

C2

SS Aug 65

Changes in force: C 1, C 2, and C 3

AR 604-5
C 3

PERSONNEL SECURITY CLEARANCE
CLEARANCE OF PERSONNEL FOR ACCESS TO CLASSIFIED DEFENSE INFORMATION AND MATERIAL

CHANGE }
No. 3 }

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, D.C., 10 June 1964

AR 604-5, 21 May 1962, is changed as follows:

7. **Reciprocal acceptance of previous investigations and clearances.** (Superseded) *a.* It is highly desirable that responsible authorities within the armed services and other agencies of the Department of Defense accept from each other on a mutual and reciprocal basis the results of previous investigations and previous clearances which have been based on investigative requirements which are in consonance with current standards. Such reciprocation will avoid the repetitious filing of personal history statements, and the time and expense of multiple investigations and multiple clearances. This, however, applies only where a prior investigation by an investigative agency of the government meets the standards prescribed herein. If the proper investigation does not meet such standards, supplemental or additional investigation will be conducted.

b. Notwithstanding *a* above, the clearance of an individual by an appropriate authority of one service, agency, or command is not binding on another service, agency, or command. Within the Department of the Army, the ultimate authority in any case rests with the Secretary of the Army. Commanders and heads of Headquarters, Department of the Army Staff agencies to whom clearance authority has been delegated have authority to grant or deny clearances to individuals under their jurisdiction or to grant or deny access to information for which they have responsibility. This authority includes the right to review the investigative and personnel files pertaining to the case in question and, if deemed necessary, to request additional investigation before granting clearance. In any case, whether or not the investigative file is reviewed, the clearance certificate will be validated in accordance with instructions contained in paragraph 22.

8. **Granting of access to classified information**
[ACSI]

tion by one service or agency to a member of another service or agency. (Superseded) *a.* *Personnel not previously cleared.* Whenever it becomes necessary for one service or agency to authorize access to classified information in its custody to a member of another service or agency who has not been granted the required clearance, the using service or agency will request the parent service or agency to conduct the necessary investigation. Upon completion of the investigation, the parent service or agency will grant or deny the clearance and will notify the service or agency which requested the clearance as to the action taken. Records required by paragraph 23 will be made by the service or agency having custody of the personnel records of the individual concerned.

b. Personnel assigned or detailed to duty with another service or agency. Whenever military or civilian personnel are assigned or detailed for duty with another service or agency, both the parent and using service or agency will be responsible for advising the other of any adverse information coming to their attention which relates to the individual's continued eligibility for access to classified defense information. If the using service or agency requests additional investigation, the primary responsibility for its conduct rests with the parent service or agency with the understanding that the results thereof will be furnished immediately to the using service or agency. Should the using service or agency determine that the individual can no longer be authorized access to classified defense information in its custody, it may elect to reassign the individual to other duties within its own organization, or, if appropriate, arrange to revoke the assignment or detail and advise the parent service or agency as to the reasons therefor. The responsibility to suspend a security clearance and to initiate security proceedings rests with the parent service or agency.

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AR 604-5

C 3

By Order of the Secretary of the Army:

EARLE G. WHEELER,
General, United States Army,
Chief of Staff.

Official:

J. C. LAMBERT,
Major General, United States Army,
The Adjutant General.

Distribution:

Active Army, NG and USAR: To be distributed in accordance with DA Form 12-9 requirements for Military Security—A.

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513 May 65

Changes in force: C 1 and C 2

PERSONNEL SECURITY CLEARANCE

Clearance of Personnel for Access to Classified Defense Information and Material

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, D.C., 20 May 1964

CHANGE }
No. 2 }

AR 604-5, 21 May 1962, is changed as follows:

4. Definitions

* * * * *
✓ p. *Suspension of security clearance.* (Added)
The temporary withdrawal of an individual's authorized access to classified defense information when information becomes known which indicates the individual may be a security risk. Following appropriate inquiry or investigation and adjudication of the results, the individual's security clearance will either be reinstated or revoked.

✓ q. *Revocation of security clearance.* (Added)
The permanent withdrawal and cancellation of an individual's security clearance for cause (para. 17b).

✓ 6. *Clearance Authority.* a. (Superseded)
The Secretary of the Army hereby delegates authority to the following to clear personnel within their specific areas of jurisdiction for access to classified defense information: the Under Secretary, Assistant Secretaries, and Special Assistants to the Secretary of the Army; Chief of Staff of the Army; Heads of Department of the Army General and Special Staff agencies; the Commanding General, Army Security Agency, Chief, U.S. Army Intelligence Corps Agency; Commanders in Chief, U.S. Strike Command, U.S. European Command, U.S. Southern Command; the Commanding Generals, U.S. Continental Army Command, U.S. Army Materiel Command, U.S. Army Strategic Communications Command, U.S. Army Combat Developments Command, U.S. Army Air Defense Command, major overseas commands, Army components of unified commands, ZI Armies, Military District of Washington, U.S. Army; and Commandant, National War College. These officials may redelegate security clearance authority within their respective juris-

dictions to commanders of installations, units, or activities which, in their opinion, require such authority to accomplish the security clearance program. Notwithstanding such delegation, the persons holding the aforementioned positions continue to be responsible for all security clearance actions taken within their respective jurisdictions.

* * * * *
13. *Types of investigation required for access to each category of classified defense information.*

* * * * *
✓ c. *SECRET.*

* * * * *
✓ (2) *Interim clearance.*
(a) *Civilian personnel—United States citizens.*

* * * * *
2. In case of * * * of such finding. In every case this action will be based upon a check of available records to include those listed in paragraph 20a.

* * * * *
✓ d. *CONFIDENTIAL.*

* * * * *
✓ (2) *Interim clearance.*
(a) *Civilian personnel—United States citizens.*

* * * * *
2. In case of * * * of such finding. In every case this action will be based upon a check of available records to include those listed in paragraph 20a.

○ *This change supersedes DA message 951830, 16 January 1964.

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15. Acceptance of investigations conducted by other governmental agencies for clearance purposes.

b. Acceptance of investigations conducted for civilian employment.

(2) (Superseded) Where a National Agency Check with written inquiries is conducted on behalf of the DOD by the Civil Service Commission, such investigation may be accepted as a basis for granting a security clearance without review of the entire investigative file provided the Civil Service Commission certifies on CSC Form 715 (Report of Clearly Favorable Results in DOD NACI Case) that their investigation disclosed no derogatory information. Upon completion of clearance action or action required under Part III of DA Form 873 (Certificate of Clearance and/or Security Determination under EO 10450) the requesting command will forward the CSC Form 715 to the U.S. Army Counterintelligence Records Facility, Fort Holabird, Maryland, 21210, for inclusion in the individual's USACRF dossier.

17. Criteria for application of policy. a. The ultimate determination *** revocation of clearance.

(18) (Superseded) Any criminal, infamous, dishonest, immoral, or disgraceful conduct, excessive indebtedness or recurring financial difficulties, unexplainable affluence, habitual use of intoxicants to excess, drug addiction, or sexual perversion.

(20) All other behavior, activities, or associations which tend to show that the person is not reliable or trustworthy, including repetitive absence without leave.

b. (Superseded) Commanders and supervisors at all echelons including company, separate detachment, or equivalent level will take immediate action to suspend an individual's access to classified

information whenever derogatory information within the scope of a above is received. In this connection, full use will be made of medical and military police reports. The responsible official withdrawing access will promptly notify the clearance authority of such action and initiate or request appropriate investigation in order to permit expeditious restoration of access or to provide a sound basis upon which to effect revocation of the individual's security clearance. Upon completion of appropriate inquiry or investigation and review of all pertinent facts, both favorable and unfavorable, the commander authorized to grant clearance will make a positive determination whether to revoke the clearance or permit it to remain in force. If the decision is to revoke the clearance, the action described in paragraph 24 will be followed. In addition, action will be initiated in accordance with AR 600-31, AR 604-10, SR 620-220-1, AR 381-115, AR 230-15, AR 640-98, AR 604-11, The Uniform Code of Military Justice, CPR-S1, or other regulations, as appropriate. Commanders and supervisors must be alert on a continuing basis to detect delinquent or irrational conduct on the part of subordinates who have access to classified information. This is particularly critical in cases of personnel who have access to TOP SECRET or SECRET cryptological material, TOP SECRET war plans, or other sensitive information (e.g., special intelligence, contingency plans, information specifically designated for compartmentation by national level directives, and nuclear weapon design information).

19. Access to classified cryptographic information.

b. Determination of eligibility.

