, to assist the Secretary of War or the said Military Commanders in carrying out this Executive Order, including the furnishing of medical aid, hospitalization, food, clothing, transportation, use of land, shelter, and other supplies, equipment, utilities, facilities, and services.

This order shall not be construed as modifying or limiting in any way the authority heretofore granted under E. O. 8972, 12 December 1941, nor shall it be construed as limiting or modifying the duty and responsibility of the Federal Bureau of Investigation, with respect to the investigation of alleged acts of sabotage or the duty and responsibility of the Attorney General and the Department of Justice under the Proclamations of 7 and 8 December 1941, prescribing regulations for the conduct and control of alien enemies, except as such duty and responsibility is superseded by the designation of military areas hereunder. *7 F. R. 1407.*

56. Executive Order (No. 8972) authorizing the Secretary of War and the Secretary of the Navy to establish and maintain military guard and patrols, and to take other appropriate measures, to protect certain national-defense material, premises, and utilities from injury or destruction.

WHEREAS the United States is now at war; and

WHEREAS there exists a serious and immediate potential danger of sabotage to national-defense material, national-defense premises, and national-defense utilities which may menace our maximum productive effort; and

WHEREAS the Congress of the United States has in recent enactments recognized this danger by enjoining efforts to injure, interfere with, or obstruct the national defense, and providing severe penalties therefor; and

WHEREAS it is considered necessary in the interests of national defense that in particular situations where hazardous, dangerous, or other unfavorable conditions may from time to time exist, special precautionary measures be taken by establishing and maintaining military guards and patrols or other appropriate means to protect from injury or destruction national-defense material, national-defense premises, and national-defense utilities;

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, and Commander-in-Chief of the Army and Navy of the United States, I hereby authorize and direct the Secretary of War, whenever he deems such action to be necessary or desirable, and the Secretary of the Navy, whenever he deems such action to be necessary or desirable, to establish and maintain military guards and patrols, and to take other appropriate measures, to protect from injury or destruction national-defense material, national-defense premises, and national-defense utilities, as defined in act of 20 April 1918 (40 Stat. 533), as amended by act of 30 November 1940 (54 Stat. 1220), and act of 21 August 1941 (55 Stat. 655).

This order shall not be construed as limiting or modifying the duty and responsibility of the Federal Bureau of Investigation, Department of Justice, with respect to the Investigation of alleged acts of sabotage. (6 F. R. 6420.)

SECTION XV

MISCELLANEOUS ACTS

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57. Eligibility for award of contract restricted to citizens; employmenf of aliens.—Only citizens of the United States, and corporations of which not less than three-fourths of the capital stock is owned by citizens of the United States, and of which the members of the boards of directors are citizens of the United States, and having manufacturing plants located within the continental limits of the United States shall be eligible to be awarded any contract under this section to furnish or construct aircraft, aircraft parts or aeronautical accessories for the United States Government, except that a domestic corporation whose stock shall be listed on a stock exchange shall not be barred by the provisions of this section unless and until foreign ownership or control of a majority of its stock shall be known to the Secretary of War or the Secretary of the Navy, as the case may be, and no aliens employed by a contractor for furnishing or constructing aircraft, or aircraft parts, or aeronautical accessories for the United States shall be permitted to have access to the plans or specifications or the work under construction or to participate in the contract trials without the written consent beforehand of the Secretary of the department concerned. *Sec. 10 (j), act 2 July 1926 (44 Stat. 787; 10 U. S. C. 310 (j)).*

58. Protection of diplomatic codes.—Whoever, by virtue of his employment by the United States, shall obtain from another or shall have custody of or access to, or shall have had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or competent authority, publish or furnish to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. *Act 10 June 1933 (48 Stat. 122; 22 U. S. C. 135).*

SECTION XVI

LAWS AND REGULATIONS GOVERNING INTERNATIONAL TRAFFIC IN ARMS

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59. Special provisions in regard to military secrets.—*a.* Under provisions of Part V of the Laws and Regulations Administered by the Department of State Governing the International Traffic in Arms, Ammunition, and Implements of War and Other Munitions of War, 1939, the Secretary of State will not issue a license authorizing the exportation of any arms, ammunition, or implements of war considered by the Secretary of War or by the Secretary of the Navy as instruments or appliances included among the articles covered by those terms as used in this act if, in their opinion, they involve military secrets of interest to the national defense. The articles which may be so considered are those falling within one of the following categories.

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(1) Articles, the whole or any features of which have been or are being developed or manufactured by or for the War Department, or the Navy Department or with the participation of either of the Departments; and

(2) Articles, the whole or any features of which have been used or are being used by the War Department or the Navy Department or which either Department has contracted to procure.

b. Included among articles developed by or for the War Department or the Navy Department are those which have been contracted for by either of those Departments, or which have been developed in accordance with Army or Navy specifications and submitted to either Department for evaluation for procurement.

c. Prospective exporters of arms, ammunition, and implements of war should, before applying for a license to authorize the exportation of any article falling within the above categories which may possibly involve military secrets of interest to the national defense, communicate with the Secretary of State in advance of the proposed shipment in order that he may be in a position to ascertain for the prospective exporter whether or not military secrets are, in fact, involved therein. The articles upon which a determination is requested should be designated clearly and specifically, the type and model designations being included. Where applicable, Army or Navy drawing numbers should be given, or detailed plans and specifications submitted. *See 4 F. R. 4518.*

[A. G. 380.01 (23 Jul 43).]

BY ORDER OF THE SECRETARY OF WAR.

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

DISTRIBUTION:
A; E.

AGO 98

U. S. GOVERNMENT PRINTING OFFICE: 1943

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CIRCULAR
No. 343

WAR DEPARTMENT,
WASHINGTON 25, D. C., 21 August 1944.

	Section
ARMY POSTAL UNIT—Rescission of letters pertaining to equipment	I
FUNDS—AR 35–780 amended	II
MILITARY INFORMATION—Policy governing requests from Federal, State, and other agencies	III
PROPERTY ACCOUNTING—Elimination of W. D., A. G. O. Form No. 735—Circular No. 39, War Department, 1944, amended	IV
RESCISSION—Letters pertaining to soldiers of Japanese ancestry	V

I. ARMY POSTAL UNIT.—War Department letter (AG 475 (10 Aug 42) AP–PS–M), 10 August 1942, and Services of Supply letter (AG 475 (10 Aug 42) AP–PS–M), 10 August 1942, both on the subject, "Equipping Army postal units," are rescinded.

[A. G. 475 (18 Aug 44).]

II. FUNDS.—Pending the printing of changes in AR 35–780, paragraph 2*d* (5½), pertaining to the use of W. D., F. D. Form No. 10 for deposits received from interned enemy aliens and prisoners of war, is rescinded.

[A. G. 131 (17 Aug 44).]

III. MILITARY INFORMATION.—1. Reference is made to paragraphs 11 and 19, AR 380–5, 15 March 1944, and to paragraph 5*c*, AR 410–5, 5 April 1944.

2. This circular is issued under the authority of above-cited subparagraph of AR 410–5 and will govern the handling of requests from private individuals, firms, or corporations and from Federal or State departments or agencies for classified information.

3. This circular has no application to—

a. Transmission of classified information to military or naval agencies of the United States Government.

b. Matters referred to in subparagraphs *b* and *c* of paragraph 19, AR 380–5. (See Memorandum No. W380–44, to Commanding Generals, Army Ground Forces, Army Air Forces, Army Service Forces, 25 February 1944, as amended by memorandum of 24 July 1944, subject, Exchange of Technical Information with Foreign Nationals.) Except where the Assistant Chief of Staff, G–2, War Department General Staff, specifically directs otherwise, exchange of classified and unclassified military information with foreign nationals is a responsibility of the Chief, Military Intelligence Service, under policy prescribed by the Assistant Chief of Staff, G–2, War Department General Staff.

c. Existing arrangements and practices concerning transmission of information among intelligence agencies.

d. Requests by the Congress of the United States, its Committees or Members. (These should be referred to Legislative and Liaison Division, War Department General Staff.)

e. Requests for information for use in connection with pending or prospective litigation. (See paragraph 5, AR 410–5, 8 February 1943.)

f. Requests for information for publication in news or publicity media. (See Cir. 111, WD, 1944.)

g. Requests for classified aerial photographs of areas within the continental United States. (See Memorandum No. W380–44, 14 January 1944, as amended by memorandum of 22 February 1944, subject, Aerial Photographs.)

4. Private individuals, firms, corporations, and Federal and State departments and agencies may receive classified information from the War Department and from War Department contractors subject to the availability of the information

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and provided War Department facilities will not be overtaxed and national security or the welfare of the Military Establishment will not be adversely affected.

5. The following are designated as the responsible officers for the release of classified information under the provision of this circular: The Commanding Generals, Army Ground Forces, Army Air Forces, Army Service Forces, and defense commands, for information of primary interest to each; and the Chief, Military Intelligence Service, War Department, for information of primary interest to the War Department General and Special Staffs and oversea commands. Information normally will be considered of primary interest to that command in which, or by the efforts of which, it originated; for example, information concerning an article of matériel is of primary interest to the command responsible for its development, production, or procurement. Each of the above is authorized to transmit classified information, in his discretion, to private individuals, firms, or corporations or to Federal or State agencies, provided—

a. Possession of the information by the requester is necessary for its, or his, performance of a governmental function. (Production of war matériel is considered, for this purpose, to be governmental function.)

b. Release of the information to the requester will not restrict, hamper, jeopardize, or embarrass any military activity, or otherwise embarrass the War Department.

c. The information was originated within the Military Establishment or by a War Department contractor. (See paragraph 7 of this circular.)

d. Adequate assurances are received from the requester (other than an agency of the Federal Government) that the material will be available only to key personnel and will be safeguarded in a manner similar to that provided in AR 380–5.

e. Release of the information to the requester will not prejudice the interest of the source of such information. In no case will technical, industrial, or trade information not wholly Government-owned, or concerning which release authority has not already been obtained, be released without consent of the owner.

f. Release of the information to the requester will not violate any commitment made in obtaining it.

g. No restriction on the release of the information has been imposed by the commanding general of any geographical area in which the subject of the information lies.

6. Care will be exercised to comply with all provisions of AR 380–5 relating to the transmission and dissemination of classified information and the marking of classified documents. (See paragraphs 20, 25, 27, and 28, AR 380–5.)

7. If the information requested was originated by an agency outside the jurisdiction of the War Department, except a War Department contractor, the request will be referred to the originating agency for action, or its permission obtained before release of the information to the requester.

8. If the information in any way concerns Naval installations, activities, equipment, or other interests, consent of the appropriate Bureau of the Navy Department will be obtained before its release.

9. Whenever it is determined, under the principles stated in this circular, that information derived from intelligence investigations should be released, such information will be transmitted only in such form as not to disclose sources or methods by which it was obtained.

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10. Care will be exercised to avoid release of any information indicating animosity or prejudices, adverse criticism of individuals, firms, or agencies, or personal appraisal of the competence or incompetence of any individual.

11. Section VI, Circular No. 34, War Department, 1943, and section I, Circular No. 129, War Department, 1943, pertaining to the foregoing subject, are rescinded.

[A. G. 312.1 (17 Aug 44).]

IV. PROPERTY ACCOUNTING.—1. Paragraph 11, Circular No. 39, War Department, 1944, is rescinded and the following substituted therefor:

11. General.—The instructions contained herein regarding the preparation and processing of requisitions and distribution of supplies and equipment are intended to follow as closely as possible the procedure required in field operations and should be so interpreted. Requisitions submitted to station supply officers will be prepared on W. D., A. G. O. Form No. 446, 6 August 1943, prepared and processed as indicated in figures 2 and 3, paragraph 17. Reports of survey and statements of charges will not be used as documents for the reissue of listed articles. Such articles will be issued on the presentation of a properly executed property issue slip. Separate units and organizations will not present requisitions to station supply officers unless the listed articles will be accepted when ready for issue. The preparation of the individual clothing slips W. D., A. G. O. Forms Nos. 35 and 735 to support requisitions for clothing will not be required.

2. Paragraph 1*n*, section IV, Circular No. 240, War Department, 1943, is rescinded.

[A. G. 315 (12 Aug 44).]

V. RESCISSION.—The following War Department letters are rescinded:

1. AG 220.71 (16 Apr 43) PE-A-OPD, 19 April 1943, subject, "Circulation of soldiers of Japanese ancestry in Western Defense Command."

2. AG 220.71 (16 Apr 43) PE-A-OPD, 20 April 1943, subject, "Revision of War Department instructions governing granting furloughs to soldiers of Japanese ancestry."

3. AG 220.71 (16 Apr 43) PE-A-OPD, 29 April 1943, subject, "Pass or furlough for inductees of Japanese ancestry."

[A. G. 220.71 (5 Aug 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

U. S. GOVERNMENT PRINTING OFFICE: 1944

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Mrs Thompson
Administration
Branch

[CIR. 259]

~~RESTRICTED~~

CIRCULAR
No. 259

WAR DEPARTMENT,
WASHINGTON 25, D. C., 26 June 1944.

REGRADING OF CLASSIFIED INFORMATION

1. The purpose of this circular is to clarify certain provisions of paragraph 15, AR 380–5 and particularly to define appropriate authority for regrading of classified information.

2. The instructions contained in paragraph 15, AR 380–5 to keep classified matter constantly under review and to downgrade it as soon as conditions permit will be implemented immediately by all agencies and echelons.

3. Documents which affect only one element will be regraded by that element and ordinarily at the echelon where they originated or are presently held, whichever is the higher. Higher authority ordinarily need not and should not be consulted.

4. When the interests of two or more elements are involved in the regrading of a document, the element desiring to regrade will consult the others and each will attempt to reach an agreement.

5. When the interests of two or more elements are involved in the regrading of a document and no agreement can be reached, the matter will be referred for decision, through channels, to the lowest superior common to the both. A full statement of the views of the differing elements will accompany the request for decision.

6. The Assistant Chief of Staff, G–2, War Department General Staff, is the authorized agency to decide differences described in paragraph 5, provided there is no common superior to the differing elements lower than the Chief of Staff.

7. An agency of the War Department receiving a document from the Navy Department, which is not of a joint or combined nature and which appears to be over or under classified, is authorized to present the matter directly to the proper authority within the Navy Department and request regrading.

8. Joint Security Control has been authorized by the Joint Chiefs of Staff to decide all differences between Army and Navy agencies in matters of regrading.

9. In cases of Combined United States-British documents, proper agencies of the War Department will be authorized, on request, by Joint Security Control to consult directly with their opposite agencies of the British Joint Staff Mission in matters affecting only the two agencies. In the event no agreement is reached, the matter will be referred to Joint Security Control.

10. In cases of under classification which endanger security, emergency steps may be taken to effect temporary upgrading before resorting to the procedures contained in this circular.

[A. G. 380.01 (19 Jun 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

AGO 407B 589101°—44

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[CIR. 91]

CIRCULAR
NO. 91

WAR DEPARTMENT,
WASHINGTON 25, D. C., 29 February 1944.

SECURITY CLASSIFICATIONS

1. The Combined Chiefs of Staff have approved an agreement made between the American and British services on the definition, classification, and handling of matters to be safeguarded. Procedures, names, definitions, and handling hereinafter set forth are to be put in effect by all War Department offices and United States Army headquarters ***on zero zero zero one Z, 15 March 1944.***

2. Instructions to the same effect are being issued for the same effective date to the United States Navy and to the British Armed Forces.

3. It is contemplated that a complete revision of AR 380–5 embodying the details of the new agreement will be printed and distributed to the War Department on or about 1 April 1944.

4. From 15 March 1944 to date of receipt of the revision of AR 380–5, the policy hereinafter outlined will be followed by all concerned. No change in the classification of existing documents is necessitated by this agreement.

5. **Combined Security Classifications Agreement.**

NEED FOR CLASSIFICATION

1. To safeguard official matter, it must be examined and graded into categories so that it may be recognized and accorded proper handling. To grade matter accurately and uniformly, the following general policy and definitions have been agreed upon by the Combined Chiefs of Staff to become effective ***15 March 1944.*** The detailed instructions based thereon will be issued by the several services concerned not later than ***1 April 1944.***

DEFINITIONS

2. For the purpose of this agreement, the following definitions apply:

a. Documents: Any form of recorded information.
b. Matériel: Any article, substance, or apparatus.
c. Handling: Care in transmission and custody.
d. Distribution: Extent of actual or authorized issue of specific matter.
e. Cryptographic system: Code and/or cipher and instructions therefor.
f. Registered matter (document): Any classified document or device registered usually by number and periodically accounted for.
g. Order of Battle: Important dispositions of our forces with the identities of the units and formations composing those forces in or adjacent to operational theaters.
h. Munitions of war: Any item used for war.

CATEGORIES

3. Official matter requiring classification shall be examined and graded under one of the following categories:

TOP SECRET (signal abbreviation, TOPSEC)
SECRET
CONFIDENTIAL
RESTRICTED

4. The United States regards TOP SECRET as a subdivision of SECRET. On the other hand, the British regard TOP SECRET as a distinct category. Although this difference of view is recognized it is immaterial to this agreement under which complete working uniformity is obtained by the adoption of agreed definitions, examples and rules of treatment, for the handling of all classified matter.

5. Providing the following definitions and rules for handling are mutually accepted and rigorously implemented, the difficulties can be overcome.

So? How many classes are there — 3, 3½, or 4??

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TOP SECRET

6. Certain secret documents, information, and matériel, the security aspect of which is paramount, and whose unauthorized disclosure would cause exceptionally grave damage to the nation shall be classified TOP SECRET.

7. The following are some examples of matter which normally will be graded TOP SECRET:

a. Plans or particulars of future major or special operations.

b. Particulars of important dispositions or impending moves of our forces or convoys in connection with *a* above.

c. Very important political documents dealing with such matters as negotiations for alliances and the like.

d. Information of the methods used or success obtained by our Intelligence Services and Counter-Intelligence Services or which would imperil secret agents.

e. Critical information of new and important munitions of war, including approved scientific and technical developments.

f. Important particulars of cryptography and cryptanalysis.

SECRET

8. Documents, information, or matériel, the unauthorized disclosure of which would endanger national security, cause serious injury to the interests or prestige of the nation, or any governmental activity thereof, or would be of great advantage to a foreign nation shall be classified SECRET.

9. The following are some examples of matter which normally will be graded SECRET:

a. Particulars of operations in progress.

b. Plans or particulars of operations not included under TOP SECRET.

c. Instructions regarding the employment of important new munitions of war.

d. Order of Battle information and locations and moves affecting the Order of Battle.

e. Knowledge of enemy matériel and procedure, the value of which depends upon the enemy not knowing that we possess it.

f. Vital military information on important defenses.

g. Certain reports of operations containing information of vital interest to the enemy.

h. Adverse reports on general morale affecting major operations.

i. Important improvements to existing munitions of war until accepted for service use.

j. Photographs of vulnerable points or vital installations under our control.

k. Certain development projects.

l. Important cryptographic devices unless assigned to a lower category.

CONFIDENTIAL

10. Documents, information, or matériel, the unauthorized disclosure of which, while not endangering the national security, would be prejudicial to the interests or prestige of the nation, any governmental activity, an individual, or would cause administrative embarrassment, or difficulty, or be of advantage to a foreign nation shall be classified CONFIDENTIAL.

11. The following are some examples of matter which normally will be graded CONFIDENTIAL:

a. Matters, investigations, and documents of a personal and disciplinary nature, the knowledge of which it is desirable to safeguard for administrative reasons.

b. Routine operational and battle reports which do not contain information of vital interest to the enemy.

c. Routine intelligence reports.

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d. General military radio frequency allocations.

e. Military call signs, unless so collected together that they reveal the Order of Battle.

f. Meteorological information of designated areas.

g. Unit movements of nonoperational significance in areas within or adjacent to operational theaters.

h. Certain technical documents and manuals used for training, maintenance and inspection of important new munitions of war.

i. General tactical lessons learned as a result of operations.

j. Aerial photographs of territories under our control in or adjacent to operational theaters.

RESTRICTED

12. Documents, information, or matériel (other than TOP SECRET, SECRET, or CONFIDENTIAL) which should not be published or communicated to anyone except for official purposes shall be classified RESTRICTED.

13. The following are some examples of matter which normally will be graded RESTRICTED:

a. Information of moves of nonoperational significance in areas remote from theaters of war.

b. Training and technical documents for official use only or not intended for release to the public.

c. Certain routine documents relating to supply and procurement.

d. Aerial photographs of territories under our control remote from operational theaters.

e. Photographs of enemy, enemy occupied or dominated, areas except those which reveal secret sources.

f. Strength returns of units remote from operational theaters.

GENERAL PRINCIPLES

GRADING

14. The designation of persons responsible for grading and regrading will be a function of the appropriate authorities.

15. Each document should be graded according to its own content and not necessarily according to its relationship to another document. This also applies to extracts from graded documents.

16. The grading of a file or group of physically connected documents shall be that of the highest graded document therein.

REGRADING

17. IT IS THE OBLIGATION OF ALL AUTHORITIES TO KEEP CLASSIFIED MATTER CONSTANTLY UNDER REVIEW AND TO DOWNGRADE IT AS SOON AS CONDITIONS PERMIT.

TRANSMISSION BY ELECTRICAL MEANS

18. Messages which have been transmitted or are to be transmitted in a high-grade cryptographic system of one nation will not be relayed or transmitted by the other nation between point of origin and destination by electrical means in clear language or unapproved "scrambler" system, or low-grade cryptographic system.

HANDLING (TREATMENT)

19. No person is entitled solely by virtue of his rank or position to knowledge or possession of classified matter. Such matter is entrusted only to those individuals whose official duties require such knowledge or possession.

SECRET

20. SECRET matter will be handled in accordance with the following rules:

a. The highest grade cryptographic systems available will be used for the transmission of SECRET messages.

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b. SECRET documents will be transmitted only by officially designated courier in double sealed envelopes, the inner one being marked SECRET, and will be opened only by the addressee or his authorized representative. Where officially designated courier service is not available, SECRET documents may be transmitted by registered mail service or mail service superior to registered mail service, if the service is completely within national control.

c. Transmission and custody of these documents and matériel will normally be covered by a receipt system and registered documents or matériel periodically accounted for. It is mandatory that registered documents be covered by a receipt system.

d. SECRET messages will not be transmitted by electrical means in the clear, except over approved circuits and providing the rule in paragraph 18 is not violated.

NOTES: (1) An approved circuit is:
A circuit approved by the theater commander. The British Services "Defence Teleprinter Network" in the United Kingdom.
(2) This item will not appear in U. S. Regulations on cryptographic security. It will be released immediately to responsible commanders in special letters of instructions.

e. It is the responsibility of the commissioned officer or equivalent civilian holding custody of SECRET documents to insure that all security precautions are taken to guard such documents at all times.

TOP SECRET

21. TOP SECRET matter will be handled in accordance with the above rules, with additional safeguards as follows:

a. Under no circumstances will such matter be transmitted by registered mail.

b. Under no circumstances will messages so graded be transmitted by electrical means in the clear.

c. It is mandatory that transmission and custody of such matter be covered by a receipt system.

d. TOP SECRET documents will be handled only by persons specifically designated and may not be disclosed to any person solely by virtue of his rank or office.

CONFIDENTIAL

22. CONFIDENTIAL matter will be handled in accordance with the following rules:

a. CONFIDENTIAL documents, except registered, will be transmitted by approved official means. Registered CONFIDENTIAL documents will be handled in the same manner as registered SECRET documents.

b. It is the responsibility of the commissioned officer or equivalent official holding custody of CONFIDENTIAL documents to insure that appropriate security precautions are taken at all times.

RESTRICTED

23. RESTRICTED matter will be handled in accordance with the following rules:

a. RESTRICTED documents will be transmitted by such approved channels as will provide a reasonable degree of security.

b. Registered RESTRICTED documents will be transmitted to and from foreign countries in the same manner as registered SECRET documents.

[A. G. 380.01 (29 Feb 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

AGO 234

U. S. GOVERNMENT PRINTING OFFICE: 1944

Revised to include Changes No. 1, 2, 3, 4.

W.F.F.

REF ID:A4127207

*AR 380-5

ARMY REGULATIONS No. 380-5

WAR DEPARTMENT, WASHINGTON 25, D. C., 15 March 1944.

SAFEGUARDING MILITARY INFORMATION

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GENERAL

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*This pamphlet supersedes AR 380-5, 28 September 1942, including C 2, 14 December 1942; C 3, 22 December 1942; C 4, 1 January 1943; C 5, 23 January 1943; C 6, 16 February 1943; C 8, 24 February 1943; C 9, 16 March 1943; C 10, 20 April 1943; C 11, 11 June 1943; C 13, 13 August 1943; C 14, 16 November 1943; C 15, 22 January 1944; C 16, 25 January 1944; C 17, 15 February 1944; section XII, Circular No. 14, and Circular No. 91, War Department, 1944.

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1. Need for classification.—Military information is of varying degrees of value to the United States and to the enemy and therefore requires the exercise of varying degrees of precaution for its safety. To safeguard official matter, it must be examined and graded into categories so that it may be recognized and accorded proper handling. For the purpose of providing the necessary variations in safeguarding the several types of critical information, and to grade matter accurately and uniformly, the classifications and the applicable protective measures to be adhered to are hereinafter outlined.

2. Definitions.—*a. Aircraft.*—The term "aircraft" includes all weight-carrying devices or structures designed to be supported by the air, either by buoyance or by dynamic action.

b. Air space reservation.—An air space reservation is the air space located above an area on the surface of the land or water, designated and set apart by Executive Order of the President or by a State, Commonwealth, or Territory, over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes.

c. Classified military information.—Classified military information includes all information concerning documents, cryptographic devices, development projects, and matériel falling in the categories of *top secret*, *secret*, *confidential*, or *restricted*.

d. Cryptographic material.—Cryptographic material includes all documents and devices employed in changing plain-language messages into unintelligible form by means of codes and ciphers.

e. Cryptographic security.—Cryptographic security is that branch of signal communication which deals with the provision of technically sound cryptographic systems, their proper use, and their careful safeguarding.

f. Cryptographic system.—Code and/or cipher and instructions therefor.

g. Distribution.—Extent of actual or authorized issue of specific matter.

h. Documents.—Any form of recorded information. The term "document" includes printed, mimeographed, typed, photostated, and written matter of all kinds; maps, photomaps, and aerial photographs and mosaics; drawings, sketches, notes, and blueprints, or photostatic copies thereof; photographs and photographic negatives; engineering data; correspondence and plans relating to research and development projects; and all other similar matter.

i. Engineering data.—The term "engineering data" comprises drawings, blueprints, photostats, photographs, mathematical calculations, formulas, processes, and all similar items that can be reduced to documentary form.

j. Foreign-government.—The term "foreign government" includes any recognized or nonrecognized government and any faction or body of insurgents within a country with which the United States is at peace.

k. Handling.—Care in transmission and custody.

l. Impedimenta.—The term "impedimenta" refers to organizational equipment which accompanies troop movements.

m. Matériel.—Any article, substance, or apparatus. The term "matériel" comprises military arms, armament, equipment, and supplies of all classes, both complete and in process of development and construction, models that show features in whole or in part, designs, mock-ups, jigs, fixtures, and dies, and all other components or accessories of military equipment.

n. Mock-up.—A mock-up is a model, usually full size and constructed of inexpensive material, made for the purpose of studying the construction and use of an article of matériel or mechanical device.

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 1

WAR DEPARTMENT,
WASHINGTON 25, D. C., 21 June 1944.

AR 380–5, 15 March 1944, is changed as follows:

18. Photographs or other reproductions of classified matter.—Photographs **or other reproductions** of classified features of military equipment or of other classified items will be made by members of the military service, by civilian employees of the War Department, **or by civilians specifically authorized under appropriate directives to photograph or reproduce such classified matter,** only when necessary in the conduct of their official duties, and if made, may be developed, printed **or otherwise processed** in commercial establishments that have established a specific procedure for handling classified film, **prints, or other materials,** which procedure has been approved by the Provost Marshal General. Such film, prints **or other materials** will not be retained in the possession of commercial establishments so utilized. **The Provost Marshal General will maintain a list of all approved establishments.**

[A. G. 380.01 (26 Apr 44).]

44. Precautions necessary to insure cryptographic security.—In order to insure cryptographic security the following principles must be observed:

* * * * * * *

c. The classification of messages must receive careful consideration by the originator since overclassification and underclassification are equally to be avoided. When a message has been classified and sent, all subsequent messages referring thereto must bear the same classification if any reference is made to the original message by subject or serial number, except where the originator underclassified the original communication, in which case the proper higher classification will be used. Service messages referring to all or part of the plain text of previously cryptographed messages must be similarly classified and cryptographed. **An exception to this rule is made in the case of messages classified TOP SECRET or SECRET, in which case either classification, as appropriate, may be assigned to a message referring by subject or serial number to a TOP SECRET or SECRET message previously transmitted.** See paragraphs 10, and 12 to 16, inclusive.

* * * * * * *

[A. G. 380.01 (26 Apr 44).]

48. Paraphrasing messages.

* * * * * * *

c. A paraphrase of a message **normally** will be accorded the same classification as the original message.

[A. G. 380.01 (26 Apr 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

DISTRIBUTION:

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SAFEGUARDING MILITARY INFORMATION

*C 2

CHANGES NO. 2

WAR DEPARTMENT,
WASHINGTON 25, D. C., 23 August 1944.

AR 380–5, 15 March 1944, is changed as follows:

18. Photographs or other reproductions of classified matter.—(As changed by C 1, 21 Jun 44.) Photographs or other reproductions of classified features of military equipment or of other classified items will be made by members of the military service, by civilian employees of the War Department, or by civilians specifically authorized under appropriate directives to photograph or reproduce such classified matter, only when necessary in the conduct of their official duties, and if made may be developed, printed, or otherwise processed in commercial establishments that have established a specific procedure for handling classified film, prints, or other materials, which procedure has been approved by the Provost Marshal General. Such film, prints, or other materials will not be retained in the possession of commercial establishments so utilized. The Provost Marshal General will maintain a list of all approved establishments.

[A. G. 380.01 (26 Apr 44).]

28. Handling and transmission of restricted matter.

* * * * * *

b. Subject to the foregoing standards, restricted documents will be transmitted by any of the following means, whichever is most suitable:

* * * * * * *

(2) *Outside continental United States.*—Includes transmission of restricted documents, except restricted cryptographic material, from points within the continental United States to points outside the United States and vice versa, and between points outside the continental Unitet States.

* * * * * * *

(*b*) United States Post Office registered mail **or by ordinary mail, provided that the mail, whether registered or ordinary, will be handled outside the United States by the Army or Navy Postal Services exclusively and will not pass through foreign mail channels.** Restricted documents may, however, be transmitted to and from United States installations in Canada and in Alaska through the Canadian postal system.

* * * * * * *

[A. G. 380.01 (17 Aug 44).]

44. Precautions necessary to insure cryptographic security.—In order to insure cryptographic security the following principles must be observed:

* * * * * * *

c. (As changed by C 1, 21 Jun 44.) The classification of messages must receive careful consideration by the originator since overclassification and underclassification are equally to be avoided. When a message has been classified and sent, all subsequent messages referring thereto must bear the same classification if

*These changes supersede C 1, 21 June 1944.

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any reference is made to the original message by subject or serial number, except where the originator underclassified the original communication, in which case the proper higher classification will be used. Service messages referring to all or part of the plain text of previously cryptographed messages must be similarly classified and cryptographed. An exception to this rule is made in the case of messages classified TOP SECRET or SECRET, in which case either classification, as appropriate, may be assigned to a message referring by subject or serial number to a TOP SECRET or SECRET message previously transmitted. See paragraphs 10 and 12 to 16, inclusive.

[A. G. 380.01 (26 Apr 44).]

48. Paraphrasing messages.

c. (As changed by C 1, 21 Jun 44.) A paraphrase of a message normally will be accorded the same classification as the original message.

[A. G. 380.01 (26 Apr 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 3 — WAR DEPARTMENT, WASHINGTON 25, D. C., 5 February 1945

AR 380-5, 15 March 1944, is changed as follows:

16. Loss or subjection to compromise.—Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of *top secret, secret, confidential,* or *registered* documents or articles of matériel or *restricted* codes or ciphers will promply report that fact to the custodian of the document or matériel. The proper commanding officer will notify the office responsible for its issue by the fastest means available of the loss or subjection to compromise of *all top secret, secret* or *registered items, confidential or restricted* codes or ciphers, or *confidential* operational plans, weapons, or equipment of vital importance to current or future operations, and will then make a thorough investigation of the circumstances, fix the responsibility, and send to The Adjutant General through military channels a report with his recommendations in the case.

[AG 380.01 (11 Dec 44)]

18. Photographs or other reproductions of classified matter.—Photographs or other reproductions of classified features of military equipment or of other classified items will be made by members of the military service, by civilian employees of the War Department, or by civilians specifically authorized by proper authority to photograph or reproduce such classified matter, only when necessary in the conduct of their official duties, and, if made, may be developed, printed, processed, or otherwise reproduced in commercial facilities. However, *confidential, secret,* and *top secret* materials may be reproduced only in those commercial facilities that have established specific procedures, approved by the Provost Marshal General, for handling classified films, prints, or other materials. Classified materials will not be retained in the possession of commercial facilities so utilized. The Provost Marshal General will maintain a *restricted* list of all commercial facilities within the continental United States approved to handle *confidential, secret,* and *top secret* materials.

[AG 380.01 (11 Dec 44)]

24. Transmission of certain messages by electrical means.

* * * * * * *

b. Secret, confidential, or *restricted* messages will not be transmitted by electrical means in the clear, except in accordance with the provisions of paragraph 51*b*(2) or over approved circuits and providing the rule in *c* below is not violated. For forces in the field, in time of war authority to approve electrical circuits for the transmission of all classifications of traffic, except *top secret,* may be delegated by the War Department to theater commanders and department commanders for use in their theaters or departments.

* * * * * * *

[AG 380.01 (11 Dec 44)]

46. Drafting messages.

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c. Words not important to the sense will be omitted. Conjunctions, prepositions, and punctuation marks will be reduced to a minimum, and every effort will be made to avoid repetition. When it is essential that punctuation marks be included in the body of messages, they **normally** will be spelled, either in full or abbreviated form. Numbers **normally** will be spelled out.

* * * * * * *

[AG 380.01 (11 Dec 44)]

47. Selection of cryptographic system.—*a.* Subject to modification as outlined in paragraph 43*b*, the classification *top secret*, secret, *confidential*, or *restricted* given a message by its originator governs the cryptographic system to be used in cryptographing the message. All classified messages except those transmitted in accordance with the provisions of paragraphs 24*b* and 51*b*(2) will be transmitted in cryptographed form unless specific exception is made by the War Department. The least widely held cryptographic system available to all addresses of each message will be employed.

* * * * * * *

[AG 380.01 (11 Dec 44)]

49. Method of handling outgoing secret messages.

* * * * * * *

b. Except as noted in b½ below the originator will prepare and number all copies of secret messages, send the original to the message center, and may retain, when security is not imperiled thereby, one copy for temporary file. Other carbon copies, all numbered and bearing the following notation, may be sent to local officers directly concerned:

* * * * * * *

b½. Messages pertaining to tactical operations, simulated or actual, may be prepared in triplicate. One carbon may be retained by the originator and the original and one carbon delivered to the message center.

c. The original plain-text copy sent to the message center by the originator will by cryptographed at the cryptographic section of the message center. **The number of copies of the cryptographed message will be kept at a minimum commensurate with the necessity for furnishing copies to the various transmission agencies.** All work sheets used in cryptographing the message will be destroyed by burning. **All copies of cryptographed messages retained by transmitting agencies will be safeguarded so as not to fall into unauthorized hands.**

* * * * * * *

[AG 380.01 (11 Dec 44)]

50. Method of handling incoming secret messages.

* * * * * * *

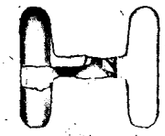
b. The original copy of an incoming cryptographed message as made by the receiving operator will go to the cryptographic section of the message center. A duplicate copy may be made by the receiving operator for the files of the receiving station or message center, where it will be disposed of in accordance with local regulations.

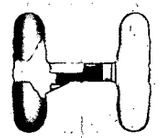
[AG 380.01 (11 Dec 44)]

53. Transmission of literal plain text and paraphrased versions of classified messages.—*a.* The sending by any means whatsoever of the literal plain text of a message which has been or will be transmitted in cryptographed form is strictly prohibited except as stated below:

* * * * * * *

(3) Where authorized in accordance with instructions pertaining to certain cryptographic systems issued by the War Department.





b. In cases of emergency **or necessity** paraphrased versions of the plain text of a cryptographed message will be sent—

* * * * * * *

(3) When it is necessary to send between headquarters by mail or courier a paraphrased copy of a message which has been or will be cryptographed, copy will be marked or stamped "This is a paraphrase."

[AG 380.01 (11 Dec 44)]

76. Classification requirements.

* * * * * * *

b. The following elements of information concerning troop movements or individual travel normally will be classified as indicated below, **except as stated in paragraphs 78*a*, 83, and 84:**

(1) *Secret.*—Documents which contain any of the following elements, **either directly or by implication,** require a classification of *secret.*

(*a*) Oversea or intertheater geographical destinations.

* * * * * * *

[AG 380.01 (11 Dec 44)]

78. Rail and motor movements.—*a.* Rail and motor movements of troops **within** the United States (including **Alaska**), *and* **rail and motor movements of troops to Canada and Mexico,** normally will be classified *restricted.* However, reports concerning arrivals and departure of such movements may be transmitted to persons authorized to receive such reports, unclassified, provided unit designations are not included therein.

* * * * * * *

[AG 380.01 (11 Dec 44)]

83. Returns to United States.—Classified elements of information concerning a return movement to the United States are identical with those enumerated in paragraph 76, except that the United States as a destination is *restricted* information only. However, a specific port of destination in the United States, **in travel by water,** is *secret.*

[AG 380.01 (11 Dec 44)]

84. Movements by air.—*a.* Generally, the same requirements for water, motor, **or** rail movements apply to movements by air **of units or subdivisions thereof.**

b. In documents containing information of movements by military aircraft of casuals, replacements, and individuals, as distinguished from units, the inclusion of the following elements normally will require a classification of *restricted* only:

(1) Oversea or intertheater geographical destinations, unless the presence of troops or a military installation at such destination is classified higher than *restricted.*

(2) Date and time of departure from port of aerial embarkation, or airports en route, subsequent to such departure.