(1) (Superseded) United States citizen personnel must possess a security clearance granted in accordance with this regulation for access to classified defense information of the same or higher classification category as that of the cryptographic information to which access is required. However, as an exception to this requirement, to provide a mobilization base of persons clearable for access to SECRET cryptographic

classified defense information for a specified period not to exceed 1 year.

m. Formal declaration of intent to become a United States citizen. That action taken by an individual to accomplish Immigration and Naturalization Service Form N-300 (Application to Execute a Declaration of Intent) with the Immigration and Naturalization Service and subsequent declaration of intent before a naturalization court to become a United States citizen.

n. Lie detecting set examination. For the purpose of these regulations, a lie detecting set examination is an examination of an individual on a voluntary basis conducted by qualified operators using the Lie Detecting Set AN/USS-2(C) or other lie detecting instruments or equipment approved by the Department of the Army. The examination, as a minimum, will consist of verification of questionable and critical information contained in the Statement of Personal History (DD Form 398) or Immigrant Alien Questionnaire (DD Form 49). The lie detecting set may be used to verify other pertinent information available or to provide leads for further investigations.

o. Derogatory information. Information of such nature as to constitute a possible basis for denial or revocation of security clearance, rejection for or separation from service or employment with the Department of the Army. It includes—

- (1) *Adverse loyalty information.* Information which reflects unfavorably upon the loyalty of an individual to the United States.
- (2) *Adverse suitability information.* Information which, though not reflecting on an individual's loyalty to the United States, casts doubt upon his good character, trustworthiness, or reliability and hence raises a doubt that access to classified information would be clearly consistent with national security or which might serve as a bar to any favorable personnel action. Examples of adverse suitability information are contained in paragraphs 17a (16) through (21).

5. Policy. *a.* No person is entitled to knowledge of, possession of, or access to, classified defense information solely by virtue of his office, position, grade, or security clearance. Such information may be entrusted only to those individuals

whose official military or other governmental duties require such knowledge or possession and who have been investigated when required and cleared for access in accordance with the minimum standards prescribed by these regulations.

b. No person will be granted a security clearance unless it is affirmatively determined, as prescribed herein, that such clearance is clearly consistent with the interests of national security.

c. No person will be granted an interim security clearance or an access pending authorization under the provisions of these regulations until such time as the required information and forms necessary to initiate action for final clearance have been received by the appropriate clearing authority.

d. Aliens, other than immigrant aliens, and foreign nationals, are not eligible for security clearances but may in exceptional cases be granted limited access authorizations for access to classified defense information under the provisions of paragraph 16.

e. Immigrant aliens are not eligible for interim security clearances but may be granted final type security clearances provided a formal declaration of intent to become a United States citizen has been accomplished and geographic, political, or other considerations do not prevent the full completion of a background investigation as outlined in appendix II, AR 381-130. In the absence of either or both of these conditions, such personnel may be granted limited access authorizations only and processed in accordance with the procedures outlined in paragraph 16 for granting aliens and foreign nationals access to classified defense information.

f. The minimum investigative requirements prescribed herein may be raised in any particular case or category of cases, if deemed essential from a security standpoint by the authorities listed in paragraph 6a. CONUS and oversea commands functioning as control offices for the conduct of investigations will deny requests for those personnel security investigations of a scope beyond that prescribed in these regulations unless sufficient justification is furnished with the request.

g. A requirement exists for periodic reinvestigation of certain categories of personnel designated by the Department of the Army who have access to significantly sensitive information. Requests for such investigations made under the au-

gation, the control office will be notified so that the results of the investigation may be forwarded by the control office to the gaining command. The requests for NAC's already submitted to the 902nd Intelligence Corps Group, ATTN: NAPU, Tempo "A", Room 2200, 2d & T Street, SW., Washington, D.C., 20315, will not be canceled.

* * * * *
e. Receipt of reports after change in status.
 Should the requestor * * * channels as follows:

- ↓ (1) (Superseded) If the subject of investigation has been reassigned and a completely favorable report is received by the requester, the report will be forwarded directly to the subject's new installation or activity. However, unfavorable reports will be forwarded through the appropriate command Headquarters to the new command.

* * * * *
h. Requests for investigation of personnel selected for assignment to another installation.
 (Added) When a commander requests a personnel security investigation on an individual in order to fulfill a projected assignment prerequisite for another command or agency, the request will indicate the new command to which the completed investigation will be forwarded. The individual's personnel records will reflect the investigation has been initiated and that results will be forwarded to the gaining command.

↓ **23. Record of security clearance.** *a.* (Superseded) Interim and final security clearances granted under this regulation will be made a mat-

ter of record and a copy of the most recently issued final clearance (DA Form 873) will become a permanent part of the individual's USACRF file and of his field military 201 file or official civilian personnel folder, as appropriate. In the case of military personnel, entries must also be made on DA Form 86 (Officer Qualification Record) or DA Form 20 (Enlisted Qualification Record) in accordance with AR 611-103 and AR 640-203.

* * * * *
25. DA Form 2545 (Cryptographic Access Authorization, Briefing Certificates) (Superseded) *a.* Parts I and II of DA Form 2545 will be accomplished for all personnel requiring access to classified cryptographic information by the command authorizing access (except under conditions stated in para. 19f). The forms will be attached to the DA Form 873 filed in the individual's field military 201 file or official civilian personnel folder. DA Form 2545 will be retained as a permanent part of the individual's field 201 file unless it is removed for cause under *b* below.

b. If an individual's security clearance is revoked for cause, all DA Forms 2545 in the individual's field file, if any, will be forwarded as an inclosure(s) to the letter report forwarded to the USACRF as required by paragraph 24b(3).

c. If for any reason an individual no longer requires access to classified cryptographic information to perform his official duties, an appropriate entry indicating that debriefing was accomplished in accordance with AR 380-5 and the date will be made under Part III "Remarks" of DA Form 2545. If debriefing cannot be accomplished, reasons therefor will be entered in Part III.

Official:

J. C. LAMBERT,
 Major General, United States Army,
 The Adjutant General.

EARLE G. WHEELER,
 General, United States Army,
 Chief of Staff.

Distribution:

Active Army, NG and USAR: To be distributed in accordance with DA Form 12-9 requirements for Military Security—A.

515 Aug 65

PERSONNEL SECURITY CLEARANCE

CLEARANCE OF PERSONNEL FOR ACCESS TO CLASSIFIED DEFENSE INFORMATION AND MATERIAL

CHANGES

No. 1

AR 604-5, 21 May 1962, is changed as follows:

✓ **6. Clearance authority.** *a. (Superseded)* The Secretary of the Army, hereby delegates authority to the following to clear personnel within their specific areas of jurisdiction for access to classified defense information: the Under Secretary of the Army; the Assistant Secretaries of the Army; the Chief of Public Information; the Chief of Legislative Liaison; the General Counsel; the Administrative Assistant to the Secretary of the Army; the Chief of Staff; The Inspector General; The Judge Advocate General; the Chief of Information; the Deputy Chiefs of Staff; the Assistant Chief of Staff for Intelligence; the Chief, Research and Development; the Chief, Office Reserve Components; the Comptroller of the Army; the heads of Special Staff agencies; the Commanding General, U.S. Continental Army Command; the Commanding General, U.S. Army Materiel Command; the Commanding General, U.S. Army Combat Developments Command; the Commanding General, U.S. Army Air Defense Command; the Commanding General, U.S. Army Forces Strike Command; the Commander in Chief, Europe; the Commander in Chief, Caribbean; the Commanding Generals of the ZI armies and major oversea commands; the Commanding General, Military District of Washington, U.S. Army; the Chief, U.S. Army Security Agency; the Chief, Intelligence Corps Agency, and the commanders of all independent commands. These officials may redelegate security clearance authority within their respective jurisdictions to commanders of installations, units, or activities which, in their opinion, require such authority to effectively accomplish the security clearance program. Notwithstanding such delegation, the persons holding the aforementioned positions continue to be responsible for all se-

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HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON 25, D.C., 6 February 1963

curity clearance actions taken within their respective jurisdictions.

* * * * *

✓ **13. Types of investigation required for access to each category of classified defense information.** (Superseded) *a. General.* Except for aliens and foreign nationals, or immigrant aliens on whom a full background investigation cannot be completed, Department of the Army personnel may be declared eligible for access to classified defense information and granted a security clearance under the minimum requirements set forth below for each category of defense information, provided that no adverse information of a loyalty or suitability nature is developed which is of sufficient gravity to justify an overall commonsense determination that the clearance of the individual is not consistent with the interests of national security. Requirements for the various classifications of defense information are set forth in *b* through *d* below.

b. TOP SECRET.