(3) Air route, unless the air route is classified higher than *restricted.*

(4) Estimated time of arrival at oversea or intertheater destination or airports en route, subsequent to departure from port of aerial embarkation.

c. The provisions of paragraph 76 will apply to documents concerning the oversea movements of casuals, replacements, and individuals when for any reason or at any time the movement changes from air to water transportation or from

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water to air transportation, or when both methods of transportation are employed.

d. Orders and allied papers for oversea travel by commercial aircraft may be unclassified even though they contain elements of information for which a classification of *restricted* is required by *b*(1), (2), (3), and (4) above.

e. All individuals involved in air movements, communicating from intermediate stopping points, will refrain from disclosing classified information, particularly their oversea or intertheater destination.

[AG 380.01 (11 Dec 44)]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL
Chief of Staff

OFFICIAL:
J. A. ULIO
Major General
The Adjutant General

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SAFEGUARDING MILITARY INFORMATION

CHANGES No. 4

WAR DEPARTMENT
WASHINGTON 25, D. C., 14 July 1945

AR 380–5, 15 March 1944, is changed as follows:

5. Secret matter.

* * * * * * * *

b. The following are examples of matter which normally will be graded SECRET:

* * * * * * * *

(15) Information which will indicate the strength of **troops in the Canal Zone or in an active operational theater** or information indicating the composition of **such** units or the total quantity of specific items of equipment pertaining thereto, except that mailing addresses will include organizational designations.

* * * * * * * *

[AG 380.01 (6 Jun 45)]

6. Confidential matter.

* * * * * * * *

b. The following are examples of matter which normally will be graded CONFIDENTIAL:

* * * * * * * *

(2) Routine operational and battle reports which contain information of **value to the enemy but are not of vital interest to him.**

* * * * * * * *

(7) Unit movements of nonoperational significance in areas within or adjacent to **active** operational theaters.

* * * * * * * *

(19) Aerial photographs and negatives of territories under our control in or adjacent to **active** operational theaters. Maps, charts, and photomaps prepared from such photographs or negatives will be graded in accordance with the actual details shown thereon, and not necessarily in accordance with the classification of the photographs or negatives used.

* * * * * * * *

[AG 380.01 (6 Jun 45)]

7. Restricted matter.

* * * * * * * *

b. The following are examples of matter which normally will be graded RESTRICTED.

(1) **Rescinded.**

* * * * * * * *

(4) Aerial photographs and negatives of territories under our control remote from **active** operational theaters.

* * * * * * * *

(7) **Rescinded.**

* * * * * * * *

[AG 380.01 (6 Jun 45)]

75. General.—Commanding officers of troops or individuals affected by the provisions of this section are responsible that such troops or individuals are instructed in such provisions, advised of their applicability, and warned of the danger involved in the spreading of **classified** information concerning troop move-

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ments. Necessary instructions will be given prior to movement to an active operational theater, both at home station and staging area.

[AG 380.01 (6 Jun 45)]

76. Classification requirements.—*a.* Movement of troops or individuals, or any group or class of such movements, will be classified when appropriate as *secret, confidential, or restricted* by, or by authority of, any officer authorized to make or authorize secret classifications under paragraph 9*a*. It is essential to proper classification that officers authorized to classify documents are able to identify classified elements of information, particularly those elements requiring a secret classification.

b. The following elements of information concerning troop movements or individual travel to an active operational theater will normally be classified as indicated below, except as stated in paragraphs 83 and 84:

(1) *Secret.*—Documents which contain any one of the following elements, either directly or by implication, require a classification of *secret.*

(*a*) Specific oversea or intertheater geographical destinations, when the destinations are specific locations within the theater.

(*d*) Estimated time of arrival at specific oversea or intertheater destination or ports en route.

(*e*) The meaning of assigned shipment numbers so far as the specific oversea or intertheater destination is concerned.

* * * * * * *

(2) *Confidential.*—Documents which contain any of the following elements will be classified *confidential:*

(*a*) Theater of destination, provided the exact destination within the theater is not shown.

(*b*) Information or description of unit movements of nonoperational significance in areas within or adjacent to active operational theaters.

(*c*) Complete list or tabulation of units combined with and included under a single shipment number. The combination of a single unit with its overseas shipment number and letter, however, is restricted information.

* * * * * * *

c. Movements of troops between inactive operational theaters or between the United States and inactive operational theaters will normally not require classification. Movements within the United States or within inactive operational theaters which do not relate immediately to movement to active operational theaters will not require classification. This does not preclude classification when deemed appropriate.

[AG 380.01 (6 Jun 45)]

77. Dissemination of information.—*a.* Officers and enlisted personnel will avoid talk or discussion of classified military movements with any unauthorized persons and will view with suspicion any person asking questions about such movements or discussing topics pertaining thereto.

b. All persons connected with the military service who receive information concerning movements of organizations, detachments, or individuals, classified in accordance with paragraphs 76, 83, and 84, are forbidden to make public or to inform unauthorized persons concerning the classified elements of such movements.

* * * * * * *

[AG 380.01 (6 Jun 45)]

78. Rail and motor movements.—*a.* Reports concerning arrivals and departure of rail or motor movements within the United States which for any reason are classified may be transmitted to persons authorized to receive such reports, unclassified, provided unit designations are not included therein.

b. When rail or motor movements are made preliminary to movement to an active operational theater, cars, baggage, and impedimenta will not be marked in the clear to show destination, date of departure, name of ship, or other classified elements of information. In such cases impedimenta will be marked with the assigned shipment number and letter. The unit designation will not be used as a marking on impedimenta, although the company letter or abbreviation may be used to identify the impedimenta of each company or similar unit in the movement.

c. Rescinded.

[AG 380.01 (6 Jun 45)]

79. In staging areas.

* * * * * * *

b. Commanders of ports or airports of embarkation are authorized to restrict to prescribed limits all individuals under orders for movement to an active operational theater for a period not to exceed 48 hours prior to departure. During this period of restriction, communication with other military personnel and civilians may be prevented or limited as may be considered necessary by the port or airport commander concerned. Special authority must be obtained from the War Department (if in the United States) or the theater commander (if overseas) for placing individuals in restriction more than 48 hours prior to the expected sailing or departure date.

[AG 380.01 (6 Jun 45)]

80. Embarkation.

* * * * * * *

d. Members of families, relatives, or friends of personnel destined for an active operational theater will not be allowed at the piers or thereabouts on the day of sailing. Any such persons found there will be ordered away summarily by the guard and report made to the appropriate authority of the officer or enlisted man with whom they were seen or with whom they attempted to communicate.

[AG 380.01 (6 Jun 45)]

81. Movement of vessels in harbors.—Vessels loaded with troops or supplies destined for an active operational theater will be moved under cover of darkness, whenever possible.

[AG 380.01 (6 Jun 45)]

82. At sea.—*a.* After sailing from the port of embarkation for an active operational theater, the specific destination or destination by theater will be disclosed to individuals aboard ship only as necessary for training or indoctrination en route. When such information is disclosed, the individuals will be warned of the classification thereof. Particular care will be taken to insure that this warning is given all individuals who are allowed ashore at intermediate stopping points.

* * * * * * *

[AG 380.01 (6 Jun 45)]

83. Returns to United States from active operational theaters.—Classification requirements are the same as those enumerated in paragraphs 76 and 84, except that the United States as a destination is *restricted* information only. However, a specific port of destination in the United States, in travel by water, is *secret.*

[AG 380.01 (6 Jun 45)]

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84. Movements by air.—*a.* Generally, the same requirements for water movements to an active operational theater apply to movements by air of units or subdivisions thereof.

b. In documents containing information of movements to an active operational theater by military aircraft of casuals, replacements, and individuals, as distinguished from units, the inclusion of the following elements normally will require a classification of *restricted* only:

(1) *Specific oversea or intertheater geographical destinations, unless the* presence of troops or particular military installations at such destination is classified higher than *restricted.*

* * * * * * *

(4) Estimated time of arrival at specific oversea or intertheater destination or airports en route, subsequent to departure from port of aerial embarkation.

(5) Oversea or intertheater destination represented by a temporary APO number.

c. The provisions of paragraph 76 will apply to documents concerning the oversea movements to an active operational theater of casuals, replacements, and individuals when for any reason or at any time the movement changes from air to water transportation or from water to air transportation, or when both methods of transportation are employed.

d. Movements within the United States or within or to inactive operational theaters when not associated with further movement to an active operational theater or classified activities will not require classification.

e. Orders and allied papers for oversea travel by commercial aircraft may be unclassified even though they contain elements of information for which a classification of *restricted* is required by *b*(1), (2), (3), and (4) above.

f. All individuals involved in air movements, communicating from intermediate stopping points, will refrain from disclosing classified information.

[AG 380.01 (6 Jun 45)]

87. Overseas.—*a.* After arrival in an active operational theater no information will be given concerning names or destinations of organizations, names of vessels, data concerning convoys, routes pursued, measures taken to avoid attack, dates of arrival, debarkation, or departure, or number of troops, or kind of cargoes carried.

* * * * * * *

[AG 390.01 (6 Jun 45)]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff

OFFICIAL:
EDWARD F. WITSELL
Major General
Acting The Adjutant General

DISTRIBUTION:
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U. S. GOVERNMENT PRINTING OFFICE: 1945

o. Munitions of war.—Any item used for war purposes.

p. Order of battle.—Important disposition of our forces with the identities of the units and formations composing those forces in or adjacent to operational theaters.

q. Paraphrasing.—To paraphrase a message is to rewrite it so that its meaning is the same but its phraseology is different.

r. Photomap.—A photomap is a reproduction of an aerial, mosiac, composite, or single vertical used in place of or to supplement a map.

s. Plain text; clear text; or plain language.—"Plain text," "clear text," or "plain language" is the text of a message which, on its face, conveys an intelligible meaning in any known language.

t. Registered matter (document).—Any classified document or device registered usually by number and periodically accounted for.

u. Reserved area.—A reserved area is an area on the surface of the land or water designated and set apart by Executive Order of the President for purposes of national defense, admittance to which is either prohibited or restricted.

v. Short title.—A short title is a designation applied to a classified document, matériel, or device for purposes of security and brevity. It consists of figures, letters, words, or combinations thereof, and if registered usually contains an abbreviated designation of the office of origin, without giving any information relative to classification or content of the document, matériel, or device.

w. Travel.—The term "travel" refers to the movement of an individual who is not part of a troop movement.

x. Troop movements.—The term "troop movement" applies to the moving of units or organized detachments even though temporarily organized as such for the purpose of the movement. Movements of prisoners of war, sick and wounded, and all similar groups under military control are included in the term. A movement may be overseas (from the United States), intertheater, intratheater, or returns (to the United States).

y. United States.—The term "United States" as used in these regulations includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States. *Section 1, Title XIII, act 15 June 1917 (40 Stat. 231; 50 U. S. C. 40; M. L. 1939, sec. 2187).*

z. Visitor.—As used in these regulations, a visitor is any person admitted to a Government or commercial manufacturing establishment engaged in classified work or project for the War Department except—

(1) A person employed on the work or project, or

(2) A person directly and officially concerned with the work or project.

3. Categories.—Official matter requiring classification shall be examined and graded under one of the following categories:

a. TOP SECRET (signal abbrevation, TOPSEC).

b. SECRET.

c. CONFIDENTIAL.

d. RESTRICTED.

4. Top secret matter.—*a. When classified top secret.*—Certain secret documents, information, and matériel, the security aspect of which is paramount, and whose unauthorized disclosure would cause exceptionally grave damage to the nation shall be classified TOP SECRET.

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works and naval bases, except that when the complete map of a defense area consists of more than one sheet, only those sheets showing defense elements need be classified as CONFIDENTIAL.

(14) Technical information, such as research of processes of manufacture which may be a distinct military asset and not a matter of general knowledge, and other technical items of the type described in *a* above.

(15) Information and records compiled at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs. *See section 5a, added to act 3 June 1916, by section 5, act 4 June 1920 (41 Stat. 764; 10 U. S. C. 1193 M. L. 1939; section 6, Confidential matter—c. Documents, information, or ... for 1925).*

(16) Shipments of machine prepared and manually prepared monthly personnel rosters and W. D., A. G. O. Form No. 303 (Report of Change) for organizations and individuals outside the continental limits of the United States. Rosters and reports of change included in any shipment need not be individually classified.

(17) All information relative to specific quantities of war reserves.

(18) Aerial photographs and negatives of territories under our control in or adjacent to operational theaters. Maps, charts, and photomaps prepared from such photographs or negatives will be graded in accordance with the actual details shown thereon and not necessarily in accordance with the classification of the photographs or negatives used.

(19) Ground photographs, negatives, photostats, diagrams, or models of ... confidential matter ... collected ... [illegible] ... reveal the ... [illegible] ...

(20) Troop movements. See section VIII.

7. **Restricted matter.** *a.* Documents, information or matériel (other than TOP SECRET, SECRET, or CONFIDENTIAL) which should not be published or communicated to anyone except for official purposes shall be classified RESTRICTED.

b. The following are examples of matter which normally will be graded RESTRICTED:

(1) Information of moves of nonoperational significance in areas remote from theaters of war.

(2) Training and technical documents for official use only or not intended for release to the public.

(3) Certain routine documents relating to supply and procurement.

(4) Aerial photographs and negatives of territories under our control remote from operational theaters.

(5) Photographs and negatives of enemy, enemy occupied or dominated, areas except those which reveal secret sources. Maps, charts, and photomaps prepared from such photographs or negatives and from

photographs and negatives referred to in (4) above will be graded in accordance with the actual details shown thereon, and not necessarily in accordance with the classification of the photographs or negatives used.

(6) Ground photographs, negatives, photostats, diagrams, or models of ~~restricted~~ matériel.

(7) ~~Strength returns of units remote from operational theaters.~~

(8) Certain parts of mobilization plans and regulations.

(9) Documents relating to the design and development of new matériel containing information of the type described in *a* above.

(10) Procurement plans, classified ... [illegible] ... In the event of omitting ... [illegible] ... will prevail.

(11) Certain cryptographic devices and material.

(12) Certain Army extension courses.

(13) Certain documents regarding engineering principles and design details, composition, method of processing or assembling which are vital to the functioning or use of an article of matériel.

(14) *Certain military maps and photomaps.*

(a) In the continental United States, those showing military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, and the adjacent terrain vital to their defense, not otherwise classified which are not suitable for public release, and ... [illegible] ... military information ... [illegible] ...

(b) In oversea possessions and foreign territory occupied by the forces of the United States, all military maps and photomaps not otherwise classified which are not suitable for public release, such permits that such ... [illegible] ... communicating ... [illegible] ... or photographed ... [illegible] ... to have access to ... [illegible] ...

(15) Troop movements. See section VIII.

(16) Nontactical radio frequencies and call signs in operation at fixed locations; and frequencies and call signs used for training.

8. **Grading.**—*a.* The designation of persons responsible for grading and regrading will be made by authorities listed in paragraph 9.

b. Each document should be graded according to its own content and not necessarily according to its relationship to another document. This also applies to extracts from previously classified documents except messages. See paragraphs 44c, 49b, and 50d.

c. The grading of a file or group of physically connected documents shall be that of the highest graded document therein.

9. **Authority to classify.**—*a. Secret.*—Matters may be classified as SECRET only by or by authority of the Secretary of War, the Under Secretary of War, an Assistant Secretary of War, the Chief of Staff, the Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, the Commanding General of the Army Service Forces, an Assistant Chief of Staff of the War Department General Staff, the chiefs of the technical services, a general officer, the commanding officer of a depot, post, camp, station, or independent command, the commandant of a general or special service school, the chief of a military mission, a military attaché, or a military observer.

b. Confidential.—Documents, development projects, matériel, or technical information may be classified as CONFIDENTIAL by any commissioned officer.

c. Restricted.—Documents, development projects, technical data, and matériel may be classified as RESTRICTED by any commissioned officer.

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b. Classification of matter from other governmental agencies.—Matter obtained from the Navy Department, other governmental agency, or friendly foreign government will be placed in the same classification category as that in which it was placed by the originating agency.

11. Dissemination of classified matter.—*No person is entitled solely by virtue of his grade or position to knowledge or possession of classified matter. Such matter is entrusted only to those individuals whose official duties require such knowledge or possession.*

12. One classification only.—A document or article of matériel will not be assigned more than one of the four classifications, *top secret, secret, confidential,* or *restricted.* In the event of conflicting classifications, the highest classification will prevail.

13. Overclassification.—*Documents or matériel requiring classification under the provisions of these regulations will be assigned the least restrictive classification consistent with the proper safeguarding of the information or matériel concerned. Overclassification will be avoided since it causes unnecessary delay in the transmission of documents and depreciates the importance of classified information in the minds of handling personnel.*

14. Responsibility.—*a.* The safeguarding of classified military information is the responsibility of all military personnel, civilian employees of the War Department, and of the management and employees of all commercial firms engaged in classified work or projects for the War Department. Classified military information will be discussed only with military or civilian personnel having a legitimate interest therein.

b. In the case of War Department civilian employees, the commanding officer or his designated representative may permit such employees to have access to secret or confidential matter without an investigation when such permission is not in conflict with War Department Civilian Personnel Regulations.

15. Cancelation or change of classification.—*a.* The authority making the original classification, or higher authority, may cancel or change the classification of a document by writing or stamping over the mark at the top of the first page, "Classification canceled or changed to——, by authority of (officer authorized to change), by (name and grade of officer making the change and the date thereof)." This paragraph will in no way be construed as a limitation upon paragraph 47.

b. The authority making the original classification or higher authority may cancel or change the classification of matériel by letter of instruction to all offices or personnel concerned.

c. In the case of messages which have been previously cryptographed no change in classification will be made unless the text has been carefully paraphrased.

d. It is the obligation of all authorities to keep classified matter constantly under review and to downgrade it as soon as conditions permit.

16. Loss or subjection to compromise.--Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of top secret, secret, confidential, or registered documents or articles of materiel or restricted codes or ciphers will promptly report that fact to the custodian of the document or materiel. The proper commanding officer will notify the office responsible for its issue by the fastest means available of the loss or subjection to compromise of all top secret, secret or registered items, confidential or restricted codes or ciphers, or confidential operational plans, weapons, or equipment of vital importance to current or future operations, and will then make a thorough investigation of the circumstances, and send to The Adjutant General, through military channels, a report with his recommendations in the case.

17. Reproduction of classified matter.—*a.* Agencies entrusted with the printing or reproduction, storage, and issue of classified documents will be informed of the applicable provisions of these regulations. The authority directing the preparation, printing, or reproduction of classified documents will be responsible for the disposal of the notes, manuscripts, type, plates, stencils, negatives, and wastage incident thereto in a manner which will safeguard the secrecy of the information being reproduced.

b. The commandants of the general and special service schools are responsible that the printing or reproduction plants of their respective commands release no classified information to personnel or agencies not entitled thereto.

c. The Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, and the Commanding General of the Army Service Forces are responsible that service magazines or journals published under their supervision comply with the provisions of these regulations relative to security of classified military information, and will submit all material for such publications to the Bureau of Public Relations for review and action before release.

d. Whenever correspondence, documents, drawings, prints, photographs, or models pertaining to *secret, confidential,* or *restricted* matériel disclose information regarding engineering principles, design details, composition, methods of processing or of assembly which are vital to the manufacture, functioning, or use of the matériel, they will be appropriately classified.

e. Preparation of press releases based on coded messages.—Officers authorized to prepare information to be made public will constantly bear in mind that such material may be of great value to the enemy signal intelligence service. Information received or sent in cryptographic messages will never be released verbatim but will be carefully paraphrased before release to the public.

f. For additional instructions relative to the discussion of military, political, diplomatic, and classified subjects, see AR 600-700.

18. Photographs or other reproductions of classified matter.--Photographs or other reproductions of classified features of military equipment or of other classified items will be made by members of the military service, by civilian employees of the War Department, or by civilians specifically authorized by proper authority to photograph or reproduce such classified matter, only when necessary in the conduct of their official duties, and, if made, may be developed, printed, processed, or otherwise reproduced in commercial facilities. However, confidential, secret, and top secret materials may be reproduced only in those commercial facilities that have established specific procedures, approved by the Provost Marshal General, for handling classified films, prints, or other materials. Classified materials will not be retained in the possession of commercial facilities so utilized. The Provost Marshal General will maintain a restricted list of all commercial facilities within the continental United States approved to handle confidential, secret, and top secret materials. (C 3, 5 Feb

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listing War Department instructions issued on this subject to the Commanding Generals, Army Ground Forces, Army Air Forces, and Army Service Forces.

17. Reproduction.

18. Photographing of certain classified matter.—Photographs of classified military equipment will not be published or released for publication by any person in the military service or employed by the military establishment without the approval of the War Department. Applications for information or records compiled and furnished at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs will be referred to the Under Secretary of War for necessary action. The service of any process or subpoena for the production of any such record will be reported immediately by the person on whom it is served to the United States attorney for the district in which the service is made and, at the same time, direct to the Under Secretary of War.

20. Dissemination of classified military information.—*a.* Except regarding information to be released to the press by authorized military public relations agencies, when classified military information is disseminated under the provisions of these regulations to persons not subject to military law, they will be informed that it affects the national defense of the United States within the meaning of the Espionage Act and that its transmission to an unauthorized person is prohibited. See also paragraph 23*b*, below.

b. Publication of articles or books.—The inclusion of classified military information in any article or book published by a member of the Army of the United States or by a civilian employee of the Military Establishment is prohibited unless specifically authorized by the War Department. For additional information relative to publication of articles, see AR 310-10, 600-10, and 600-700.

c. Oral discussions of classified military information.—Either public or private discussion of classified military information with or in the presence or hearing of any person not authorized to have knowledge thereof is strictly forbidden.

21. Testimony before Congress.—*a.* When a person in the military service appears before a committee of the Congress and is called upon to give testimony which he knows to be *confidential* or *restricted*, he will respectfully request that his statements be taken in executive session only and not appear in the record of hearings, the Congressional Record, or other document open to public inspection.

b. When called upon to give testimony which he knows to be *top secret* or *secret*, unless he has previously been authorized by the Secretary of War to give such testimony, he will respectfully state that he is not authorized to disclose the information desired, and will inform the appropriate Member of Congress that a written request for the specific information should be transmitted to the Secretary of War. Testimony of a secret nature, when authorized by the Secretary of War, will be given only in executive session under the conditions cited in *a* above.

c. With regard to policies and facts which the public interest does not require to be kept *secret*, *confidential*, or *restricted*, see AR 600-10.

22. Legislation pertaining to War Department.—*a.* Recommendations to the War Department for legislation will be classified until released by the Secretary of War. Prior to such release, no information as to any legislative recommendation will be revealed to any individual or association not under War Department control except as may be required by law.

b. The nature and content of reports of the War Department on bills referred to it by committees of the Congress will not be disclosed to individuals or agencies outside the War Department.

SECTION II

DOCUMENTS

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23. Marking of classified documents.—*a. Manner of marking.*

(1) Classified books or pamphlets, the pages of which are permanently and securely fastened together, will be plainly and conspicuously marked or stamped *top secret, secret, confidential,* or *restricted* on the cover, title page, and first page.

(2) Classified communications and other material not permanently and securely fastened together, except as indicated in (3), (4), and (5) below, will be marked or stamped with the appropriate classification at the top and bottom of each page. The marking at the top will be so placed that it will not be hidden from view when the pages are clipped or stapled together.

(3) Classified drawings or tracings will carry a legend of the proper classification in such a position that it will be reproduced on all copies made therefrom. Whenever practicable, classified photographic negatives will be marked in the same manner. Continuous cover aerial reconnaissance and mapping negatives in roll form will be marked with the appropriate classification at the beginning and ending of each roll. These and any other negatives which do not lend themselves to marking will be handled on a classified basis, and will be kept in containers, properly secured, which will bear the classification mark to which the contents are entitled. Photographs and reproductions made from negatives which do not carry a legend will be marked on the front and on the back with the appropriate classification. Classified motion picture films will be kept in containers, properly secured, which will bear the classification mark to which the contents are entitled, and in addition, will state in the title the classification thereof.

(4) Contracts for the manufacture of classified matériel will be plainly and conspicuously marked, not typed, with the proper classification on the first page.

(5) Classified maps and photomaps will be appropriately marked under the scale.

b. Additional marking of classified documents issued to authorized civilians.—Documents containing classified military information furnished persons other than those of the military and naval services and their civilian employees will, in addition to being marked *top secret, secret, confidential,* or *restricted,* bear the following notation:

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,

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as amended. Its transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

c. Special marking of secret documents.—All secret documents will show the authority for the classification, the initials of the classifying officer, and the date affixed. See paragraph 9*a*.

24. Transmission of certain messages by electrical means.—*a.* The highest grade cryptographic systems available will be used for the transmission of secret messages.

b. Secret, confidential, or restricted messages will not be transmitted by electrical means in the clear, except in accordance with the provisions of paragraph 51b(2) or over approved circuits and providing the rule in c below is not violated. For forces in the field, in time of war authority to approve electrical circuits for the transmission of all classifications of traffic, except top secret, may be delegated by the War Department to theater commanders and department commanders for use in their theaters or departments. (C 3, 5 Feb 45)

notation will be seen when the outer cover is removed and will contain a receipt form which will identify the addressor, the addressee, and the document. The outer cover will be sealed and addressed in the ordinary manner with no notation to indicate its secret classification.

(2) Transmission and custody of secret documents and materiel will be covered by a receipt system.

(3) Registered secret documents or materiel will be periodically accounted for.

(4) It is the responsibility of the commissioned officer or the civilian holding a position equivalent to that of a commissioned officer having custody of secret documents to ensure that all security precautions are taken to guard such documents at all times.

(5) Secret documents will be transmitted only by officially designated courier. Where officially designated courier service is not available, secret documents may be transmitted by registered mail service or mail service superior to registered mail service, if the service is completely within national control.

b. Subject to the foregoing standards, secret documents will be transmitted by any of the following means:

(1) *Between offices of same headquarters or stations.*—At headquarters commanded by an authority qualified to make the secret classification, the commanding officer will provide for the security of interoffice transmission of *secret* documents.

(2) *Within continental United States.*

(*a*) Officially designated couriers (officer messenger or officer courier, including warrant officers).

(*b*) Registered mail (including registered air mail).

(*c*) Protected commercial express, air or rail, under billing which assures the highest degree of protective handling. See also paragraph 68.

(*d*) Military aircraft. (The documents will be entrusted to a responsible officer or crew member on such aircraft with instructions regarding their security and delivery.)

(3) *Outside continental United States.*—Includes transmission of secret documents, except secret cryptographic material, from points within the continental United States to points outside the United States, and vice versa, and between points outside the continental United States.

(*a*) Officially designated couriers (officer courier, including warrant officers).

(*b*) United States Post Office registered mail through the Army Postal Service, provided the documents do not pass through a foreign postal system. Secret documents may, however, be transmitted to and from United States installations in Canada by United States and Canadian registered mail, with return receipt.

(*c*) State Department diplomatic pouch. (This means will be used exclusively for the transmission of secret documents through or within a neutral country.)

(*d*) United States or Allied military aircraft. (The documents will be entrusted to a responsible officer or crew member on such aircraft with instructions regarding their security and delivery.) See *d* below.

(*e*) Commanding officers of United States Army transports.

(*f*) Reliable citizens of the United States (that is, officers or officials of other Government departments or masters of vessels of United States registry).

(*g*) For specific means of transmission of secret cryptographic material, reference should be made to letter instructions on this subject issued by the War Department.

c. Action upon receipt of secret matter.

(1) Prior to opening a sealed package or envelope containing secret documents, the seals and wrappers will be carefully inspected to determine whether there has been any tampering. If any evidence of tampering is noted, the facts will be reported immediately to the issuing authority, who will initiate an investigation without delay.

(2) The inner cover marked *secret* will be opened only by the addressee or his duly designated representative. The receipt form will be dated, signed, and immediately returned to the sender. The inner cover will be destroyed by burning if the subject matter of the inclosure has been in contact therewith.

d. Security of secret documents.—If a military aircraft carrying secret documents is forced down in enemy territory, the documents will be destroyed by burning. If not subject to burning, they will be destroyed by such other means as are necessary to render them beyond recognition. Similar action will be

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taken if forced down in neutral territory, if capture appears imminent. If the aircraft is forced down at sea, the documents will be sunk by the most practical method. For detailed instructions on destruction of classified documents in emergencies, reference should be made to letter on this subject issued by the War Department.

26. Handling and transmission of top secret matter.—Top secret matter will be handled in accordance with the rules given in paragraph 25*a* with additional safeguards as follows:

a. Under no circumstances will such matter be transmitted by registered mail.

b. Under no circumstances will messages so graded be transmitted by electrical means in the clear.

c. It is mandatory that transmission and custody of such matter be covered by a receipt system.

d. Top secret documents will be handled only by persons specifically designated and may not be disclosed to any person solely by virtue of his rank or office.

e. The policies and special procedures governing the handling and transmission of *top secret* matter are covered by special letter instructions to parties concerned.

27. Handling and transmission of confidential matter.—*a.* Confidential matter will be handled in accordance with the following rules:

(1) Confidential documents will be prepared for transmission in the same manner as secret documents, except that the inner cover will contain a receipt form only when the sender deems it necessary.

(2) Confidential documents, except registered, will be transmitted by approved official means.

(3) Registered confidential documents will be handled in the same manner as registered secret documents.

(4) It is the responsibility of the commanding officer or equivalent official having custody of confidential documents to insure that appropriate security precautions are taken at all times.

b. Subject to the foregoing standards, confidential documents will be transmitted by any of the following means, whichever is most suitable:

(1) *Within continental United States.*—Confidential documents will be transmitted in the same manner as secret documents, except—

(*a*) Any authorized messenger may be used instead of an officer messenger.

(*b*) Confidential documents, except registered, may be transmitted by ordinary mail when in the opinion of the forwarding officer no serious consequences will be entailed by their loss.

(2) *Outside continental United States.*—The transmission of confidential documents except confidential cryptographic material from points within the continental United States to points outside United States, and vice versa, and between points outside the United States, will be done in the same manner as prescribed for secret documents.

(*a*) State Department diplomatic pouch will be used exclusively for the transmission of confidential documents through or within a neutral country.

(*b*) For specific means of transmission of confidential cryptographic material, reference should be made to letter instructions on this subject issued by the War Department.

(*c*) *Action upon receipt of confidential matter.*—The standards prescribed in paragraph 25*c*(1) will be adhered to.

(*d*) *Security of confidential documents.*—The same precautions as prescribed in paragraph 25*d* will be adhered to.

28. Handling and transmission of restricted matter.—*a.* Restricted matter will be handled and transmitted in accordance with the following rules:

(1) Restricted documents will be transmitted by such approved channels as will provide a reasonable degree of security.

(2) Registered restricted documents will be transmitted to and from foreign countries in the same manner as registered secret documents.

b. Subject to the foregoing standards, restricted documents will be transmitted by any of the following means, whichever is most suitable:

(1) *Within continental United States.*

(*a*) Authorized messenger.

(*b*) Ordinary mail.

(*c*) Express (rail or air).

(*d*) Freight.

(2) *Outside continental United States.*—Includes transmission of restricted documents, except restricted cryptographic material, from points within the continental United States to points outside the United States, and vice versa, and between points outside the continental United States.

(*a*) Vessels or aircraft of United States registry, Allied registry, or such vessels or aircraft, although not of United States or Allied registry, which are controlled and operated by the United States, and do not pass through a foreign postal system.

(b) United States Post Office registered mail or by ordinary mail, provided that the mail, whether registered or ordinary, will be handled outside the United States by the Army or Navy Postal Services exclusively and will not pass through foreign mail channels. Restricted documents may, however, be transmitted to and from United States installations in Canada and in Alaska through the Canadian postal system. (C 2, 23 August 44.)

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29. **Routine correspondence, receipts, and returns.**—Routine correspondence, receipts, or returns, and reports of possession, transfer, or destruction need not be classified if reference therein to classified documents, other than registered documents, is made by file number, date, and subject only, with no indication of the classification. Extreme care will be exercised in such cases to insure that the subject referred to does not contain information which is classified. If the subject contains classified information, a short title will be used for the subject. Registered documents will be referred to by register number, date, and short title only, with no indication of the subject matter or classification.

30. **Storage of classified documents.**—*a. Storage of classified documents not registered.*

(1) Secret and confidential documents, other than registered documents, will be stored in the most secure files available in a room that is kept locked when not in use.

(2) Restricted documents will be stored and handled in such a manner as to insure a reasonable degree of security.

b. Storage of registered documents.

(1) Registered documents will be stored in the most secure space available, preferably the equivalent of a three-combination safe. If a three-combination safe is not available, then the documents should be kept constantly under armed guard. Field lock safes will be considered the equivalent of three-combination safes for the storage of registered documents for units serving in the field outside of posts and garrisons.

(2) Only commissioned officers, warrant officers, and specially trusted enlisted men and civilian employees will be permitted to have access to the containers of registered documents or the combination or keys thereto.

(3) Safes containing registered documents will habitually be kept locked with the full combination whenever they are not under the direct supervision of a person officially entrusted with the combination.

c. Cryptographic documents.—So far as practicable, cipher tables, alphabets, and keys will not be kept in the same container as the code books, documents, and devices to which they apply. No *secret* document will be taken forward of battalion command post.

d. Daily inspection.—At every headquarters an inspection will be made each day immediately before the close of business to insure that all classified documents and cryptographic devices have been properly put away.

e. Security in field.—In tactical operations, actual or simulated, the commanding officer of the unit concerned is responsible that all documents are given the maximum security possible under the circumstances. No *secret* document will be taken into areas liable to imminent capture by the enemy.

f. Security aboard ship.—Where a ship's strong room is available, classified documents in transit will be stored therein.

31. **Return of secret and confidential documents.**—Upon change of station or separation from the military service, an officer will return to the source from which received, or otherwise properly account for, all secret and confidential documents which have been issued to him.

32. **Destruction of classified documents.**—*a. Secret and confidential documents.*

(1) When competent authority directs the destruction of *secret* or *confidential* documents, they will be burned by the custodian thereof in the presence of a disinterested officer. The certificate of destruction will be signed by both the custodian and the witnessing officer before submission to the officer directing the destruction. If the documents are registered, the certificate, signed by the custodian and the witnessing officer, will be sent to the officer directing the destruction, who will forward it to the office of record indicated in the registered document. If the headquarters has only one commissioned officer, the report will so state. Exceptions hereto may be authorized only by the War Department.

(2) Preliminary drafts, carbon sheets, plates, stencils, stenographic notes, and work sheets containing secret or confidential data will be destroyed by the person responsible for their production immediately after they have served their purpose or will be given the same classification and safeguarded in the same manner as the material produced from them.

b. Restricted documents.—Restricted documents will be destroyed in any way which will render them useless.

SECTION III
REGISTERED DOCUMENTS

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33. **Authority to designate.**—Officers authorized to originate and issue secret, confidential, or restricted documents will designate as *registered* such secret, confidential, and restricted documents issued by them as they deem necessary in the interest of national defense. *Only documents of exceptional importance will be registered.*

34. **Additional marking.**—*a.* In addition to the marking *secret, confidential,* or *restricted,* the title page or inside front cover of a registered document will ordinarily show the register number, short title, office of record to which returns will be made, and instructions covering the returns for its accounting, and for its ultimate disposal. If this is not practicable, the required data will accompany the registered document on a separate sheet. The office of record is the office to which reports of possession and/or transfer reports on registered documents are sent.

b. All references to registered documents in semiannual or transfer reports, ordinary reports of destruction, or unclassified documents or correspondence will be by registered number, date, and short title only and such reports or correspondence need not be classified. In using a short title, every symbol of the short title will be included. If any accountable document consists of more than one volume, each volume will bear a separate short title. Any correspondence or paper which refers to a registered document by a title other than the short title must have the same classification as the registered document.

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c. A registered document is not to be confused with a classified document to which, for administrative reasons, a number or short title is assigned for bookkeeping or reference purpose only, and for which no accounting is required. In the absence of the additional markings required in *a* above, the document will not be reported upon.

35. Revision or reproduction.—*a.* A new or revised edition of an old registered document may be assigned a new short title, but where this is undesirable, the old short title followed by a symbol which will differentiate the new edition from the old edition is permissible.

b. Reproduction of a registered document is forbidden except by authority of the office of origin.

36. Notification of change of classification.—When the classification of a registered document is changed, the office of record will notify all offices to which it has been issued.

37. Inventory and report of possession.—*a.* Custodians will keep a complete inventory of all registered documents except those listed in *c* below and will make, or have made, on 30 June and 31 December of each year, an accurate return therefor to the proper office of record.

b. In making a semiannual report of possession the following details will be observed:

(1) Each item will be physically inspected and its register number checked against the inventory.

(2) At headquarters having two or more commissioned officers the custodian and one disinterested officer will make the inventory and both will sign the report. If the headquarters has only one commissioned officer, the report will so state.

c. No semiannual report of possession will be made of—

(1) Training editions of code books, cipher alphabets, or keys, or of non-registered cipher devices accounted for as ordinary property.

(2) Registered documents which have been placed in custody or storage for historical purposes.

d. Whenever a registered document is found which is not charged to the finder, a reasonable effort will be made to determine the office to which it pertains. If this is not found, the document will be forwarded through military channels to the issuing authority for disposition.

38. Report of transfer and destruction.—*a.* When a registered document is transferred from one person to another, or if the custodian remains the same but the organization's designation changes, a certificate of transfer in triplicate will be made. The certificate, containing an acknowledgment of receipt by the receiving officer, will be dated and signed by the transferring officer.

b. Immediately upon completion of the transfer, the original of the transfer certificate will be forwarded direct to the office of origin. A copy of the certificate of transfer will be retained by each of the officers concerned.

c. Whenever a registered document is removed from its proper place of custody and issued to another person, the custodian will require a written receipt.

d. Registered documents will not be accounted for as prescribed for ordinary property in AR 35–6520. The forms described in paragraph 39 will be used in lieu of shipping tickets, memorandum receipts, stock record cards, etc.

e. The issuing authority normally designates when registered documents will be destroyed and upon such notification registered documents will be destroyed as indicated in paragraph 32 and report of destruction forwarded.

39. Prescribed forms.—*a.* War Department Form No. 32 (Record Card—Registered Documents or Devices) will be used for recording all temporary transactions involving an individual registered document.

b. War Department Form No. 33 (Record Card—Registered Documents or Devices—Station) will be used by each officer making a consolidated record of all transactions concerning registered documents. It serves as a check to prevent the undiscovered loss of the individual card, War Department Form No. 32.

c. War Department Form No. 34 (Transfer Report of Registered Documents (or Devices)) will be used in transferring registered documents.

d. War Department Form No. 34a (Semiannual Report of Registered Documents (or Devices)) will be used in reporting a semiannual inventory of registered documents.

e. Other forms authorized by separate branches for special purposes such as Report of Destruction will be employed where applicable.

SECTION IV
CRYPTOGRAPHIC SECURITY

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40. Authorization of cryptographic systems.—All codes, ciphers, and cipher devices intended for use in the military service will be authorized only by the War Department. For forces in the field in time of war, this authority may be delegated to theater commanders and to oversea department commanders for special use within their theaters or departments.

41. Restrictions on use of authorized codes.—*a.* The use of any authorized code, cipher system, or cipher device for cryptographing personal messages is forbidden.

b. Messages for other departments of the Government and for commercial firms engaged in producing war material under Government contract may, when necessary, be cryptographed in War Department systems provided the text as supplied by the other Government department or firm is paraphrased, without being referred to the originator, prior to transmission and also prior to delivery to an agency outside the Military Establishment.

42. Personnel authorized to perform cryptographic duties.—*a. General.*—No authorized cryptographic system will be employed by any person who is not thoroughly familiar with the provisions of these regulations and all instructions pertaining to the cryptographic system to be employed.

b. Secret messages.—The cryptographing and decryptographing of messages classified as secret will be performed under the supervision of a commissioned

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officer. For the specific qualifications of personnel who may be permitted actually to perform secret cryptographic work, reference should be made to letter instructions on this subject issued by the War Department.

c. Confidential messages.

(1) At all headquarters of divisions and larger units the cryptographing and decryptographing of *confidential* messages will be performed by personnel as prescribed for *secret* messages.

(2) At all headquarters of units smaller than a division, messages classified as *confidential* will be cryptographed or decryptographed by personnel of the cryptographic section of the message center.

d. Restricted messages.—At all headquarters, messages classified as *restricted* will be cryptographed or decryptographed by personnel whose duties normally require the performance of this work.

43. Cryptographic security officer.—*a.* At each headquarters maintaining a message center the commander will appoint a commissioned officer as cryptographic security officer, who ordinarily will be the officer in charge of the message center. He will be the custodian of cryptographic material and will be responsible for all measures necessary to insure cryptographic security and physical security thereof.

b. If the cryptographic security officer believes that, in view of his knowledge of other messages on the same or like subject, a message has been incorrectly classified, or if he believes that the regulations governing the drafting and classifying of the message have been violated, he will request the originator to make the necessary change in the message or in its classification. If the originator does not comply with the request of the cryptographic security officer, the matter will be referred to the commanding officer of the headquarters concerned for final decision.

c. Cryptographic duties at any station where there is no regularly constituted message center will be performed by the custodian of cryptographic material or by personnel especially designated by the commanding officer. When cryptographic work is thus performed, the files of literal plain text messages and of cryptograms must be kept in different locked containers.

44. Precautions necessary to insure cryptographic security.—In order to insure cryptographic security the following principles must be observed:

a. Cryptographic material will be given the most secure storage available and will never be left unattended except when deposited in a three-combination safe or its equivalent. See also paragraph 30*c* in this connection.

b. Classified messages must be carefully drafted. The originator of a classified message is responsible for strict compliance with the provisions of paragraph 46.

c. The classification of messages must receive careful consideration by the originator since overclassification and underclassification are equally to be avoided. When a message has been classified and sent, all subsequent messages referring thereto must bear the same classification if any reference is made to the original message by subject or serial number, except where the originator underclassified the original communication, in which case the proper higher classification will be used. Service messages referring to all or part of the plain text of previously cryptographed messages must be similarly classified and cryptographed. See paragraphs 10, and 12 to 16, inclusive.

d. The selection of the proper cryptographic system is a responsibility of the cryptographic security officer or the custodian of cryptographic material where

An exception to this rule is made in the case of messages classified TOP SECRET or SECRET, in which case either classification, as appropriate, may be assigned to a message referring by subject or serial number to a TOP SECRET or SECRET message previously transmitted. (C 2, 23 August 44.)

there is no cryptographic security officer. He should be governed by the provisions of paragraph 47.

e. If time and availability of personnel permit, the cryptographed text of messages should be checked prior to transmission. The check should determine that the instructions governing the system employed are carefully followed. Particular care must be taken to assure that no plain text appears in the body of the message.

f. The handling and filing of both plain and cryptographed text should conform to the procedure described in paragraphs 49 to 53, inclusive.

g. Paraphrasing is resorted to as a protection to the cryptographic system and will not be used in such a manner as to permit loose handling of classified messages. Paraphrasing is to be employed when—

(1) The content of previously cryptographed messages is released to the public or given a wide distribution within the Army.

(2) It is necessary to send in cryptographic form—

(*a*) All or portions of a message previously transmitted in plain text.

(*b*) Extracts from publications, regulations, or instructions.

(3) It is necessary to transmit in plain text all or portions of a message previously sent in cryptographic form.

(4) A classified message is recryptographed in a different cryptographic system.

(5) A classified message is recryptographed in a different key of the same system.

Exceptions to the necessity for paraphrasing may be granted only in accordance with instructions pertaining to certain cryptographic systems issued by the War Department.

h. When it is necessary to indicate in the text of a classified message information as to the ultimate addressee or the signature of the writer, such information will be buried within the text of the message before cryptographing and will not appear either at the beginning or at the ending of the message.

45. Responsibility for classification of messages.—*a.* Within the limitations prescribed in paragraph 51*b*, the originator of a message is responsible that the classification given to it conforms to the definition given in paragraphs 4, 5, 6, and 7. He is also responsible for the proper marking of the message before forwarding it for transmission.

b. A message will be classified and marked *top secret, secret, confidential,* or *restricted* when it contains classified information except when marked SEND IN CLEAR as prescribed in paragraph 51*b*(2).

46. Drafting messages.—*a.* Routine reports and messages which must be given a wide distribution, or the contents of which have been or may eventually be furnished the press, or which contain extracts or quotations from a newspaper, magazine, or any other document available to the public, will be prepared so as to permit their transmission in plain language or will be classified as *restricted*. Such restricted reports and messages will be paraphrased in accordance with paragraph 46*d*.

b. Standardization of the content and form of such documents as field orders and operation instructions is necessary, but when fixed expressions are repeated in a message, cryptographic security is greatly endangered. Hence, stereotyped phraseology and set form of expression, especially at the beginning or ending of

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a message will not be used. Examples of stereotyped beginnings and endings are "Reference your," "Reurad," "Report," "Confirm," "Advise," "Request," "Stop," and "Acknowledge." Necessary references will be placed within the body of the message. Except as specifically provided for in certain cryptographic systems, or as specifically authorized by the War Department, the use of dummy letters or irrelevant text as "padding" for the purpose of concealing stereotypic phraseology is prohibited. Personnel concerned with the drafting and cryptographing of classified messages will be charged with guarding against repeated use of the same words or phrases.

c. Words not important to the sense will be omitted. Conjunctions, prepositions, and punctuation marks will be reduced to the minimum, and every effort will be made to avoid repetition. When it is essential that punctuation marks be included in the body of the messages, they will be spelled, either in full or abbreviated form. Numbers will be spelled out.

d. The originator of all classified messages will paraphrase such portions as are quoted from—

(1) A message in plain language.

(2) A message in the same or another cryptographic system.

(3) A newspaper, magazine, or document.

47. Selection of cryptographic system.—*a.* Subject to modification as outlined in paragraph 43*b*, the classification *top secret, secret, confidential,* or *restricted* given a message by its originator governs the cryptographic system to be used in cryptographing the message. All classified messages except those transmitted in accordance with the provisions of paragraph 51*b*(2) will be transmitted in cryptographed form unless specific exception is made by the War Department. The least widely held cryptographic system available to all addressees of each message will be employed.

b. In order to prevent the cryptographing of *identical* subject matter by means of *different* codes and ciphers, once the message has been cryptographed, all subsequent messages on the same subject will normally be cryptographed in the same system. If a change of system is necessary, *reference to previous messages by their reference numbers will be avoided.*

c. The mere acknowledgment of a cryptographed message need not be classified.

d. When the same plain text message is transmitted to several addressees, it will ordinarily be cryptographed but once and the same cryptographed text sent to all addressees. If this is impossible because all addressees do not hold identical cryptographic systems, the text of each message which must be cryptographed in a different system will be carefully and differently paraphrased before cryptographing for each system. The only permissible exceptions to this rule are those cases in which necessity for paraphrasing has been specifically waived by the War Department in the instructions for certain cryptographic systems. The determination of the need for paraphrased versions is a function of the cryptographic security officer who may require the assistance of the originator of the message in the preparation of the necessary paraphrases. Where practicable, the cryptographic security officer will furnish copies of the paraphrased versions to the originator, except as noted in paragraph 41*b*.

48. Paraphrasing messages.—*a.* In paraphrasing, it is not sufficient to paraphrase only the beginning or ending of the message. The entire message will be subjected to the process.

b. When paraphrasing must be employed, all of the following processes will be applied to the message:

(1) Changing the sequence of the paragraphs.

(2) Changing the sequence of the sentences in each paragraph.

(3) Shifting the positions of the subject, predicate, and modifiers in each sentence.

(4) Changing from active to passive voice or vice versa.

(5) Substituting synonyms or equivalent expressions.

(6) Changing the length of the paraphrased version of the message in order that the final cipher text will not resemble the original cipher text with respect to length.

c. A paraphrase of a message will be accorded the same classification as the original message.

49. Method of handling outgoing secret messages.—*a.* The procedure hereinafter described will be followed at all headquarters, except the War Department in which the procedure will be as determined by the Chief of Staff.

b. Except as noted in b½ below the originator will prepare and number all copies of secret messages, send the original to the message center, and may retain, when security is not imperiled thereby, one copy for temporary file. Other carbon copies, all numbered and bearing the following notation, may be sent to local officers directly concerned:

b½. Messages pertaining to tactical operations, simulated or actual, may be prepared in triplicate. One carbon may be retained by the originator and the original and one carbon delivered to the message center.

c. The original plain-text copy sent to the message center by the originator will be cryptographed at the cryptographic section of the message center. The number of copies of the cryptographed message will be kept at a minimum commensurate with the necessity for furnishing copies to the various transmission agencies. All work sheets used in cryptographing the message will be destroyed by burning. All copies of cryptographed messages retained by transmitting agencies will be safeguarded so as not to fall into unauthorized hands.

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b. The original copy of an incoming cryptographed message as made by the receiving operator will go to the cryptographic section of the message center. A duplicate copy may be made by the receiving operator for the files of the receiving station or message center, where it will be disposed of in accordance with local regulations.

c. A cryptographer will decryptograph the message, making only one copy of the decryptographed literal plain text, which will be marked SECRET and delivered to the addressee. The cryptographed version will be retained in the files of the message center, where it will be disposed of in accordance with local regulations. All work sheets used in decryptographing will be destroyed by burning. The cryptographic section will not retain any copy of the plain text in its files, except as provided in paragraph 49*f*. The placing on the message blank of any marks or notations even remotely connected with the cryptographic system or steps in decryptographing the message, such as underlining key words, indicating groupings corresponding to lengths of columns of key, etc., is forbidden.

d. The addressee may make and circulate a limited number of literal copies for the information of other officers directly concerned. These carbon copies will all be numbered and bear the following notation:

The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked SECRET. This copy will be safeguarded with the greatest care and will be returned to _____ without delay.

All such information copies will be carefully accounted for by the addressee and will be destroyed when returned. Only one copy of the literal text of the message will be kept in the addressee's office.

e. The method of handling *top secret* messages will conform to the procedure outlined above as modified by the provisions of paragraph 26*c* and *e*.

51. Method of handling outgoing and incoming confidential messages.—*a. At administrative headquarters having fixed message centers.*—Whenever practicable, the procedure to be followed in the handling of messages in confidential codes or ciphers will be substantially the same as that prescribed for those transmitted in secret code or cipher, except within the War Department in which the procedure will be as determined by the Chief of Staff. They will, however, be marked and safeguarded in accordance with provisions of these regulations governing confidential documents.

b. In tactical operations, simulated or actual.

(1) All messages not classified as *secret* will be regarded as *confidential* but need not be so marked. The procedure to be followed is prescribed in FM 24–5, and in other pertinent regulations and instructions issued by proper authority. All wire and radio messages except those noted in (2) below will be transmitted in cryptographic form.

(2) *When the information to be transmitted, if intercepted by the enemy, cannot be acted upon in time to influence the situation in question* and time cannot be spared for cryptographing, the commanding officer or his authorized representative may order the transmission of a message in plain language by a radio station serving his headquarters or command. Such written messages will be marked SEND IN CLEAR over the signature of the commander or his authorized representative.

(3) Where authorized in accordance with instructions pertaining to certain cryptographic systems issued by the War Department.

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52. Method of handling restricted messages.—The procedure to be followed in the handling of messages in *restricted* codes and ciphers will be substantially the same as that prescribed for those in *confidential* code or cipher.

53. Transmission of literal plain text and paraphrased versions of classified messages.—*a.* The sending by any means whatsoever of the literal plain text of a message which has been or will be transmitted in cryptographed form is strictly prohibited except as stated below:

(1) Authorized local distribution within a headquarters by messenger.

(2) In exceptional cases, when necessary in the performance of his duties, an authorized person may carry the literal plain text of a classified message provided the security requirements pertaining to the transmission of classified material are observed.

b. In cases of emergency, paraphrased versions of the plain text of a cryptographed message may be sent—

(1) In accordance with the provisions of paragraphs 44*g* and 48*c*.

(2) In accordance with the provisions of paragraph 25 as applied to secret cryptographic material.

54. Disposition or destruction of registered cryptographic material.—*a.* Whenever a person who has been issued registered *secret, confidential,* or *restricted* codes, ciphers, cipher devices, or documents pertaining thereto, has no further need for them, he will report that fact to the Chief Signal Officer or in the case of the field forces in time of war to the signal officer of the headquarters charged with the issue of such documents.

b. When it has become highly probable that cryptographic material will be subject to loss or compromise, all documents and translations of messages will be destroyed by burning, and the cipher machines or devices will be destroyed beyond use or repair, and if possible, beyond recognition.

c. When cryptographic documents or devices have become unserviceable through long use, request for their replacement will be made to the issuing authority.

SECTION V

MATÉRIEL

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55. Authority to classify.—Whenever the chief of a technical service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel or a component thereof shall determine that the maintenance of any degree of secrecy regarding them is sufficiently im-

(3) When it is necessary to send between headquarters by mail or courier a paraphrased copy of a message which has been or will be cryptographed, copy will be marked or stamped "This is a paraphrase."

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portant to the national defense, he will classify it as *secret*, *confidential*, or *restricted*.

56. Notification of classification or reclassification.—Whenever the chief of a technical service in charge of a research project, design, development, test, or production of a unit of matériel or component thereof shall determine that the matériel should remain classified after issue, or that a change or cancelation of classification is desired, he will notify The Adjutant General, who in turn will inform all concerned.

57. Responsibility for safeguarding technical information.—*a.* Chiefs of technical services engaged in the preparation of plans, research, and development work, or new design, test, production, procurement, storage, or use of classified matériel are responsible for the promulgation of such additional instructions as may be required for the safeguarding of information in the offices, establishments, laboratories, shops, or Army posts under their jurisdiction.

b. All *secret*, *confidential*, or *restricted* models, exhibits, dies, machines, and other similar items which are to be loaned, leased, or given to a commercial organization will be properly marked to indicate classification when practicable. If such marking is impracticable, the commercial organization will be specifically notified in writing of the classification of such items and of the pertinent provisions of the Espionage Act.

58. Classification of information from commercial firms.—Information obtained from civilian manufacturers concerning proprietary processes will be classified as *confidential* unless otherwise authorized by the firm concerned.

59. Dissemination of classified technical information.—Classified information concerning technical projects or developments may be imparted only to those individuals whose official duties require such knowledge or possession, and to accredited representatives of foreign nations in accordance with the provisions of paragraph 19*b*.

60. Destruction of classified matériel.—*a. Authority to direct.*—Whenever the chief of a technical service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel or a component thereof shall determine that their destruction is necessary to safeguard information thereof, he will issue the necessary directive.

b. Procedure in destruction of classified matériel.—When destruction of classified matériel has been directed:

(1) The custodian thereof will remove all components of a classified nature and destroy them by burning or by mutilation in the presence of a disinterested officer. The balance of the matériel will then be processed in accordance with existing regulations for the disposition of unserviceable property, or for salvage.

(2) If the above is not practicable, the custodian will destroy the entire article of matériel by burning or by mutilation in the presence of a disinterested officer.

(3) In either case, the certificate of destruction will be signed by both the custodian and the witnessing officer before submission to the officer directing the destruction. If the headquarters has only one commissioned officer, the report will so state. Exception hereto may be authorized only by the War Department.

61. Invitations for bids and contracts.—*a.* Prior to furnishing a prospective bidder or contractor with drawings, specifications, or other pertinent information

concerning any project or projects of a *secret*, *confidential*, or *restricted* nature and annually thereafter so long as such documents, etc., are in his custody, a general secrecy agreement reading substantially as follows will be signed by the individual or by a responsible officer on behalf of the firm or corporation concerned:

In consideration of the receipt of drawings, specifications, and accompanying inclosures, models, or matériel, and information disclosed orally, concerning projects of a *secret*, *confidential*, or *restricted* nature, delivered to the undersigned prior to or coincident with the date of this agreement and listed on Exhibit A which is attached hereto and made a part hereof, or to be issued to the undersigned subsequent to the date of this agreement, the following terms are agreed to by or on behalf of the undersigned individual, firm, or corporation, and any and all representatives, agents, employees, or subbidders or subcontractors thereof:

1. The undersigned will neither supply nor disclose any information regarding the drawings, specifications, and accompanying inclosures or models or matériel, or information disclosed orally, referred to herein, to any unauthorized person, or incorporate in other projects special features of design or construction peculiar to such drawings, specifications, and accompanying inclosures, or models or matériel, or information disclosed orally.

2. The undersigned will not permit any alien employed or to be employed by the undersigned or by any subbidder or subcontractor, to have access to the drawings, specifications, and accompanying inclosures, or models or matériel referred to herein, or to engineering principles, composition, subassemblies, or assemblies which are vital to the functioning or use of the article or to the work under any contract for the production thereof, or the contract trials, without the written consent beforehand of the Secretary of War.

3. The undersigned will not make, or permit to be made reproductions of the drawings, specifications, and accompanying inclosures or of the models or matériel, except as specifically authorized by the contracting officer or his duly authorized representative. If reproduction of any drawings, specifications, and accompanying papers, or of models or matériel, is authorized, the undersigned will promptly submit the product obtained to the contracting officer or his duly authorized representative for censorship or such other action as he may deem necessary.

4. If a bid is not submitted on a project of a *secret*, *confidential*, or *restricted* nature as to which drawings, specifications, and accompanying inclosures, and models or matériel have been issued to the undersigned, or if a bid is made and not accepted, or in case award is made, upon the completion of the contract, the undersigned will promptly return by hand, by registered mail, or by insured express, such drawings, specifications, and accompanying papers, or models or matériel, together with all copies thereof, to the office from which the original copies were received.

5. (*a*) The undersigned agrees to bring or cause to be brought to the attention of all persons engaged in the preparation of the bid, whether submitted or not, including subbidders and their employees, the following provisions of law:

Espionage Act: Subparagraphs (d) and (e), sec. 1, act 15 June 1917 (40 Stat. 217); sec. 1, act 28 March 1940 (54 Stat. 79; 50 U. S. C. 31; M. L., 1939, Supp. I, sec. 2181).

Sec. 1, act 12 January 1938 (52 Stat. 3; 50 U. S. C. 45; M. L., 1939, sec. 2187a), and E. O. 8381, 22 March 1940; 5 F. R. 1147; 50 U. S. C. 45; M. L., 1939, Supp. I, sec. 2187a.

Second War Powers Act, 1942, sections 1402, 1403, act 27 March 1942 (Public Law 507, 77th Cong.).

(*b*) If the successful bidder on any project, the undersigned agrees also to bring or cause to be brought to the attention of all persons engaged in the performance of the contract, including persons employed on subcontracts, the provisions of the law enumerated in (*a*) above.

6. The undersigned further agrees that no information in connection with any *secret*, *confidential*, or *restricted* project will be given to any person not in the contractor's or subcontractor's employ except upon the written consent beforehand of the contracting officer or his duly authorized representative.

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b. The execution of the general secrecy agreement required in *a*, above, with any individual, firm, or corporation prior to the delivery of any classified military information, and the annual secrecy agreements executed thereafter, will constitute authority for delivery to such individual, firm, or corporation from time to time of other or additional classified information pertaining to any *secret, confidential,* or *restricted* project, without the necessity of executing a specific secrecy agreement in each case. A receipt substantially as follows will be obtained when the additional classified data are submitted to those who have entered into such agreement:

Receipt is acknowledged of _____ and it is recognized that these data are classified and come within the purview of the secrecy agreement signed by _____ on _____.

62. Consultations with responsible manufacturers.—The commanding officers of arsenals and depots and other officers engaged in work on Government contracts are authorized to consult with all interested manufacturers or their representatives, inventors, and other persons concerning technical matters in which they have a legitimate interest. They will, however, inform all such persons of the classification of the projects, works, and developments.

63. Responsibility of Army representatives or inspectors.—*a.* The Army representatives or inspectors of the technical service are the local representatives of the War Department and will take the necessary measures to insure the safeguarding of classified information or projects in the hands of the contractors or in process of manufacture in their plants.

b. Army representatives or inspectors will advise contractors as to their responsibilities and the practical measures to be taken to safeguard *secret, confidential,* or *restricted* matters and will act favorably, if practicable, on any suggestion or request of the company tending to preserve secrecy. If at any time conditions at any plant, or any action of a company or its employees, jeopardize the security of classified matter pertaining to the War Department or violate the provisions of the Espionage Act, the Army representative or inspector will request the contractor to take prompt remedial action. If adequate precautionary measures are not taken immediately, he will report promptly to the chief of the technical service concerned and, if the situation requires, to the commanding general of the service command in which the item is in process of manufacture.

c. When Army and Navy inspectors are on duty at the same plant, the Army inspector will coordinate all security measures with the Navy inspector in order to avoid conflicting demands upon contractors.

64. Responsibility of Government contractors.—*a.* A private individual, firm, or corporation which enters into a contract to engage in technical work for the War Department becomes responsible in matters within his or its control for the safeguarding of all *secret, confidential,* or *restricted* matters that may be disclosed or that may be developed in connection therewith. A clause to this effect will be included in such a contract, but its omission will not release the contractor from his responsibility under the Espionage Act and other pertinent laws.

b. Contractors are responsible that all classified projects allotted to subcontractors or agents are fully protected by a similar agreement.

c. Whenever for any reason a contract agreement or subcontract has been made which does not include a security clause but later is found to involve *secret, confidential,* or *restricted* matter, the technical service concerned will

take the necessary steps to insure that the project or work is properly classified and that the contractor, agent, or subcontractor is informed of the classification and of his responsibility in the matter.

65. Tests of classified matériel.—Tests of classified matériel will be adequately safeguarded by all responsible officers.

66. Public display of classified matériel.—*a.* Commanding officers are responsible that all classified parts, components, or features of matériel are properly safeguarded during maneuvers, drills, parades, ceremonies, assemblages, demonstrations, or exhibitions, or exhibitions open to the general public.

b. (1) Photographs of equipment while in process of development or those revealing processes of manufacture are prohibited unless authorized by the chief of technical service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited by the instructions issued therewith.

(2) Requests for permission to take photographs of classified matériel, projects, or processes of manufacture will be referred to the War Department through the proper chief of technical service. If authority is granted, it will be with the understanding that the resulting photographs will be submitted to the War Department for review prior to release.

67. Release of information or sale of matériel.—*a. Domestic sale.* Divulging information in connection with negotiations for foreign sale, and foreign manufacture of items of Army and Navy matériel and equipment are not permitted unless the War and Navy Departments are agreed that military secrecy is not compromised thereby.

b. International traffic in arms.

(1) The State Department administers international traffic in arms and military matériel coming within the scope of the Regulations Governing the International Traffic in Arms, Ammunitions, and Implements of War and Other Munitions of War.

(2) The State Department will not release for foreign sale any item coming within the scope of these regulations until the War and Navy Departments have stated that there is no objection to the release on grounds of secrecy affecting the national defense.

68. Protection of shipments via commercial carriers within United States or its possessions.—*a. Selection of shipping method.*—Disclosure of information pertaining to classified matériel will be prevented during transportation by one of the following methods of shipment, to be determined by a commissioned officer of the service, force, or organization authorizing its movement qualified to make such classification, by a higher authority so qualified, or by a military attaché.

b. Protection as for documents.—If size and quantity permit, classified matériel may be handled in the same manner as provided for similarly classified documents in paragraphs 25 to 28, inclusive. In cases where matériel is of such size or quantity as to create suspicion of its character and entail additional risk when transported in the same manner as documents, another method will be used.

c. Railway express service protected by carrier's guards.—*Secret,* or *confidential* shipments may be shipped via Railway Express Agency, Incorporated, after advance arrangements have been made for carrier to guard matériel from

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the time it leaves the hands of consignor until delivered to consignee. Notwithstanding the general prohibition of insurance on Government shipments, any classified shipments may be shipped at their actual value and notation of such value made on the bills of lading. (See AR 55-105, 55-150, and 55-155). The officer determining the method of shipment will certify to the officer issuing the bill of lading the valuation to be used.

d. Ordinary railway express service protected by military guards.—This method of shipment may be chosen for *secret* or *confidential* matériel as provided in *a* above. In such case the principles of regulations governing guarding of freight shipments (see par. 8, AR 55-155) will be followed so far as appropriate for express service, with the definite exception that guards with express shipments will be furnished with transportation requests. The number of guards detailed to protect the shipment will be a minimum consistent with security requirements.

e. Air express via commercial air lines protected by military guards.—The provisions of *d* above will govern generally.

f. Rail freight service protected by military guards.—See paragraph 8, AR 55-155.

g. Ordinary motor truck freight protected by military guards.—The principles of paragraph 8, AR 55-155, will govern. Only one guard will be used for short runs unless more are necessary.

h. Water freight service protected by military guards.—The principles of paragraph 8, AR 55-155, will govern. When vessels are used which have arrangements for carrying passengers, transportation requests will be issued. When vessels are used which do not have arrangements for carrying public passengers, carriage free or at a reasonable charge, appropriate arrangements for meals will be negotiated.

i. Straight or mixed troop trains.—Classified matériel accompanying troops will be adequately guarded by organization personnel.

j. Guards.—Guards sufficiently armed will be provided in accordance with paragraph 8, AR 55-155. Neither carrier's nor military guards will be used for the sole purpose of preventing disclosure of information of *restricted* matériel. Guarded service may be used on any shipment when necessary to prevent physical sabotage. When possible, where concealment of the arm is not necessary, submachine guns, automatic rifles, or rifles should be provided in preference to pistols.

k. Shipments of *confidential matériel*, except cryptographic equipment and components thereof may, at the discretion of the chief of the technical service involved, be shipped by one of the following methods, without guard:

(1) Protected express.

(2) Sealed freight or express cars.

(3) Sealed truck under own motive power.

(4) Flat car, provided trucks or crates containing said equipment are suitably locked and/or sealed and locked and/or sealed to the car.

In addition, the equipment will be protected from external view and injury from normal hazards in shipping.

l. For specific means of shipment of cryptographic matériel reference should be made to letter instruction on this subject issued by the War Department.

SECTION VI

VISITORS

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69. Classification.—*a. Foreign nationals.*—For the purpose of these regulations foreign nationals include—

(1) Representatives, officials, or employees of a foreign government having an official status.

(2) All other foreign nationals and citizens of the United States representing a foreign government, firm, or corporation.

(3) Canadian nationals will be considered as and accorded the same privileges as citizens of the United States with respect to the matter of visits to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects.

b. United States citizens.—All citizens of the United States not included in *a* above.

70. Authority for admission.—*a. General.*—Correspondence and communications relating to visits will be routed direct between the various offices concerned.

b. Foreign nationals.

(1) Foreign nationals (see par. 69*a*) will be admitted to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects, and to military posts, camps, and airfields only on written authority of the Assistant Chief of Staff, G-2, War Department General Staff.

(2) Application for such visits will be made through the appropriate diplomatic representatives except in the case of foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States, for whom applications will be submitted by their employers, approved by the commanding officer or management of the establishment to be visited, and forwarded with the recommendation of the chief of the technical service or appropriate commanding general of the service command concerned to the Assistant Chief of Staff, G-2, War Department General Staff.

(3) Applications submitted through either of the channels described above will include the following information:

(*a*) Name in full.

(*b*) Official title or position.

(*c*) Name of plant or plants, posts, camps, or airfields to which admission is desired.

(*d*) Date of visit or dates between which visits are desired.

(*e*) Purpose of visit.

For foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States the following additional information will be required:

(*f*) Nationality.

(*g*) Length of service with present employer.

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(4) Prior to authorizing a visit to a War Department or commercial manufacturing establishment engaged in classified work or projects, the Assistant Chief of Staff, G–2, War Department General Staff, will secure the recommendations of the Navy Department and the chief of the technical service concerned. Members of the armed forces of Canada and Mexico may, however, be admitted to Army posts, camps, and airfields near the borders of those countries for occasional visits on the authority of the commanding general of the army, defense command, or service command having jurisdiction over such posts, camps, or airfields, without reference to higher authority.

c. United States citizens.—Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

(1) Casual visitors may be admitted provided no classified work or project is shown or discussed.

(2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating in War Department work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible chief of technical service. Authority for admission will be in writing.

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to manufacturing establishments engaged on work for the War Department, provided classified matter, projects, or processes of manufacture are not shown or discussed with them. News items, photographs, and motion pictures resulting from the visit must be submitted to the War Department Bureau of Public Relations for review prior to publication.

71. Responsibility of commanding officer, Army representative, or inspector.—*a.* The commanding officer of a military manufacturing establishment or the Army representative or inspector at a commercial manufacturing establishment is the local representative of the War Department in all matters regarding the admission of visitors. If, in his opinion, the situation at the time makes the admission of a visitor inadvisable, he is empowered to postpone the visit and request instructions from the office which authorized it.

b. The commanding officer or Army representative will make a report to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of technical service or commanding general, service command, giving the following information concerning foreigners who visit establishments engaged in classified projects:

(1) Name, official position, and nationality.

(2) Authority for the visit.

(3) Matters in which the visitors showed the greatest interest.

(4) General nature of questions asked.

(5) Expressed object of the visit.

(6) Inspector's estimate of the real object of the visit.

(7) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.

(8) A brief list of what was shown and explained.

72. Responsibility of Government contractors.—*a.* Contractors or subcontractors engaged in work for the War Department must place such restrictions on the movements of persons employed or entering their plants or offices as will give adequate security to *secret*, *confidential*, or *restricted* matters in their possession. In view of the wide differences in organization, arrangement, and physical make-up of individual plants, no specific rules are practicable. Therefore, local conditions at the plant and the classification of the project will determine the security measures to be adopted.

b. The following general procedure in regard to visitors at establishments or plants engaged in classified projects for the War Department is prescribed:

(1) Visitors will be accompanied during their stay at the plant by the inspector or Army representative, a member of his office, or some responsible person who is specifically informed as to the necessary limitations or restrictions, the scope of the visit, and the information which may be furnished.

(2) Unless specifically authorized by the authorities mentioned in paragraph 70, visitors will not be allowed in any shop, laboratory, drafting room, or section of a plant where secret, confidential, or restricted matériel is located or where classified work is in progress, nor will they be permitted to take photographs.

c. (1) War Department contractors will submit to the commanding general of the service command, chief of technical service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, immediately upon completion of the visit, a report of all visitors, except United States citizens and Canadian nationals, who have gained information concerning the classified work or projects. The reports will include the following information:

(*a*) Name, official position, and nationality.

(*b*) Authority for visit.

(*c*) Matters in which the visitors showed the greatest interest.

(*d*) General nature of questions asked.

(*e*) Expressed object of the visit.

(*f*) Estimate of the real object of the visit.

(*g*) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.

(*h*) A brief list of what was shown and explained.

(2) The commanding general of the service command, chief of technical service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, will submit the reports to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of technical service.

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SECTION VII

AIR SPACE RESERVATIONS, RESERVED AREAS, AND RESTRICTED AREAS

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73. Air space reservations.—*a. Establishment.*—Air space reservations over military installations or reservations over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes are established by Executive Order of the President of the United States, or by a State, Commonwealth, or Territory.

b. Territory of Hawaii.—Section 3, Air Commerce Regulations of the Territory of Hawaii, prohibits private and commercial aircraft from flying over or crossing any part of Diamond Head and the fortifications of Fort Kamehameha and Fort Weaver.

c. Philippine Commonwealth.—Flying by any aircraft other than those of the United States and Philippine Governments within a distance of 6 miles from the perimeter of Corregidor Island, Fraile Island, Carabao Island, and Caballo Island, Manila Bay, and Subic Bay, Island of Luzon, and, within 2 miles of the perimeter of Cavite Peninsula, Manila Bay, is prohibited by section 80, Air Commerce Regulations, the Government of the Philippine Islands, dated 15 October 1935.

d. Responsibility of commanding officers.—The commanding officer of a military reservation, post, camp, station, or installation over which an air space reservation has been established is responsible for the surveillance of the designated air space and for prompt report to The Adjutant General, through military channels, of any illegal flight therein.

74. Restricted areas.—*a. Designation.*—The commanding officer of a post, camp, station, or installation is responsible for the designation and proper safeguarding of restricted areas. If local conditions dictate, he will mark all ordinary entrances or approaches to such areas with a sign reading as follows:

WARNING

RESTRICTED AREA

It is unlawful to enter within this _____ (Area, building, etc.) without written permission of _____ (Authority)

b. Procedure in case of violation.

(1) The commanding officer of a military reservation, post, camp, station, or installation will cause any person not subject to military law who enters a restricted area or building to be detained, warned of his rights, and interrogated by proper authority. If it is a first offense and there is no evidence of deliberate intent, the offender may be warned against repetition and released upon the surrender of any unlawful photograph, sketch, picture, drawing, map, or graphic representation in his possession. Otherwise the offender will be delivered without unnecessary delay to the nearest United States marshal with a written statement of the facts, the names

and addresses of the witnesses, and such pertinent exhibits as may be available.

(2) When an investigation reveals that a person not subject to military law has entered such a restricted area or building, custody of the individual not having been effected, the commanding officer will promptly forward in writing to the nearest United States district attorney a report of all the facts, including the names and addresses of the witnesses.

(3) A report will be made through military channels to the commanding general of the service command of each case brought to the attention of civil authority and will include a brief of all the facts and copies of all pertinent communications.

SECTION VIII

TROOP MOVEMENTS AND INDIVIDUAL TRAVEL

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75. General.—Commanding officers of troops or individuals affected by the provisions of this section are responsible that such troops or individuals are instructed in such provisions, advised of their applicability, and warned of the danger involved in the spreading of information concerning troop movements. Instructions of this nature will be given prior to the oversea troop movement, both at home station and staging area.

76. Classification requirements.—*a.* Movement of troops or individuals, or any group or class of such movements, will be classified as *secret, confidential,* or *restricted* by, or by authority of, any officer authorized to make or authorize secret classifications under paragraph 9*a*. It is essential to proper classification that officers authorized to classify documents are able to identify classified elements of information, particularly those elements requiring a secret classification.

b. The following elements of information concerning troop movements or individual travel will normally be classified as indicated below in each case:

(1) *Secret.*—Documents which contain any one of the following elements, either directly or by implication, require a classification of *secret.*

(*a*) Overseas or intertheater geographical destinations (except those in Alaska, Canada, and Mexico).

(*b*) Date and time of departure from port of embarkation, port en route, or airport.

(*c*) Route, name, or destination of ship or convoy.

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(a) Theater of destination, provided the exact destination within the theater is not shown.

(d) Estimated time of arrival at oversea or intertheater destination or ports en route.

(e) The meaning of assigned shipment numbers so far as the oversea or intertheater destination is concerned.

(f) The oversea or intertheater destination represented by a temporary APO number.

(g) Events en route involving enemy action.

(2) *Confidential.*—Documents which contain any of the following elements will be classified *confidential:*

(a) Information or description of unit movements of nonoperational significance in areas within or adjacent to operational theaters.

(b) Complete list or tabulation of units combined with and included under a single shipment number for oversea shipment. The combination of a single unit with its oversea shipment number and letter, however, is restricted information.

(3) *Restricted.*—Orders, communications, reports, and other documents concerning troop movements, except as indicated in (1) and (2) above, will be classified as *restricted.* However, reports and communications concerning movements need not be classified if the classified elements of information and unit designations are not included therein and reference to the movement is made by shipment number and letter, by temporary APO number, or by main number.

77. Dissemination of information.—*a.* Officers and men will avoid talk or discussion of military movements with civilians and will view with suspicion any person asking questions about such movements or discussing topics pertaining thereto.

b. All persons connected with the military service who receive information concerning movements of organizations, detachments, or individuals, classified in accordance with paragraph 76, are forbidden to make public or to inform unauthorized persons concerning the classified elements of such movements.

c. When it is necessary to advise relatives or other persons of approaching departure, individuals connected with the military service will not disclose any classified information or to [illegible]

78. Rail and motor movements.—*a.* Rail and motor movements of troops in the United States, including those to Mexico and Canada, will normally be classified *restricted.* However, reports concerning arrivals and departure of such movements may be transmitted to persons authorized to receive such reports, unclassified, provided unit designations are not included therein.

b. When rail or motor movements are made preliminary to an oversea movement from the United States, cars, baggage and impedimenta will not be marked in the clear to show destination, date of departure, name of ship, or other classified elements of information. In such cases impedimenta will be marked with the assigned shipment number and letter. The unit designation will not be used as a marking on impedimenta, although the company letter or abbreviation may be used to identify the impedimenta of each company or similar unit in the movement.

c. Movements of troops between inactive operational theaters will normally not require classification. Movements within the U.S. or within inactive operational theaters which do not relate immediately to movement to active operational theaters will not require classification. This does not preclude classification when deemed appropriate.

b. During the progress of a movement by rail or motor within the United States, individuals participating therein will not communicate classified information to unauthorized persons.