(1) *Final clearance.*

- (a) *Civilian personnel—United States citizens.* Background investigation.
- (b) *Military personnel—United States citizens.*

- 1. Background investigation, or
- 2. National Agency Check, plus

(a) Continuous honorable active duty as a member of the Armed Forces, or a combination of such active duty and civilian employment in the Federal Government service on a continuous basis, with no break greater than 6 months, for a minimum of 15 consecutive years immediately preceding the date of the

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current investigation, or current need for clearance, plus

(b) Check of the military field 201 file, local intelligence files, provost marshal files, and medical records.

(c) *Immigrant aliens (civilian or military)*. Background Investigation.

(2) *Interim clearance.*

(a) *Civilian personnel—United States citizens*. National Agency Check. Except that only in a case of emergency may an interim clearance be granted to employees occupying sensitive positions (critical).

(b) *Military personnel—United States citizens*. National Agency Check.

(c) *Immigrant aliens (civilian or military)*. No interim clearance authorized.

c. **SECRET.**

(1) *Final clearance.*

(a) *Civilian personnel—United States citizens*.

1. National Agency Check, plus written inquiries to appropriate local law enforcement agencies, former employers and supervisors, references, and schools attended, except that the written inquiries portion of the investigation may be dispensed with for employees who have been continuously employed for a period of 5 years (with no break greater than 6 months) immediately preceding the date of the current investigation, or current need for clearance.

2. A background investigation is required for employees occupying sensitive positions (critical).

(b) *Military personnel—United States citizens*. National Agency Check.

(c) *Immigrant aliens (civilian or military)*. Background Investigation.

(2) *Interim clearance.*

(a) *Civilian personnel—United States citizens*.

1. National Agency Check.

2. In case of emergency, interim clear-

ance for access to **SECRET** may be granted for a limited period provided a National Agency Check has been initiated and an authority listed in paragraph 6 finds that such action is necessary in the interest of national security and makes a record of such findings. In every case this action will be based upon a check of available records.

(b) *Military personnel—United States citizens*. Continuous honorable active duty as a member of the Armed Forces, for a minimum of 2 consecutive years immediately preceding the date of the current investigation, plus a check of the military field 201 file, local intelligence files, provost marshal files, and medical records; or, in the case of personnel with less than 2 years service—

1. A check of files required above, plus

2. A check of the Federal Bureau of Investigation Criminal and Subversive Files.

(c) *Immigrant aliens (civilian or military)*. No interim clearance authorized.

d. **CONFIDENTIAL.**

(1) *Final clearance.*

(a) *Civilian personnel—United States citizens*. National Agency Check, plus written inquiries to appropriate local law enforcement agencies, former employers and supervisors, references, and schools attended, except that the written inquiries portion of the investigation may be dispensed with for employees who have been continuously employed for a period of 5 years (with no break greater than 6 months) immediately preceding the date of the current investigation.

(b) *Military personnel—United States citizens*. A check of the military field 201 file, local intelligence files, provost marshal files, and medical records.

(c) *Immigrant aliens (civilian or military)*. Background Investigation.

(2) *Interim clearance.*

(a) *Civilian personnel—United States citizens.*

1. National Agency Check.
2. In case of emergency, interim clearance may be granted for a limited period provided a National Agency Check has been initiated and an authority listed in paragraph 6 finds that such action is necessary in the interest of national security and makes a record of such finding. In every case this action will be based upon a check of available records.

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(b) *Military personnel—United States citizens.* Interim clearance not authorized.

(c) *Immigrant aliens (civilian or military).* Interim clearance not authorized.

e. TOP SECRET and SECRET clearances granted prior to these changes (wherein service performed in active United States Army Reserve and Army National Guard units was counted as "active duty" time in computing the number of [ACSI])

By Order of the Secretary of the Army:

Official:

J. C. LAMBERT,
Major General, United States Army,
The Adjutant General.

Distribution:

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consecutive years of continuous active duty) remain in effect.

19. Access to classified cryptographic information.

* * * * * *f. Transient and limited access.* (Superseded) U.S. citizen personnel whose primary duties are not cryptographic in nature (e.g., crew members, duty officers), but who may be required to use certain types of cryptomaterial (e.g., operation codes, authentication systems, call sign ciphers), will be required to execute DA Form 2545 (Cryptographic Access Authorization, Briefing and Debriefing Certificates). However, when in a transient status, they may be issued such material, classified no higher than SECRET without formal proof of such execution, *provided—*

- (1) They are properly identified;
- (2) Instructed in the proper handling and safeguarding of the information concerned; and
- (3) The cryptocustodian is satisfied that they have been cleared for access to a classification category equal to or higher than that of the material to be released.

EARLE G. WHEELER,
General, United States Army,
Chief of Staff.

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*AR 604-5

ARMY REGULATIONS

No. 604-5

HEADQUARTERS,
DEPARTMENT OF THE ARMY
WASHINGTON 25, D.C., 21 May 1962

PERSONNEL SECURITY CLEARANCE
CLEARANCE OF PERSONNEL FOR ACCESS TO CLASSIFIED DEFENSE INFORMATION
AND MATERIAL

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Section I. GENERAL

1. Purpose. These regulations prescribe the policy and establish the procedures for the granting, denial, suspension, or revocation of security clearances to Department of the Army personnel

for access to classified defense information including RESTRICTED DATA and cryptographic information.

*These regulations supersede AR 604-5, 29 November 1955, including C 2, 10 October 1956; C 3, 15 July 1957, C 4, 21 January 1958, C 5, 15 July 1960; SR 380-160-13, 15 August 1952; ACSI Letter (ACSI-S POL), 15 November 1956, subject: "Limited Access Authorization for Aliens (U)"; DA Message 983305, 23 September 1960 and DA Message 991334, 6 March 1961.

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2. **Relation to other regulations.** While these regulations cover the general procedure for the granting, denial, suspension or revocation of security clearances, AR 381-130 and CPR-12 are closely associated with these regulations and must be consulted for complete information concerning requests for and scope of personnel security investigations incident to clearance for access to classified defense information.

3. **Applicability.** These regulations are applicable to personnel of the Department of the Army, including Army Reserve personnel not on active duty, and to persons employed by, hired on an individual contractual basis, or serving in an advisory capacity to the Department of the Army whether on a permanent, temporary, or part-time basis and whether or not they are compensated for their services from appropriated or nonappropriated funds. This includes citizens of the United States, aliens in the United States with or without immigration visa for permanent residence and aliens employed in oversea areas. These regulations are also applicable in those cases where clearance is requested for members and employees of the Army National Guard.

4. **Definitions.** *a. Department of the Army.* Defined in AR 320-5.

b. Classified defense information. Official information which requires protection in the interest of national defense and which is classified for such purpose by appropriate classifying authority in accordance with AR 380-5.

c. Cryptographic information. Knowledge or facts pertaining to cryptographic and cryptanalytic processes, methods, equipment, cryptosystems, cryptopublications and related material.

d. National security. The protection and preservation of the military, economic and productive strength of the United States, including the security of the Government in domestic and foreign affairs, against or from espionage, sabotage, and subversion, and any and all other acts designed to weaken or destroy the United States.

e. Sensitive position. Any position within the Department of the Army the occupant of which could bring about by virtue of the nature of the position, a material adverse effect on the national security. Such positions include the following:

- (1) Any position, the duties or responsibility of which require access to defense infor-

mation classified under AR 380-5 as TOP SECRET, SECRET, or CONFIDENTIAL.

- (2) Positions filled by commissioned officers or warrant officers.
- (3) Personnel engaged in troop information or troop education activities.
- (4) Any other position so designated by the Secretary of the Army or by any of the officials listed in paragraph 6.

f. Sensitive position (critical). A position that in addition to meeting the criteria set forth in *e* above involves responsibility for the development of war plans; development or approval of plans or particulars of future major special operations of war; development or approval of critical and extremely important items of war; development or approval of policies and programs which affect the overall operations of the Department of the Army, the Department of Defense, or the other military departments; or as a member of a security screening, hearing, or review board regardless of the degree of clearance required. (See CPR-12.)

g. Commander. For the purpose of these regulations, the term "commander" includes persons occupying the positions listed in paragraph 6*a* and all others to whom authority to grant clearances has been properly delegated.

h. Alien. Any person not a citizen or national of the United States.

i. Immigrant alien. Any alien lawfully admitted into the United States under an immigration visa for permanent residence.

j. National of the United States.

- (1) A citizen of the United States, or
- (2) A person who, though not a citizen of the United States, owes permanent allegiance to the United States.

k. Foreign national. A national of a foreign country who is not also a citizen of the United States.

l. Limited access authorization. Limited access authorization as used herein means the formal authority granted in accordance with these regulations for aliens, or immigrant aliens, upon whom some aspects of a background investigation may not be possible of achievement because of geographical or political limitations, to have access to

classified defense information for a specified period not to exceed 1 year.

m. Formal declaration of intent to become a United States citizen. That action taken by an individual to accomplish Immigration and Naturalization Service Form N-300 (Application to Execute a Declaration of Intent) with the Immigration and Naturalization Service and subsequent declaration of intent before a naturalization court to become a United States citizen.

n. Lie detecting set examination. For the purpose of these regulations, a lie detecting set examination is an examination of an individual on a voluntary basis conducted by qualified operators using the Lie Detecting Set AN/USS-2(C) or other lie detecting instruments or equipment approved by the Department of the Army. The examination, as a minimum, will consist of verification of questionable and critical information contained in the Statement of Personal History (DD Form 398) or Immigrant Alien Questionnaire (DD Form 49). The lie detecting set may be used to verify other pertinent information available or to provide leads for further investigations.

o. Derogatory information. Information of such nature as to constitute a possible basis for denial or revocation of security clearance, rejection for or separation from service or employment with the Department of the Army. It includes—

- (1) *Adverse loyalty information.* Information which reflects unfavorably upon the loyalty of an individual to the United States.
- (2) *Adverse suitability information.* Information which, though not reflecting on an individual's loyalty to the United States, casts doubt upon his good character, trustworthiness, or reliability and hence raises a doubt that access to classified information would be clearly consistent with national security or which might serve as a bar to any favorable personnel action. Examples of adverse suitability information are contained in paragraphs

179-add 11g (16) through (21).

5. Policy. *a.* No person is entitled to knowledge of, possession of, or access to, classified defense information solely by virtue of his office, position, grade, or security clearance. Such information may be entrusted only to those individuals

whose official military or other governmental duties require such knowledge or possession and who have been investigated when required and cleared for access in accordance with the minimum standards prescribed by these regulations.

b. No person will be granted a security clearance unless it is affirmatively determined, as prescribed herein, that such clearance is clearly consistent with the interests of national security.

c. No person will be granted an interim security clearance or an access pending authorization under the provisions of these regulations until such time as the required information and forms necessary to initiate action for final clearance have been received by the appropriate clearing authority.

d. Aliens, other than immigrant aliens, and foreign nationals, are not eligible for security clearances but may in exceptional cases be granted limited access authorizations for access to classified defense information under the provisions of paragraph 16.

e. Immigrant aliens are not eligible for interim security clearances but may be granted final type security clearances provided a formal declaration of intent to become a United States citizen has been accomplished and geographic, political, or other considerations do not prevent the full completion of a background investigation as outlined in appendix II, AR 381-130. In the absence of either or both of these conditions, such personnel may be granted limited access authorizations only and processed in accordance with the procedures outlined in paragraph 16 for granting aliens and foreign nationals access to classified defense information.

f. The minimum investigative requirements prescribed herein may be raised in any particular case or category of cases, if deemed essential from a security standpoint by the authorities listed in paragraph 6a. CONUS and oversea commands functioning as control offices for the conduct of investigations will deny requests for those personnel security investigations of a scope beyond that prescribed in these regulations unless sufficient justification is furnished with the request.

g. A requirement exists for periodic reinvestigation of certain categories of personnel designated by the Department of the Army who have access to significantly sensitive information. Requests for such investigations made under the au-

thority of this paragraph will not be denied by the control offices without Department of the Army approval. Normally, such reinvestigations will not be requested unless the prior investigation is 5 years old or older.

6. **Clearance authority.** a. The Secretary of the Army has delegated authority to the following to clear personnel within their specific areas of jurisdiction for access to classified defense information: the Under Secretary of the Army, the Assistant Secretaries of the Army, the Chief of Staff, U.S. Army, The Inspector General, The Judge Advocate General, the Deputy Chiefs of Staff, the Assistant Chiefs of Staff, Chief, Research and Development, the Chief of Information, the Comptroller of the Army, the Chief of Legislative Liaison, the heads of Special Staff agencies, the heads of the technical services, the Commanding General, United States Continental Army Command, the Commanding General, Military District of Washington, U.S. Army, the Commanding General, U.S. Army Air Defense Command, the Commanding Generals of the ZI armies and major oversea commands, the Chief, Intelligence Corps, U.S. Army and the Commanding General, U.S. Army Intelligence Center, the Chief, U.S. Army Security Agency, and the commanders of all other independent commands. These officials may redelegate security clearance authority within their respective jurisdictions to commanders of installations, units, or activities which within their opinion require such authority to effectively accomplish the intent of the security clearance program. Notwithstanding such delegation, the persons holding the aforementioned positions continue to be responsible for all security clearance actions taken within their respective jurisdictions.

b. Each person authorized to grant clearances must himself have been appropriately cleared for access to TOP SECRET defense information.

c. Clearance certificates on "commanders" to whom the Secretary of the Army has delegated authority to grant clearances in a above may be executed within their own headquarters provided the requirements of b above are met. Further, these "commanders" may appoint a staff officer to act for them in the execution of clearance certificates on personnel within their respective commands, agencies, or activities and on subordinate "commanders" to whom they further delegate au-

thority to grant clearance: This policy may be extended to apply to lower echelons if desired. Each "commander" is responsible that his staff officer who is acting for him in this capacity is himself cleared for TOP SECRET.

d. Each commander will, before authorizing access to defense information, insure that the individual is familiar with the provisions of AR 380-5, AR 381-12, and other pertinent directives governing the safeguarding of classified information.

e. Upon the granting of clearance, the commander is responsible for continuing close supervision and observation of the activities and behavior of personnel who have access to classified information. Whenever valid reason exists for believing that an individual's conduct, activities, or attitude may jeopardize security, prompt action will be taken to suspend or revoke his security clearance and to effect his immediate reassignment.

7. **Acceptance of prior clearances granted by Department of Defense agencies.** a. It is highly desirable that responsible authorities within the armed services and other agencies of the Department of Defense accept from each other on a mutual and reciprocal basis security clearances granted by appropriate authority, provided such clearances have been based on investigative requirements consonant with the standards prescribed in paragraph 12 of these regulations.

b. Notwithstanding a above, the clearance of an individual by an appropriate authority of one service, agency, or command is not binding on another service, agency, or command. Within the Department of the Army, the ultimate authority in any case rests with the Secretary of the Army. Commanders and heads of Headquarters, Department of the Army Staff agencies to whom clearance authority has been delegated have authority to grant or deny clearances to individuals under their jurisdiction or to grant or deny access to information for which they have responsibility. This authority includes the right to review the investigative and personnel files pertaining to the cases in question and, if deemed necessary, to request additional investigation before granting clearance. In any case, whether or not the investigative file is reviewed, the clearance certificate will be validated in accordance with instructions contained in paragraph 22.

8. **Security clearance of member of another service or agency.** Whenever it becomes neces-

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sary for one service or agency within the executive branch to grant a clearance to a member of another service or agency who has not been previously investigated or cleared, the using service or agency may grant the requisite interim clearance. However, the parent service or agency will accomplish the necessary investigation, issue the final certificate of clearance, and furnish a copy of the certificate to the using service or agency. Entry required by paragraph 23 will be made by the service or agency having custody of the personnel records of the individual concerned.

9. Security clearance of separated Department of the Army personnel. *a.* Clearances granted under these regulations become invalid upon termination of the individual's service with the Department of the Army by reason of discharge, resignation, or retirement.

b. Retired general officer personnel may participate in classified conferences, or a particular ac-

tivity or project, under the supervision and at the request of one of the officials designated in paragraph 6a on the basis of clearances in effect at the time of retirement. Such clearances remain valid for this purpose until terminated by the Assistant Chief of Staff for Intelligence, Department of the Army.

10. Implementation at class II installations and activities. The heads of Headquarters, Department of the Army Staff agencies having command responsibilities and the Commanding General, United States Army Air Defense Command, are responsible for the implementation of these regulations at class II installations and activities under their respective jurisdictions.

11. Combat operations. Under combat conditions or other military exigencies, authorities listed in paragraph 6a may waive such provisions of these regulations as are warranted by the circumstances.

Section II. INVESTIGATIONS

12. Types of investigation required for access. *a.* The types of personnel security investigations normally utilized incident to granting access to classified defense information are listed below. The definition for and the component parts of each of these investigations are contained in AR 381-130.

- (1) National Agency Check (NAC).
- (2) National Agency Check, plus written inquiries (NACI).
- (3) Background Investigation (BI).

b. As indicated in paragraph 13, the type investigation required in any instance will depend on the defense classification of the information to which a clearance for access is required, the military or civilian status of the individual concerned, and his citizenship status.