79. In staging areas.—*a.* Instructions will be given to all individuals concerned in the applicable security provisions of this section. [illegible]

b. Commanders of ports or airports of embarkation are authorized to restrict to prescribed limits all individuals under oversea movement orders for a period not to exceed 48 hours prior to departure for overseas or intertheater destinations. During this period of restriction, communication with civilians may be prevented or limited as may be considered necessary by the port or airport commander concerned. Special authority must be obtained from the War Department (if in the United States) or the theater commander (if overseas) for placing individuals in restriction more than 48 hours prior to the expected sailing or departure date.

80. Embarkation.—*a.* Troop movements will be made so far as practicable without attracting undue attention. Authority to use bands during embarkation of troops is left to the discretion of port commanders where, in their opinion, the playing of a band will not jeopardize the security of the movement.

b. All persons not on official business will be excluded from the piers at all times.

c. Personnel may take cameras within the limits of the pier or overseas, subject to the restrictions imposed by the commander of the port, ship, theater, or other area concerned.

d. Members of families, relatives, or friends of those sailing will not be allowed at the piers or thereabouts on the day of sailing. Any such persons found there will be ordered away summarily by the guard and report will be made to the appropriate authority of the officer or enlisted man with whom they were seen or with whom they attempted to communicate.

81. Movement of vessels in harbors.—Vessels loaded with troops or supplies will be moved under cover of darkness, whenever possible. If vessels must be moved during daylight, the commanding officer of troops will hold his men below deck or within deck superstructures to prevent attracting attention. Signals by flags or whistles will be limited to those necessary for safe navigation.

82. At sea.—*a.* After sailing from the port of embarkation, the oversea or intertheater destination will be disclosed to individuals aboard ship only as necessary for training or indoctrination en route. When such information is disclosed, the individuals will be warned of the secret classification thereof. Particular care will be taken to insure that this warning is given all individuals who are allowed ashore at intermediate stopping points.

b. Events at sea concerning or resulting from enemy action will be considered as secret information by all individuals concerned.

Returns to United States from active operational theaters.--Classification requirements are the same as those enumerated in paragraphs 76 and 84, except that the U.S. as a destination is restricted information only. However, a specific port of destination in the U.S., in travel by water, is secret. (C 4, 14 Jul 45)

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b. All individuals involved in such movements, communicating from intermediate stopping points, will refrain from disclosing classified information, particularly their oversea or intertheater destination.

85. Higher classification.—A higher classification than that indicated in this section may be assigned if the order, message, or other communication contains information which should be protected by a higher classification.

86. Reason for classification.—Whenever a classification higher than *restricted* is assigned to a movement order, the reason for such higher classification will normally be included therein. An example of an explanatory paragraph is as follows:

The following secret and confidential elements of information are contained herein: secret equipment (par. 11c); tabulation of units (par. 1); confidential mission (pars. 2 and 3). All other elements of this order are *restricted*.

87. Overseas.—*a.* After arrival overseas no information will be given concerning names or destinations of organizations, names of vessels, data concerning convoys, routes pursued, measures taken to avoid attack, dates of arrival, debarkation, or departure, or number of troops, or kind of cargoes carried.

b. The disclosure of the place of execution or acknowledgement on a legal instrument by one in or with the armed forces overseas is authorized, provided the military necessity of secrecy of strength and location of troops does not require suppression of such information, provided also, that such disclosure is necessary to the legality of the instrument and the execution of the instrument cannot be deferred without undue hardship, and provided the information disclosed will be of no substantial value to the enemy when and if it may reach him.

[A. G. 380.01 (18 Mar 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

DISTRIBUTION:
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preclude classification when deemed appropriate.

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Changes no. 1 21 June 44 attd.
" no. 2 23 Aug 44 "

ARMY REGULATIONS
No. 380–5

WAR DEPARTMENT,
WASHINGTON 25, D. C., 15 March 1944.

SAFEGUARDING MILITARY INFORMATION

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1. Need for classification.—Military information is of varying degrees of value to the United States and to the enemy and therefore requires the exercise of varying degrees of precaution for its safety. To safeguard official matter, it must be examined and graded into categories so that it may be recognized and accorded proper handling. For the purpose of providing the necessary variations in safeguarding the several types of critical information, and to grade matter accurately and uniformly, the classifications and the applicable protective measures to be adhered to are hereinafter outlined.

2. Definitions.—*a. Aircraft.*—The term "aircraft" includes all weight-carrying devices or structures designed to be supported by the air, either by buoyance or by dynamic action.

b. Air space reservation.—An air-space reservation is the air space located above an area on the surface of the land or water, designated and set apart by Executive Order of the President or by a State, Commonwealth, or Territory, over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes.

c. Classified military information.—Classified military information includes all information concerning documents, cryptographic devices, development projects, and matériel falling in the categories of *top secret, secret, confidential,* or *restricted.*

d. Cryptographic material.—Cryptographic material includes all documents and devices employed in changing plain-language messages into unintelligible form by means of codes and ciphers.

e. Cryptographic security.—Cryptographic security is that branch of signal communication which deals with the provision of technically sound cryptographic systems, their proper use, and their careful safeguarding.

f. Cryptographic system.—Code and/or cipher and instructions therefor.

g. Distribution.—Extent of actual or authorized issue of specific matter.

h. Documents.—Any form of recorded information. The term "document" includes printed, mimeographed, typed, photostated, and written matter of all kinds; maps, photomaps, and aerial photographs and mosaics; drawings, sketches, notes, and blueprints, or photostatic copies thereof; photographs and photographic negatives; engineering data; correspondence and plans relating to research and development projects; and all other similar matter.

i. Engineering data.—The term "engineering data" comprises drawings, blueprints, photostats, photographs, mathematical calculations, formulas, processes, and all similar items that can be reduced to documentary form.

j. Foreign government.—The term "foreign government" includes any recognized or nonrecognized government and any faction or body of insurgents within a country with which the United States is at peace.

k. Handling.—Care in transmission and custody.

l. Impedimenta.—The term "impedimenta" refers to organizational equipment which accompanies troop movements.

m. Matériel.—Any article, substance, or apparatus. The term "matériel" comprises military arms, armament, equipment, and supplies of all classes, both complete and in process of development and construction, models that show features in whole or in part, design, mock-ups, jigs, fixtures, and dies, and all other components or accessories of military equipment.

n. Mock-up.—A mock-up is a model, usually full size and constructed of inexpensive material, made for the purpose of studying the construction and use of an article of matériel or mechanical device.

AR 380–5
*C 2

SAFEGUARDING MILITARY INFORMATION

CHANGES No. 2

WAR DEPARTMENT,
WASHINGTON 25, D. C., 23 August 1944.

AR 380–5, 15 March 1944, is changed as follows:

18. Photographs or other reproductions of classified matter.—(As changed by C 1, 21 Jun 44.) Photographs or other reproductions of classified features of military equipment or of other classified items will be made by members of the military service, by civilian employees of the War Department, or by civilians specifically authorized under appropriate directives to photograph or reproduce such classified matter, only when necessary in the conduct of their official duties, and if made may be developed, printed, or otherwise processed in commercial establishments that have established a specific procedure for handling classified film, prints, or other materials, which procedure has been approved by the Provost Marshal General. Such film, prints, or other materials will not be retained in the possession of commercial establishments so utilized. The Provost Marshal General will maintain a list of all approved establishments.

[A. G. 880.01 (26 Apr 44).]

28. Handling and transmission of restricted matter.

* * * * * * *

b. Subject to the foregoing standards, restricted documents will be transmitted by any of the following means, whichever is most suitable:

* * * * * * *

(2) *Outside continental United States.*—Includes transmission of restricted documents, except restricted cryptographic material, from points within the continental United States to points outside the United States and vice versa, and between points outside the continental Unitet States.

* * * * * * *

(*b*) United States Post Office registered mail or by ordinary mail, provided that the mail, whether registered or ordinary, will be handled outside the United States by the Army or Navy Postal Services exclusively and will not pass through foreign mail channels. Restricted documents may, however, be transmitted to and from United States installations in Canada and in Alaska through the Canadian postal system.

* * * * * * *

[A. G. 880.01 (17 Aug 44).]

44. Precautions necessary to insure cryptographic security.—In order to insure cryptographic security the following principles must be observed:

* * * * * * *

a. (As changed by C 1, 21 Jun 44.) The classification of messages must receive careful consideration by the originator since overclassification and underclassification are equally to be avoided. When a message has been classified and sent, all subsequent messages referring thereto must bear the same classification if

*These changes supersede C 1, 21 June 1944.

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any reference is made to the original message by subject or serial number, except where the originator underclassified the original communication, in which case the proper higher classification will be used. Service messages referring to all or part of the plain text of previously cryptographed messages must be similarly classified and cryptographed. An exception to this rule is made in the case of messages classified TOP SECRET or SECRET, in which case either classification, as appropriate, may be assigned to a message referring by subject or serial number to a TOP SECRET or SECRET message previously transmitted. See paragraphs 10 and 12 to 16, inclusive.

* * * * * * *

[A. G. 380.01 (26 Apr 44).]

48. Paraphrasing messages.

* * * * * * *

c. (As changed by C 1, 21 Jun 44.) A paraphrase of a message normally will be accorded the same classification as the original message.

[A. G. 380.01 (26 Apr 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

DISTRIBUTION:
A; E.

AGO 476B
U. S. GOVERNMENT PRINTING OFFICE: 1944

SAFEGUARDING MILITARY INFORMATION

CHANGES No. 3

WAR DEPARTMENT
WASHINGTON 25, D. C., 5 February 1945

AR 380–5, 15 March 1944, is changed as follows:

16. **Loss or subjection to compromise.**—Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of *top secret, secret, confidential,* or *registered* documents or articles of matériel or *restricted* codes or ciphers will promply report that fact to the custodian of the document or matériel. The proper commanding officer will notify the office responsible for its issue by the fastest means available of the loss or subjection to compromise of *all top secret, secret* or *registered items, confidential or restricted* codes or ciphers, or *confidential* operational plans, weapons, or equipment of vital importance to current or future operations, and will then make a thorough investigation of the circumstances, fix the responsibility, and send to The Adjutant General through military channels a report with his recommendations in the case.

[AG 380.01 (11 Dec 44)]

18. **Photographs or other reproductions of classified matter.**—Photographs or other reproductions of classified features of military equipment or of other classified items will be made by members of the military service, by civilian employees of the War Department, or by civilians specifically authorized by proper authority to photograph or reproduce such classified matter, only when necessary in the conduct of their official duties, and, if made, may be developed, printed, processed, or otherwise reproduced in commercial facilities. However, *confidential, secret,* and *top secret* materials may be reproduced only in those commercial facilities that have established specific procedures, approved by the Provost Marshal General, for handling classified films, prints, or other materials. Classified materials will not be retained in the possession of commercial facilities so utilized. The Provost Marshal General will maintain a *restricted* list of all commercial facilities within the continental United States approved to handle *confidential, secret,* and *top secret* materials.

[AG 380.01 (11 Dec 44)]

24. **Transmission of certain messages by electrical means.**

* * * * * * *

b. Secret, confidential, or *restricted* messages will not be transmitted by electrical means in the clear, except in accordance with the provisions of paragraph 51*b*(2) or over approved circuits and providing the rule in *c* below is not violated. For forces in the field, in time of war authority to approve electrical circuits for the transmission of all classifications of traffic, except *top secret,* may be delegated by the War Department to theater commanders and department commanders for use in their theaters or departments.

* * * * * * *

[AG 380.01 (11 Dec 44)]

46. **Drafting messages.**

* * * * * * *

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c. Words not important to the sense will be omitted. Conjunctions, prepositions, and punctuation marks will be reduced to a minimum, and every effort will be made to avoid repetition. When it is essential that punctuation marks be included in the body of messages, they normally will be spelled, either in full or abbreviated form. Numbers normally will be spelled out.

* * * * * * *

[AG 380.01 (11 Dec 44)]

47. Selection of cryptographic system.—*a.* Subject to modification as outlined in paragraph 43*b*, the classification *top secret*, secret, *confidential* or *restricted* given a message by its originator governs the cryptographic system to be used in cryptographing the message. All classified messages except those transmitted in accordance with the provisions of paragraphs 24*b* and 51*b*(2) will be transmitted in cryptographed form unless specific exception is made by the War Department. The least widely held cryptographic system available to all addresses of each message will be employed.

* * * * * * *

[AG 380.01 (11 Dec 44)]

49. Method of handling outgoing secret messages.

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b. Except as noted in b½ below the originator will prepare and number all copies of secret messages, send the original to the message center, and may retain, when security is not imperiled thereby, one copy for temporary file. Other carbon copies, all numbered and bearing the following notation, may be sent to local officers directly concerned:

* * * * * * *

*b*½. Messages pertaining to tactical operations, simulated or actual, may be prepared in triplicate. One carbon may be retained by the originator and the original and one carbon delivered to the message center.

c. The original plain-text copy sent to the message center by the originator will by cryptographed at the cryptographic section of the message center. The number of copies of the cryptographed message will be kept at a minimum commensurate with the necessity for furnishing copies to the various transmission agencies. All work sheets used in cryptographing the message will be destroyed by burning. All copies of cryptographed messages retained by transmitting agencies will be safeguarded so as not to fall into unauthorized hands.

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[AG 380.01 (11 Dec 44)]

50. Method of handling incoming secret messages.

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b. The original copy of an incoming cryptographed message as made by the receiving operator will go to the cryptographic section of the message center. A duplicate copy may be made by the receiving operator for the files of the receiving station or message center, where it will be disposed of in accordance with local regulations.

[AG 880.01 (11 Dec 44)]

53. Transmission of literal plain text and paraphrased versions of classified messages.—*a.* The sending by any means whatsoever of the literal plain text of a message which has been or will be transmitted in cryptographed form is strictly prohibited except as stated below:

* * * * * * *

(3) Where authorized in accordance with instructions pertaining to certain cryptographic systems issued by the War Department.

b. In cases of emergency or necessity paraphrased versions of the plain text of a cryptographed message will be sent—

* * * * * * *

(3) When it is necessary to send between headquarters by mail or courier a paraphrased copy of a message which has been or will be cryptographed, copy will be marked or stamped "This is a paraphrase."

[AG 380.01 (11 Dec 44)]

76. Classification requirements.

* * * * * * *

b. The following elements of information concerning troop movements or individual travel normally will be classified as indicated below, except as stated in paragraphs 78*a*, 83, and 84:

(1) *Secret.*—Documents which contain any of the following elements, either directly or by implication, require a classification of *secret.*

(*a*) Oversea or intertheater geographical destinations.

* * * * * * *

[AG 380.01 (11 Dec 44)]

78. Rail and motor movements.—*a.* Rail and motor movements of troops within the United States (including Alaska), *and* rail and motor movements of troops to Canada and Mexico, normally will be classified *restricted.* However, reports concerning arrivals and departure of such movements may be transmitted to persons authorized to receive such reports, unclassified, provided unit designations are not included therein.

* * * * * * *

[AG 380.01 (11 Dec 44)]

83. Returns to United States.—Classified elements of information concerning a return movement to the United States are identical with those enumerated in paragraph 76, except that the United States as a destination is *restricted* information only. However, a specific port of destination in the United States, in travel by water, is *secret.*

[AG 380.01 (11 Dec 44)]

84. Movements by air.—*a.* Generally, the same requirements for water, motor, or rail movements apply to movements by air of units or subdivisions thereof.

b. In documents containing information of movements by military aircraft of casuals, replacements, and individuals, as distinguished from units, the inclusion of the following elements normally will require a classification of *restricted* only:

(1) Oversea or intertheater geographical destinations, unless the presence of troops or a military installation at such destination is classified higher than *restricted.*

(2) Date and time of departure from port of aerial embarkation, or airports en route, subsequent to such departure.

(3) Air route, unless the air route is classified higher than *restricted.*

(4) Estimated time of arrival at oversea or intertheater destination or airports en route, subsequent to departure from port of aerial embarkation.

c. The provisions of paragraph 76 will apply to documents concerning the oversea movements of casuals, replacements, and individuals when for any reason or at any time the movement changes from air to water transportation or from

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water to air transportation, or when both methods of transportation are employed.

d. Orders and allied papers for oversea travel by commercial aircraft may be unclassified even though they contain elements of information for which a classification of *restricted* is required by *b*(1), (2), (3), and (4) above.

e. All individuals involved in air movements, communicating from intermediate stopping points, will refrain from disclosing classified information, particularly their oversea or intertheater destination.

[AG 380.01 (11 Dec 44)]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL
Chief of Staff

OFFICIAL:
J. A. ULIO
Major General
The Adjutant General

DISTRIBUTION:
A; E

AGO 148B
U. S. GOVERNMENT PRINTING OFFICE: 1945

SAFEGUARDING MILITARY INFORMATION

CHANGES No. 4

WAR DEPARTMENT
WASHINGTON 25, D. C., 14 July 1945

AR 380–5, 15 March 1944, is changed as follows:

5. Secret matter.

* * * * * * *

b. The following are examples of matter which normally will be graded SECRET:

* * * * * * *

(15) Information which will indicate the strength of troops in the Canal Zone or in an active operational theater or information indicating the composition of such units or the total quantity of specific items of equipment pertaining thereto, except that mailing addresses will include organizational designations.

* * * * * * *

[AG 380.01 (6 Jun 45)]

6. Confidential matter.

* * * * * * *

b. The following are examples of matter which normally will be graded CONFIDENTIAL:

* * * * * * *

(2) Routine operational and battle reports which contain information of value to the enemy but are not of vital interest to him.

* * * * * * *

(7) Unit movements of nonoperational significance in areas within or adjacent to active operational theaters.

* * * * * * *

(19) Aerial photographs and negatives of territories under our control in or adjacent to active operational theaters. Maps, charts, and photomaps prepared from such photographs or negatives will be graded in accordance with the actual details shown thereon, and not necessarily in accordance with the classification of the photographs or negatives used.

* * * * * * *

[AG 380.01 (6 Jun 45)]

7. Restricted matter.

* * * * * * *

b. The following are examples of matter which normally will be graded RESTRICTED.

(1) Rescinded.

* * * * * * *

(4) Aerial photographs and negatives of territories under our control remote from active operational theaters.

* * * * * * *

(7) Rescinded.

* * * * * * *

[AG 380.01 (6 Jun 45)]

75. General.—Commanding officers of troops or individuals affected by the provisions of this section are responsible that such troops or individuals are instructed in such provisions, advised of their applicability, and warned of the danger involved in the spreading of classified information concerning troop move-

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ments. **Necessary** instructions will be given prior to movement **to an active operational theater,** both at home station and staging area.

[AG 380.01 (6 Jun 45)]

76. Classification requirements.—*a.* Movement of troops or individuals, or any group or class of such movements, will be classified **when appropriate** as *secret, confidential, or restricted* by, or by authority of, any officer authorized to make or authorize secret classifications under paragraph 9*a*. It is essential to proper classification that officers authorized to classify documents are able to identify classified elements of information, particularly those elements requiring a secret classification.

b. The following elements of information concerning troop movements or individual travel **to an active operational theater** will normally be classified as indicated below, except as stated in paragraphs 83 and 84:

(1) *Secret.*—Documents which contain any one of the following elements, either directly or by implication, require a classification of *secret.*

(*a*) **Specific** oversea or intertheater geographical destinations, **when the destinations are specific locations within the theater.**

(*d*) Estimated time of arrival at **specific** oversea or intertheater destination or ports en route.

(*e*) The meaning of assigned shipment numbers so far as the **specific** oversea or intertheater destination is concerned.

* * * * * * *

(2) *Confidential.*—Documents which contain any of the following elements will be classified *confidential:*

(*a*) **Theater of destination, provided the exact destination within the theater is not shown.**

(*b*) Information or description of unit movements of nonoperational significance in areas within or adjacent to **active** operational theaters.

(*c*) Complete list or tabulation of units combined with and included under a single shipment number. The combination of a single unit with its overseas shipment number and letter, however, is restricted information.

* * * * * * *

***c.* Movements of troops between inactive operational theaters or between the United States and inactive operational theaters will normally not require classification. Movements within the United States or within inactive operational theaters which do not relate immediately to movement to active operational theaters will not require classification. This does not preclude classification when deemed appropriate.**

[AG 380.01 (6 Jun 45)]

77. Dissemination of information.—*a.* Officers and **enlisted personnel** will avoid talk or discussion of **classified** military movements with **any unauthorized persons** and will view with suspicion any person asking questions about such movements or discussing topics pertaining thereto.

b. All persons connected with the military service who receive information concerning movements of organizations, detachments, or individuals, classified in accordance with paragraphs 76, 83, **and 84,** are forbidden to make public or to inform **unauthorized** persons concerning the classified elements of such movements.

* * * * * * *

[AG 380.01 (6 Jun 45)]

78. Rail and motor movements.—*a.* Reports concerning arrivals and departure of **rail or motor movements within the United States which for any reason are classified** may be transmitted to persons authorized to receive **such** reports, unclassified, provided unit designations are not included therein.

b. When rail or motor movements are made preliminary to movement **to an active operational theater,** cars, baggage, and impedimenta will not be marked in the clear to show destination, date of departure, name of ship, or other classified elements of information. In such cases impedimenta will be marked with the assigned shipment number and letter. The unit designation will not be used as a marking on impedimenta, although the company letter or abbreviation may be used to identify the impedimenta of each company or similar unit in the movement.

***c.* Rescinded.**

[AG 380.01 (6 Jun 45)]

79. In staging areas.

* * * * * * *

b. Commanders of ports or airports of embarkation are authorized to restrict to prescribed limits all individuals under orders **for movement to an active operational theater** for a period not to exceed 48 hours prior to departure. During this period of restriction, communication with **other military personnel and** civilians may be prevented or limited as may be considered necessary by the port or airport commander concerned. Special authority must be obtained from the War Department (if in the United States) or the theater commander (if overseas) for placing individuals in restriction more than 48 hours prior to the expected sailing or departure date.

[AG 380.01 (6 Jun 45)]

80. Embarkation.

* * * * * * *

d. Members of families, relatives, or friends of **personnel destined for an active operational theater** will not be allowed at the piers or thereabouts on the day of sailing. Any such persons found there will be ordered away summarily by the guard and report made to the appropriate authority of the officer or enlisted man with whom they were seen or with whom they attempted to communicate.

[AG 380.01 (6 Jun 45)]

81. Movement of vessels in harbors.—Vessels loaded with troops or supplies **destined for an active operational theater** will be moved under cover of darkness, whenever possible.

[AG 380.01 (6 Jun 45)]

82. At sea.—*a.* After sailing from the port of embarkation **for an active operational theater,** the **specific** destination **or destination by theater** will be disclosed to individuals aboard ship only as necessary for training or indoctrination en route. When such information is disclosed, the individuals will be warned of the classification thereof. Particular care will be taken to insure that this warning is given all individuals who are allowed ashore at intermediate stopping points.

* * * * * * *

[AG 380.01 (6 Jun 45)]

83. Returns to United States from active operational theaters.—Classification requirements are the same as those enumerated in paragraphs **76 and 84,** except that the United States as a destination is *restricted* information only. However, a specific port of destination in the United States, in travel by water, **is** *secret.*

[AG 380.01 (6 Jun 45)]

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84. Movements by air.—*a.* Generally, the same requirements for water movements **to an active operational theater** apply to movements by air of units or subdivisions thereof.

b. In documents containing information of movements **to an active operational theater** by military aircraft of casuals, replacements, and individuals, as distinguished from units, the inclusion of the following elements normally will require a classification of *restricted* only:

(1) Specific oversea or intertheater geographical destinations, unless the presence of troops or **particular** military installations at such destination is classified higher than *restricted.*

* * * * * * *

(4) Estimated time of arrival at **specific** oversea or intertheater destination or airports en route, subsequent to departure from port of aerial embarkation.

(5) Oversea or intertheater destination represented by a temporary APO number.

c. The provisions of paragraph 76 will apply to documents concerning the oversea movements **to an active operational theater** of casuals, replacements, and individuals when for any reason or at any time the movement changes from air to water transportation or from water to air transportation, or when both methods of transportation are employed.

d. **Movements within the United States or within or to inactive operational theaters when not associated with further movement to an active operational theater or classified activities will not require classification.**

e. Orders and allied papers for oversea travel by commercial aircraft may be unclassified even though they contain elements of information for which a classification of *restricted* is required by *b*(1), (2), (3), and (4) above.

f. All individuals involved in air movements, communicating from intermediate stopping points, will refrain from disclosing classified information.

[AG 380.01 (6 Jun 45)]

87. Overseas.—*a.* After arrival **in an active operational theater** no information will be given concerning names or destinations of organizations, names of vessels, data concerning convoys, routes pursued, measures taken to avoid attack, dates of arrival, debarkation, or departure, or number of troops, or kind of cargoes carried.

* * * * * * *

[AG 390.01 (6 Jun 45)]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff

OFFICIAL:
EDWARD F. WITSELL
Major General
Acting The Adjutant General

DISTRIBUTION:
A; E

AGO 965B
U. S. GOVERNMENT PRINTING OFFICE: 1945

o. Munitions of war.—Any item used for war.

p. Order of battle.—Important disposition of our forces with the identities of the units and formations composing those forces in or adjacent to operational theaters.

q. Paraphrasing.—To paraphrase a message is to rewrite it so that its meaning is the same but its phraseology is different.

r. Photomap.—A photomap is a reproduction of an aerial mosiac, composite, or single vertical used in place of or to supplement a map.

s. Plain text, clear text, or plain language.—"Plain text," "clear text," or "plain language" is the text of a message which, on its face, conveys an intelligible meaning in any known language.

t. Registered matter (document).—Any classified document or device registered usually by number and periodically accounted for.

u. Reserved area.—A reserved area is an area on the surface of the land or water designated and set apart by Executive Order of the President for purposes of national defense, admittance to which is either prohibited or restricted.

v. Short title.—A short title is a designation applied to a classified document, matériel, or device for purposes of security and brevity. It consists of figures letters, words, or combinations thereof, and if registered usually contains an abbreviated designation of the office of origin, without giving any information relative to classification or content of the document, matériel, or device.

w. Travel.—The term "travel" refers to the movement of an individual who is not part of a troop movement.

x. Troop movements.—The term "troop movement" applies to the moving of units or organized detachments even though temporarily organized as such for the purpose of the movement. Movements of prisoners of war, sick and wounded, and all similar groups under military control are included in the term. A movement may be overseas (from the United States), intertheater, intratheater, or returns (to the United States).

y. United States.—The term "United States" as used in these regulations includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States. *Section 1, Title XIII, act 15 June 1917 (40 Stat. 231; 50 U. S. C. 40; M. L., 1939, sec. 2187).*

z. Visitor.—As used in these regulations a visitor is any person admitted to a Government or commercial manufacturing establishment engaged in classified work or project for the War Department except—

(1) A person employed on the work or project, or
(2) A person directly and officially concerned with the work or project.

3. Categories.—Official matter requiring classification shall be examined and graded under one of the following categories:

a. TOP SECRET (signal abbrevation, TOPSEC).
b. SECRET.
c. CONFIDENTIAL.
d. RESTRICTED.

4. Top secret matter.—***a. When classified top secret.***—Certain secret documents, information, and matériel, the security aspect of which is paramount, and whose unauthorized disclosure would cause exceptionally grave damage to the nation shall be classified TOP SECRET.

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works and naval bases, except that when the complete map of a defense area consists of more than one sheet, only those sheets showing defense elements need be classified as CONFIDENTIAL.

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as SECRET, showing lay-out of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, proving grounds, or any area vital to defense.

(14) Technical information, such as research of processes of manufacture which may be a distinct military asset and not a matter of general knowledge, and other technical items of the type described in *a* above.

(15) Information and records compiled at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs. *See section 5a; added to act 3 June 1916, by section 5, act 4 June 1920 (41 Stat. 764; 10 U. S. C. 1193; M. L., 1939, section 1925).*

(16) Shipments of machine prepared and manually prepared monthly personnel rosters and W. D., A. G. O. Form No. 303 (Report of Change) for organizations and individuals outside the continental limits of the United States. Rosters and reports of change included in any shipment need not be individually classified.

(17) All information relative to specific quantities of war reserves.

(18) Aerial photographs and negatives of territories under our control in or adjacent to operational theaters. Maps, charts, and photomaps prepared from such photographs or negatives will be graded in accordance with the actual details shown thereon, and not necessarily in accordance with the classification of the photographs or negatives used.

(19) Ground photographs, negatives, photostats, diagrams, or models of confidential matter.

(20) Troop movements. See section VIII.

7. Restricted matter.—*a.* Documents, information or matériel (other than TOP SECRET, SECRET, or CONFIDENTIAL) which should not be published or communicated to anyone except for official purposes shall be classified RESTRICTED.

b. The following are examples of matter which normally will be graded RESTRICTED:

(1) Information of moves of nonoperational significance in areas remote from theaters of war.

(2) Training and technical documents for official use only or not intended for release to the public.

(3) Certain routine documents relating to supply and procurement.

(4) Aerial photographs and negatives of territories under our control remote from operational theaters.

(5) Photographs and negatives of enemy, enemy occupied or dominated, areas except those which reveal secret sources. Maps, charts, and photomaps prepared from such photographs or negatives and from

photographs and negatives referred to in (4) above will be graded in accordance with the actual details shown thereon, and not necessarily in accordance with the classification of the photographs or negatives used.

(6) Ground photographs, negatives, photostats, diagrams, or models of *restricted* matter.

(7) Strength returns of units remote from operational theaters.

(8) Certain parts of mobilization plans and regulations.

(9) Documents relating to the design and development of new matériel containing information of the type described in *a* above.

(10) Procurement plans.

(11) Certain cryptographic devices and material.

(12) Certain Army extension courses.

(13) Certain documents regarding engineering principles and design details, composition, method of processing or assembling, which are vital to the functioning or use of an article of matériel.

(14) *Certain military maps and photomaps.*

(*a*) In the continental United States, those showing military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, and the adjacent terrain vital to their defense, not otherwise classified which are not suitable for public release; and

(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, all military maps and photomaps not otherwise classified which are not suitable for public release.

(15) Troop movements. See section VIII.

(16) Nontactical radio frequencies and call signs in operation at fixed locations; and frequencies and call signs used for training.

8. Grading.—*a.* The designation of persons responsible for grading and regrading will be made by authorities listed in paragraph 9.

b. Each document should be graded according to its own content and not necessarily according to its relationship to another document. This also applies to extracts from previously classified documents except messages. See paragraphs 44c, 49b, and 50d.

c. The grading of a file or group of physically connected documents shall be that of the highest graded document therein.

9. Authority to classify.—*a. Secret.*—Matters may be classified as SECRET only by or by authority of the Secretary of War, the Under Secretary of War, an Assistant Secretary of War, the Chief of Staff, the Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, the Commanding General of the Army Service Forces, an Assistant Chief of Staff of the War Department General Staff, the chiefs of the technical services, a general officer, the commanding officer of a depot, post, camp, station, or independent command, the commandant of a general or special service school, the chief of a military mission, a military attaché, or a military observer.

b. Confidential.—Documents, development projects, matériel, or technical information may be classified as CONFIDENTIAL by any commissioned officer.

c. Restricted.—Documents, development projects, technical data, and matériel may be classified as RESTRICTED by any commissioned officer.

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10. Classification of matter from other governmental agencies.—Matter obtained from the Navy Department, other governmental agency, or friendly foreign government will be placed in the same classification category as that in which it was placed by the originating agency.

11. Dissemination of classified matter.—*No person is entitled solely by virtue of his grade or position to knowledge or possession of classified matter. Such matter is entrusted only to those individuals whose official duties require such knowledge or possession.*

12. One classification only.—A document or article of matériel will not be assigned more than one of the four classifications, *top secret*, *secret*, *confidential*, or *restricted*. In the event of conflicting classifications, the highest classification will prevail.

13. Overclassification.—*Documents or matériel requiring classification under the provisions of these regulations will be assigned the least restrictive classification consistent with the proper safeguarding of the information or matériel concerned. Overclassification will be avoided since it causes unnecessary delay in the transmission of documents and depreciates the importance of classified information in the minds of handling personnel.*

14. Responsibility.—*a.* The safeguarding of classified military information is the responsibility of all military personnel, civilian employees of the War Department, and of the management and employees of all commercial firms engaged in classified work or projects for the War Department. Classified military information will be discussed only with military or civilian personnel having a legitimate interest therein.

b. In the case of War Department civilian employees, the commanding officer or his designated representative may permit such employees to have access to secret or confidential matter without an investigation when such permission is not in conflict with War Department Civilian Personnel Regulations.

15. Cancelation or change of classification.—*a.* The authority making the original classification, or higher authority, may cancel or change the classification of a document by writing or stamping over the mark at the top of the first page, "Classification canceled or changed to——, by authority of (officer authorized to change), by (name and grade of officer making the change and the date thereof)." This paragraph will in no way be construed as a limitation upon paragraph 47.

b. The authority making the original classification or higher authority may cancel or change the classification of matériel by letter of instruction to all offices or personnel concerned.

c. In the case of messages which have been previously cryptographed no change in classification will be made unless the text has been carefully paraphrased.

d. It is the obligation of all authorities to keep classified matter constantly under review and to downgrade it as soon as conditions permit.

16. Loss or subjection to compromise.—Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of a *secret* or *confidential* document or article of matériel will promptly report that fact to the custodian of the document or matériel. The proper commanding officer will notify the office responsible for its issue, by the fastest means available, of the loss or subjection to compromise of a *secret* or *registered item*, or *confidential* operational plans, codes, ciphers, and weapons or equipment of vital importance to current or future operations, and will then in the case of a *secret* or *confidential* item make a thorough investigation of the circumstances, fix the responsibility,

and send to The Adjutant General, through military channels, a report with his recommendations in the case.

17. Reproduction of classified matter.—*a.* Agencies entrusted with the printing or reproduction, storage, and issue of classified documents will be informed of the applicable provisions of these regulations. The authority directing the preparation, printing, or reproduction of classified documents will be responsible for the disposal of the notes, manuscripts, type, plates, stencils, negatives, and wastage incident thereto in a manner which will safeguard the secrecy of the information being reproduced.

b. The commandants of the general and special service schools are responsible that the printing or reproduction plants of their respective commands release no classified information to personnel or agencies not entitled thereto.

c. The Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, and the Commanding General of the Army Service Forces are responsible that service magazines or journals published under their supervision comply with the provisions of these regulations relative to security of classified military information, and will submit all material for such publications to the Bureau of Public Relations for review and action before release.

d. Whenever correspondence, documents, drawings, prints, photographs, or models pertaining to *secret*, *confidential*, or *restricted* matériel disclose information regarding engineering principles, design details, composition, methods of processing or of assembly which are vital to the manufacture, functioning, or use of the matériel, they will be appropriately classified.

e. Preparation of press releases based on coded messages.—Officers authorized to prepare information to be made public will constantly bear in mind that such material may be of great value to the enemy signal intelligence service. Information received or sent in cryptographic messages will never be released verbatim but will be carefully paraphrased before release to the public.

f. For additional instructions relative to the discussion of military, political, diplomatic, and classified subjects, see AR 600-700.

18. Photographs of certain classified matter.—Photographs of classified features of military equipment or of other classified items will be made by members of the military service or by civilian employees of the War Department only when necessary in the conduct of their official duties and if made may be developed or printed in commercial establishments that have established a specific procedure for handling classified film, which procedure has been approved by the Provost Marshal General. Such film or prints will not be retained in the possession of commercial establishments so utilized.

19. Requests for military information.—*a.* All requests from private individuals, firms, or corporations and Federal or State agencies or departments for classified military information (except those requests defined under *b* and *c* below) are governed by the provisions of AR 410-5 as amended.

b. (1) Exchanges of classified or unclassified military information, other than technical information, with foreign nationals will be made only through or with the express permission of the Assistant Chief of Staff, G-2, War Department General Staff.

(2) Exchanges of classified or unclassified technical information with foreign nationals will be made in accordance with ex-

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listing War Department instructions issued on this subject to the Commanding Generals, Army Ground Forces, Army Air Forces, and Army Service Forces.

c. Applications for information or records compiled and furnished at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs will be referred to the Under Secretary of War for necessary action. The service of any process or subpoena for the production of any such record will be reported immediately by the person on whom it is served to the United States attorney for the district in which the service is made and, at the same time, direct to the Under Secretary of War.

20. Dissemination of classified military information.—*a.* Except regarding information to be released to the press by authorized military public relations agencies, when classified military information is disseminated under the provisions of these regulations to persons not subject to military law, they will be informed that it affects the national defense of the United States within the meaning of the Espionage Act and that its transmission to an unauthorized person is prohibited. See also paragraph 23*b*.

b. Publication of articles or books.—The inclusion of classified military information in any article or book published by a member of the Army of the United States or by a civilian employee of the Military Establishment is prohibited unless specifically authorized by the War Department. For additional information relative to publication of articles, see AR 310–10, 600–10, and 600–700.

c. Oral discussions of classified military information.—Either public or private discussion of classified military information with or in the presence or hearing of any person not authorized to have knowledge thereof is strictly forbidden.

21. Testimony before Congress.—*a.* When a person in the military service appears before a committee of the Congress and is called upon to give testimony which he knows to be *confidential* or *restricted*, he will respectfully request that his statements be taken in executive session only and not appear in the record of hearings, the Congressional Record, or other document open to public inspection.

b. When called upon to give testimony which he knows to be *top secret* or *secret*, unless he has previously been authorized by the Secretary of War to give such testimony, he will respectfully state that he is not authorized to disclose the information desired, and will inform the appropriate Member of Congress that a written request for the specific information should be transmitted to the Secretary of War. Testimony of a secret nature, when authorized by the Secretary of War, will be given only in executive session under the conditions cited in *a* above.

c. With regard to policies and facts which the public interest does not require to be kept *secret*, *confidential*, or *restricted*, see AR 600–10.

22. Legislation pertaining to War Department.—*a.* Recommendations to the War Department for legislation will be classified until released by the Secretary of War. Prior to such release, no information as to any legislative recommendation will be revealed to any individual or association not under War Department control except as may be required by law.

b. The nature and content of reports of the War Department on bills referred to it by committees of the Congress will not be disclosed to individuals or agencies outside the War Department.