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13. Types of investigation required for access to each category of classified defense information. *a. General.* Except for aliens and foreign nationals, or immigrant aliens on whom a full background investigation cannot be completed, Department of the Army personnel may be declared eligible for access to classified defense information and granted a security clearance under the minimum requirements set forth below for each category of defense information, provided that no adverse information of a loyalty or

suitability nature is developed which is of sufficient gravity to justify an overall commonsense determination that the clearance of the individual is not consistent with the interests of national security. Requirements for the various classifications of defense information are set forth in *b* through *d* below.

b. TOP SECRET.

(1) *Final clearance.*

(a) *Civilian personnel—United States citizens.* Background investigation.

(b) *Military personnel—United States citizens.*

1. Background investigation, or

2. National Agency Check, plus

(a) Continuous honorable active duty as a member of the armed forces (to include duty in the USAR, USNR, USAFR, and the Army and Air National Guard), or a combination of such active duty and civilian employment in the Federal Government service on a continuous basis, with no break greater than 6 months, for a minimum of 15 consecutive years immediately preceding the date of the current investigation, or cur-

- rent need for clearance, *plus*
- (b) Check of the military field 201 file, local intelligence files, provost marshal files, and medical records.
- (c) *Immigrant aliens (civilian or military)*. Background Investigation.
- (2) *Interim clearance.*
- (a) *Civilian personnel—United States citizens.* National Agency Check. Except that only in a case of emergency may an interim clearance be granted to employees occupying sensitive positions (critical).
- (b) *Military personnel—United States citizens.* National Agency Check.
- (c) *Immigrant aliens (civilian or military)*. No interim clearance authorized.
- c. **SECRET.**
- (1) *Final clearance.*
- (a) *Civilian personnel—United States citizens.*
1. National Agency Check, *plus* written inquiries to appropriate local law enforcement agencies, former employers and supervisors, references, and schools attended, except that the written inquiries portion of the investigation may be dispensed with for employees who have been continuously employed for a period of 5 years (with no break greater than 6 months) immediately preceding the date of the current investigation, or current need for clearance.
2. A background investigation is required for employees occupying sensitive positions (critical).
- (b) *Military personnel—United States citizens.* National Agency Check.
- (c) *Immigrant aliens (civilian or military)*. Background Investigation.
- (2) *Interim clearance.*
- (a) *Civilian personnel—United States citizens.*
1. National Agency Check.
2. In case of emergency, interim clearance for access to SECRET may be granted for a limited period provided a National Agency Check has been initiated and an authority listed in paragraph 6 finds that such action

is necessary in the interest of National Security and makes a record of such finding. In every case this action will be based upon a check of available records.

- (b) *Military personnel—United States citizens.* Continuous honorable active duty as a member of the armed forces (to include duty in the USAR, USNR, USAFR, and the Army and Air National Guard), for a minimum of 2 consecutive years immediately preceding the date of the current investigation, *plus* a check of the military field 201 file, local intelligence files, provost marshal files, and medical records; or, in the case of personnel with less than 2 years service—
1. A check of files required above, *plus*
2. A check of the Federal Bureau of Investigation Criminal and Subversive Files.
- (c) *Immigrant aliens (civilian or military)*. No interim clearance authorized.
- d. **CONFIDENTIAL.**
- (1) *Final clearance.*
- (a) *Civilian personnel—United States citizens.* National Agency Check, *plus* written inquiries to appropriate local law enforcement agencies, former employers and supervisors, references, and schools attended, except that the written inquiries portion of the investigation may be dispensed with for employees who have been continuously employed for a period of 5 years (with no break greater than 6 months) immediately preceding the date of the current investigation.
- (b) *Military personnel—United States citizens.* A check of records referred to in b(1)(b) above.
- (c) *Immigrant aliens (civilian or military)*. Background Investigation.
- (2) *Interim clearance.*
- (a) *Civilian personnel—United States citizens.*
1. National Agency Check.
2. In case of emergency, interim clearance may be granted for a limited

period provided a National Agency Check has been initiated and an authority listed in paragraph 6 finds that such action is necessary in the interest of national security and makes a record of such finding. In every case this action will be based upon a check of available records.

- (b) *Military personnel—United States citizens.* Interim clearance not authorized.
- (c) *Immigrant aliens (civilian or military).* Interim clearance not authorized.

14. Access pending clearance requirements—United States citizens. When immediate access to classified defense information is required in order for the individual concerned to carry out his assigned task and, because of exceptional circumstances, the delay caused by awaiting interim clearance would be harmful to the national interest, authorities listed in paragraph 6 may authorize such access to United States citizens, based on a favorable check of the individual's military field 201 file or civilian personnel record, local intelligence, medical and provost marshal files. This authority will be exercised only in exceptional circumstances. In each such case of granting immediate access, a record of the authorization will be made and the commander, or responsible authority concerned, will immediately institute the procedures necessary to satisfy final clearance requirements. A letter report of such action will be transmitted promptly through command channels to the Chief, Security Division, Assistant Chief of Staff for Intelligence, Department of the Army, Washington 25, D.C.

15. Acceptance of investigations conducted by other governmental agencies for clearance purposes. *a. Prior investigation.* Whenever a prior investigation by any investigative agency of the Federal Government is equal in scope and meets the standards prescribed in AR 381-130, clearance may be granted upon review of the prior investigation provided that service with the Federal Government has been continuous with no break in service longer than 6 consecutive months since completion of this prior investigation, and an inquiry of the agency of prior employment discloses no reason why clearance should not be granted. If the prior investigation does not meet the re-

quirements of AR 381-130, supplemental or additional investigation will be conducted.

b. Acceptance of investigations conducted for civilian employment.

- (1) The following investigations may be accepted for clearance purposes within the Department of the Army provided the person has been continually in the employ of the executive branch of the Federal Government and there has been no break longer than 6 months since the completion of the investigation, and an inquiry to the agency of prior employment discloses no reason why clearance should not be granted.
 - (a) "Record Check and inquiry" conducted by the Civil Service Commission pursuant to Section 3, Part I, Executive Order 9835, may be accepted as the equivalent of a National Agency Check, plus written inquiries.
 - (b) "Preappointment loyalty check" conducted by the Civil Service Commission pursuant to Executive Order 9835, provided an FBI fingerprint check is included, may be accepted as the equivalent of a National Agency Check. This does not include the record checks conducted by the FBI under Part VI, Executive Order 9835, since such checks are not the equivalent of a National Agency Check.
 - (c) National Agency Check including FBI fingerprint check conducted by a United States Government agency pursuant to Executive Order 10450, may be accepted as the equivalent of a National Agency Check.
 - (d) A "Full Field Investigation" conducted pursuant to Executive Order 10450 by a United States governmental agency may be accepted, provided it is determined upon review of the investigative report that it meets the scope prescribed in appendix II, AR 381-130 for a background investigation.
- (2) Where a National Agency Check with written inquiries is conducted in behalf of the DoD by the Civil Service Commission, such investigation may be accepted as a basis for granting security

clearance, without review of the full investigative report, provided the Civil Service Commission certifies that their investigation disclosed no derogatory information of the type covered by Section 8(a) of Executive Order 10450, as amended, or other equally questionable information.

- (3) Where a background investigation of a civilian employee is required under the provisions of these regulations, the National Agency Check component of the background investigation need not be duplicated if it is determined that a United States Government agency is conducting or has completed a National Agency Check that meets the scope prescribed in Appendix I, AR 381-130.

16. Access by aliens, certain categories of immigrant aliens, and foreign nationals. Aliens, immigrant aliens who have not accomplished a formal declaration of intent to become a United States citizen or on whom the full completion of a background investigation is not possible because of geographic, political, or other considerations, and foreign nationals are not eligible for security clearances. Such personnel may be granted limited access authorization only, under the conditions and procedures set forth in *a* through *c* below. For the purpose of brevity, the term "alien" is used throughout this paragraph to cover all categories of alien personnel mentioned above.

a. Policy. Appropriate authority as defined in *c* below may grant an alien a limited access authorization when it is determined that the employment of an alien in duties requiring access to certain classified defense information is necessary in the interests of national security. The classified mission of the command, agency, or installation is secondary to the interest of national security in establishing authorization. It is therefore essential that strict limitations be placed on the type of positions in which aliens may be utilized and the type of information which may be disclosed. In no case will a limited access authorization be granted if the investigation discloses information which raises a reasonable doubt concerning the character, integrity, or trustworthiness of the individual or if the lie detector examination dis-

closes that the individual entertains any degree of disaffection for the United States or has intentionally tried to withhold or conceal any information pertaining to the investigation.

b. Investigation. The minimum scope of investigation to be conducted for the purpose of granting a limited access authorization under the provisions of these regulations is as follows:

- (1) Such components of a background investigation (AR 381-130) as are possible of achievement, *plus* a check of the files of the Central Intelligence Agency, *plus*
- (2) A lie detector examination to cover that portion of the individual's life which cannot be investigated because of geographical, political, or other considerations.

c. Authorization. Authorization to grant access as provided in this paragraph is delegated as follows:

- (1) TOP SECRET—Secretary of the Army and the Under Secretary of the Army only.
- (2) SECRET—Authorities listed in paragraph 6a.
- (3) CONFIDENTIAL—Authorities listed in paragraph 6a or their designees.

d. Limited access authorization. There is no authority for the granting of an interim limited access authorization.

e. Certification. The appropriate authority indicated in *c* above, upon approval of a request for limited access authorization, will execute a certificate substantially as shown in figure 1. Each certificate will include as inclosures a job description and a statement indicating the types of classified information to which the alien requires access. This certificate will remain in effect for 1 year unless sooner revoked or rescinded by reason of change of duties, termination of employment, or similar circumstances. If revoked or rescinded, a letter reporting the circumstances of the revocation or rescission will be directed to the Commanding Officer, U.S. Army Counterintelligence Records Facility (USACRF), Fort Holabird, Md., for inclusion in the individual's USACRF dossier. Renewal requests will be processed through the channels provided for original requests. Reinvestigation will be accomplished every 3 years during the period of authorization but need not

include an additional lie detector examination unless security considerations present in an individual case warrant such reexamination (i.e., individuals with relatives residing in Communist or Soviet-bloc countries). The certificate of authorization will be prepared in triplicate and distributed as follows:

- (1) The original will be forwarded to the organization to which the subject individual is assigned for inclusion in his

field military 201 file or civilian personnel folder.

- (2) One copy retained in the intelligence files of the issuing command while the certificate is in force.
- (3) One copy will be forwarded through intelligence channels to the Commanding Officer, U.S. Army Counterintelligence Records Facility, Fort Holabird, Md., for inclusion in the USACRF dossier.

Section III. CRITERIA

17. Criteria for application of policy. *a.* The ultimate determination of whether the granting of a clearance is clearly consistent with the interests of national security must be an overall commonsense determination based upon all available information, both favorable and unfavorable. The granting, denial, or revocation of a security clearance may be a matter of far-reaching consequences to the Department of the Army as well as to the individual concerned. Therefore, arbitrary and perfunctory decisions must be avoided. The activities and associations listed below, whether current or past, may, depending upon the degree of seriousness, be the basis for denial of access to classified defense information, or revocation of clearance.

- (1) Commission of any act of sabotage, espionage, treason, or sedition, or attempts thereat or preparation therefor; or conspiring with or aiding or abetting another to commit or attempt to commit any act of sabotage, espionage, treason, or sedition.
- (2) Establishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, or revolutionist, or with an espionage or other secret agent or representative or a foreign nation, or any representative of a foreign nation whose interests are inimical to the interests of the United States, or with any person who advocates the use of force or violence to overthrow the Government of the United States or the alteration of the form of Government of the United States by unconstitutional means.
- (3) Advocacy of use of force or violence to overthrow the Government of the United States by unconstitutional means.

- (4) Membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group or combination of persons which is totalitarian, Fascist, Communist, or subversive, or which has adopted, or shows, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of Government of the United States by unconstitutional means. (An organization, movement, or group, officially designated by the Attorney General of the United States to be totalitarian, Fascist, Communist, or subversive, to advocate or approve forcible or violent denial of constitutional rights or to seek alteration of the form of Government of the United States by unconstitutional means, shall be presumed to be of a character thus designated until the contrary be established.)
- (5) Performing or attempting to perform his duties, or otherwise acting, so as to serve the interests of another government in preference to the interests of the United States.
- (6) Failure or refusal to sign DD Form 98 (Armed Forces Security Questionnaire) or DA Form 1111 (Certificate of Non-affiliation with Certain Organizations) as applicable, pleading protection of the Fifth Amendment or of Article 31, Uniform Code of Military Justice, in refusing to completely answer questions contained in DD Form 98, DD Form 398, or DA Form 1111, or otherwise failing

or refusing to answer any pertinent question propounded in the course of an official investigation, interrogation, or examination, conducted for the purpose of ascertaining the existence or extent, or both, of conduct of the nature described in (1) through (5) above, and (7) through (13) below.

- (7) Participation in the activities of an organization established as front for an organization referred to in (4) above when his personal views are sympathetic to the subversive purposes of such organization.
- (8) Participation in the activities of an organization with knowledge that it had been infiltrated by members of subversive groups under circumstances indicating that the individual was a part of, or sympathetic to, the infiltrating element or sympathetic to its purposes.
- (9) Participation in the activities of an organization referred to in (4) above, in a capacity where he should reasonably have had knowledge of the subversive aims or purposes of the organization.
- (10) Sympathetic association with a member or members of an organization referred to in (4) above or sympathetic interest in totalitarian, Fascist, Communist, or similar subversive movements.
- (11) Currently maintaining a close continuing association with a person who has engaged in activities or associations of the type referred to in (1) through (9) above. A close continuing association may be considered to exist if the individual lives with, frequently visits or frequently communicates with such person.
- (12) Close continuing association of the type described in (11) above, even though later separated by distance, if the circumstances indicate that renewal of the association is probable.
- (13) Any facts, other than as set forth in (14) through (21) below, which furnish reason to believe that the individual may be subjected to coercion, influence, or pressure which may cause him to act contrary to the best interests of national security. Among matters which should be considered in this category would be the

presence of relatives or close friends in a nation, a satellite thereof, or an occupied area thereof, whose interests are inimical to the interests of the United States.

- (14) Willful violation or disregard of security regulations.
- (15) Intentional unauthorized disclosure to any person of classified information, or of other information disclosure of which is prohibited by law.
- (16) Any deliberate misrepresentation, falsification, or omission of material fact.
- (17) Refusal to take the Oath of Allegiance or Oath of Service and Obedience.
- (18) Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction, or sexual perversion.
- (19) Acts of a reckless, irresponsible, or wanton nature which indicate such poor judgment and instability as to suggest that the individual might disclose security information to unauthorized persons or otherwise assist such persons, whether deliberately or inadvertently, in activities inimical to the security of the United States.
- (20) All other behavior, activities, or associations which tend to show that the person is not reliable or trustworthy.
- (21) Any illness, including any mental condition, of a nature which in the opinion of competent medical authority may cause significant defect in the judgment or reliability of the subject with due regard to the transient or continuing effect of the illness and the medical findings in such case.

b. Whenever credible derogatory information within the scope of a, above is received and is of sufficiently serious nature as to cast doubt whether an individual's clearance should be continued, the granting authority or the commander granting access will take action to suspend the clearance of the individual concerned by denying him access to classified information. Upon completion of appropriate inquiry or investigation and review of all pertinent facts, both favorable and unfavorable, the commander authorized to grant clearance will make a positive determination whether to revoke the clearance or permit it to

remain in force. If the decision is made to revoke the clearance, the action described in paragraph 24 will be followed. In addition, action will be initiated in accordance with AR 600-31, AR 604-10, SR 620-220-1, AR 381-115, AR 230-15, AR 640-98, AR 604-11, The Uniform Code of Military Justice, CPR-S1, or other regulations as appropriate.

c. In evaluating information of a suitability nature consideration should be given to the gravity of the information in derogation, the age of the individual at the time the incident occurred, and his subsequent behavior and performance of duty. An isolated instance of youthful indiscretion must not be construed as permanent proof of unreliability or lack of character. Any determination involving such information must be tempered by an appreciation of all the facts bearing on the case.

18. Access to atomic energy information. Access to atomic energy information bearing the classifications TOP SECRET, SECRET, and CONFIDENTIAL, including RESTRICTED DATA as defined in the Atomic Energy Act of 1954 (68 Stat. 921, as amended, 42 U.S.C. 2011 et seq.) within the Department of the Army will be governed by the clearance procedures prescribed for TOP SECRET, SECRET, and CONFIDENTIAL data as set forth in paragraph 13.

19. Access to classified cryptographic information. a. *Authority.* Authorities listed in paragraph 6a, or their designees, are responsible for determining that an individual has the need-to-know and meets eligibility requirements prior to authorizing such individual access to classified cryptographic information.

b. *Determination of eligibility.*

- (1) United States citizen personnel must possess a security clearance granted in accordance with these regulations for access to classified defense information of the same or higher classification category as that of the cryptographic information to which access is required. However, as an additional requirement, a favorable National Agency Check must be completed for those individuals who as members of the Army National Guard or Reserve Forces require access to CONFIDENTIAL cryptographic information in connection with short periods of active

duty or for training purposes while not on active duty.