SECTION II
DOCUMENTS

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23. Marking of classified documents.—*a. Manner of marking.*

(1) Classified books or pamphlets, the pages of which are permanently and securely fastened together, will be plainly and conspicuously marked or stamped *top secret, secret, confidential,* or *restricted* on the cover, title page, and first page.

(2) Classified communications and other material not permanently and securely fastened together, except as indicated in (3), (4), and (5) below, will be marked or stamped with the appropriate classification at the top and bottom of each page. The marking at the top will be so placed that it will not be hidden from view when the pages are clipped or stapled together.

(3) Classified drawings or tracings will carry a legend of the proper classification in such a position that it will be reproduced on all copies made therefrom. Whenever practicable, classified photographic negatives will be marked in the same manner. Continuous cover aerial reconnaissance and mapping negatives in roll form will be marked with the appropriate classification at the beginning and ending of each roll. These and any other negatives which do not lend themselves to marking will be handled on a classified basis, and will be kept in containers, properly secured, which will bear the classification mark to which the contents are entitled. Photographs and reproductions made from negatives which do not carry a legend will be marked on the front and on the back with the appropriate classification. Classified motion picture films will be kept in containers, properly secured, which will bear the classification mark to which the contents are entitled, and in addition, will state in the title the classification thereof.

(4) Contracts for the manufacture of classified matériel will be plainly and conspicuously marked, not typed, with the proper classification on the first page.

(5) Classified maps and photomaps will be appropriately marked under the scale.

b. Additional marking of classified documents issued to authorized civilians.—Documents containing classified military information furnished persons other than those of the military and naval services and their civilian employees will, in addition to being marked *top secret, secret, confidential,* or *restricted,* bear the following notation:

This document contains information affecting the national defense of the United States within the meaning of the Esplonage Act, 50 U. S. C., 81 and 82,

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as amended. Its transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

c. Special marking of secret documents.—All secret documents will show the authority for the classification, the initials of the classifying officer, and the date affixed. See paragraph 9*a*.

24. **Transmission of certain messages by electrical means.**—*a.* The highest grade cryptographic systems available will be used for the transmission of secret messages.

b. Secret messages will not be transmitted by electrical means in the clear, except over approved circuits and providing the rule in *c* below is not violated.

c. Messages which have been transmitted or are to be transmitted in a high grade cryptographic system of one nation will not be relayed or transmitted by another nation between point of origin and destination by electrical means in clear language or unapproved "scrambler" system, or low-grade cryptographic system.

25. **Handling and transmission of secret matter.**—*a.* Secret matter will be handled and transmitted in accordance with the following rules:

(1) *Preparation for transmission.*—Secret documents when transmitted will be inclosed in double sealed envelopes; the inner one marked secret. Typewritten matter in the document will be protected by a cover sheet, or by folding inward, from direct contact with the inner cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way but plainly marked *secret* so that the notation will be seen when the outer cover is removed and will contain a receipt form which will identify the addressor, the addressee, and the document. The outer cover will be sealed and addressed in the ordinary manner with no notation to indicate its secret classification.

(2) Transmission and custody of secret documents and matériel will be covered by a receipt system.

(3) Registered secret documents or matériel will be periodically accounted for.

(4) It is the responsibility of the commissioned officer or the civilian holding a position equivalent to that of a commissioned officer having custody of secret documents to ensure that all security precautions are taken to guard such documents at all times.

(5) Secret documents will be transmitted only by officially designated courier. Where officially designated courier service is not available, secret documents may be transmitted by registered mail service or mail service superior to registered mail service, if the service is completely within national control.

b. Subject to the foregoing standards, secret documents will be transmitted by any of the following means:

(1) *Between offices of same headquarters or stations.*—At headquarters commanded by an authority qualified to make the secret classification, the commanding officer will provide for the security of interoffice transmission of *secret* documents.

(2) *Within continental United States.*

(*a*) Officially designated couriers (officer messenger or officer courier, including warrant officers).

(*b*) Registered mail (including registered air mail).

(*c*) Protected commercial express, air or rail, under billing which assures the highest degree of protective handling. See also paragraph 68.

(*d*) Military aircraft. (The documents will be entrusted to a responsible officer or crew member on such aircraft with instructions regarding their security and delivery.)

(3) *Outside continental United States.*—Includes transmission of secret documents, except secret cryptographic material, from points within the continental United States to points outside the United States, and vice versa, and between points outside the continental United States.

(*a*) Officially designated couriers (officer courier, including warrant officers).

(*b*) United States Post Office registered mail through the Army Postal Service, provided the documents do not pass through a foreign postal system. Secret documents may, however, be transmitted to and from United States installations in Canada by United States and Canadian registered mail, with return receipt.

(*c*) State Department diplomatic pouch. (This means will be used exclusively for the transmission of secret documents through or within a neutral country.)

(*d*) United States or Allied military aircraft. (The documents will be entrusted to a responsible officer or crew member on such aircraft with instructions regarding their security and delivery.) See *d* below.

(*e*) Commanding officers of United States Army transports.

(*f*) Reliable citizens of the United States (that is, officers or officials of other Government departments or masters of vessels of United States registry).

(*g*) For specific means of transmission of secret cryptographic material, reference should be made to letter instructions on this subject issued by the War Department.

c. Action upon receipt of secret matter.

(1) Prior to opening a sealed package or envelope containing secret documents, the seals and wrappers will be carefully inspected to determine whether there has been any tampering. If any evidence of tampering is noted, the facts will be reported immediately to the issuing authority, who will initiate an investigation without delay.

(2) The inner cover marked *secret* will be opened only by the addressee or his duly designated representative. The receipt form will be dated, signed, and immediately returned to the sender. The inner cover will be destroyed by burning if the subject matter of the inclosure has been in contact therewith.

d. Security of secret documents.—If a military aircraft carrying secret documents is forced down in enemy territory, the documents will be destroyed by burning. If not subject to burning, they will be destroyed by such other means as are necessary to render them beyond recognition. Similar action will be

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taken if forced down in neutral territory, if capture appears imminent. If the aircraft is forced down at sea, the documents will be sunk by the most practical method. For detailed instructions on destruction of classified documents in emergencies, reference should be made to letter on this subject issued by the War Department.

26. Handling and transmission of top secret matter.—Top secret matter will be handled in accordance with the rules given in paragraph 25*a* with additional safeguards as follows:

a. Under no circumstances will such matter be transmitted by registered mail.

b. Under no circumstances will messages so graded be transmitted by electrical means in the clear.

c. It is mandatory that transmission and custody of such matter be covered by a receipt system.

d. Top secret documents will be handled only by persons specifically designated and may not be disclosed to any person solely by virtue of his rank or office.

e. The policies and special procedures governing the handling and transmission of *top secret* matter are covered by special letter instructions to parties concerned.

27. Handling and transmission of confidential matter.—*a.* Confidential matter will be handled in accordance with the following rules:

(1) Confidential documents will be prepared for transmission in the same manner as secret documents, except that the inner cover will contain a receipt form only when the sender deems it necessary.

(2) Confidential documents, except registered, will be transmitted by approved official means.

(3) Registered confidential documents will be handled in the same manner as registered secret documents.

(4) It is the responsibility of the commanding officer or equivalent official having custody of confidential documents to insure that appropriate security precautions are taken at all times.

b. Subject to the foregoing standards, confidential documents will be transmitted by any of the following means, whichever is most suitable:

(1) *Within continental United States.*—Confidential documents will be transmitted in the same manner as secret documents, except—

(*a*) Any authorized messenger may be used instead of an officer messenger.

(*b*) Confidential documents, except registered, may be transmitted by ordinary mail when in the opinion of the forwarding officer no serious consequences will be entailed by their loss.

(2) *Outside continental United States.*—The transmission of confidential documents except confidential cryptographic material from points within the continental United States to points outside United States, and vice versa, and between points outside the United States, will be done in the same manner as prescribed for secret documents.

(*a*) State Department diplomatic pouch will be used exclusively for the transmission of confidential documents through or within a neutral country.

(*b*) For specific means of transmission of confidential cryptographic material, reference should be made to letter instructions on this subject issued by the War Department.

(*c*) *Action upon receipt of confidential matter.*

1. The standards prescribed in paragraph 25*c*(1) will be adhered to.

2. The inner cover marked confidential will be opened only by the addressee or his duly designated representative. The receipt form when used will be dated, signed, and immediately returned to the sender. The inner cover will be destroyed by burning if the subject matter of the inclosure has been in contact therewith.

(*d*) *Security of confidential documents.*—The same precautions as prescribed in paragraph 25*d* will be adhered to.

28. Handling and transmission of restricted matter.—*a.* Restricted matter will be handled and transmitted in accordance with the following rules:

(1) Restricted documents will be transmitted by such approved channels as will provide a reasonable degree of security.

(2) Registered restricted documents will be transmitted to and from foreign countries in the same manner as registered secret documents.

b. Subject to the foregoing standards, restricted documents will be transmitted by any of the following means, whichever is most suitable:

(1) *Within continental United States.*

(*a*) Authorized messenger.

(*b*) Ordinary mail.

(*c*) Express (rail or air).

(*d*) Freight.

(2) *Outside continental United States.*—Includes transmission of restricted documents, except restricted cryptographic material, from points within the continental United States to points outside the United States, and vice versa, and between points outside the continental United States.

(*a*) Vessels or aircraft of United States registry, Allied registry, or such vessels or aircraft, although not of United States or Allied registry, which are controlled and operated by the United States and do not pass through a foreign postal system.

(*b*) United States Post Office registered mail through the Army Postal Service, provided the documents do not pass through a foreign postal system. Restricted documents may, however, be transmitted to and from United States installations in Canada and in Alaska through the Canadian postal system.

(*c*) State Department diplomatic pouch will be used exclusively for the transmission of restricted documents through or within a neutral country.

(*d*) For specific means of transmission of restricted cryptographic material, reference should be made to letter instructions on this subject issued by the War Department.

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29. *Routine correspondence, receipts, and returns.*—Routine correspondence, receipts, or returns, and reports of possession, transfer, or destruction need not be classified if reference therein to classified documents, other than registered documents, is made by file number, date, and subject only, with no indication of the classification. Extreme care will be exercised in such cases to insure that the subject referred to does not contain information which is classified. If the subject contains classified information, a short title will be used for the subject. Registered documents will be referred to by register number, date, and short title only, with no indication of the subject matter or classification.

30. Storage of classified documents.—*a. Storage of classified documents not registered.*

(1) Secret and confidential documents, other than registered documents, will be stored in the most secure files available in a room that is kept locked when not in use.

(2) Restricted documents will be stored and handled in such a manner as to insure a reasonable degree of security.

b. Storage of registered documents.

(1) Registered documents will be stored in the most secure space available, preferably the equivalent of a three-combination safe. If a three-combination safe is not available, then the documents should be kept constantly under armed guard. Field lock safes will be considered the equivalent of three-combination safes for the storage of registered documents for units serving in the field outside of posts and garrisons.

(2) Only commissioned officers, warrant officers, and specially trusted enlisted men and civilian employees will be permitted to have access to the containers of registered documents or the combination or keys thereto.

(3) Safes containing registered documents will habitually be kept locked with the full combination whenever they are not under the direct supervision of a person officially entrusted with the combination.

c. Cryptographic documents.—So far as practicable, cipher tables, alphabets, and keys will not be kept in the same container as the code books, documents, and devices to which they apply. No *secret* document will be taken forward of battalion command post.

d. Daily inspection.—At every headquarters an inspection will be made each day immediately before the close of business to insure that all classified documents and cryptographic devices have been properly put away.

e. Security in field.—In tactical operations, actual or simulated, the commanding officer of the unit concerned is responsible that all documents are given the maximum security possible under the circumstances. No *secret* document will be taken into areas liable to imminent capture by the enemy.

f. Security aboard ship.—Where a ship's strong room is available, classified documents in transit will be stored therein.

31. Return of secret and confidential documents.—Upon change of station or separation from the military service, an officer will return to the source from which received, or otherwise properly account for, all secret and confidential documents which have been issued to him.

32. Destruction of classified documents.—*a. Secret and confidential documents.*

(1) *When competent authority directs* the destruction of *secret* or *confidential* documents, they will be burned by the custodian thereof in the presence of a disinterested officer. The certificate of destruction will be signed by both the custodian and the witnessing officer before submission to the officer directing the destruction. If the documents are registered, the certificate, signed by the custodian and the witnessing officer, will be sent to the officer directing the destruction, who will forward it to the office of record indicated in the registered document. If the headquarters has only one commissioned officer, the report will so state. Exceptions hereto may be authorized only by the War Department.

(2) Preliminary drafts, carbon sheets, plates, stencils, stenographic notes, and work sheets containing secret or confidential data will be destroyed by the person responsible for their production immediately after they have served their purpose or will be given the same classification and safeguarded in the same manner as the material produced from them.

b. Restricted documents.—Restricted documents will be destroyed in any way which will render them useless.

SECTION III

REGISTERED DOCUMENTS

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33. Authority to designate.—Officers authorized to originate and issue secret, confidential, or restricted documents will designate as *registered* such secret, confidential, and restricted documents issued by them as they deem necessary in the interest of national defense. *Only documents of exceptional importance will be registered.*

34. Additional marking.—*a.* In addition to the marking *secret, confidential,* or *restricted,* the title page or inside front cover of a registered document will ordinarily show the register number, short title, office of record to which returns will be made, and instructions covering the returns for its accounting, and for its ultimate disposal. If this is not practicable, the required data will accompany the registered document on a separate sheet. The office of record is the office to which reports of possession and/or transfer reports on registered documents are sent.

b. All references to registered documents in semiannual or transfer reports, ordinary reports of destruction, or unclassified documents or correspondence will be by registered number, date, and short title only and such reports or correspondence need not be classified. In using a short title, every symbol of the short title will be included. If any accountable document consists of more than one volume, each volume will bear a separate short title. Any correspondence or paper which refers to a registered document by a title other than the short title must have the same classification as the registered document.

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c. A registered document is not to be confused with a classified document to which, for administrative reasons, a number or short title is assigned for bookkeeping or reference purpose only, and for which no accounting is required. In the absence of the additional markings required in *a* above, the document will not be reported upon.

35. Revision or reproduction.—*a.* A new or revised edition of an old registered document may be assigned a new short title but, where this is undesirable, the old short title followed by a symbol which will differentiate the new edition from the old edition is permissible.

b. Reproduction of a registered document is forbidden except by authority of the office of origin.

36. Notification of change of classification.—When the classification of a registered document is changed, the office of record will notify all offices to which it has been issued.

37. Inventory and report of possession.—*a.* Custodians will keep a complete inventory of all registered documents except those listed in *c* below and will make, or have made, on 30 June and 31 December of each year, an accurate return therefor to the proper office of record.

b. In making a semiannual report of possession the following details will be observed:

(1) Each item will be physically inspected and its register number checked against the inventory.

(2) At headquarters having two or more commissioned officers the custodian and one disinterested officer will make the inventory and both will sign the report. If the headquarters has only one commissioned officer, the report will so state.

c. No semiannual report of possession will be made of—

(1) Training editions of code books, cipher alphabets, or keys, or of nonregistered cipher devices accounted for as ordinary property.

(2) Registered documents which have been placed in custody or storage for historical purposes.

d. Whenever a registered document is found which is not charged to the finder, a reasonable effort will be made to determine the office to which it pertains. If this is not found, the document will be forwarded through military channels to the issuing authority for disposition.

38. Report of transfer and destruction.—*a.* When a registered document is transferred from one person to another, or if the custodian remains the same but the organization's designation changes, a certificate of transfer in triplicate will be made. The certificate, containing an acknowledgment of receipt by the receiving officer, will be dated and signed by the transferring officer.

b. Immediately upon completion of the transfer, the original of the transfer certificate will be forwarded direct to the office of origin. A copy of the certificate of transfer will be retained by each of the officers concerned.

c. Whenever a registered document is removed from its proper place of custody and issued to another person, the custodian will require a written receipt.

d. Registered documents will not be accounted for as prescribed for ordinary property in AR 35–6520. The forms described in paragraph 39 will be used in lieu of shipping tickets, memorandum receipts, stock record cards, etc.

e. The issuing authority normally designates when registered documents will be destroyed and upon such notification registered documents will be destroyed as indicated in paragraph 32 and report of destruction forwarded.

39. Prescribed forms.—*a.* War Department Form No. 32 (Record Card—Registered Documents or Devices) will be used for recording all temporary transactions involving an individual registered document.

b. War Department Form No. 33 (Record Card—Registered Documents or Devices—Station) will be used by each officer making a consolidated record of all transactions concerning registered documents. It serves as a check to prevent the undiscovered loss of the individual card, War Department Form No. 32.

c. War Department Form No. 34 (Transfer Report of Registered Documents (or Devices)) will be used in transferring registered documents.

d. War Department Form No. 34a (Semiannual Report of Registered Documents (or Devices)) will be used in reporting a semiannual inventory of registered documents.

e. Other forms authorized by separate branches for special purposes such as Report of Destruction will be employed where applicable.

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CRYPTOGRAPHIC SECURITY

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40. Authorization of cryptographic systems.—All codes, ciphers, and cipher devices intended for use in the military service will be authorized only by the War Department. For forces in the field in time of war, this authority may be delegated to theater commanders and to oversea department commanders for special use within their theaters or departments.

41. Restrictions on use of authorized codes.—*a.* The use of any authorized code, cipher system, or cipher device for cryptographing personal messages is forbidden.

b. Messages for other departments of the Government and for commercial firms engaged in producing war matérial under Government contract may, when necessary, be cryptographed in War Department systems provided the text as supplied by the other Government department or firm is paraphrased, without being referred to the originator, prior to transmission and also prior to delivery to an agency outside the Military Establishment.

42. Personnel authorized to perform cryptographic duties.—*a. General.*—No authorized cryptographic system will be employed by any person who is not thoroughly familiar with the provisions of these regulations and all instructions pertaining to the cryptographic system to be employed.

b. Secret messages.—The cryptographing and decryptographing of messages classified as secret will be performed under the supervision of a commissioned

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officer. For the specific qualifications of personnel who may be permitted actually to perform secret cryptographic work, reference should be made to letter instructions on this subject issued by the War Department.

c. Confidential messages.

(1) At all headquarters of divisions and larger units the cryptographing and decryptographing of *confidential* messages will be performed by personnel as prescribed for *secret* messages.

(2) At all headquarters of units smaller than a division, messages classified as *confidential* will be cryptographed or decryptographed by personnel of the cryptographic section of the message center.

d. Restricted messages.—At all headquarters, messages classified as *restricted* will be cryptographed or decryptographed by personnel whose duties normally require the performance of this work.

43. Cryptographic security officer.—*a.* At each headquarters maintaining a message center the commander will appoint a commissioned officer as cryptographic security officer, who ordinarily will be the officer in charge of the message center. He will be the custodian of cryptographic material and will be responsible for all measures necessary to insure cryptographic security and physical security thereof.

b. If the cryptographic security officer believes that, in view of his knowledge of other messages on the same or like subject, a message has been incorrectly classified, or if he believes that the regulations governing the drafting and classifying of the message have been violated, he will request the originator to make the necessary change in the message or in its classification. If the originator does not comply with the request of the cryptographic security officer, the matter will be referred to the commanding officer of the headquarters concerned for final decision.

c. Cryptographic duties at any station where there is no regularly constituted message center will be performed by the custodian of cryptographic material or by personnel especially designated by the commanding officer. When cryptographic work is thus performed, the files of literal plain text messages and of cryptograms must be kept in different locked containers.

44. Precautions necessary to insure cryptographic security.—In order to insure cryptographic security the following principles must be observed:

a. Cryptographic material will be given the most secure storage available and will never be left unattended except when deposited in a three-combination safe or its equivalent. See also paragraph 30*c* in this connection.

b. Classified messages must be carefully drafted. The originator of a classified message is responsible for strict compliance with the provisions of paragraph 46.

c. The classification of messages must receive careful consideration by the originator since overclassification and underclassification are equally to be avoided. When a message has been classified and sent, all subsequent messages referring thereto must bear the same classification if any reference is made to the original message by subject or serial number, except where the originator underclassified the original communication, in which case the proper higher classification will be used. Service messages referring to all or part of the plain text of previously cryptographed messages must be similarly classified and cryptographed. See paragraphs 10, and 12 to 16, inclusive.

d. The selection of the proper cryptographic system is a responsibility of the cryptographic security officer or the custodian of cryptographic material where

there is no cryptographic security officer. He should be governed by the provisions of paragraph 47.

e. If time and availability of personnel permit, the cryptographed text of messages should be checked prior to transmission. The check should determine that the instructions governing the system employed are carefully followed. Particular care must be taken to assure that no plain text appears in the body of the message.

f. The handling and filing of both plain and cryptographed text should conform to the procedure described in paragraphs 49 to 53, inclusive.

g. Paraphrasing is resorted to as a protection to the cryptographic system and will not be used in such a manner as to permit loose handling of classified messages. Paraphrasing is to be employed when—

(1) The content of previously cryptographed messages is released to the public or given a wide distribution within the Army.

(2) It is necessary to send in cryptographic form—

(*a*) All or portions of a message previously transmitted in plain text.

(*b*) Extracts from publications, regulations, or instructions.

(3) It is necessary to transmit in plain text all or portions of a message previously sent in cryptographic form.

(4) A classified message is recryptographed in a different cryptographic system.

(5) A classified message is recryptographed in a different key of the same system.

Exceptions to the necessity for paraphrasing may be granted only in accordance with instructions pertaining to certain cryptographic systems issued by the War Department.

h. When it is necessary to indicate in the text of a classified message information as to the ultimate addressee or the signature of the writer, such information will be buried within the text of the message before cryptographing and will not appear either at the beginning or at the ending of the message.

45. Responsibility for classification of messages.—*a.* Within the limitations prescribed in paragraph 51*b* the originator of a message is responsible that the classification given to it conforms to the definition given in paragraphs 4, 5, 6, and 7. He is also responsible for the proper marking of the message before forwarding it for transmission.

b. A message will be classified and marked *top secret*, *secret*, *confidential*, or *restricted* when it contains classified information except when marked SEND IN CLEAR as prescribed in paragraph 51*b*(2).

46. Drafting messages.—*a.* Routine reports and messages which must be given a wide distribution, or the contents of which have been or may eventually be furnished the press, or which contain extracts or quotations from a newspaper, magazine, or any other document available to the public, will be prepared so as to permit their transmission in plain language or will be classified as *restricted*. Such restricted reports and messages will be paraphrased in accordance with paragraph 46*d*.

b. Standardization of the content and form of such documents as field orders and operation instructions is necessary, but when fixed expressions are repeated in a message, cryptographic security is greatly endangered. Hence, stereotyped phraseology and set form of expression, especially at the beginning or ending of

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a message will not be used. Examples of stereotyped beginnings and endings are "Reference your," "Reurad," "Report," "Confirm," "Advise," "Request," "Stop," and "Acknowledge." Necessary references will be placed within the body of the message. Except as specifically provided for in certain cryptographic systems, or as specifically authorized by the War Department, the use of dummy letters or irrelevant text as "padding" for the purpose of concealing stereotypic phraseology is prohibited. Personnel concerned with the drafting and cryptographing of classified messages will be charged with guarding against repeated use of the same words or phrases.

c. Words not important to the sense will be omitted. Conjunctions, prepositions, and punctuation marks will be reduced to the minimum, and every effort will be made to avoid repetitions. When it is essential that punctuation marks be included in the body of the messages, they will be spelled, either in full or abbreviated form. Numbers will be spelled out.

d. The originator of all classified messages will paraphrase such portions as are quoted from—

(1) A message in plain language.
(2) A message in the same or another cryptographic system.
(3) A newspaper, magazine, or document.

47. Selection of cryptographic system.—*a.* Subject to modification as outlined in paragraph 43*b*, the classification *top secret*, *secret*, *confidential*, or *restricted* given a message by its originator governs the cryptographic system to be used in cryptographing the message. All classified messages except those transmitted in accordance with the provisions of paragraph 51*b*(2) will be transmitted in cryptographed form unless specific exception is made by the War Department. The least widely held cryptographic system available to all addressees of each message will be employed.

b. In order to prevent the cryptographing of *identical* subject matter by means of *different* codes and ciphers, once the message has been cryptographed, all subsequent messages on the same subject will normally be cryptographed in the same system. If a change of system is necessary, *reference to previous messages by their reference numbers will be avoided.*

c. The mere acknowledgment of a cryptographed message need not be classified.

d. When the same plain text message is transmitted to several addressees, it will ordinarily be cryptographed but once and the same cryptographed text sent to all addressees. If this is impossible because all addressees do not hold identical cryptographic systems, the text of each message which must be cryptographed in a different system will be carefully and differently paraphrased before cryptographing for each system. The only permissible exceptions to this rule are those cases in which necessity for paraphrasing has been specifically waived by the War Department in the instructions for certain cryptographic systems. The determination of the need for paraphrased versions is a function of the cryptographic security officer who may require the assistance of the originator of the message in the preparation of the necessary paraphrases. Where practicable, the cryptographic security officer will furnish copies of the paraphrased versions to the originator, except as noted in paragraph 41*b*.

48. Paraphrasing messages.—*a.* In paraphrasing, it is not sufficient to paraphrase only the beginning or ending of the message. The entire message will be subjected to the process.

b. When paraphrasing must be employed, all of the following processes will be applied to the message:

(1) Changing the sequence of the paragraphs.
(2) Changing the sequence of the sentences in each paragraph.
(3) Shifting the positions of the subject, predicate, and modifiers in each sentence.
(4) Changing from active to passive voice or vice versa.
(5) Substituting synonyms or equivalent expressions.
(6) Changing the length of the paraphrased version of the message in order that the final cipher text will not resemble the original cipher text with respect to length.

c. A paraphrase of a message will be accorded the same classification as the original message.

49. Method of handling outgoing secret messages.—*a.* The procedure hereinafter described will be followed at all headquarters, except the War Department in which the procedure will be as determined by the Chief of Staff.

b. The originator will prepare and number all copies of secret messages, send the original to the message center, and may retain, when security is not imperiled thereby, one copy for temporary file. Other carbon copies, all numbered and bearing the following notation, may be sent to local officers directly concerned:

The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked *secret*. This copy will be safeguarded with the greatest care and will be returned to the originator without delay.

All such copies will be carefully accounted for by the originator and will be destroyed when returned. The copy in the temporary file will also be destroyed upon determination that the message has been correctly dispatched.

c. The original plain-text copy sent to the message center by the originator will be cryptographed at the cryptographic section of the message center. In message centers serving tactical units one copy only of the cryptographed message will be made and it will be sent to the transmitting agency. In the zone of the interior the number of copies to be made of the cryptographed message will be determined by the commanding officer of the headquarters concerned. All work sheets used in cryptographing the message will be immediately destroyed by burning.

d. The original copy of the literal plain text will be marked SENT (date) and returned to the originator who will place it in his *secret* file for outgoing messages and destroy the retained copy by burning. Only one copy of the literal text will be filed in the originator's office.

e. The transmitting agency will send the cryptographed message, retaining at least one copy in its file of outgoing messages for final disposition in accordance with local regulations.

f. When certain cryptographic systems are used in which no copy of the cipher text is available, a copy of the plain text may be retained by the message center for file.

g. The method of handling *top secret* messages will conform to the procedure outlined above as modified by the provisions of paragraph 26*b*, *c*, and *e*.

50. Method of handling incoming secret messages.—*a.* The procedure hereinafter described will be followed at all headquarters, except the War Department in which the procedure will be as determined by the Chief of Staff.

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b. An incoming secret message will be copied in duplicate by the receiving operator; the original will go to the cryptographic section of the message center and the carbon copy to the files of the receiving station or message center, where it will be disposed of in accordance with local regulations.

c. A cryptographer will decryptograph the message, making only one copy of the decryptographed literal plain text, which will be marked SECRET and delivered to the addressee. The cryptographed version will be retained in the files of the message center, where it will be disposed of in accordance with local regulations. All work sheets used in decryptographing will be destroyed by burning. The cryptographic section will not retain any copy of the plain text in its files, except as provided in paragraph 49*f*. The placing on the message blank of any marks or notations even remotely connected with the cryptographic system or steps in decryptographing the message, such as underlining key words, indicating groupings corresponding to lengths of columns of key, etc., is forbidden.

d. The addressee may make and circulate a limited number of literal copies for the information of other officers directly concerned. These carbon copies will all be numbered and bear the following notation:

> The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked SECRET. This copy will be safeguarded with the greatest care and will be returned to ---------- without delay.

All such information copies will be carefully accounted for by the addressee and will be destroyed when returned. Only one copy of the literal text of the message will be kept in the addressee's office.

e. The method of handling *top secret* messages will conform to the procedure outlined above as modified by the provisions of paragraph 26*c* and *e*.

51. Method of handling outgoing and incoming confidential messages.—*a. At administrative headquarters having fixed message centers.*—Whenever practicable, the procedure to be followed in the handling of messages in confidential codes or ciphers will be substantially the same as that prescribed for those transmitted in secret code or cipher, except within the War Department in which the procedure will be as determined by the Chief of Staff. They will, however, be marked and safeguarded in accordance with provisions of these regulations governing confidential documents.

b. In tactical operations, simulated or actual.

(1) All messages not classified as *secret* will be regarded as *confidential* but need not be so marked. The procedure to be followed is prescribed in FM 24–5, and in other pertinent regulations and instructions issued by proper authority. All wire and radio messages except those noted in (2) below will be transmitted in cryptographic form.

(2) *When the information to be transmitted, if intercepted by the enemy, cannot be acted upon in time to influence the situation in question* and time cannot be spared for cryptographing, the commanding officer or his authorized representative may order the transmission of a message in plain language by a radio station serving his headquarters or command. Such written messages will be marked SEND IN CLEAR over the signature of the commander or his authorized representative.

52. Method of handling restricted messages.—The procedure to be followed in the handling of messages in *restricted* codes and ciphers will be substantially the same as that prescribed for those in *confidential* code or cipher.

53. Transmission of literal plain text and paraphrased versions of classified messages.—*a.* The sending by any means whatsoever of the literal plain text of a message which has been or will be transmitted in cryptographed form is strictly prohibited except as stated below:

(1) Authorized local distribution within a headquarters by messenger.

(2) In exceptional cases, when necessary in the performance of his duties, an authorized person may carry the literal plain text of a classified message provided the security requirements pertaining to the transmission of classified material are observed.

b. In cases of emergency, paraphrased versions of the plain text of a cryptographed message may be sent—

(1) In accordance with the provisions of paragraphs 44*g* and 48*c*.

(2) In accordance with the provisions of paragraph 25 as applied to secret cryptographic material.

54. Disposition or destruction of registered cryptographic material.—*a.* Whenever a person who has been issued registered *secret*, *confidential*, or *restricted* codes, ciphers, cipher devices, or documents pertaining thereto, has no further need for them, he will report that fact to the Chief Signal Officer or in the case of the field forces in time of war, to the signal officer of the headquarters charged with the issue of such documents.

b. When it has become highly probable that cryptographic material will be subject to loss or compromise, all documents and translations of messages will be destroyed by burning, and the cipher machines or devices will be destroyed beyond use or repair, and if possible, beyond recognition.

c. When cryptographic documents or devices have become unserviceable through long use, request for their replacement will be made to the issuing authority.

SECTION V

MATÉRIEL

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55. Authority to classify.—Whenever the chief of a technical service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel or a component thereof shall determine that the maintenance of any degree of secrecy regarding them is sufficiently im-

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portant to the national defense, he will classify it as *secret, confidential,* or *restricted.*

56. Notification of classification or reclassification.—Whenever the chief of a technical service in charge of a research project, design, development, test, or production of a unit of matériel or component thereof shall determine that the matériel should remain classified after issue or that a change or cancelation of classification is desired, he will notify The Adjutant General, who in turn will inform all concerned.

57. Responsibility for safeguarding technical informaton.—*a.* Chiefs of technical services engaged in the preparation of plans, research, and development work, or new design, test, production, procurement, storage, or use of classified matériel are responsible for the promulgation of such additional instructions as may be required for the safeguarding of information in the offices, establishments, laboratories, shops, or Army posts under their jurisdiction.

b. All *secret, confidential,* or *restricted* models, exhibits, dies, machines, and other similar items which are to be loaned, leased, or given to a commercial organization will be properly marked to indicate classification when practicable. If such marking is impracticable, the commercial organization will be specifically notified in writing of the classification of such items and of the pertinent provisions of the Espionage Act.

58. Classification of information from commercial firms.—Information obtained from civilian manufacturers concerning proprietary processes will be classified as *confidential* unless otherwise authorized by the firm concerned.

59. Dissemination of classified technical information.—Classified information concerning technical projects or developments may be imparted only to those individuals whose official duties require such knowledge or possession; and to accredited representatives of foreign nations in accordance with the provisions of paragraph 19*b*.

60. Destruction of classified matériel.—*a. Authority to direct.*—Whenever the chief of a technical service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel or a component thereof shall determine that their destruction is necessary to safeguard information thereof, he will issue the necessary directive.

b. Procedure in destruction of classified matériel.—When destruction of classified matériel has been directed:

(1) The custodian thereof will remove all components of a classified nature and destroy them by burning or by mutilation in the presence of a disinterested officer. The balance of the matériel will then be processed in accordance with existing regulations for the disposition of unserviceable property, or for salvage.

(2) If the above is not practicable, the custodian will destroy the entire article of matériel by burning or by mutilation in the presence of a disinterested officer.

(3) In either case, the certificate of destruction will be signed by both the custodian and the witnessing officer before submission to the officer directing the destruction. If the headquarters has only one commissioned officer, the report will so state. Exception hereto may be authorized only by the War Department.

61. Invitations for bids and contracts.—*a.* Prior to furnishing a prospective bidder or contractor with drawings, specifications, or other pertinent information

concerning any project or projects of a *secret, confidential,* or *restricted* nature and annually thereafter so long as such documents, etc., are in his custody, a general secrecy agreement reading substantially as follows will be signed by the individual or by a responsible officer on behalf of the firm or corporation concerned:

In consideration of the receipt of drawings, specifications, and accompanying inclosures, models, or matériel, and information disclosed orally, concerning projects of a *secret, confidential,* or *restricted* nature, delivered to the undersigned prior to or coincident with the date of this agreement and listed on Exhibit A which is attached hereto and made a part hereof, or to be issued to the undersigned subsequent to the date of this agreement, the following terms are agreed to by or on behalf of the undersigned individual, firm, or corporation, and any and all representatives, agents, employees, or subbidders or subcontractors thereof:

1. The undersigned will neither supply nor disclose any information regarding the drawings, specifications, and accompanying inclosures or models or matériel, or information disclosed orally, referred to herein to any unauthorized person, or incorporate in other projects special features of design or construction peculiar to such drawings, specifications, and accompanying inclosures, or models or matériel, or information disclosed orally.

2. The undersigned will not permit any alien employed or to be employed by the undersigned or by any subbidder or subcontractor to have access to the drawings, specifications, and accompanying inclosures, or models or matériel referred to herein, or to engineering principles, composition, subassemblies, or assemblies which are vital to the functioning or use of the article or to the work under any contract for the production thereof, or the contract trials, without the written consent beforehand of the Secretary of War.

3. The undersigned will not make or permit to be made reproductions of the drawings, specifications, and accompanying inclosures or of the models or matériel, except as specifically authorized by the contracting officer or his duly authorized representative. If reproduction of any drawings, specifications, and accompanying papers, or of models or matériel, is authorized, the undersigned will promptly submit the product obtained to the contracting officer or his duly authorized representative for censorship or such other action as he may deem necessary.

4. If a bid is not submitted on a project of a *secret, confidential,* or *restricted* nature as to which drawings, specifications, and accompanying inclosures, and models or matériel have been issued to the undersigned, or if a bid is made and not accepted, or in case award is made, upon the completion of the contract the undersigned will promptly return by hand, by registered mail, or by insured express, such drawings, specifications, and accompanying papers, or models or matériel, together with all copies thereof, to the office from which the original copies were received.

5. (*a*) The undersigned agrees to bring or cause to be brought to the attention of all persons engaged in the preparation of the bid, whether submitted or not, including subbidders and their employees, the following provisions of law:

Espionage Act: Subparagraphs (d) and (e), sec. 1, act 15 June 1917 (40 Stat. 217); sec. 1, act 28 March 1940 (54 Stat. 79; 50 U. S. C. 31; M. L. 1939, Supp. I, sec. 2181).

Sec. 1, act 12 January 1938 (52 Stat. 3; 50 U. S. C. 45; M. L., 1939, sec. 2187a), and E. O. 8381, 22 March 1940; 5 F. R. 1147; 50 U. S. C. 45; M. L., 1939, Supp. I, sec. 2187a.

Second War Powers Act, 1942, sections 1402, 1403, act 27 March 1942 (Public Law 507, 77th Cong.).

(*b*) If the successful bidder on any project, the undersigned agrees also to bring or cause to be brought to the attention of all persons engaged in the performance of the contract, including persons employed on subcontracts, the provisions of the law enumerated in (*a*) above.

6. The undersigned further agrees that no information in connection with any *secret, confidential,* or *restricted* project will be given to any person not in the contractor's or subcontractor's employ except upon the written consent beforehand of the contracting officer or his duly authorized representative.

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b. The execution of the general secrecy agreement required in *a* above with any individual, firm, or corporation prior to the delivery of any classified military information, and the annual secrecy agreements executed thereafter, will constitute authority for delivery to such individual, firm, or corporation from time to time of other or additional classified information pertaining to any *secret*, *confidential*, or *restricted* project, without the necessity of executing a specific secrecy agreement in each case. A receipt substantially as follows will be obtained when the additional classified data are submitted to those who have entered into such agreement:

Receipt is acknowledged of _____ and it is recognized that these data are classified and come within the purview of the secrecy agreement signed by _____ on _____.

62. **Consultations with responsible manufacturers.**—The commanding officers of arsenals and depots and other officers engaged in work on Government contracts are authorized to consult with all interested manufacturers or their representatives, inventors, and other persons concerning technical matters in which they have a legitimate interest. They will, however, inform all such persons of the classification of the projects, works, and developments.