- (2) Immigrant aliens who have been granted a final type *security clearance* based on a Background Investigation may be authorized access to CONFIDENTIAL cryptographic information. They will not be—
- (a) Authorized access to cryptographic information classified TOP SECRET or SECRET.
 - (b) Appointed as cryptographic custodians.
 - (c) Given access to safes where cryptographic keying material and related equipment is stored; and
 - (d) Authorized access to research and development information concerning cryptographic information.
- (3) All other aliens are ineligible for access to classified cryptographic information, except that representatives of a foreign government with which the United States has an agreement may be granted access to classified cryptographic information which has been released to that government in accordance therewith, provided the foreign government certifies that the individual has an appropriate clearance and is authorized and designated to receive the information.

c. *Authorization for access.* Following the determination that the individual has a need-to-know and is eligible for access to classified cryptographic information, appropriate authority referred to in a above will formally authorize the individual's access. The authorization for access will include an indoctrination concerning the unique nature of cryptographic information, its unusual sensitivity, the special security regulations governing its handling and protection, and the penalties prescribed for the willful or inadvertent disclosure of such information. The authorization for access will be completed and made a matter of record as prescribed in paragraph 25.

d. *Termination of access.* When it is determined that the individual no longer meets clearance requirements, or the need-to-know no longer exists, authorization for access to classified cryptographic information will be withdrawn. Such withdrawal will be accompanied by a debriefing

which includes instruction and reminders that the safeguarding of classified cryptographic information is important to the national security, that the individual is still bound by all security regulations pertaining to cryptographic information, and that he is subject to penalties prescribed for its willful or inadvertent disclosure. Termination of access will be accomplished and made a matter of record as prescribed in paragraph 25.

e. Emergency access authorization. The provisions of paragraph 14 will apply.

f. Transient and limited access. U.S. citizen personnel such as crew members whose primary duties are not cryptographic in nature, but who may be required to use certain types of crypto-

material (Operation codes, authentication systems, call sign ciphers), are not required to execute DA Form 2545 (Cryptographic Access Authorization, Briefing and Debriefing Certificates). They may be issued such material classified no higher than SECRET provided—

- (1) They are properly identified;
- (2) Instructed in the proper handling and safeguarding of the information concerned; and
- (3) The custodian is satisfied that they have been cleared for access to a classification category equal to or higher than that of the material to be released.

Section IV. ADMINISTRATION

20. Request for investigation. a. Submission. A commanding officer, his representative, or higher authority, upon determining that a personnel security investigation is required in conjunction with a security clearance action, will forward a request for the conduct of such investigation to the appropriate command (ATTN: Assistant Chief of Staff, G2) in accordance with AR 381-130. A separate request will be submitted for each investigation specifying the type investigation desired, the highest classification of the information and material to which the individual will be allowed access, and will be accompanied by the appropriate forms prescribed in AR 381-130 and CPR-12. In addition, each request will include a statement that the files and records referred to in paragraph 13b(1)(b)2(b) have been checked and will indicate the results of that check. When this check indicates that a case has been processed on an individual under the provisions of AR 604-10 or SR 620-220-1, no action will be taken to grant interim or final clearance until a complete review of the USACRF dossier has been accomplished and a determination made that such clearance is clearly consistent with the interests of national security. In no instance will an interim clearance action be taken on an individual or a request for investigation necessary to satisfy final clearance requirements be forwarded when information obtained from the individual's DD Form 398, medical record, or other record or source indicates the existence, current or past, of any mental disorder, nervous disorder, or emotional in-

stability unless competent medical authority certifies that the disorder or instability has been overcome or is of such a nature that it does not impair the subject's judgment or reliability. Such certifications, if made, will accompany the request for investigation and will become an integral part of the USACRF dossier of the individual concerned.

b. Retention of request. A copy of the request for investigation without the inclosures indicated above will be maintained in the person's field military 201 file, or official civilian personnel folder. This copy will be removed and destroyed when the investigation has been completed and a security determination made.

c. Cancellation of investigation. When the need for a background investigation previously requested no longer exists because of such reason as discharge, separation, or death, the control office will be notified promptly in order that the investigation may be canceled. In the event a change of assignment within Department of the Army is effected during the course of the investigation, the control office will be notified so that the results of the investigation may be forwarded to the gaining command. The request for NAC's already submitted to the Assistant Chief of Staff for Intelligence, Department of the Army, will not be canceled.

d. Preliminary report. A preliminary report will be furnished the requestor whenever unfavorable information which might warrant a denial of clearance is developed either during the course

of any investigation, or by the National Agency Check portion of a background investigation. Following submission of a preliminary report, the investigation will be continued. Commanders receiving preliminary reports containing derogatory information will take appropriate action to assure the security of their commands pending receipt of final reports.

e. Receipt of reports after change in status. Should the requestor receive a report of investigation subsequent to the subject's reassignment, release from active military duty, discharge from military service, death, or termination of employment, he will dispose of such report through intelligence channels as follows:

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- (1) If the person has been reassigned, report will be forwarded through the appropriate command headquarters to the new commander for appropriate action.
 - (2) If the person has been released from active duty or his employment terminated, and he is a member of the Army Reserve, report will be forwarded for appropriate action to the ZI army, MDW, or major commander in whose area the person's home of record is located.
 - (3) If the person has been released from active military duty, or his employment terminated, and he is a member of the Army National Guard, report will be forwarded to the major commander having jurisdiction over the area in which the State, district, or territory National Guard is located.
 - (4) If the person is deceased, if he has been discharged from military service with no Army Reserve commitment, or if employment has been terminated and he has no Army Reserve affiliation, report will be forwarded to the U.S. Army Counterintelligence Records Facility in accordance with AR 381-45.
 - (5) In the case specified in (1), (2), and (3) above the commander to whom the report of investigation is forwarded for appropriate action will, after completion of such action thereon, if any, forward the report to USACRF in accordance with AR 381-45.

f. National Guard requests. The granting of

security clearances for access to TOP SECRET and SECRET classified defense information to members of the Army National Guard is the responsibility of commanders specified in e(3) above. The granting of security clearances for access to CONFIDENTIAL classified defense information is the responsibility of those State adjutants general to whom the Chief of the National Guard Bureau has delegated such authority. Requests for investigation of National Guard personnel not on active duty will be processed as follows:

- (1) In accordance with procedures established by the ZI army, MDW, or oversea command, major commanders will accept for processing requests for personnel security investigations submitted by the respective adjutants general of the States, territories, and the District of Columbia, in order to insure that achievement of operational readiness by National Guard units will not be handicapped because of a lack of security clearance. However, clearances for access to TOP SECRET information will be limited to the following unless cogent reasons are furnished with the request:
 - (a) All general officers of divisions and brigades.
 - (b) General and special staff officers of divisions and brigades.
 - (c) Commanding officers of separate units as deemed necessary by the respective State adjutants general.
 - (d) Adjutants general or commanding generals of troops of the respective States, territories, and the District of Columbia.
 - (e) Individuals whose duties require access to nuclear weapons or critical RESTRICTED DATA.
- (2) Under no circumstances will copies of reports of investigation or specific details thereof be furnished the adjutants general of the States, territories, and the District of Columbia. If an adverse determination is rendered by the major commander, the case file, together with the major commander's determination will be forwarded to the Chief, National

Guard Bureau, for his determination for appointment or retention in the National Guard.

g. Reports of investigation to the Civil Service Commission. In order to comply with section 9(b), Executive Order 10450, when the investigative agencies of the Department of the Army conduct background investigations on civilian employees for personnel security purposes, the investigative agency will prepare Standard Form 79 (Notice of Security Investigation) and will submit it to the Civil Service Commission on the same day the investigation is initiated.