63. **Responsibility of Army representatives or inspectors.**—*a.* The Army representatives or inspectors of the technical service are the local representatives of the War Department and will take the necessary measures to insure the safeguarding of classified information or projects in the hands of the contractors or in process of manufacture in their plants.

b. Army representatives or inspectors will advise contractors as to their responsibilities and the practical measures to be taken to safeguard *secret*, *confidential*, or *restricted* matters and will act favorably, if practicable, on any suggestion or request of the company tending to preserve secrecy. If at any time conditions at any plant, or any action of a company or its employees, jeopardize the security of classified matter pertaining to the War Department or violate the provisions of the Espionage Act, the Army representative or inspector will request the contractor to take prompt remedial action. If adequate precautionary measures are not taken immediately, he will report promptly to the chief of the technical service concerned and, if the situation requires, to the commanding general of the service command in which the item is in process of manufacture.

c. When Army and Navy inspectors are on duty at the same plant, the Army inspector will coordinate all security measures with the Navy inspector in order to avoid conflicting demands upon contractors.

64. **Responsibility of Government contractors.**—*a.* A private individual, firm, or corporation which enters into a contract to engage in technical work for the War Department becomes responsible in matters within his or its control for the safeguarding of all *secret*, *confidential*, or *restricted* matters that may be disclosed or that may be developed in connection therewith. A clause to this effect will be included in such a contract, but its omission will not release the contractor from his responsibility under the Espionage Act and other pertinent laws.

b. Contractors are responsible that all classified projects allotted to subcontractors or agents are fully protected by a similar agreement.

c. Whenever for any reason a contract, agreement or subcontract has been made which does not include a security clause but later is found to involve *secret*, *confidential*, or *restricted* matter, the technical service concerned will

take the necessary steps to insure that the project or work is properly classified and that the contractor, agent, or subcontractor is informed of the classification and of his responsibility in the matter.

65. **Tests of classified matériel.**—Tests of classified matériel will be adequately safeguarded by all responsible officers.

66. **Public display of classified matériel.**—*a.* Commanding officers are responsible that all classified parts, components, or features of matériel are properly safeguarded during maneuvers, drills, parades, ceremonies, assemblages, demonstrations, or exhibitions, or exhibitions open to the general public.

b. (1) Photographs of equipment while in process of development or those revealing processes of manufacture are prohibited unless authorized by the chief of technical service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited by the instructions issued therewith.

(2) Requests for permission to take photographs of classified matériel, projects, or processes of manufacture will be referred to the War Department through the proper chief of technical service. If authority is granted, it will be with the understanding that the resulting photographs will be submitted to the War Department for review prior to release.

67. **Release of information or sale of matériel.**—*a.* Domestic sale, divulging information in connection with negotiations for foreign sale, and foreign manufacture of items of Army and Navy matériel and equipment are not permitted unless the War and Navy Departments are agreed that military secrecy is not compromised thereby.

b. International traffic in arms.

(1) The State Department administers international traffic in arms and military matériel coming within the scope of the Regulations Governing the International Traffic in Arms, Ammunitions, and Implements of War and Other Munitions of War.

(2) The State Department will not release for foreign sale any item coming within the scope of these regulations until the War and Navy Departments have stated that there is no objection to the release on grounds of secrecy affecting the national defense.

68. **Protection of shipments via commercial carriers within United States or its possessions.**—*a. Selection of shipping method.*—Disclosure of information pertaining to classified matériel will be prevented during transportation by one of the following methods of shipment, to be determined by a commissioned officer of the service, force, or organization authorizing its movement qualified to make such classification, by a higher authority so qualified, or by a military attaché.

b. Protection as for documents.—If size and quantity permit, classified matériel may be handled in the same manner as provided for similarly classified documents in paragraphs 25 to 28, inclusive. In cases where matériel is of such size or quantity as to create suspicion of its character and entail additional risk when transported in the same manner as documents, another method will be used.

c. Railway express service protected by carrier's guards.—*Secret*, or *confidential* shipments may be shipped via Railway Express Agency, Incorporated, after advance arrangements have been made for carrier to guard matériel from

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the time it leaves the hands of consignor until delivered to consignee. Notwithstanding the general prohibition of insurance on Government shipments, any classified shipments may be shipped at their actual value and notation of such value made on the bills of lading. (See AR 55–105, 55–150, and 55–155). The officer determining the method of shipment will certify to the officer issuing the bill of lading the valuation to be used.

d. Ordinary railway express service protected by military guards.—This method of shipment may be chosen for *secret* or *confidential* matériel as provided in *a* above. In such case the principles of regulations governing guarding of freight shipments (see par. 8, AR 55–155) will be followed so far as appropriate for express service, with the definite exception that guards with express shipments will be furnished with transportation requests. The number of guards detailed to protect the shipment will be a minimum consistent with security requirements.

e. Air express via commercial air lines protected by military guards.—The provisions of *d* above will govern generally.

f. Rail freight service protected by military guards.—See paragraph 8, AR 55–155.

g. Ordinary motor truck freight protected by military guards.—The principles of paragraph 8, AR 55–155, will govern. Only one guard will be used for short runs unless more are necessary.

h. Water freight service protected by military guards.—The principles of paragraph 8, AR 55–155, will govern. When vessels are used which have arrangements for carrying passengers, transportation requests will be issued. When vessels are used which do not have arrangements for carrying public passengers, carriage free or at a reasonable charge, appropriate arrangements for meals will be negotiated.

i. Straight or mixed troop trains.—Classified matériel accompanying troops will be adequately guarded by organization personnel.

j. Guards.—Guards sufficiently armed will be provided in accordance with paragraph 8, AR 55–155. Neither carrier's nor military guards will be used for the sole purpose of preventing disclosure of information of *restricted* matériel. Guarded service may be used on any shipment when necessary to prevent physical sabotage. When possible, where concealment of the arm is not necessary, submachine guns, automatic rifles, or rifles should be provided in preference to pistols.

k. Shipments of *confidential matériel*, except cryptographic equipment and components thereof, may, at the discretion of the chief of the technical service involved, be shipped by one of the following methods, without guard:

(1) Protected express.

(2) Sealed freight or express cars.

(3) Sealed truck under own motive power.

(4) Flat car, provided trucks or crates containing said equipment are suitably locked and/or sealed and locked and/or sealed to the car. In addition, the equipment will be protected from external view and injury from normal hazards in shipping.

l. For specific means of shipment of cryptographic matériel reference should be made to letter instruction on this subject issued by the War Department.

SECTION VI

VISITORS

	Paragraph
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69. Classification.—*a. Foreign nationals.*—For the purpose of these regulations foreign nationals include—

(1) Representatives, officials, or employees of a foreign government having an official status.

(2) All other foreign nationals and citizens of the United States representing a foreign government, firm, or corporation.

(3) Canadian nationals will be considered as and accorded the same privileges as citizens of the United States with respect to the matter of visits to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects.

b. United States citizens.—All citizens of the United States not included in *a* above.

70. Authority for admission.—*a. General.*—Correspondence and communications relating to visits will be routed direct between the various offices concerned.

b. Foreign nationals.

(1) Foreign nationals (see par. 69*a*) will be admitted to Government or commercial manufacturing establishments and experimental laboratories engaged on classified work or projects, and to military posts, camps, and airfields only on written authority of the Assistant Chief of Staff, G–2, War Department General Staff.

(2) Application for such visits will be made through the appropriate diplomatic representatives, except in the case of foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States, for whom applications will be submitted by their employers, approved by the commanding officer or management of the establishment to be visited, and forwarded with the recommendation of the chief of the technical service or appropriate commanding general of the service command concerned to the Assistant Chief of Staff, G–2, War Department General Staff.

(3) Applications submitted through either of the channels described above will include the following information:

(*a*) Name in full.

(*b*) Official title or position.

(*c*) Name of plant or plants, posts, camps, or airfields to which admission is desired.

(*d*) Date of visit or dates between which visits are desired.

(*e*) Purpose of visit.

For foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States the following additional information will be required:

(*f*) Nationality.

(*g*) Length of service with present employer.

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(4) Prior to authorizing a visit to a War Department or commercial manufacturing establishment engaged in classified work or projects, the Assistant Chief of Staff, G–2, War Department General Staff, will secure the recommendations of the Navy Department and the chief of the technical service concerned. Members of the armed forces of Canada and Mexico may, however, be admitted to Army posts, camps, and airfields near the borders of those countries for occasional visits on the authority of the commanding general of the army, defense command, or service command having jurisdiction over such posts, camps, or airfields, without reference to higher authority.

c. United States citizens.—Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

(1) Casual visitors may be admitted provided no classified work or project is shown or discussed.

(2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating in War Department work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible chief of technical service. Authority for admission will be in writing.

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to manufacturing establishments engaged on work for the War Department, provided classified matter, projects, or processes of manufacture are not shown or discussed with them. News items, photographs, and motion pictures resulting from the visit must be submitted to the War Department Bureau of Public Relations for review prior to publication.

71. Responsibility of commanding officer, Army representative, or inspector.—*a.* The commanding officer of a military manufacturing establishment or the Army representative or inspector at a commercial manufacturing establishment is the local representative of the War Department in all matters regarding the admission of visitors. If, in his opinion, the situation at the time makes the admission of a visitor inadvisable, he is empowered to postpone the visit and request instructions from the office which authorized it.

b. The commanding officer or Army representative will make a report to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of technical service or commanding general, service command, giving the following information concerning foreigners who visit establishments engaged in classified projects:

(1) Name, official position, and nationality.
(2) Authority for the visit.
(3) Matters in which the visitors showed the greatest interest.
(4) General nature of questions asked.
(5) Expressed object of the visit.

(6) Inspector's estimate of the real object of the visit.
(7) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.
(8) A brief list of what was shown and explained.

72. Responsibility of Government contractors.—*a.* Contractors or subcontractors engaged in work for the War Department must place such restrictions on the movements of persons employed or entering their plants or offices as will give adequate security to *secret, confidential,* or *restricted* matters in their possession. In view of the wide differences in organization, arrangement, and physical make-up of individual plants, no specific rules are practicable. Therefore, local conditions at the plant and the classification of the project will determine the security measures to be adopted.

b. The following general procedure in regard to visitors at establishments or plants engaged in classified projects for the War Department is prescribed:

(1) Visitors will be accompanied during their stay at the plant by the inspector or Army representative, a member of his office, or some responsible person who is specifically informed as to the necessary limitations or restrictions, the scope of the visit, and the information which may be furnished.

(2) Unless specifically authorized by the authorities mentioned in paragraph 70, visitors will not be allowed in any shop, laboratory, drafting room, or section of a plant where secret, confidential, or restricted matériel is located or where classified work is in progress, nor will they be permitted to take photographs.

c. (1) War Department contractors will submit to the commanding general of the service command, chief of technical service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, immediately upon completion of the visit, a report of all visitors, except United States citizens and Canadian nationals, who have gained information concerning the classified work or projects. The reports will include the following information:

(*a*) Name, official position, and nationality.
(*b*) Authority for visit.
(*c*) Matters in which the visitors showed the greatest interest.
(*d*) General nature of questions asked.
(*e*) Expressed object of the visit.
(*f*) Estimate of the real object of the visit.
(*g*) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.
(*h*) A brief list of what was shown and explained.

(2) The commanding general of the service command, chief of technical service, or Commanding General, Matériel Command, Army Air Forces, whichever is appropriate, will submit the reports to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of technical service.

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SECTION VII

AIR SPACE RESERVATIONS, RESERVED AREAS, AND RESTRICTED AREAS

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73. Air space reservations.—*a. Establishment.*—Air space reservations over military installations or reservations over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes are established by Executive Order, of the President of the United States, or by a State, Commonwealth, or Territory.

b. Territory of Hawaii.—Section 3, Air Commerce Regulations of the Territory of Hawaii, prohibits private and commercial aircraft from flying over or crossing any part of Diamond Head and the fortifications of Fort Kamehameha and Fort Weaver.

c. Philippine Commonwealth.—Flying by any aircraft other than those of the United States and Philippine Governments within a distance of 6 miles from the perimeter of Corregidor Island, Fraile Island, Carabao Island, and Caballo Island; Manila Bay, and Subic Bay, Island of Luzon; and within 2 miles of the perimeter of Cavite Peninsula, Manila Bay, is prohibited by section 80, Air Commerce Regulations, the Government of the Philippine Islands, dated 15 October 1935.

d. Responsibility of commanding officers.—The commanding officer of a military reservation, post, camp, station, or installation over which an air space reservation has been established is responsible for the surveillance of the designated air space and for prompt report to The Adjutant General, through military channels, of any illegal flight therein.

74. Restricted areas.—*a. Designation.*—The commanding officer of a post, camp, station, or installation is responsible for the designation and proper safeguarding of restricted areas. If local conditions dictate, he will mark all ordinary entrances or approaches to such areas with a sign reading as follows:

WARNING

RESTRICTED AREA

It is unlawful to enter within this _____ without
(Area, building, etc.)
written permission of _____
(Authority)

b. Procedure in case of violation.—(1) The commanding officer of a military reservation, post, camp, station, or installation will cause any person not subject to military law who enters a restricted area or building to be detained, warned of his rights, and interrogated by proper authority. If it is a first offense and there is no evidence of deliberate intent, the offender may be warned against repetition and released upon the surrender of any unlawful photograph, sketch, picture, drawing, map, or graphic representation in his possession. Otherwise the offender will be delivered without unnecessary delay to the nearest United States marshal with a written statement of the facts, the names

and addresses of the witnesses, and such pertinent exhibits as may be available.

(2) When an investigation reveals that a person not subject to military law has entered such a restricted area or building, custody of the individual not having been effected, the commanding officer will promptly forward in writing to the nearest United States district attorney a report of all the facts, including the names and addresses of the witnesses.

(3) A report will be made through military channels to the commanding general of the service command of each case brought to the attention of civil authority and will include a brief of all the facts and copies of all pertinent communications.

SECTION VIII

TROOP MOVEMENTS AND INDIVIDUAL TRAVEL

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75. General.—Commanding officers of troops or individuals affected by the provisions of this section are responsible that such troops or individuals are instructed in such provisions, advised of their applicability, and warned of the danger involved in the spreading of information concerning troop movements. Instructions of this nature will be given prior to the oversea troop movement, both at home station and staging area.

76. Classification requirements.—*a.* Movement of troops or individuals, or any group or class of such movements, will be classified as *secret*, *confidential*, or *restricted* by, or by authority of, any officer authorized to make or authorize secret classifications under paragraph 9*a*. It is essential to proper classification that officers authorized to classify documents are able to identify classified elements of information, particularly those elements requiring a secret classification.

b. The following elements of information concerning troop movements or individual travel will normally be classified as indicated below in each case:

(1) *Secret.*—Documents which contain any one of the following elements, either directly or by implication, require a classification of *secret*.

(*a*) Oversea or intertheater geographical destinations (except those in Alaska, Canada, and Mexico).

(*b*) Date and time of departure from port of embarkation, port en route, or airport.

(*c*) Route, name, or destination of ship or convoy.

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(d) Estimated time of arrival at oversea or intertheater destination or ports en route.

(e) The meaning of assigned shipment numbers so far as the oversea or intertheater destination is concerned.

(f) The oversea or intertheater destination represented by a temporary APO number.

(g) Events en route involving enemy action.

(2) *Confidential.*—Documents which contain any of the following elements will be classified *confidential:*

(a) Information or description of unit movements of nonoperational significance in areas within or adjacent to operational theaters.

(b) Complete list or tabulation of units combined with and included under a single shipment number for oversea shipment. The combination of a single unit with its oversea shipment number and letter, however, is restricted information.

(3) *Restricted.*—Orders, communications, reports, and other documents concerning troop movements, except as indicated in (1) and (2) above, will be classified as *restricted.* However, reports and communications concerning movements need not be classified if the classified elements of information and unit designations are not included therein and reference to the movement is made by shipment number and letter, by temporary APO number, or by main number.

77. Dissemination of information.—*a.* Officers and men will avoid talk or discussion of military movements with civilians and will view with suspicion any person asking questions about such movements or discussing topics pertaining thereto.

b. All persons connected with the military service who receive information concerning movements of organizations, detachments, or individuals, classified in accordance with paragraph 76, are forbidden to make public or to inform unauthorized persons concerning the classified elements of such movements.

c. When it is necessary to advise relatives or other persons of approaching departure, individuals connected with the military service will not disclose any classified information.

78. Rail and motor movements.—*a.* Rail and motor movements of troops in the United States, including those to Mexico and Canada, will normally be classified *restricted.* However, reports concerning arrivals and departure of such movements may be transmitted to persons authorized to receive such reports, unclassified, provided unit designations are not included therein.

b. When rail or motor movements are made preliminary to an oversea movement from the United States, cars, baggage and impedimenta will not be marked in the clear to show destination, date of departure, name of ship, or other classified elements of information. In such cases impedimenta will be marked with the assigned shipment number and letter. The unit designation will not be used as a marking on impedimenta, although the company letter or abbreviation may be used to identify the impedimenta of each company or similar unit in the movement.

c. During the progress of a movement by rail or motor within the United States, individuals participating therein will not communicate classified information to unauthorized persons.

79. In staging areas.—*a.* Instructions will be given to all individuals concerned in the applicable security provisions of this section.

b. Commanders of ports or airports of embarkation are authorized to restrict to prescribed limits all individuals under oversea movement orders for a period not to exceed 48 hours prior to departure for overseas or intertheater destinations. During this period of restriction, communication with civilians may be prevented or limited as may be considered necessary by the port or airport commander concerned. Special authority must be obtained from the War Department (if in the United States) or the theater commander (if overseas) for placing individuals in restriction more than 48 hours prior to the expected sailing or departure date.

80. Embarkation.—*a.* Troop movements will be made so far as practicable without attracting undue attention. Authority to use bands during embarkation of troops is left to the discretion of port commanders where, in their opinion, the playing of a band will not jeopardize the security of the movement.

b. All persons not on official business will be excluded from the piers at all times.

c. Personnel may take cameras within the limits of the pier or overseas, subject to the restrictions imposed by the commander of the port, ship, theater, or other area concerned.

d. Members of families, relatives, or friends of those sailing will not be allowed at the piers or thereabouts on the day of sailing. Any such persons found there will be ordered away summarily by the guard and report will be made to the appropriate authority of the officer or enlisted man with whom they were seen or with whom they attempted to communicate.

81. Movement of vessels in harbors.—Vessels loaded with troops or supplies will be moved under cover of darkness, whenever possible. If vessels must be moved during daylight, the commanding officer of troops will hold his men below deck or within deck superstructures to prevent attracting attention. Signals by flags or whistles will be limited to those necessary for safe navigation.

82. At sea.—*a.* After sailing from the port of embarkation, the oversea or intertheater destination will be disclosed to individuals aboard ship only as necessary for training or indoctrination en route. When such information is disclosed, the individuals will be warned of the secret classification thereof. Particular care will be taken to insure that this warning is given all individuals who are allowed ashore at intermediate stopping points.

b. Events at sea concerning or resulting from enemy action will be considered as secret information by all individuals concerned.

83. Returns to United States.—Classified elements of information concerning a return movement to the United States are identical with those enumerated in paragraph 76, except that the United States as a destination is *restricted* information only. However, the specific port of destination in the United States is *secret.*

84. Movements by air.—*a.* Generally, the same requirements for water, motor, and rail movements apply to oversea movements by air. However, greater care must be exercised by all concerned to the secrecy of specific oversea or intertheater destination, since such movement orders normally disclose a geographical destination.

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b. All individuals involved in such movements, communicating from intermediate stopping points, will refrain from disclosing classified information, particularly their oversea or intertheater destination.

85. **Higher classification.**—A higher classification than that indicated in this section may be assigned if the order, message, or other communication contains information which should be protected by a higher classification.

86. **Reason for classification.**—Whenever a classification higher than *restricted* is assigned to a movement order, the reason for such higher classification will normally be included therein. An example of an explanatory paragraph is as follows:

> The following secret and confidential elements of information are contained herein: secret equipment (par. 11*c*); tabulation of units (par. 1); confidential mission (pars. 2 and 3). All other elements of this order are *restricted*.

87. **Overseas.**—*a.* After arrival overseas no information will be given concerning names or destinations of organizations, names of vessels, data concerning convoys, routes pursued, measures taken to avoid attack, dates of arrival, debarkation, or departure, or number of troops, or kind of cargoes carried.

b. The disclosure of the place of execution or acknowledgement on a legal instrument by one in or with the armed forces overseas is authorized, provided the military necessity of secrecy of strength and location of troops does not require suppression of such information, provided also, that such disclosure is necessary to the legality of the instrument and the execution of the instrument cannot be deferred without undue hardship, and provided the information disclosed will be of no substantial value to the enemy when and if it may reach him.

[A. G. 380.01 (18 Mar 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

DISTRIBUTION:
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*AR 380–5
1–2

ARMY REGULATIONS
No. 380–5

WAR DEPARTMENT
WASHINGTON 25 D. C., 6 March 1946

SAFEGUARDING MILITARY INFORMATION

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SECTION I

GENERAL

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1. Military information.—The War Department defines military information (including intelligence) as all information primarily under the control and jurisdiction of the War Department or of primary interest to it. This meaning rests primarily on the idea of control, jurisdiction, origin, or degree of interest, rather than on substance of the information.

2. Need for classification.—Military information is of varying degrees of value to enemies and potential enemies of the United States and therefore requires corresponding degrees of protection. Official matter must be examined and, if protection is required, graded in accordance with the degree of protection

*This pamphlet supersedes AR 380–5, 15 March 1944, including C 2, 23 August 1944; C 3, 5 February 1945; C 4, 14 July 1945; section I, WD Circular 244; and paragraph 1, section I, WD Circular 298, 1945.

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necessary. The policies and definitions herein stated are furnished to insure accurate and uniform grading and appropriate protection of military information.

3. Definitions.—*a. Active theater of operations.*—A theater of operations in which there is organized enemy resistance.

b. Aircraft.—The term "aircraft" includes all weight-carrying devices or structures designed to be supported by the air, either by buoyance or by dynamic action.

c. Air space reservation.—An air space reservation is the air space located above an area on the surface of the land or water, designated and set apart by executive order of the President or by a State, Commonwealth, or Territory, over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes.

d. Approved circuits.—Approved circuits are electrical means of signal communication which have been approved by competent authority for the transmission of information of a secret, confidential, or restricted classification.

e. Classified military information.—Classified military information is military information which requires grading to indicate the degree of precaution necessary for its safeguarding.

f. Cryptographic material.—Cryptographic material includes all documents and devices employed in changing plain-language messages into unintelligible form by means of codes and ciphers.

g. Cryptographic security.—Cryptographic security is that branch of signal communication which deals with the provision of technically sound cryptographic systems, their proper use, and their careful safeguarding.

h. Cryptographic system.—Code and/or cipher and instructions therefor.

i. Documents.—Any form of recorded information. The term "document" includes printed, mimeographed, typed, photostated, and written matter of all kinds; charts, maps, relief maps, photomaps, and aerial photographs and mosaics; drawings, sketches, notes, and blueprints, or photostatic copies thereof; photographs and photographic negatives; recorded engineering data; correspondence and plans relating to research and development projects; and all other similar matter.

j. Downgrading.—The lowering of classification of classified documents and material, including declassification when appropriate.

k. Engineering data.—The term "engineering data" comprises drawings, blueprints, photostats, photographs, mathematical calculations, formulas, processes, and all similar items that can be reduced to documentary form.

l. Foreign government.—The term "foreign government" includes any recognized or nonrecognized government and any faction or body of insurgents within a country with which the United States is at peace.

m. Impedimenta.—The term "impedimenta" refers to organizational equipment which accompanies troop movements.

n. Inactive theater of operations.—A theater of operations in which organized enemy resistance has ceased. Competent authority normally will announce when a theater of operations becomes inactive.

o. Matériel.—Any article, substance, or apparatus. The term "matériel" comprises military arms, armament, equipment, and supplies of all classes, both complete and in process of development and construction, models that show features in whole or in part, design, mock-ups, jigs, fixtures, and dies, and all other components or accessories of military equipment.

p. Munitions of war.—Any item used for war.

q. Numbered documents.—Any document numbered for administrative convenience but for which no short title or accounting is necessary.

r. Order of battle.—Important disposition of armed forces with the identities of the units and formations composing those forces.

s. Paraphrasing.—To paraphrase a message is to rewrite it so that its meaning is the same but its phraseology is different.

t. Photomap.—A reproduction of a photograph or mosaic upon which grid lines, marginal data, and place names may be added.

u. Plain text, clear text, or plain language.—"Plain text," "clear text," or "plain language" is the text of a message which, on its face, conveys an intelligible meaning in any known language. Such a message is said to be sent "in the clear."

v. Registered matter (document).—Any document or device registered usually by number and periodically accounted for. See section III, Registered Documents.

w. Short title.—A short title is a designation applied to a classified document, matériel, or device for purposes of security and brevity. It consists of figures, letters, words, or combinations thereof, and if registered usually contains an abbreviated designation of the office of origin, without giving any information relative to classification or content of the document, matériel, or device.

x. Technical information.—"Technical information" shall be deemed to include information on weapons and equipment, including instructions on maintenance and operation and any descriptive matter or components. It further includes means of manufacture, techniques, and processes of weapons and equipment, together with information pertaining to the various sciences relating to weapons and equipment and to direct and indirect measures which may be employed in warfare. Information of a strategic or tactical nature is specifically excluded from the meaning of this term as are "user" aspects such as functioning and general instructions for tactical use and employment.

y. Travel.—The term "travel" refers to the movement of an individual who is not part of a troop movement.

z. Troop movements.—The term "troop movements" applies to the moving of units.

aa. Unit.—An organized group of personnel with its authorized organizational impedimenta. Organized detachments, even though temporarily organized as such for the purpose of the movement, are considered units when organizational impedimenta is authorized for them. When a code designation such as a shipment number is assigned to a troop movement, each unit therein is normally designated by shipment number and letter.

ab. United States.—The term "United States" as used in these regulations includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States. *Sec. 1, Title XIII, act 15 June 1917 (40 Stat. 231; 50 U. S. C. 40; M. L., 1939, sec. 2187).*

ac. Visitor.—As used in these regulations a visitor is any person admitted to a Government or civilian establishment or area in which classified work or project is being conducted for the War Department except—

(1) A person employed on the work or project, or

(2) A person directly and officially concerned with the work or project.

4. Categories.—Official matter requiring classification shall be examined, graded, and marked top secret, secret, confidential, or restricted. Top secret is a special grading given to certain secret matter.

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5. Top secret matter.—*a. When classified top secret.*—Certain secret documents, information, and matériel, the security aspect of which is paramount, and whose unauthorized disclosure would cause exceptionally grave damage to the nation shall be classified TOP SECRET.

b. The following are examples of matter which normally will be graded TOP SECRET.

(1) War plans and plans or particulars of future major or special operations.
(2) Particulars of important dispositions or impending moves of our forces or convoys in connection with (1) above.
(3) Very important political documents dealing with such matters as negotiations for alliances and the like.
(4) Certain information of the methods used or success obtained by our Intelligence Services and Counterintelligence Services or information which would imperil secret agents.
(5) Certain new or specialized techniques or methods to be used in future operations and identity and composition of units, wherever located, which are especially intended for employment of such techniques or methods.
(6) Critical information of new and important munitions of war, including scientific and technical developments.
(7) Important particulars of cryptography and cryptanalysis.

6. Secret matter.—*a.* Documents, information, or matériel, the unauthorized disclosure of which would endanger national security, cause serious injury to the interests or prestige of the nation, or any governmental activity thereof, or would be of great advantage to a foreign nation shall be classified SECRET.

b. The following are examples of matter which normally will be graded SECRET:

(1) Particulars of operations in progress.
(2) Plans or particulars of operations, or war plans, with necessary inclosures thereto, not included under TOP SECRET.
(3) Instructions regarding the employment of important new munitions of war.
(4) Important improvements to existing munitions of war until accepted for service use.
(5) Information relating to new matériel of the type described in *a* above.
(6) Certain information concerning specific quantities of war reserves.
(7) Certain development projects.
(8) Information of enemy or potential enemy matériel, procedure, dispositions and activities, the value of which depends upon concealing the fact that we possess it.
(9) Certain reports of operations containing information of vital interest to the enemy.
(10) Vital military information on important defenses.
(11) Adverse reports on general morale affecting major operations.
(12) Important cryptographic devices and material unless assigned to a lower category.
(13) Certain military maps and aerial photography.
(*a*) In the continental United States, those showing vulnerable points or vital installations except that such classification must be approved by either the Assistant Chief of Staff,

G–2, War Department General Staff, the chief of a technical service, the commanding general of a defense command, or the commanding general of a service command.
(*b*) In oversea possessions or foreign territory occupied by forces of the United States, those showing the layout of permanent defense works and naval bases, other vulnerable points or vital installations, and the adjacent terrain vital to their defense; and those that serve to fix definitely the location of any element of permanent defense works and naval bases.
(*c*) Aerial photographs and negatives of foreign areas when necessary to protect the source or to accord with conditions imposed by the foreign country concerned.
(*d*) Maps, relief maps, charts, and photomaps prepared from aerial photographs or negatives will be graded in accordance with the actual details shown thereon, and not necessarily in accordance with the classification of the photographs or negatives used. Classification of aerial photography will be determined by the content thereof or the provisions of (13) above, and not by the classification of directives ordering its accomplishment.
(14) Information indicating the strength of our troops, identity or composition of units or quantity of specific items of equipment pertaining thereto in active theaters of operation except that mailing addresses will include organizational designations.
(15) Information on the order of battle of a foreign nation will be classified according to the means by which it was obtained and the importance of concealing that we possess it.
(16) Certain new or specialized techniques or methods to be used in future operations and identity and composition of units, wherever located, which are especially intended for employment of such techniques or methods.
(17) Photographs, negatives, photostats, diagrams, or models of secret matter.

7. Confidential matter.—*a.* Documents, information, or matériel, the unauthorized disclosure of which, while not endangering the national security, would be prejudicial to the interests or prestige of the nation, any governmental activity, an individual, or would cause administrative embarrassment, or difficulty, or be of advantage to a foreign nation shall be classified CONFIDENTIAL.

b. The following are examples of matter which normally will be graded CONFIDENTIAL:

(1) Matters, investigations, and documents of a personal and disciplinary nature, the knowledge of which it is desirable to safeguard for administrative reasons.
(2) Routine operational and battle reports which contain information of value to the enemy but are not of vital interest to him.
(3) Routine intelligence reports.
(4) Military radio frequency allocations of special significance or those which are changed at frequent intervals for security reasons.
(5) Military call sign assignments of special significance which are changed at frequent intervals for security reasons.

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(6) Meteorological information of designated areas.
(7) Information which indicates strength of our troops, identity or composition of units or quantity of specific items of equipment pertaining thereto in areas adjacent to active theaters of operation.
(8) Certain technical documents and manuals used for training, maintenance and inspection of important new munitions of war.
(9) General tactical lessons learned as a result of operations which it is desirable to withhold from any foreign nation.
(10) Regulations governing joint action of the Army and the Navy.
(11) Information relating to the design and development of new matériel and containing information of the type described in *a* above.
(12) Certain cryptographic devices and material.
(13) Certain military maps and aerial photography.
(*a*) In the continental United States, those showing lay-out of the permanent defense works and naval bases considered vital to the defense of the United States, and those that serve to fix definitely the location of any element of such permanent defense works and naval bases, except that when the complete map of a defense area consists of more than one sheet, only those sheets showing defense elements need be classified as CONFIDENTIAL.
(*b*) In oversea possessions and foreign territory occupied by the forces of the United States, those not classified as SECRET, showing lay-out of military and naval radio stations, air bases, airdromes, air depots, supply bases, arsenals, proving grounds, or any area vital to defense.
(*c*) Aerial photographs and negatives of foreign areas when necessary to protect the source or to accord with conditions imposed by the foreign government concerned.
(*d*) Maps, relief maps, charts, and photomaps prepared from aerial photographs or negatives will be graded in accordance with the actual details shown thereon, and not necessarily in accordance with the classification of the photographs or negatives used. Classification of aerial photography will be determined by the content thereof or the provisions of paragraph 6*b*(13) and not by the classification of directives ordering its accomplishment.
(14) Technical information, such as of research or processes of manufacture which may be a distinct military asset and not a matter of general knowledge, and other technical items of the type described in *a* above.
(15) Information and records compiled at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs. *See sec. 5a, added to act 3 June 1916, by sec. 5, act 4 June 1920 (41 Stat. 764; 10 U. S. C. 1193; M. L., 1939, sec. 1925).*
(16) Shipments of machine prepared and manually prepared monthly personnel rosters and WD AGO, Form 303 (Report of Change) for organizations and individuals in active theaters of operation. Rosters and reports of change included in any shipment need not be individually classified.

(17) Certain information relative to specific quantities of war reserves.
(18) Photographs, negatives, photostats, diagrams, or models of confidential matter.

8. Restricted matter.—*a.* Documents, information, or matériel (other than TOP SECRET, SECRET, or CONFIDENTIAL) which should not be published or communicated to anyone except for official purposes shall be classified RESTRICTED.

b. The following are examples of matter which normally will be graded RESTRICTED:
(1) Information indicating the strength of our troops, identity or composition of units, or the total quantity of specific items or equipment pertaining thereto in areas remote from active theaters of operation.
(2) Training and technical documents for official use only or not intended for release to the public.
(3) Photographs, negatives, photostats, diagrams, or models of restricted matter.
(4) Certain parts of mobilization plans and regulations.
(5) Documents relating to the design and development of new matériel containing information of the type described in *a* above.
(6) Certain procurement plans.
(7) Certain cryptographic devices and material.
(8) Certain documents regarding engineering principles and design details, composition, method of processing or assembling, which are vital to the functioning or use of an article of matériel.
(9) Certain military maps and aerial photography.
(*a*) In the continental United States, those showing military and naval radio stations, air bases, airdromes, air depots, supply bases, and arsenals, considered vital to the defense of the United States.
(*b*) During times of active hostilities, photographs and negatives not otherwise classified of territory under our or enemy control in or adjacent to active theaters of operation, and of territories under our control remote from active theaters of operation.
(*c*) Maps, relief maps, charts, and photomaps prepared from aerial photographs or negatives will be graded in accordance with the actual details shown thereon, and not necessarily in accordance with the classification of the photographs or negatives used. Classification of aerial photography will be determined by the content thereof or the provisions of paragraph 6*b*(13) and not by the classification of directives ordering its accomplishment.
(10) Compilations of permanently assigned call signs or allocations of frequencies that are individually unclassified.

9. Grading.—*a.* The designation of persons responsible for grading and regrading will be made by authorities listed in paragraph 10.

b. Each document should be graded according to its own content and not necessarily according to its relationship to another document. This also applies to extracts from previously classified documents except messages. See paragraphs 51*c*, 56*b*, and 57*d*.

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c. The grading of a file or group of physically connected documents shall be that of the highest graded document therein. A letter of transmittal will be graded at least as high as any of its inclosures.

d. Whenever practicable the classifying authority will place a notation on the document that upon the happening of a specified event or the passage of a named date, the classification of the document will be reduced or canceled without reference to the originating or higher authority.

10. Authority to classify.—*a. Top secret and secret.*—Matters may be classified as TOP SECRET or SECRET only by or by authority of the Secretary of War, the Under Secretary of War, an Assistant Secretary of War, the Chief of Staff, the Commanding General of the Army Ground Forces, the Commanding General of the Army Air Forces, the Commanding General of the Army Service Forces, an Assistant Chief of Staff of the War Department General Staff, the chief of a technical service, a general officer, the commanding officer of a depot, post, camp, station, or independent command, the commandant of a general or special service school, the chief of a military mission, a military attaché, or a military observer.

b. Confidential.—Documents, development projects, matérial, or technical information may be classified as CONFIDENTIAL by any commissioned officer.

c. Restricted.—Documents, development projects, technical data, and matérial may be classified as RESTRICTED by any commissioned officer.

11. Classification of matter from other governmental agencies.—Matter obtained from the Navy Department, other governmental agency, or friendly foreign government will be placed in the same or equivalent classification category as that in which it was placed by the originating agency.

12. Dissemination of classified matter.—No person is entitled solely by virtue of his grade or position to knowledge or possession of classified matter. Such matter is entrusted only to those individuals whose official duties require such knowledge or possession.

13. One classification only.—A document or article of matériel will bear a classification at least as high as that of any of its components. Pages, paragraphs, sections, or components may bear different classifications, but the document or article of matérial will bear only one over-all classification.

14. Overclassification.—Documents or matériel requiring classification under the provisions of these regulations will be assigned the least restrictive classification consistent with the proper safeguarding of the information of matériel concerned. Overclassification will be avoided since it causes unnecessary delay in the transmission of documents and depreciates the importance of classified information in the minds of handling personnel.

15. Responsibility.—The safeguarding of classified military information is the responsibility of all military personnel, civilian employees of the War Department, and of the management and employees of all commercial firms engaged in classified work or projects for the War Department. Classified military information will be disclosed only to military or civilian personnel having a legitimate interest therein.

16. Cancellation or change of classification.—*a.* The authority making the original classification, or higher authority, may cancel or change the classification of a document by writing or stamping over the mark at the top of the first page, "Classification canceled or changed to ———, by authority of (officer authorized to change), by (name and grade of officer making the change and the date thereof)." This paragraph will in no way be construed as a limitation upon paragraph 54.

b. The authority making the original classification or higher authority may cancel or change the classification of matériel by letter of instruction to all offices or personnel concerned. See paragraph 62.

c. In the case of messages which have been previously cryptographed no change in classification will be made unless the text has been carefully paraphrased or unless they have been transmitted in a cryptographic system not requiring such protection and are marked to indicate that they may be handled as correspondence of similar classification.

d. It is the obligation of all authorities to keep classified matter of current interest or continuing value constantly under review and to down grade it as soon as conditions permit.

e. When documents of the same type which accumulate in bulk have been down graded, individual documents in the file series need not be stamped as provided in *a* above until the document is charged out of file for use. The change or cancellation of security classification will be indicated inside the file drawer.

f. Matter which has been classified solely to accord with conditions imposed by a foreign nation may be down graded or declassified with the consent of the nation concerned or the approval of the State Department.

17. Loss or subjection to compromise.—Any person in the military service or in its employ who may have knowledge of the loss or subjection to compromise of top secret, secret, confidential, or registered documents, or articles of matériel, or restricted codes or ciphers will promptly report that fact to the custodian of the document or matériel who, in turn, will notify the proper commanding officer. The proper commanding officer will notify the office responsible for its issue by the fastest means available of the loss or subjection to compromise of all top secret, secret or registered items, confidential or restricted codes or ciphers, or confidential operational plans, weapons, or equipment of vital importance to current or future operations, and will then make a thorough investigation of the circumstances, fix the responsibility, and send to The Adjutant General through military channels a report with his recommendations in the case.

18. Reproduction of classified matter.—*a.* Agencies entrusted with the printing or reproduction, storage, and issue of classified documents will be informed of the applicable provisions of these regulations. The authority directing the preparation, printing, or reproduction of classified documents will be responsible for the disposal of the notes, manuscripts, type, plates, stencils, negatives, and waste incident thereto in a manner which will safeguard the secrecy of the information being reproduced.

b. The commandants of the general and special service schools are responsible that the printing or reproduction plants of their respective commands release no classified information to personnel or agencies not entitled thereto.

c. The Commanding Generals, Army Ground Forces, Army Air Forces, and Army Service Forces, are responsible that service magazines or journals published under their supervision comply with the provisions of these regulations relative to security of classified military information, and will submit all doubtful material for such publications to the Bureau of Public Relations for review and action before release.

d. Whenever correspondence, documents, drawings, prints, photographs or models pertaining to top secret, secret, confidential, or restricted matériel disclose information regarding engineering principles, design details, composition, methods of processing or of assembly which are vital to the manufacture, functioning, or use of the matériel, they will be appropriately classified.

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e. Preparation of press releases based on coded messages.—Officers authorized to prepare information to be made public will constantly bear in mind that such material may be of great value to the enemy signal intelligence service. The clear texts of cryptographed messages will never be released verbatim but will be carefully paraphrased before being released to the public unless they have been transmitted in a cryptographic system not requiring such protection and are marked to indicate that they may be handled as correspondence of similar classification.

f. For additional instructions relative to the discussion of military, political, diplomatic, and classified subjects, see AR 600–700 and AR 600–10.

19. Photographs or other reproductions of classified matter.—Photographs or other reproductions of classified features of military equipment or of other classified items will be made by members of the military service, by civilian employees of the War Department, or by civilians specifically authorized by proper authority to photograph or reproduce such classified matter, only when necessary in the conduct of their official duties. Agencies of the War Department may have such materials developed, printed, processed, or otherwise reproduced in commercial facilities if adequate government facilities are not available, but in such event are responsible to insure that the material is safeguarded at such facilities in accordance with the provisions of these regulations.

20. Requests for military information.—*a.* All requests from private individuals, firms, or corporations and Federal or State agencies or departments for classified military information (except those requests defined under *b* and *c* below) are subject to policies established by the Assistant Chief of Staff, G–2, War Department General Staff.

b. (1) Exchanges of classified or unclassified military information, other than technical information, with foreign nationals will be made only through or with the express permission of the Assistant Chief of Staff, G–2, War Department General Staff.

(2) Exchanges of classified or unclassified technical information with foreign nationals will be made in accordance with existing War Department instructions issued on this subject to the Commanding Generals, Army Ground Forces, Army Air Forces, and Army Service Forces.

c. Applications for information or records compiled and furnished at the request of the War Department for its use in the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs will be referred to the Under Secretary of War for necessary action. The service of any process or subpoena for the production of any such record will be reported immediately by the person on whom it is served to the United States attorney for the district in which the service is made and, at the same time, direct to the Under Secretary of War.

21. Dissemination of classified military information.—*a. Classified military information.*—When classified military information is disseminated under the provisions of these regulations to persons not subject to military law, they will be informed that it affects the national defense of the United States within the meaning of the Espionage Act and that its transmission to an unauthorized person is prohibited. See also paragraph 24b.

b. Publication of articles or books.—The inclusion of classified military information in any article or book published by a member of the Army of the United States or by a civilian employee of the Military Establishment is prohibited unless

specifically authorized by the War Department. For additional information relative to publication of articles, see AR 310–10, AR 600–10, and AR 600–700.

c. Oral discussions of classified military information.—Either public or private discussion of classified military information with or in the presence or hearing of any person not authorized to have knowledge thereof is strictly forbidden.

d. Legal instrument.—The disclosure of the place of execution or acknowledgement on a legal instrument by one in or with the armed forces overseas is authorized, provided *that in wartime* the military necessity of secrecy of strength and location of troops does not require suppression of such information, such disclosure is necessary to the legality of the instrument; the execution of the instrument cannot be deferred without undue hardship, and the information disclosed will be of no substantial value to the enemy when and if it may reach him.

22. Testimony before Congress.—*a.* When a person in the military service appears before a committee of the Congress and is called upon to give testimony which he knows to be *confidential* or *restricted*, he will respectfully request that his statements be taken in executive session only and not appear in the record of hearings, the Congressional Record, or other document open to public inspection.

b. When called upon to give testimony which he knows to be top secret or secret, unless he has previously been authorized by the Secretary of War to give such testimony, he will respectfully state that he is not authorized to disclose the information desired, and will inform the appropriate Member of Congress that a written request for the specific information should be transmitted to the Secretary of War. Testimony of a secret nature, when authorized by the Secretary of War, will be given only in executive session under the conditions cited in *a* above.

c. With regard to policies and facts which the public interest does not require to be kept top secret, secret, confidential or restricted, see AR 600–10.

23. Legislation pertaining to War Department.—*a.* Recommendations to the War Department for legislation will be classified until released by the Secretary of War. Prior to such release, no information as to any legislative recommendation will be revealed to any individual or association not under War Department control except as may be required by law.

b. The nature and content of reports of the War Department on bills referred to it by committees of the Congress will not be disclosed to individuals or agencies outside the War Department.

SECTION II

NONREGISTERED DOCUMENTS

(For handling, accounting, and disposition of registered documents see sec. III.)

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Transmission of certain messages by electrical means	25
Handling and transmission of secret matter	26
Handling and transmission of top secret matter	27
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Handling and transmission of restricted matter	29
Correspondence, receipts, and returns	30
Storage of classified documents not registered	31
Return of top secret, secret, and confidential documents	32
Destruction of classified documents	33

24. Marking of classified documents.—*a. Manner of marking.*

(1) Classified books or pamphlets, the pages of which are permanently and securely fastened together, will be plainly and conspicuously

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marked or stamped, *not typed*, top secret, secret, confidential, or restricted on the cover, title page, first page, back page, and back cover.

(2) Classified communications and other material not permanently and securely fastened together, except as indicated in (3), (4), and (5) below, will be marked or stamped, *not typed*, with the appropriate classification at the top and bottom of each page. The marking at the top will be so placed that it will not be hidden from view when the pages are clipped or stapled together.

(3) Classified drawings or tracings will carry a legend of the proper classification in such a position that it will be reproduced on all copies made therefrom. Whenever practicable, classified photographic negatives will be marked in the same manner. Continuous cover aerial reconnaissance and mapping negatives in roll form will be marked with the appropriate classification at the beginning and ending of each roll. These and any other negatives which do not lend themselves to marking will be handled on a classified basis, and will be kept in containers, properly secured, which will bear the classification mark to which the contents are entitled. Photographs and reproductions made from negatives which do not carry a legend will be marked on the front and on the back with the appropriate classification. Classified motion picture films will be kept in containers, properly secured, which will bear the classification mark to which the contents are entitled, and in addition, will state in the title the classification thereof. Classified sound recordings will be marked with the appropriate classification if practicable. If marking of the recording is not practicable, its container will be marked.

(4) Contracts for the manufacture of classified matériel will be plainly and conspicuously marked, *not typed*, with the proper classification on the first page.

(5) Classified maps and photomaps will be appropriately marked under the scale.

b. Additional marking of classified documents issued to authorized civilians.—Documents containing classified military information furnished persons other than those of the military and naval services and their civilian employees will, in addition to being marked top secret, secret, confidential, or restricted, bear the following notation:

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.

c. Special marking of top secret and secret documents.—All top secret and secret documents will show the authority for the classification, the initials of the classifying officer, and the date affixed. See paragraph 10a.

25. Transmission of certain messages by electrical means.—*a.* The highest grade cryptographic systems available will be used for the transmission of top secret and secret messages.

b. Secret, confidential, or restricted messages will not be transmitted by electrical means in the clear, except in accordance with the provisions of paragraph 58*b* (2) or over approved circuits. In time of war the War Department may

delegate authority to approve electrical circuits for the transmission of all classifications of traffic, except top secret, to theater commanders and department commanders for use in their theaters or departments under policies prescribed by the War Department.

26. Handling and transmission of secret matter.—*a. Between offices of same headquarters or stations.*—At headquarters commanded by an authority qualified to make the secret classification, the commanding officer will provide for the security of interoffice transmission of secret documents.

b. Except as in a above, secret matter will be handled and transmitted in accordance with the following rules:

(1) *Preparation for transmission.*—Secret documents when transmitted will be inclosed in double sealed envelopes, the inner one marked secret. Typewritten matter in the document will be protected by a cover sheet, or by folding inward, from direct contact with the inner cover. The inner cover will be a sealed wrapper or envelope addressed in the usual way but plainly marked secret so that the notation will be seen when the outer cover is removed and will contain a receipt form which will identify the addressor, the addressee, and the document. The outer cover will be sealed and addressed in the ordinary manner with no notation to indicate its secret classification.

(2) *Receipt system.*—Transmission and custody of secret documents and matériel will be covered by a receipt system.

(3) *Responsibility of officer or civilian.*—It is the responsibility of the officer or the civilian holding a position equivalent to that of a commissioned officer having custody of secret documents to ensure that all security precautions are taken to guard such documents at all times.

(4) *Secret documents.*—Secret documents will be transmitted by officially designated courier. Where officially designated courier service is not available, secret documents may be transmitted by registered mail service or mail service superior to registered mail service, if the service is completely within national control.

c. Subject to the foregoing standards, secret documents will be transmitted by any of the following means:

(1) *Within continental United States.*

(*a*) Officially designated couriers (officer messenger or officer courier, including warrant or flight officers).

(*b*) Registered mail (including registered air mail).

(*c*) Protected commercial express, air or rail, under billing which assures the highest degree of protective handling. See also paragraph 74.

(*d*) Military aircraft. (The documents will be entrusted to a responsible officer or crew member on such aircraft with instructions regarding their security and delivery).

(2) *Outside continental United States.*—Includes transmission of secret documents, except secret cryptographic material, from points within the continental United States to points outside the United States, and vice versa, and between points outside the continental United States.

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(*a*) Officially designated couriers (officer courier, including warrant or flight officers).

(*b*) United States Post Office registered mail through Army or Navy postal facilities, provided the documents do not pass through a foreign postal system. Secret documents may, however, be transmitted to and from United States installations in Canada by United States and Canadian registered mail, with return receipt.

(*c*) State Department diplomatic pouch. (This means will be used exclusively for transmission through or within a neutral country.)

(*d*) United States or Allied military aircraft. (The documents will be entrusted to a responsible officer or crew member on such aircraft with instructions regarding their security and delivery.) See *e* below.

(*e*) Commanding officers of United States Army transports.

(*f*) Reliable citizens of the United States (that is, officers or officials of other Government departments or masters of vessels of United States registry).

(*g*) For specific means of transmission of secret cryptographic material, reference should be made to letter instructions on this subject issued by the War Department.

d. Action upon receipt of secret matter.

(1) Prior to opening a sealed package or envelope containing secret documents, the seals and wrappers will be carefully inspected to determine whether there has been any tampering. If any evidence of tampering is noted, the facts will be reported immediately to the issuing authority, who will initiate an investigation without delay.

(2) The inner cover marked secret will be opened only by the addressee or his duly designated representative. The receipt form will be dated, signed, and immediately returned to the sender. The inner cover will be destroyed by burning if the subject matter of the inclosure has been in contact therewith.

e. Security of secret documents.—If a military aircraft carrying secret documents is forced down in enemy territory, the documents will be destroyed by burning. If not subject to burning, they will be destroyed by such other means as are necessary to render them beyond recognition. Similar action will be taken if forced down in neutral territory, if capture appears imminent. If the aircraft is forced down at sea, the documents will be sunk by the most practical method. For detailed instructions on destruction of classified documents in emergencies, reference should be made to letter on this subject issued by the War Department.

27. Handling and transmission of top secret matter.—*a.* Top secret matter will be handled in accordance with the rules given in paragraph 26b with additional safeguards as follows:

(1) Under no circumstances will top secret matter be transmitted by registered mail.

(2) Under no circumstances will top secret messages be transmitted by electrical means in the clear.

(3) It is mandatory that transmission and custody of top secret matter be covered by a receipt system.

(4) The unnecessary dissemination of top secret information will be avoided. Only the minimum of information necessary to proper planning and appropriate action of a subordinate echelon will be released to it.

(5) The transmission of top secret information will be effected by direct contact wherever practicable.

(6) *Transmission within a headquarters.*—The method of handling and transmission of top secret matter within a headquarters commanded by an authority qualified to make a top secret classification is discretionary with the headquarters commander, except that the principles stated in (1), (2), (3), (4), and (5) above and paragraph 26b will be observed.

(7) *Transmission outside of a headquarters.*—The handling and transmission of top secret matter outside of a headquarters will be by military couriers who will be commissioned, warrant, or flight officers not acting as airplane pilots or by specially designated civilian couriers, i. e. State Department or other high Government officials, etc.

b. Receipt of top secret matter.—Commanders will appoint certain officers in their headquarters to be known as top secret control officers, who will receive and maintain a register of all top secret matter. Top secret control officers will open and deliver top secret correspondence to such individuals as must see and work on the correspondence. Persons who work on top secret matters will be kept to a minimum and will be individually warned against disclosing such matters to personnel whose duties do not require it. Top secret matter which is addressed by name on the inner envelope to a particular individual will be delivered unopened to such addressee.

28. Handling and transmission of confidential matter.—*a.* Confidential matter will be handled in accordance with the following rules:

(1) Confidential documents will be prepared for transmission in the same manner as secret documents, except that the inner cover will contain a receipt form only when the sender deems it necessary.

(2) Confidential documents, except registered, will be transmitted by approved official means.

(3) Registered confidential documents will be handled in the same manner as secret documents.

(4) It is the responsibility of the commanding officer or equivalent official having custody of confidential documents to insure that appropriate security precautions are taken at all times.

b. Subject to the foregoing standards, confidential documents will be transmitted by any of the following means, whichever is most suitable:

(1) *Within continental United States.*—Confidential documents will be transmitted in the same manner as secret documents, except—

(*a*) Any authorized messenger may be used instead of an officer messenger.

(*b*) Confidential documents, except registered, may be transmitted by ordinary mail when in the opinion of the forwarding officer no serious consequences will be entailed by their loss.

(2) *Outside continental United States.*—The handling and transmission of confidential documents except confidential cryptographic mate-

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rial from points within the continental United States to points outside United States, and vice versa, and between points outside the United States, will be done in the same manner as prescribed for secret documents.

(*a*) *Specific means of transmission of confidential cryptographic material.*—Reference should be made to letter instructions on this subject issued by the War Department.

(*b*) *Action upon receipt of confidential matter.*—The standards prescribed in paragraph 26d(1) will be adhered to.

(*c*) *Security of confidential documents.*—The same precautions as prescribed in paragraph 26e will be adhered to.

29. Handling and transmission of restricted matter.—*a.* Restricted matter will be handled and transmitted to provide a reasonable degree of security. Registered restricted documents will be transmitted in the same manner as secret documents.

b. Subject to the foregoing standards, restricted documents will be transmitted by any of the following means, whichever is most suitable:

(1) *Within continental United States.*

(*a*) Authorized messenger.
(*b*) Ordinary mail.
(*c*) Express (rail or air).
(*d*) Freight.

(2) *Outside continental United States.*—Includes transmission of restricted documents, except restricted cryptographic material, from points within the continental United States to points outside the United States and vice versa, and between points outside the continental United States.

(*a*) Vessels or aircraft of United States registry, Allied registry, or such vessels or aircraft, although not of United States or Allied registry, which are controlled and operated by the United States, provided such vessels are not subject to foreign postal inspection.

(*b*) United States Post Office registered mail through Army or Navy Postal facilities, provided the documents do not pass through a foreign postal system. Restricted documents may, however, be transmitted to and from United States installations in Canada and in Alaska through the Canadian postal system.

(*c*) State Department diplomatic pouch will be used exclusively for the transmission of restricted documents through or within a neutral country.

(*d*) For specific means of transmission of restricted cryptographic material, reference should be made to letter instructions on this subject issued by the War Department.

30. Correspondence, receipts, and returns.—Correspondence, receipts, or returns, and reports of possession, transfer, or destruction need not be classified if reference therein to classified documents is made by file number, date, and subject, provided the subject does not contain information which is classified. If the subject contains classified information, a short title will be used for the subject.

31. Storage of classified documents not registered.—*a. Top secret, secret, and confidential documents.*—Top secret, secret, and confidential documents, other

than registered documents, will be stored in the most secure files available. Unless such matter is stored in a three-combination safe or an equivalent secure steel file cabinet, it will be kept in a secure room which is locked when not in use and which is approved for such purpose by the officer in charge of the building or the commanding officer of the installation. Such approval will not be construed as relieving the officer concerned of any responsibility. If the foregoing safeguards are not available, the documents will be kept under armed guard when not in use.

b. Storage of restricted documents.—Restricted documents will be stored and handled in such a manner as to insure a reasonable degree of security.

c. Daily inspection.—All holders will make a daily inspection to insure that all classified documents are properly stored and that all cryptographic documents and devices are properly accounted for and properly stored.

d. Security in field.—In tactical operations, actual or simulated, the commanding officer of the unit concerned is responsible that all documents are given the maximum security possible under the circumstances. Classified documents will not be taken further forward in combat areas than is absolutely necessary. No secret cryptographic document will be taken forward of battalion command post. Field commanders will include instructions in standard operating procedures for the emergency destruction of TOP SECRET, SECRET, and CONFIDENTIAL documents when capture is imminent.

e. Security aboard ship.—Where a ship's strong room is available, classified documents in transit will be stored therein.

32. Return of top secret, secret, and confidential documents.—*a.* Upon change of station or separation from the military service, an officer will return to the source from which received, or otherwise properly account for, all top secret, secret, and confidential documents which have been issued to him.

b. Restricted documents, if nonregistered, may be disposed of at the discretion of the officer.

33. Destruction of classified documents.—*a. Top secret, secret, confidential, and registered restricted documents.*

(1) When destruction is authorized, (see AR 15–15 and TM 12–259) top secret, secret, or confidential documents and registered restricted documents will be burned by the custodian thereof in the presence of a disinterested officer. When destroying cryptographic material, it is not necessary for the witnessing officer to be cleared for cryptographic duties, provided his inspection is limited to the cover page to verify the short title and register number. A certificate of destruction will be signed by both the custodian and the witnessing officer in the case of top secret or secret documents and submitted to the officer directing the destruction. If a registered confidential or registered restricted document is destroyed, a certificate of destruction will be similarly prepared. Certificates of destruction of all registered documents will be sent to the officer directing the destruction, who will forward them to the office of record indicated in the registered documents. If the headquarters has only one commissioned officer, the report will so state. Exceptions hereto may be authorized only by the War Department.

(2) Preliminary draft, carbon sheets, plates, stencils, stenographic notes, and work sheets containing top secret, secret or confidential data will be destroyed by the person responsible for their production

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immediately after they have served their purpose or will be given the same classification and safeguarded in the same manner as the *material produced from them.*

b. Restricted documents.—Restricted documents will be destroyed in any way which will render them useless.

SECTION III

REGISTERED DOCUMENTS

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Definition and identification	34
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34. Definition and identification.—*a.* A registered document is a top secret, secret or confidential document, or a restricted cryptographic document, or device, carrying a register number, a short title, and instructions to account for it periodically. A registered document is not to be confused with a classified document to which, for administrative reasons, a number or short title is assigned for bookkeeping or reference purpose only, and for which no accounting is required. In the absence of markings required above, the document will not be reported upon.

b. Documents will be registered only if it is essential for the issuing authority to control distribution and maintain a record of the custody of all copies. Officers authorized to originate and issue top secret, secret, or confidential documents and restricted cryptographic documents will designate as registered only such documents as they deem necessary in the interest of national defense.

35. Office of record.—The office of record is the office to which reports of possession, transfer, and destruction on registered documents are sent. It is not necessarily the office of origin.

36. Title page.—The title page or inside front cover of a registered document will state that it is a registered document, will show the register number, both the long and short title, the office of origin, also the office of record to which returns will be made, and instructions covering the returns for its accounting, and for its ultimate disposal. In addition, if a new document supersedes another document, instructions will be incorporated covering the disposal of the obsolete document. If any accountable document consists of more than one volume, each volume will bear a separate short title. If the above is not practicable, the required data will accompany the registered document on a separate sheet.

37. Additional markings.—Each registered document issued after 1 January 1946 will be marked "Registered Document," on the front cover. For the manner of marking the classification of registered documents, see paragraph 24. For the authority to classify, see paragraph 10.

38. Correspondence and reports.—All references to registered documents in possession or transfer reports, ordinary reports of destruction, or unclassified

documents or correspondence will be by register number, date, and short title only and such reports or correspondence need not be classified. In using a short title, every symbol of the short title will be included. Any correspondence or paper which refers to a registered document by a title other than the short title will be assigned a minimum classification of restricted, if the reference discloses that the document is registered.

39. Handling and transmission.—Top secret registered documents will be handled in accordance with the provisions of paragraphs 26*b* and 27. Secret, confidential and restricted registered documents will be handled in accordance with paragraph 26.

40. Storage of registered documents.—*a.* Registered documents will be stored in the most secure space or file available, preferably the equivalent of a three-combination safe. If a three-combination safe or its equivalent is not available, then the document should be kept constantly under armed guard. Field lock safes in continuous custody of military personnel will be considered the equivalent of three-combination safes for the storage of registered documents for units serving in the field outside of posts and garrisons.

b. Only commissioned officers, warrant officers, and specially trusted enlisted men and civilian employees will be permitted to have access to the containers of registered documents or the combination or keys thereto.

c. Safes containing registered documents will habitually be kept locked with the full combination whenever they are not under the direct supervision of a person officially entrusted with the combination.

d. Cryptographic documents so far as practicable, cipher tables, alphabets, and keys will not be kept in the same container as classified code books, documents, and devices to which they apply.

41. Revision or reproduction.—*a.* A new or revised edition of an old registered document may be assigned a new short title but, where this is undesirable, the old short title followed by a symbol which will differentiate the new edition from the old edition is permissible.

b. Reproduction of a registered document in whole or in part is forbidden except by authority of the office of origin. When authorized, reproductions will show the reproducing office, authority for such reproduction, and the number of copies reproduced. In addition, the office or record will be notified.

42. Notification of change of classification.—When the classification of a registered document is changed, the office of record will notify all offices to which it has been issued.

43. Inventory and report of possession.—*a.* Custodians will keep a complete inventory of all registered documents except those listed in *c* below and will make, or have made, on 30 June and 31 December of each year, an accurate return therefor to the proper office of record. See paragraph 35 for definition of office of record.

b. In making a semiannual report of possession the following details will be observed:

(1) Each item will be physically inspected and its register number checked against the inventory.

(2) At headquarters having two or more commissioned officers the custodian and one disinterested officer will make the inventory and both will sign the report. If the headquarters has only one commissioned officer, the report will so state.

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c. No semiannual report of possession will be made of—

(1) Registered documents which have been issued, subsequently destroyed and a destruction report rendered thereon within a single semiannual report period.

(2) Registered documents which have been placed in custody or storage for historical purposes with the expressed approval of the office of record.

d. Whenever a registered document is discovered which is not charged to the finder, and the custodian thereof cannot be located, the proper office of record will be notified immediately. The document will be properly safeguarded until disposition instructions are received from the office of record.

e. Holder of naval registered documents will make semiannual report to the appropriate Army office of record.

44. Report of transfer and destruction.—*a.* When a registered document is transferred from one person to another, or if the custodian remains the same but the organization's designation changes, a certificate of transfer in triplicate will be made. The certificate will be signed by the transferring officer, and will be dated and signed by the officer acknowledging receipt. If the receiving officer is a newly appointed custodian, that officer will have his name, grade, and Army serial number typed below his signature on the initial report submitted to the office of record.

b. Immediately upon completion of the transfer, the original of the transfer certificate will be forwarded direct to the office of origin. A copy of the certificate of transfer will be retained by each of the officers concerned.

c. Whenever a registered document is removed from its proper place of custody and issued for temporary use to another person in the same headquarters, the custodian will require a written receipt. No report of such transaction will be made to the office of record.

d. Registered documents will not be accounted for as prescribed for ordinary property in AR 35-6520. The forms described in paragraph 45 will be used in lieu of shipping tickets, memorandum receipts, stock record cards, etc.

e. The issuing authority normally designates when registered documents will be destroyed and upon such notification registered documents will be destroyed as indicated in paragraph 33 and report of destruction forwarded.

45. Prescribed forms.—*a.* War Department Form 32 (Record Card—Registered Documents or Devices), or similar form, will be used for recording all temporary transactions involving an individual registered document.

b. War Department Form 33 (Record Card (for Registered Documents or Devices—Station)), or similar form, will be used by each officer making a consolidated record of all transactions concerning registered documents. It serves as a check to prevent the undiscovered loss of the individual card, WD Form 32, or similar form.

c. War Department Form 34 (Transfer Report of Registered Document (or Devices)) will be used in issuing or transferring registered documents or devices.

d. War Department Form 34a (Semiannual Report of Registered Documents (or Devices)) will be used in reporting a semiannual inventory of registered documents or devices.

e. Other forms authorized by separate branches for special purposes such as report of destruction will be employed where applicable.

46. Disposition or destruction of registered cryptographic material.—*a.* Whenever a person who has been issued registered secret, confidential, or restricted codes, ciphers, cipher devices, or documents pertaining thereto, has no further need for them, he will report that fact to the Chief, Army Security Agency or in the case of the field forces in time of war to the signal officer of the headquarters charged with the issue of such documents.

b. When it has become highly probable that cryptographic material will be subject to loss or compromise, all documents and translations of messages will be destroyed by burning, and the cipher machines or devices will be destroyed beyond use or repair, and if possible, beyond recognition.

SECTION IV

CRYPTOGRAPHIC SECURITY

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47. Authorization of cryptographic systems.—All codes, ciphers, and cipher devices intended for use in the military service will be authorized only by the War Department. For forces in the field in time of war, this authority may be delegated to theater commanders and to oversea department commanders for special use within their theaters or departments.

48. Restrictions on use of authorized codes.—*a.* The use of any authorized code, cipher system, or cipher device for cryptographing personal messages is forbidden.

b. Messages for other departments of the Government and for commercial firms engaged in producing war material under Government contract may, when necessary, be cryptographed in War Department systems provided the text as supplied by the other Government department, *except the Navy Department*, or firm is paraphrased, without being referred to the originator, prior to transmission and also prior to delivery to an agency outside the Military Establishment, except as provided in instructions pertaining to cryptographic systems issued by the War Department.

49. Personnel authorized to perform cryptographic duties.—*a. General.*—No authorized cryptographic system will be employed by any person who is not thoroughly familiar with the provisions of these regulations and all instructions pertaining to the cryptographic system to be employed.

b. Classified messages.—The cryptographing and decryptographing of messages classified as top secret, secret, confidential or restricted will be performed under the supervision of a commissioned officer, but not necessarily in the immediate presence of such officer. For the specific qualifications of personnel who may be permitted actually to perform cryptographic work, reference should be made to letter instructions on this subject issued by the War Department.

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50. Responsibility for security.—*a.* At each headquarters holding cryptographic material the commander will be responsible for all measures necessary to insure cryptographic security and physical security of cryptographic material. He will appoint a commissioned officer, properly cleared in accordance with War Department letter of instructions, as cryptographic security officer. At a headquarters where a message center is maintained, the cryptographic security officer will ordinarily be the officer in charge of the message center. The cryptographic security officer will be the custodian of cryptographic material and will represent the commander in all cryptographic security matters and all matters relating to the physical security of cryptographic material. It is the responsibility of the commander to make, or cause to be made by a commissioned officer cleared for cryptographic duties, other than the cryptographic security officer, a thorough periodic check to ascertain that cryptographic material is being properly handled and accounted for and that all directives pertaining to cryptographic operations are being strictly observed.

b. If the cryptographic security officer believes that, in view of his knowledge of other messages on the same or like subject, a message has been incorrectly classified, or if he believes that the regulations governing the drafting and classifying of the message have been violated, he will request the originator to make the necessary change in the message or in its classification. If the originator does not comply with the request of the cryptographic security officer, the matter will be referred to the commanding officer of the headquarters concerned for final decision.

51. Precautions necessary to insure cryptographic security.—In order to insure cryptographic security the following principles must be observed:

a. Cryptographic material will be given the most secure storage available and will never be left unattended except when locked in a three-combination safe or its equivalent. See also paragraph 31*c* in this connection. At a headquarters not maintaining a message center the files of literal plain text messages and of cryptograms must be stored in different locked containers. The literal plain text copies of messages must be stored in a three combination lock safe or its equivalent.

b. Classified messages must be carefully drafted. The originator of a classified message is responsible for strict compliance with the provisions of paragraph 53.

c. The classification of messages must receive careful consideration by the originator, since overclassification and underclassification are equally to be avoided. Each message will be classified according to its contents in compliance with existing rules governing the classification of information (see pars. 11 and 13 to 17 incl.), subject to the modifications in *d* and *e* below.

d. Each message making a direct reference to a classified message by subject matter or reference number will be classified at least RESTRICTED except for a mere acknowledgment or as provided in *e* below.

e. One or more of the following italicized words may be used to make a plain language reply to a classified message the address of which is transmitted in the clear, provided the plain language reply consists only of a reference to the date-time group (which is transmitted in the clear) of the classified message and one or more of the following italicized words:

(1) *AFFIRMATIVE*, means "yes," "permission granted," "granted," "authorized," "concur," "approved," "recommend approval," "action completed," and equivalent expressions.

(2) *NEGATIVE*, means "no," "permission not granted," "not granted," "not authorized," "do not concur," "not approved," "do not recommend approval," "recommend disapproval," "action not completed," and similar expressions.

(3) *INTERROGATORY*, means "question," "I do not understand," "need more information," "meaning not clear," and similar expressions.

(4) *COMPLY*, includes "will comply," "have complied," or "you are to comply," according to the contents of the message to which it refers.

(5) *LETTER*, includes the meanings "letter follows," "replying by letter," "by letter," and "reply by letter."

(6) *ACKNOWLEDGED*, means message has been received.

f. The selection of the proper cryptographic system is a responsibility of the cryptographic security officer or the custodian of cryptographic material where there is no cryptographic security officer. He should be governed by the provisions of paragraph 54.

g. If time and availability of personnel permit, the cryptographed text of messages should be checked prior to transmission. The check should determine that the instructions governing the system employed are carefully followed. Particular care must be taken to assure that no plain text appears in the body of the message.

h. The handling and filing of both plain and cryptographed text should conform to the procedure described in paragraphs 56 to 60 inclusive.

i. Paraphrasing is resorted to as a protection to the cryptographic system and will not warrant loose handling of classified messages. Paraphrasing is to be employed when—

(1) The content of previously cryptographed messages is released to the public or given a wide distribution within the Army.

(2) It is necessary to send in cryptographic form—

(*a*) All or portions of a message previously transmitted in plain text.

(*b*) Extracts from publications, regulations, or instructions.

(3) It is necessary to transmit in plain text all or portions of a message previously sent in cryptographic form.

(4) A classified message is recryptographed in a different cryptographic system.

(5) A classified message is recryptographed in the same system.

Exceptions to the necessity for paraphrasing may be granted only in accordance with instructions pertaining to certain cryptographic systems issued by the War Department.

j. When it is necessary to indicate in the text of a classified message information as to the ultimate addressee or the signature of the writer, such information will be buried within the text of the message before cryptographing and will not appear either at the beginning or at the ending of the message.

52. Responsibility for classification of messages.—*a.* Within the limitations prescribed in paragraph 58*b* the originator of a message is responsible that the classification given to it conforms to the definition given in paragraphs 5, 6, 7, and 8. He is also responsible for the proper marking of the message before forwarding it for transmission.

b. A message will be marked top secret, secret, confidential, restricted, or unclassified in accordance with its contents, except as prescribed in paragraph 58b (2).

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53. Drafting messages.—*a.* Routine reports and messages which must be given a wide distribution, or the contents of which have been or may eventually be furnished the press, or which contain extracts or quotations from a newspaper, magazine, or any other document available to the public, will if possible be prepared so as to permit their transmission in the clear or will be cryptographed in special systems which permit the handling of the plain texts of the messages as correspondence of similar classification, otherwise, such reports and messages will be paraphrased in accordance with *d* below.

b. Standardization of the content and form of such documents as field orders and operation instructions is necessary, but when fixed expressions are repeated in a message, cryptographic security is greatly endangered. Hence stereotyped phraseology and set form of expression, especially at the beginning or ending of a message which is to be cryptographed will not be used. A list of words considered universally to be stereotyped is furnished by the War Department. Except as specifically provided for in certain cryptographic systems, or as specifically authorized by the War Department, the use of dummy letters or irrelevant text as "padding" for the purpose of concealing stereotypic phraseology is prohibited. Personnel concerned with the drafting of classified messages will guard against repeated use of the same words or phrases.

c. Words not important to the sense will be omitted. Conjunctions, prepositions, and punctuation marks will be reduced to a minimum. Unless it is known that a message will be sent in clear text over an approved circuit or in a cryptographic system capable of enciphering punctuation marks as such, all punctuation marks included in the body of the message will be spelled either in full or abbreviated form. In similar circumstances, numbers will be also spelled out.

d. Except when it is known that a classified message will be sent in clear text over an approved circuit or in a cryptographic system not requiring the protection afforded by paraphrasing, the originator of all classified messages will paraphrase such portions as are quoted from—

(1) A message in clear text.
(2) A message in the same or another cryptographic system.
(3) A newspaper, magazine, or document.

54. Selection of cryptographic system.—*a.* Cryptographic systems are supplied for handling messages of all classifications. All classified messages except those transmitted in accordance with the provisions of paragraph 25*b* and paragraph 58*b*(2) will be transmitted in cryptographed form, unless specific exception is made by the War Department.

b. Selection of the cryptographic system to be employed for the cryptographing of a message will be based on the following considerations:

(1) A system authorized for the particular type and classification of message will be used.
(2) Where all addressees can be reached by the same system, the least widely held system available will be used, unless a definite operational advantage will be gained by using a more rapid system for one or more of the addresses. Where all addressees cannot be reached by the same system, the same principle will be applied to the extent permitted by the available systems. Cryptographing of the same or related subject matter in different systems should be kept to a minimum. Headquarters or commands in frequent communication should normally use the same system for exchange of the same type of messages.

c. The determination of the need for paraphrased versions is a function of the cryptographic security officer who may require the assistance of the originator of the message in the preparation of the necessary paraphrases. Where practicable, the cryptographic security officer will furnish copies of the paraphrased versions to the originator, except as noted in paragraph 48*b*.

55. Paraphrasing messages.—*a.* In paraphrasing, it is not sufficient to paraphrase only the beginning or ending of the message. The entire message will be subjected to the process.

b. When paraphrasing must be employed, all of the following processes will be applied to the message:

(1) Changing the sequence of the paragraphs.
(2) Changing the sequence of the sentences in each paragraph.
(3) Shifting the positions of the subject, predicate, and modifiers in each sentence.
(4) Changing from active to passive voice or vice versa.
(5) Substituting synonyms or equivalent expressions.
(6) Changing the length of the paraphrased version of the message in order that the final cipher text will not resemble the original cipher text with respect to length.

c. A paraphrase of a message normally will be accorded the same classification as the original message.

56. Method of handling outgoing secret messages.—*a.* The procedure hereinafter described will be followed at all headquarters, except the War Department in which the procedure will be as determined by the Chief of Staff.

b. Except as noted in *c* below or as authorized in accordance with the instructions pertaining to certain cryptographic systems issued by the War Department, the originator will prepare and number all copies of secret messages, send the original to the message center, and may retain, when security is not imperiled thereby, one copy for temporary file. Other carbon copies, all numbered and bearing the following notation, may be sent to local officers directly concerned:

The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked SECRET. This copy will be safeguarded with the greatest care and will be returned to the originator without delay.

All such copies will be carefully accounted for by the originator and will be destroyed when returned. The copy in the temporary file will also be destroyed upon determination that the message has been correctly dispatched.

c. Messages pertaining to tactical operations, simulated or actual, may be prepared in triplicate. One carbon may be retained by the originator and the original and one carbon delivered to the message center.

d. The original plain-text copy sent to the message center by the originator will be cryptographed at the cryptographic section of the message center The number of copies of the cryptographed message will be kept at a minimum commensurate with the necessity for furnishing copies to the various transmission agencies. All work sheets used in cryptographing the message will be destroyed by burning. The placing on the original plain-text copy of any marks or notations to indicate the steps following in cryptographing the message, such as underlying, key words, indicating groupings corresponding to lengths of columns of keys, etc. is forbidden. All copies of cryptographed messages retained by transmitting agencies will be safeguarded so as not to fall into unauthorized hands.

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e. The original copy of the literal plain text will be marked SENT (date) and returned to the originator who will place it in his secret file for outgoing messages and destroy the retained copy by burning.

f. The transmitting agency will send the cryptographed message, retaining at least one copy in its file of outgoing messages for final disposition in accordance with local regulations.

g. When certain cryptographic systems are used in which no copy of the cipher text is available, if copy of the plain text may be retained by the message center for file.

h. The method of handling top secret messages will conform to the procedure *outlined above as modified by the* provisions of paragraph 27*a* (2) and (3).

57. Method of handling incoming secret messages.—*a.* The procedure hereinafter described will be followed at all headquarters, except the War Department in which the procedure will be as determined by the Chief of Staff.

b. The original copy of an incoming cryptographed message as made by the receiving operator will go to the cryptographic section of the message center. A duplicate copy may be made by the receiving operator for the files of the receiving station or message center, where it will be disposed of in accordance with local regulations.

c. A cryptographer will decryptograph the message, making only one copy of the decryptographed literal plain text, which will be marked SECRET and delivered to the addressee. The cryptographed version will be retained in the files of the message center, where it will be disposed of in accordance with local regulations. All work sheets used in decryptographing will be destroyed by burning. The cryptographic section will not retain any copy of the plain text for its files, except as provided in paragraph 56*g*. The placing on the message blank of any marks or notations to indicate the steps followed in decryptographing the message, such as underlining, key words, indicating groupings corresponding to lengths of columns of key, etc., is forbidden.

d. Except where authorized in accordance with instructions pertaining to certain cryptographic systems issued by the War Department, the addressee may make and circulate only a limited number of literal copies for the information of other officers directly concerned. These carbon copies will all be numbered and bear the following notation:

> The making of an exact copy of this message is forbidden. Only such extracts as are absolutely necessary will be made and marked SECRET. This copy will be safeguarded with the greatest care and will be returned to _____ without delay.

All such information copies will be carefully accounted for by the addressee and will be destroyed when returned.

e. The method of handling top secret messages will conform to the procedure outlined above as modified by the provisions of paragraph 27*a*(3).

58. Method of handling outgoing and incoming confidential messages.—*a. Procedure.*—The procedure to be followed in the handling of messages in confidential codes or ciphers will be substantially the same as that prescribed for those transmitted in secret code or cipher, except within the War Department, in which the procedure will be as determined by the Chief of Staff. They will, however, be marked and safeguarded in accordance with provisions of these regulations governing confidential documents.

b. In tactical operations, simulated or actual.

(1) All messages not classified secret will be regarded as confidential but need not be so marked. All wire and radio messages except those noted in (2) below will be transmitted in cryptographic form.

(2) When the information to be transmitted, if intercepted by the enemy, cannot be acted upon in time to influence the situation in question and time cannot be spared for cryptographing, the commanding officer or his authorized representative may order the transmission of a message in plain language by a radio station serving his headquarters or command. Such written messages will be marked SEND IN CLEAR over the signature of the commander or his authorized representative.

59. Method of handlng restricted messages.—The procedure to be followed in the handling of messages in restricted codes and ciphers will be substantially the same as that prescribed for those in confidential code or cipher.

60. Transmission of literal plain text and paraphrased versions of classified messages.—*a.* The sending by any means whatsoever of the literal plain text of a message which has been or will be transmitted in cryptographed form is strictly prohibited except as stated below:

(1) Authorized specifically by the War Department.
(2) Authorized local distribution within a headquarters by messenger.
(3) In exceptional cases, when necessary in the performance of his duties, an authorized person may carry the literal plain text of a classified message provided the security requirements pertaining to the transmission of classified material are observed.
(4) Where authorized in accordance with instructions pertaining to certain cryptographic systems issued by the War Department.

b. In cases of emergency or necessity paraphrased versions of the plain text of a cryptographed message will be sent—

(1) In accordance with the provisions of paragraphs 51i and 55c.
(2) In accordance with the provisions of paragraph 26 as applied to secret cryptographic material.
(3) When it is necessary to send between headquarters by mail or courier a paraphrased copy of a message which has been or will be cryptographed, copy will be marked or stamped "This is a paraphrase."

SECTION V

MATÉRIEL

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61. Authority to classify.—Whenever the chief of a technical service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel or a component thereof shall determine

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that the maintenance of any degree of secrecy regarding them is sufficiently important to the national defense, he will classify it as top secret, secret, confidential or restricted.

62. Notification of classification or reclassification.—Whenever the chief of a technical service in charge of a research project, design, development, test, or production of a unit of matériel or component thereof shall determine that matériel of interest to other commands should remain classified after issue or that a change or cancellation of classification is desired, he will notify The Adjutant General, who in turn will inform all concerned.

63. Responsibility for safeguarding technical information.—*a.* Chiefs of technical services engaged in the preparation of plans, research, and development work, or new design, test, production, procurement, storage, or use of classified matériel are responsible for the promulgation of such additional instructions as may be required for the safeguarding of information in the offices, establishments, laboratories, shops, or Army posts under their jurisdiction.

b. All top secret, confidential, or restricted models, exhibits, dies, machines, and other similar items which are to be loaned, leased, or given to a commercial organization will be properly marked to indicate classification when practicable. If such marking is impracticable, the commercial organization will be specifically notified in writing of the classification of such items and of the pertinent provisions of the Espionage Act.

64. Classification of information from commercial firms.—Information obtained from civilian manufacturers concerning proprietary processes will be classified as confidential unless otherwise authorized by the firm concerned.

65. Dissemination of classified technical information.—Classified information concerning technical projects or developments may be imparted only to those individuals whose official duties require such knowledge or possession, and to accredited representatives of foreign nations in accordance with the provisions of paragraph 20*b*.

66. Destruction of classified matériel.—*a. Authority to direct.*—Whenever the chief of a technical service responsible for a research project or for the design, development, test, or production or procurement of an article of matériel or a component thereof shall determine that their destruction is necessary to safeguard information thereof, he will issue the necessary directive.

b. Procedure in destruction of classified matériel.—When destruction of classified matériel has been directed—

(1) The custodian thereof will remove all components of a classified nature and destroy them by burning or by mutilation in the presence of a disinterested officer. The balance of the matériel will then be processed in accordance with existing regulations for the disposition of unserviceable property, or for salvage.

(2) If the above is not practicable, the custodian will destroy the entire article of matériel by burning or by mutilation in the presence of a disinterested officer.

(3) In either case, the certificate of destruction will be signed by both the custodian and the witnessing officer before submission to the officer directing the destruction. If the headquarters has only one commissioned officer, the report will so state. Exception hereto may be authorized only by the War Department.

67. Invitations for bids and contracts.—*a.* Prior to furnishing a prospective bidder, subbidder, contractor, or subcontractor with drawings, specifications, or

other pertinent information concerning any project or projects of a top secret, secret, confidential, or restricted nature and annually thereafter so long as such documents, etc., are in his custody, clearance will be obtained in accordance with separate letter instructions and a general secrecy agreement reading substantially as follows will be signed by the individual or by a responsible officer on behalf of the firm or corporation concerned:

In consideration of the receipt of drawings, specifications, and accompanying inclosures, models, or matériel, and information disclosed orally, concerning projects of a top secret, secret, confidential, or restricted nature, delivered to the undersigned prior to or coincident with the date of this agreement and listed on Exhibit A which is attached hereto and made a part hereof, or to be issued to the undersigned subsequent to the date of this agreement, the following terms are agreed to by or on behalf of the undersigned individual, firm, or corporation, and any and all representatives, agents, employees, or subbidders or subcontractors thereof:

1. The undersigned will neither supply nor disclose any information regarding the drawings, specifications, and accompanying inclosures or models or matériel, or information disclosed orally, referred to herein to any unauthorized person, or incorporate in other projects special features of design or construction peculiar to such drawings, specifications, and accompanying inclosures, or models or matériel, or information disclosed orally.

2. (*a*) The undersigned will *not permit any alien* employed or to be employed by the undersigned or by any subbidder or subcontractor to have access to the drawings, specifications, and accompanying inclosures, or models or matériel referred to herein, or to engineering principles, compositions, subassemblies, or assemblies which are vital to the functioning or use of the article or to the work under any contract for the production thereof, or to work in connection with the contract trials, without the written consent *beforehand* of the Secretary of War.

(*b*) If the project or projects bear a top secret or secret classification, the undersigned will *not permit any individual* to have access to the top secret or secret drawings, specifications, and accompanying inclosures, or models or matériel referred to herein, or to the top secret or secret engineering principles, compositions, assemblies, or subassemblies, or to work under any contract for the production of such top secret or secret items, or to work in connection with the contract trials, without the written consent *beforehand* of the Secretary of War.

3. The undersigned will not make or permit to be made reproductions of the drawings, specifications, and accompanying inclosures, or of the models or matériel, except as specifically authorized by the contracting officer or his duly authorized representative. If reproduction of any drawings, specifications, and accompanying papers, or of models or matériel, is authorized, the undersigned will promptly submit the product obtained to the contracting officer or his duly authorized representative for censorship or such other action as he may deem necessary.

4. If a bid is not submitted on a project of a top secret, secret, confidential, or restricted nature as to which classified drawings, specifications, and accompanying inclosures, and models or matériel have been issued to the undersigned, or if a bid is made and not accepted, or in case award is made, upon the completion of the contract, the undersigned will promptly return by hand, by registered mail, or by insured express, such drawings, specifications, and accompanying papers, or models or matériel, together with all copies thereof, to the office from which the original copies were received. Registered mail or insured express will not be used in returning top secret matter.

5. (*a*) The undersigned agrees to bring or cause to be brought to the attention of all persons engaged in the preparation of the bid, whether submitted or not, including subbidders and their employees, the following provisions of law:

Espionage Act: Subparagraphs (d) and (e), sec. 1, act 15 June 1917 (40 Stat. 217); sec. 1, act 28 March 1940 (54 Stat. 79; 50 U. S. C. 31; M. L., 1939, Supp. I, sec. 2181).

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Sec. 1, act 12 January 1938 (52 Stat. 3; 50 U. S. C. 45; M. L., 1939, sec. 2187a), and E. O. 8381, 22 March 1940; 5 F. R. 1147; 50 U. S. C. 45; M. L., 1939, Supp. I, sec. 2187a.

Second War Powers Act, 1942, sec. 1402, 1403, act 27 March 1942 (Public Law 507—77th Cong.), as extended by act 20 December 1944 (58 Stat. 827; 50 U. S. C. Supp. IV, sec. 645).

(*b*) If the successful bidder on any project, the undersigned agrees also to bring or cause to be brought to the attention of all persons engaged in the performance of the contract, including persons employed on subcontracts, the provisions of the law enumerated in (*a*) above.

6. The undersigned further agrees that no information in connection with any confidential or restricted project will be given to any person not in the contractor's or subcontractor's employ except upon the written consent beforehand of the contracting officer or his duly authorized representative.

b. The execution of the general secrecy agreement required in *a* above with any individual, firm, or corporation whether it be the prime contractor or subcontractor, prior to the delivery of any classified military information, and the annual secrecy agreements executed thereafter, will constitute authority for delivery to such individual, firm, or corporation from time to time of other or additional classified information pertaining to any top secret, secret, confidential, or restricted project, without the necessity of executing a specific secrecy agreement in each case. A receipt substantially as follows will be obtained when the additional classified data are submitted to those who have entered into such agreement:

Receipts is acknowledged of _____ and it is recognized that these data are classified and come within the purview of the secrecy agreement signed by _____ on _____.

c. If the project(s) or contract(s) bear a top secret or secret classification, two copies of the executed secrecy agreement or agreements and two copies of each annual secrecy agreement executed thereafter will be transmitted promptly by the procuring agency to the commanding general of the service command within the geographical limits of which the work will be, or may be, performed. The commanding general of the service command will retain one copy and forward one copy to the Provost Marshal General.

d. It is the responsibility of each representative of the War Department who invites bids in connection with a project or projects of a top secret or secret classification, to transmit promptly the following information in duplicate to the commanding general of the service command within the geographical limits of which the work will be, or may be, performed:

(1) The name and address of each prospective bidder or subbidder.

(2) The address; full first and last names and middle initial; date and place of birth, of each officer and director and of all persons who will have access to the top secret and secret material.

(3) The location of the facility at which the work involved will be, or may be, performed.

(4) The date of invitation for bids.

e. It is the responsibility of each representative of the War Department who enters into a contract classified as top secret or secret, to transmit promptly the following additional information in duplicate to the commanding general of the service command within the geographical limits of which the work will be, or may be, performed:

(1) The name and address of each contractor or subcontractor.

(2) The address; full first and last names and middle initial; date and place of birth, of each employee or other person who will have

access to the top secret or secret matériel not included in *d* (2) above.

(3) The location of the facility at which the work involved will be, or may be, performed.

(4) The date of award of contract or subcontract, and probable date of commencement of work thereunder.

f. The commanding general of the service command will retain one copy and forward one copy of the reports received in accordance with *d* and *e* above, to the Provost Marshal General.

68. Consultation with responsible manufacturers.—The commanding officers of arsenals and depots and other officers engaged in work on Government contracts are authorized to consult with all interested manufacturers or their representatives, inventors, and other persons concerning technical matters in which they have a legitimate interest. They will, however, inform all such persons of the classification of the projects, works, and developments.

69. Responsibility of Army representatives or inspectors.—*a.* The Army representatives or inspectors of the technical service are the local representatives of the War Department and will take the necessary measures to insure the safeguarding of classified information or projects in the hands of the contractors or subcontractors or in process of manufacture in their plants.

b. Army representatives or inspectors will advise contractors or subcontractors as to their responsibilities and the practical measures to be taken to safeguard top secret, secret, confidential, or restricted matters, and will act favorably, if practicable, on any suggestion or request of the company tending to preserve secrecy. If at any time conditions at any plant, or any action of a company or its employees, jeopardize the security of classified matter pertaining to the War Department or violate the provisions of the Espionage Act, the Army representative or inspector will request the contractor or subcontractor to take prompt remedial action. If adequate precautionary measures are not taken immediately, he will report promptly to the chief of the technical service concerned and, if the situation requires, to the commanding general of the service command in which the item is in process of manufacture.

c. When Army and Navy inspectors are on duty at the same plant, the Army inspector will coordinate all security measures with the Navy inspector in order to avoid conflicting demands upon contractors.

70. Responsibility of Government contractors.—*a.* A private individual, firm, or corporation which enters into a contract to engage in technical work for the War Department becomes responsible in matters within his or its control for the safeguarding of all top secret, secret, confidential, or restricted matters that may be disclosed or that may be developed in connection therewith. A clause to this effect will be included in such a contract, but its omission will not release the contractor from his responsibility under the Espionage Act and other pertinent laws.

b. Contractors are responsible that all classified projects allotted to subcontractors or agents are fully protected by a similar agreement.

c. Whenever for any reason a contract agreement or subcontract has been made which does not include a security clause but later is found to involve top secret, secret, confidential, or restricted matter, the technical service concerned will take the necessary steps to insure that the project or work is properly classified and that the contractor, agent, or subcontractor is informed of the classification and of his responsibility in the matter.

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71. Tests of classified matériel.—Tests of classified matériel will be adequately safeguarded by all responsible officers.

72. Public display of classified matériel.—*a.* Commanding officers are responsible that all classified parts, components, or features of matériel are properly safeguarded during maneuvers, drills, parades, ceremonies, assemblages, demonstrations, or exhibitions, or exhibitions open to the general public.

b. (1) Photographs of equipment while in process of development or those revealing processes of manufacture are prohibited unless authorized by the chief of technical service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited by the instructions issued therewith.

(2) Requests for permission to take photographs of classified matériel, projects, or processes of manufacture will be referred to the War Department through the proper chief of technical service. If authority is granted, it will be with the understanding that the resulting photographs will be submitted to the War Department for review prior to release.

73. Release of information or sale of matériel.—*a. General.*—Domestic sale, divulging information in connection with negotiations for foreign sale, and foreign manufacture of items of Army and Navy matériel and equipment are not permitted unless the War and Navy Departments are agreed that military secrecy is not compromised thereby.

b. International traffic in arms.

(1) The State Department administers international traffic in arms and military matériel coming within the scope of the Regulations Governing the International Traffic in Arms, Ammunitions, and Implements of War and Other Munitions of War.

(2) The State Department will not release for foreign sale any item coming within the scope of these regulations until the War and Navy Departments have stated that there is no objection to the release on grounds of secrecy affecting the national defense.

74. Protection of shipments via commercial carriers within Unted States or its possessions.—*a. Selection of shipping method.*—Disclosure of information pertaining to classified matériel will be prevented during transportation by one of the following methods of shipment, to be determined by a commissioned officer of the service, force, or organization authorizing its movement qualified to make such classification, by a higher authority so qualified, or by a military attaché.

b. Protection documents.—If size and quantity permit, classified matériel may be handled in the same manner as provided for similarly classified documents in paragraphs 26 to 29 inclusive. In cases where matériel is of such size or quantity as to create suspicion of its character and entail additional risk when transported in the same manner as documents, another method will be used.

c. Railway express service protected by carrier's guards.—Top secret, secret, or confidential shipments may be shipped via Railway Express Agency, Incorporated, after advance arrangements have been made for carrier to guard matériel from the time it leaves the hands of consignor until delivered to consignee. Not withstanding the general prohibition of insurance on Government shipments any classified shipments may be shipped at their actual value and notation of such value made on the bills of lading. (See AR 55–105, AR 55–155, and TM 55–550).

The officer determining the method of shipment will certify to the officer issuing the bill of lading the valuation to be used.

d. Ordinary railway express service protected by military guards.—This method of shipment may be chosen for top secret, secret, or confidential matériel as provided in *a* above. In such case the principles of regulations governing guarding of freight shipments (see par. 8, AR 55–155) will be followed so far as appropriate for express service, with the definite exception that guards with express shipments will be furnished with transportation requests. The number of guards detailed to protect the shipment will be a minimum consistent with security requirements.

e. Air express via commercial air lines protected by military guards.—The provisions of *d* above will govern generally.

f. Rail freight service protected by military guards.—See paragraph 8, AR 55–155.

g. Ordinary motor truck freight protected by military guards.—The principles of paragraph 8, AR 55–155, will govern. Only one guard will be used for short runs unless more are necessary.

h. Water freight service protected by military guards.—The principles of paragraph 8, AR 55–155, will govern. When vessels are used which have arrangements for carrying passengers, transportation requests will be issued. When vessels are used which do not have arrangements for carrying public passengers, carriage free or at a reasonable charge, appropriate arrangements for meals will be negotiated.

i. Straight or mixed troop trains.—Classified matériel accompanying troops will be adequately guarded by organization personnel.

j. Guards.—Guards sufficiently armed will be provided in accordance with paragraph 8, AR 55–155. Neither carrier's nor military guards will be used for the sole purpose of preventing disclosure of information of restricted matériel. Guarded service may be used on any shipment when necessary to prevent physical sabotage. When possible, where concealment of the arm is not necessary, submachine guns, automatic rifles, or rifles should be provided in preference to pistols.

k. Shipment, confidential matériel without guard.—Shipments of confidential matériel, except cryptographic equipment and components thereof may, at the discretion of the chief of the technical service involved, be shipped by one of the following methods, without guard:

(1) Protected express.
(2) Sealed freight or express cars.
(3) Sealed truck under own motive power.
(4) Flat car, provided trucks or crates containing said equipment are suitably locked and/or sealed and locked and/or sealed to the car. In addition, the equipment will be protected from external view and injury from normal hazards in shipping.

l. Shipment, restricted matériel without guard.—Shipments of restricted matériel, except cryptographic equipment and components thereof, may be shipped by one of the following methods, without guard:

(1) Protected express.
(2) Sealed freight or express cars.
(3) Sealed truck under own motive power.
(4) Flat car, provided trucks or crates containing said equipment are suitably locked and/or sealed and locked and/or sealed to the car. In addition, the equipment will be protected from external view and injury from normal hazards in shipping.

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m. Shipment, cryptographic matériel.—For specific means of shipments of cryptographic matériel reference should be made to letter instruction on this subject issued by the War Department.

n. Shipment, classified files.—Shipments of classified files to records depots and War Department records depositories will be made as follows:

(1) When the quantity of top secret, secret, or confidential documents remaining after down grading is small, the documents will be transmitted under separate cover as provided elsewhere in these regulations for the transmission of individual documents. A charge-out will be placed in the folder which contained the document and the document will be properly identified as to the file and folder from which extracted prior to transmission.

(2) When the quantity of top secret, secret, and confidential documents which cannot be down graded makes the procedure above impracticable, the files in which such documents are maintained will be packed in the standard records boxes prescribed by TM 12–259, securely fastened by flat steel straps. The outside of the box will contain no indication of the classified character of the files. The boxes will be shipped under security regulations applicable to bulk shipments of classified matériel except that top secret and cryptographic documents and messages in all cases will be accompanied by an officer courier in addition to armed guards.

(3) Shipment of restricted files. Such files will be shipped in standard records boxes in the same manner as prescribed for unclassified files.

SECTION VI

VISITORS

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75. Classification.—*a. Foreign nationals.*—For the purpose of these regulations, the term "foreign nationals" includes all persons not citizens of the United States, and citizens of the United States while a representative, official, or employee of a foreign government, firm, corporation, or individual.

b. United States citizens.—All citizens of the United States not included in *a* above.

76. Authority for admission.—*a. General.*—Correspondence and communications relating to visits will be routed direct between the various offices concerned.

b. Foreign nationals. (See par 25a.)

(1) Subject to the approval of the facility concerned, foreign nationals may be authorized by local authority to visit commercial facilities provided no classified work or project is shown or discussed.

(2) Foreign nationals may be admitted to military installations for social purposes, for activities open to the general public, and in connection with emergency landings, by authority of the commanding officer provided no classified features are shown or discussed.

(3) Foreign nationals may be admitted to Government facilities; military installations except as provided in (2) above; and commercial facilities where classified work, projects or features will be shown or

discussed, only on written authority of the Assistant Chief of Staff, G–2, War Department General Staff.

(4) Application for visits which require War Department authorization will be made through the appropriate diplomatic representatives except in the case of foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States, for whom applications will be submitted by their employers, approved by the commanding officer or management of the facility to be visited, and forwarded with the recommendation of the chief of the technical service or appropriate commanding general of the service command concerned to the Assistant Chief of Staff, G–2, War Department General Staff, who will secure the recommendation of the Navy Department. Applications submitted through either of the channels described above will include the following information:

(*a*) Name in full.
(*b*) Official title or position.
(*c*) Name of plant or plants, posts, camps, or airfields to which admission is desired.
(*d*) Date of visit or dates between which visits are desired.
(*e*) Purpose of visit.

For foreign nationals employed by citizens of the United States or by firms or corporations owned or controlled by citizens of the United States the following additional information will be required:

(*f*) Nationality.
(*g*) Length of service with present employer.

(5) Prior to authorizing a visit to a War Department installation or to a commercial facility where classified work, projects, or features will be shown or discussed, the Assistant Chief of Staff, G–2, War Department General Staff, will secure the recommendations of the Navy Department and the chief of the technical service concerned. Members of the armed forces of Canada and Mexico may, however, be admitted to Army posts, camps, and airfields near the borders of those countries for occasional visits on the authority of the commanding general of the army, defense command, service command, or air force command having jurisdiction over such posts, camps, or airfields, without reference to higher authority.

c. United States citizens.—Subject to the approval of the commanding officer or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to War Department or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

(1) Casual visitors may be admitted provided no classified work or project is shown or discussed.

(2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating in War Department work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible chief of technical service. Authority for admission will be in writing.

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(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to War Department installations or manufacturing establishments engaged on work for the War Department, provided classified matter, projects, or processes of manufacture are not shown or discussed with them.

77. Responsibility of commanding officer, Army representative, or inspector.—*a.* The commanding officer of a military establishment or the Army representative or inspector at a commercial establishment is the local representative of the War Department in all matters regarding the admission of visitors. If, in his opinion, the situation at the time makes the admission of a visitor inadvisable, he is empowered to postpone the visit and request instructions from the office which authorized it.

b. The commanding officer or Army representative will make a report to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of technical service or commanding general, service command, giving the following information concerning foreigners who visit establishments engaged in classified projects:

(1) Name, official position, and nationality.
(2) Authority for the visit.
(3) Matters in which the visitors showed the greatest interest.
(4) General nature of questions asked.
(5) Expressed object of the visit.
(6) Inspector's estimate of the real object of the visit.
(7) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.
(8) A brief list of what was shown and explained.

78. Responsibility of Government contractors.—*a.* Contractors or subcontractors engaged in work for the War Department must place such restrictions on the movements of persons employed or entering their plants or offices as will give adequate security to top secret, secret, confidential, or restricted matters in their possession. In view of the wide differences in organization, arrangement, and physical make-up of individual plants, no specific rules are practicable. Therefore, local conditions at the plant and the classification of the project will determine the security measures to be adopted.

b. The following general procedure in regard to visitors at establishments or plants engaged in classified projects for the War Department is prescribed:

(1) Visitors will be accompanied during their stay at the plant by the inspector or Army representative, a member of his office, or some responsible person who is specifically informed as to the necessary limitations or restrictions, the scope of the visit, and the information which may be furnished.
(2) Unless specifically authorized by the authorities mentioned in paragraph 76, visitors will not be allowed in any shop, laboratory, drafting room, or section of a plant where top secret, secret, confidential, or restricted matériel is located or where classified work is in progress, nor will they be permitted to take photographs.

c. (1) War Department contractors will submit to the commanding general of the service command or chief of technical service, whichever is appropriate, immediately upon completion of the visit, a report of all visitors, except United States citizens, who have gained

information concerning the classified work or projects. The reports will include the following information:

(*a*) Name, official position, and nationality.
(*b*) Authority for visit.
(*c*) Matters in which the visitors showed the greatest interest.
(*d*) General nature of questions asked.
(*e*) Expressed object of the visit.
(*f*) Estimate of the real object of the visit.
(*g*) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.
(*h*) A brief list of what was shown and explained.

(2) The commanding general of the service command or chief of technical service, whichever is appropriate, will submit the reports to the Assistant Chief of Staff, G–2, War Department General Staff, through the appropriate chief of technical service.

SECTION VII

AIR SPACE RESERVATIONS, RESTRICTED AREAS, AND RESERVED AREAS

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79. Air space reservations.—*a. Establishment.*—Air space reservations over military installations or reservations over which the flight of aircraft is prohibited or restricted for the purpose of national defense or for other governmental purposes are established by executive order of the President of the United States, or by a State, Commonwealth, or Territory.

b. Responsibility of commanding officers.—The commanding officer of a military reservation, post, camp, station, or installation over which an air space reservation has been established is responsible for the surveillance of the designated air space and for prompt report to The Adjutant General, through military channels, of any illegal flight therein.

80. Restricted areas.—*a. Designation.*—The commanding officer of a military reservation, post, camp, station, or installation is responsible for the designation and proper safeguarding of restricted areas in his military reservation, post, camp, station, or installation. If local conditions dictate, he will mark all ordinary entrances or approaches to such areas with a sign reading as follows:

WARNING

RESTRICTED AREA

It is unlawful to enter within this _____ without written permission of _____.
(Area, building, etc.) (Authority)

b. Procedure in case of violation.

(1) The commanding officer of a military reservation, post, camp, station, or installation will cause any person not subject to military law who enters a restricted area or building to be detained, warned of

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his rights, and interrogated by proper authority. If it is a first offense and there is no evidence of deliberate intent, the offender may be warned against repetition and released upon the surrender of any unlawful photograph, sketch, picture, drawing, map, or graphic representation in his possession. Otherwise the offender will be delivered without unnecessary delay to the nearest United States marshal with a written statement of the facts, the names and addresses of the witnesses, and such pertinent exhibits as may be available.

(2) When an investigation reveals that a person not subject to military law has entered such a restricted area or building, custody of the individual not having been effected, the commanding officer will promptly forward in writing to the nearest United States district attorney a report of all the facts, including the names and addresses of the witnesses.

(3) A report will be made through military channels to the commanding general of the service command of each case brought to the attention of civil authority and will include a brief of all the facts and copies of all pertinent communications.

81. Reserved areas; establishment.—Areas reserved for military or national defense purposes, admittance to which is either restricted or prohibited, are set apart by executive order of the President of the United States or by order of the Secretary of the Interior.

SECTION VIII

TROOP MOVEMENTS, INDIVIDUAL TRAVEL, AND MOVEMENT OF SUPPLIES

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82. General.—*a. Application.*—The provisions of *b* below and paragraphs 83 to 94 inclusive, will apply during periods of hostilities. The provisions of paragraph 95 will apply during periods of peace or following the termination of hostilities and before peace is formally declared.

b. Responsibility of commanding officers.—Commanding officers of units, replacements, or individuals affected by the provisions of this section are responsible that such personnel are instructed in these provisions, advised of their applicability, and warned of the danger involved in the disclosure to unauthorized persons of classified information concerning troop movements or movements of supplies. Necessary instructions will be given both at home station and staging area prior to movement to a theater of operations.

83. Classification requirements.—*a. Movements of personnel or supplies.*—Information of movements of personnel or supplies will be classified, when appropriate, as secret, confidential, or restricted by, or by authority of, any officer authorized to make or authorize secret classifications under paragraph 10*a*. In order to insure proper and uniform classification, it is essential that documents concerning movements be classified, when appropriate, in accordance with the principles contained in this section.

b. Troop movements or travel of replacements to theater of operations.—The following elements of information concerning troop movements or travel of replacements or individuals to a theater of operations will normally be classified as indicated, except as stated in paragraph 91:

(1) *Secret.*—Documents which contain any one of the following elements, either directly or by implication, require a classification of secret:

(*a*) Oversea or intertheater destination in the clear, when such destination is an active theater of operations or a specific location within an active or inactive theater of operations.

(*b*) A specific port of destination within continental United States for return to continental United States in travel by water.

(*c*) Date and time of departure from a port of embarkation, a port of debarkation en route, a port of aerial embarkation, or a port of aerial debarkation en route.

(*d*) Route, name, or destination of ship or convoy.

(*e*) Estimated time of arrival at an oversea or intertheater destination, or at ports or airports of debarkation en route.

(*f*) The meaning of an assigned shipment number so far as it represents a specific oversea or intertheater destination.

(*g*) The oversea or intertheater destination represented by a temporary APO number.

(*h*) Events en route involving enemy action.

(2) *Confidential.*—Documents which contain any of the following elements will be classified confidential:

(*a*) Inactive theater of operations as a destination, in the clear, provided the exact destination within the theater is not shown.

(*b*) Information or description of unit movements of nonoperational significance within areas in or adjacent to active theaters of operations.

(*c*) A list or tabulation of two or more units combined with and included under a single shipment number or other comparable code designation. The combination of a single unit with its oversea shipment number and letter, or other comparable code designation, however, is restricted information.

(3) *Restricted.*—The following types of information, or documents containing this information, except as indicated in (1) and (2) above, will normally be classified restricted:

(*a*) Orders, communications, reports, and other documents concerning troop movements, oversea or domestic travel of replacements, or oversea travel of individuals. However,

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reports and communications concerning movements need not be classified if the classified elements of information and unit designations are not included therein and reference to the movement is made by shipment number and letter (or other comparable code designation), by temporary APO number, or by main number.

(*b*) Troop movements between inactive theaters of operations, between the United States and inactive theaters of operations, within inactive theaters of operations, and domestic troop movements within continental United States, provided such movements are not associated with further movement to an active theater of operations.

(*c*) Continental United States as a destination in the clear, provided the specific port of debarkation in travel by water is not shown.

c. Domestic travel within continental United States.—Domestic travel within continental United States of individuals which is not associated with further movement to a theater of operations or with classified activities will not normally require classification.

d. Movements of supplies.

(*1*) Movements of supplies and impedimenta which are to accompany units, or are destined for, or otherwise associated with specific units or specific troop movements will be governed by the classification requirements set forth in paragraph 83*b*.

(*2*) Movements of supplies which are not associated with specific units or troop movements:

(*a*) Movements will normally carry a coded destination symbol such as a shipping designator or shipment number. Documents covering such shipments which by inference or by literal reference compromise the meaning of the coded destination symbol will require a classification at least as high as that of the meaning of such coded symbol.

(*b*) Movements may be addressed in the clear to oversea destination when authorized by the Secretary of War. This method of addressing will not normally be used when the presence of military installations such as oversea ports, combat airfields, harbor defenses, or similar establishments will be exposed thereby.

(*c*) When a coded designation of specific shipments, projects, or locations, such as a consignee combination, is used in combination with a coded destination symbol, the coded designation will be classified at least as high as the meaning of the coded destination symbol. Documents and reports covering shipments may be unclassified where the meaning coded destination symbols, coded shipment designations, or other coded data covering the shipment are not revealed or otherwise compromised.

e. Movement of personnel or supplies by hospital ship.—Orders for movement of personnel or supplies by hospital ship will be unclassified if it is necessary that such orders accompany the personnel or supplies aboard the hospital ship. See AR 55–530.

84. Dissemination of information.—*a.* All persons connected with the military service who receive information concerning movements of personnel or supplies classified in accordance with paragraphs 83, 90, 91, and 92 are forbidden to make public or to inform unauthorized persons concerning the classified elements of such movements.

b. When it is necessary to advise relatives or other persons of approaching departure, individuals connected with the military service will not disclose any classified information.

c. Arrival in a theater of operations does not diminish the necessity of safeguarding classified elements of information concerning the movement. After such arrival, no information will be given to unauthorized persons concerning names, destinations, or organizations, names of vessels, data concerning convoys, routes pursued, measures taken to avoid attack, date of arrival, debarkation or departure, or number of troops, or kind of cargoes carried.

85. Rail and motor movements.—*a.* Reports concerning arrivals and departure of rail or motor movements within the United States which for any reason are classified, may be transmitted to persons authorized to receive such reports, unclassified, provided unit designations are not included therein.

b. When rail or motor movements or travel of personnel are made preliminary to movement to a theater of operations, cars, baggage, and impedimenta will not be marked in the clear to show oversea destination, date of departure, name of ship, or other classified elements of information. In such cases, impedimenta will be marked with the assigned shipment number and letter or other comparable code designation. The unit designation will not be used as a marking on impedimenta, although the company letter or abbreviation may be used to identify the impedimenta of each company or similar unit in the movement.

86. In staging areas.—*a.* Instructions will be given to all individuals concerned in the applicable security provisions of this section.

b. Commanders of ports or airports of embarkation are authorized to restrict to prescribed limits all personnel under orders for movement to a theater of operations for a period not to exceed 48 hours prior to departure. During this period of restriction, communication with other military personnel and civilians may be prevented or limited as may be considered necessary by the port or airport commander concerned. Special authority must be obtained from the War Department (if in the United States) or the theater commander (if overseas) for placing personnel in restriction more than 48 hours prior to the expected sailing or departure date.

87. Embarkation.—*a.* Troop movements will be made so far as practicable without attracting undue attention. Authority to use bands during embarkation of troops is left to the discretion of port commanders, where, in their opinion, the playing of a band will not jeopardize the security of the movement.

b. All persons not on official business will be excluded from the piers at all times.

c. Personnel may take cameras within the limits of the pier or overseas, subject to the restrictions imposed by the commander of the port, ship, theater, or other area concerned.

d. Members of families, relatives, or friends of personnel under oversea movement or travel orders will not be allowed in the vicinity of piers on the day of sailing.

88. Movement of vessels in harbors.—Vessels loaded with personnel or supplies will be moved under cover of darkness whenever possible.

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89. At sea.—*a.* After sailing from the port of embarkation, the destination will be disclosed to members of units, replacements, or individuals aboard ship only as necessary for training or indoctrination en route. When such information is disclosed, personnel will be warned of the classification thereof. Particular care will be taken to insure that this warning is given all personnel who are allowed ashore at intermediate stopping points.

b. Events at sea concerning or resulting from enemy action will be considered as secret information by all individuals concerned.

90. Returns to continental United States.—Classification requirements are the same as those enumerated in paragraphs 83 and 91.

91. Movements by air.—*a.* Generally, the same requirements for water movements apply to movements by air of units or subdivisions thereof to a theater of operations.

b. In documents containing information of travel to a theater of operations by military aircraft of replacements, and individuals, as distinguished from units, the inclusion of the following elements normally will require a classification of restricted only:

(1) Oversea or intertheater geographical destinations, unless the presence of troops or particular military installations at such destination is classified higher than restricted.
(2) Date and time of departure from port of aerial embarkation, or airports en route, subsequent to such departure.
(3) Air route, unless the air route is classified higher than restricted.
(4) Estimated time of arrival at specific oversea intertheater destination or airports en route, subsequent to departure from port of aerial embarkation.
(5) Oversea or intertheater destination represented by a temporary APO number.

c. The provisions of paragraph 83 will apply to information concerning the oversea travel of replacements and individuals when both air and water transportation are employed.

d. Orders and allied papers for oversea travel by commercial aircraft of replacements and individuals may be unclassified, even though they contain elements of information for which a classification of restricted is required by *b*(1), (2), (3), and (4) above.

e. All individuals involved in air movements, communicating from intermediate stopping points, will refrain from disclosing classified information.

f. Operational messages limited to information concerning movements of aircraft in a theater of operations may be sent in the clear when authorized by the theater commander.

g. The specific airport of destination within continental United States for returns to the United States by air from theaters of operation is restricted information.

92. Theater of operations in continental United States.—The foregoing paragraphs of this section are based on the assumption that theaters of operations will be located overseas. However, should any portion of continental United States become a theater of operations, the provisions of the foregoing paragraphs nevertheless will apply, subject to the following:

a. The portion so designated will be treated as an "oversea designation."

b. The terms "continental United States" and "United States" will refer only to the zone of interior (see FM 100-5).

c. The movements or travel by rail or motor from the zone of interior to the theater of operations, the security provisions applicable to ports of embarkation will also apply to points in the zone of interior from which direct movement to the theater commences, and the provisions applicable to water movement or travel will apply to land movement or travel.

93. Higher classification.—A higher classification than that indicated in this section may be assigned if the order, message, or other communication contains information which should be protected by a higher classification.

94. Reason for classification.—Whenever a classification higher than restricted is assigned to a movement order, the reason for such higher classification will normally be included therein. An *example* of an explanatory paragraph is as follows:

> The following secret and confidential elements of information are contained herein: secret equipment (par. 11c); tabulation of units (par. 1); confidential mission (pars. 2 and 3). All other elements of this order are restricted.

95. Periods of peace or following termination of hostilities.—*a. Application.*—The provisions of this paragraph will apply only during periods other than those of hostilities.

b. Normal security requirements.—Information or documents concerning movements of personnel or supplies will normally be unclassified.

c. Classification requirements.

(1) Elements of information (such as destination, mission, and other elements which should be safeguarded) concerning movements of personnel or supplies, other than movements within oversea areas in which United States Army forces are stationed, will be classified secret, confidential, or restricted only when such classification is authorized by the War Department. Separate instructions directing such classification will be issued to the offices and personnel concerned.
(2) Commanders of United States Army forces stationed in oversea areas are authorized to classify elements of information concerning movements of personnel or supplies within their respective areas.
(3) The provisions of paragraphs 84, 85, 86, and 87 will apply to classified movements.
(4) Whenever a movement order is classified, the reason for such classification will normally be included therein. An example of an explanatory paragraph is as follows:

> The following classified elements of information are contained herein. Secret equipment (par. 11*a*); confidential mission (par. 1); restricted consignee combination (pars. 2 and 3). All other elements of this order are unclassified.

[AG 380.01 (29 Dec 45)]

BY ORDER OF THE SECRETARY OF WAR:

OFFICIAL:
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The Adjutant General

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Safeguarding Military Information -- AR 380-5 Index

(For Revised Edition, 6 March 1946)

This index of AR 380-5 has been prepared to facilitate expeditious and accurate reference to paragraphs which pertain to specific phases of requirements for safeguarding military information. It is based on the revised edition, dated 6 March 1946. This index may be reproduced locally and distributed as desired.

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