21. Armed Forces Security Questionnaire (DD Form 98) and Certificate of Nonaffiliation With Certain Organizations (DA Form 1111).

a. Military personnel. Prior to the initiation of a request for a personnel security investigation upon which to base a clearance action, or prior to the granting of a security clearance when investigation is not required, the commander having custody of the unit personnel records of the individual concerned will ascertain whether a DD Form 98 (Armed Forces Security Questionnaire) has been accomplished. Whenever examination of the individual's unit personnel record reveals that a DD Form 98, up to date as of the current enlistment or tour of duty, has been accomplished, and no action under AR 604-10 is pending or contemplated, a request for clearance action may be initiated. Whenever examination of the unit personnel records reveals that an up-to-date DD Form 98 has not been accomplished, the commander having custody of the individual's records will direct that the form be accomplished and will take the following action:

- (1) If the DD Form 98 is completed without qualification, investigative or clearance action may be initiated in accordance with *a* above. The DD Form 98 will be filed in the individual's field military 201 file.
- (2) If the individual refuses to execute the form in its entirety, or makes an entry therein indicating that information within the criteria outlined in paragraph 14, AR 604-10, may exist, action will be taken in accordance with the provisions of AR 604-10.

b. Civilian personnel. Prior to the initiation of a request for a personnel security investigation

upon which to base a clearance action, or prior to the granting of a security clearance when investigation is not required, the commander will ascertain whether DA Form 1111 (Certificate of Nonaffiliation With Certain Organizations) has been accomplished. Whenever the records reveal that a DA Form 1111 has been completed during the current period of employment and no action under SR 620-220-1 is pending or contemplated, a request for clearance action may be initiated. Whenever the record reveals that an up-to-date DA Form 1111 has not been accomplished, the commander will direct that the form be accomplished and will take the following action:

- (1) If the DA Form 1111 is completed without qualifications, investigative or clearance action may be initiated. The DA Form 1111 will be filed as prescribed in CPR R1.
- (2) If the individual refuses to execute the form in its entirety, or makes an entry thereon indicating that information within the criteria outlined in paragraph 17, SR 620-220-1, may exist, action will be taken in accordance with SR 620-220-1.
- (3) Failure or refusal to execute and submit DA Form 1111 is a basic disqualification for employment and clearance will not be granted.

22. Validation of DA Form 873 (Certificate of Clearance and/or Security Determination Under EO 10450).

a. When a gaining command, or agency, accepts a previous security clearance issued by another command, agency, or activity, and a review of the individual's investigative file *has not been made*, Part VI of the DA Form 873 contained in the individual's military field 201 file or civilian personnel folder will be validated as follows:

Validated in accordance with paragraph 22a, AR 604-5, by (*validating headquarters*) on (*date of validation*) by (*signature, grade, title of validating authority*).

b. When a gaining command or agency accepts a previous security clearance issued by another command, agency or activity, and a review of the individual's investigative file *has been made*, Part VI of the DA Form 873 contained in the individual's field military 201 file or civilian personnel folder will be validated as follows:

Validated in accordance with paragraph 22b, AR 604-5, by (validating headquarters) on (date of validation) by (signature, rank, title of validating authority).

23. **Record of security clearance.** *a.* Interim and final security clearances granted under these regulations will be made a matter of record and final clearances (DA Form 873) will become a permanent part of the individual's USACRF file, field military 201 file, or official civilian personnel folder, as appropriate, so as to avoid duplication of investigations and clearances. In the case of military personnel, entries must also be made on the DA Form 66 (Officer Qualification Record) or DA Form 20 (Enlisted Qualification Record) in accordance with AR 611-103 and AR 610-203.

b. An unclassified DA Form 873 (Certificate of Clearance and/or Security Determination Under EO 10450) will be executed on all interim and final security clearances for access to TOP SECRET, SECRET, and CONFIDENTIAL information unless an appropriate certificate of final clearance, based upon current investigative standards, is already posted in the field military 201 file or civilian personnel folder (except that CONFIDENTIAL clearances granted military personnel need only be recorded on the DA Form 66 or DA Form 20 in accordance with *a* above. All copies will be signed by authority of the commander authorized to grant clearance. Final clearance certificates once granted remain valid unless revoked for cogent reason(s) or become invalid by reason of increase in access authorization, discharge, resignation, or retirement. The distribution of certificates of clearance will be as follows:

- (1) *Interim clearance certificates.* One copy will be placed within the field military 201 file or official civilian personnel folder until removed for cause or replaced by a certificate granting final clearance.
- (2) *Final clearance certificates.*
 - (a) The original will be placed in the individual's field military 201 file or official civilian personnel folder and maintained as a permanent record.
 - (b) One copy will be forwarded to the Commanding Officer, U.S. Army Counterintelligence Records Facility, Fort Holabird, Md., for inclusion in the individual's USACRF dossier.
 - (c) In the case of civilian employees who are also members of the Army National

Guard or Army Reserve, additional distribution bearing a notation thereon of the military status of the individual will be made as follows:

1. One copy to the adjutant general of the appropriate State, Commonwealth of Puerto Rico, or the District of Columbia in the case of National Guard personnel.
2. One copy to the Reserve unit concerned in the case of USAR personnel.

c. Where necessary under exceptional circumstances, additional distribution to other agencies within the Military Establishment is authorized provided a record of distribution is maintained on the certificate of clearance.

d. Execution, maintenance, and filing of clearance certificates except as provided above is prohibited.

24. **Revocation of security clearance.** *a.* Security clearances will remain effective as stated in paragraph 23b. They will not be revoked merely to reflect a change in an individual's assignment to duties that do not require access authorization or that require access to less highly classified information.

b. Whenever the decision is made to revoke a clearance in accordance with paragraph 17b of these regulations, the commander concerned will—

- (1) Withdraw and destroy the certificate of clearance (DA Form 873) contained in the individual's field military 201 file or official civilian personnel folder.
- (2) Line out and initial entries on the DA Form 66 or 20 regarding the clearance.
- (3) Immediately forward a letter report marked "FOR OFFICIAL USE ONLY" or classified in accordance with AR 380-5, to the Commanding Officer, U.S. Army Counterintelligence Records Facility, Fort Holabird, Baltimore, Md., requesting that the clearance certificate contained in the individual's USACRF dossier be voided, outlining the reasons for the revocation action, and indicating disciplinary or administrative action contemplated or in progress on the individual concerned. In every case the letter will include the individual's date and place of birth. In the case of officers or warrant

officers the report will indicate action taken under the provisions of AR 604-11.

- (4) Forward an unclassified letter to each agency on distribution for the DA Form 873 (except USACRF) notifying it of the revocation action and requesting all clearance certificates on file be destroyed.

c. When the individual concerned is an officer or warrant officer, an information copy of the letters in (3) and (4) above will be forwarded promptly to the appropriate career management branch, Department of the Army.

d. Whenever a civilian employee of a class II installation or activity, whose duties require access to classified defense information, is denied clearance on the basis of adverse suitability information, and the installation or activity commander determines that the individual will not be separated, the case will be forwarded to the head of the appropriate Department of the Army agency having command responsibility to determine whether personnel action in accordance with CPR-S1 is appropriate.

25. DA Form 2545 (Cryptographic Access Authorization, Briefing and Debriefing Certificates). *a.* Parts I and II of the form will be accomplished for all personnel requiring access

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to classified cryptographic information. The form will (except as provided for in *b* below), remain attached to DA Form 873 filed in the individual's field military 201 file or official civilian personnel folder. If an individual no longer requires access to classified cryptographic information in the performance of his official duties, Part III will be completed and a notation made in the "Remarks" section of DA Form 873 that this action does not affect the individual's security clearance.

b. If an individual's security clearance is revoked, Part III will be completed and DA Form 2545 marked "Revoked," the date inserted, and the form forwarded as an inclosure to the letter report required under paragraph 24*b*(3).

c. DA Forms 873 indicating cryptographic clearance issued before the date of these regulations may continue to be utilized until there is a change in the individual's duty station. At that time, such DA Forms 873 will be destroyed and action taken in accordance with *a* above if there is a continuing requirement for access to classified cryptographic information.

26. **Implementation.** Additional investigation is not required for those individuals granted final security clearances under the procedures in effect prior to the date of these regulations.

Sample certificate of limited access authorization
(Originating headquarters)
CERTIFICATE OF LIMITED ACCESS AUTHORIZATION
(AR 604-5)

Date

This is to certify that the following named individual has been investigated under the provisions of AR 381-130, and authority is hereby granted him for limited access to classified defense information as indicated below:

----- (Full name)	----- (Grade)	----- (ASN or SSN)	----- Dossier No.
----- (Date of birth)	----- (Place of birth)		
----- (Highest category of information to which access is authorized)		----- (Date authorization expires)	
----- (Component parts of background investigation and date completed)			
----- (Command which conducted investigation and lie detector examination)		----- (Date lie detector examination completed)	
----- (Name of lie detector operator)	----- (Signature of officer granting authorization)		
	----- (Grade)		

Figure 1

[AG 313.5 (9 Apr 62) ACSI]

BY ORDER OF THE SECRETARY OF THE ARMY:

G. H. DECKER,
*General, United States Army,
Chief of Staff.*

Official:

J. C. LAMBERT,
*Major General, United States Army,
The Adjutant General.*

Distribution:

Active Army, NG, and USAR: To be distributed in accordance with DA Form 12-9 requirements for DA Regulations—Military Security—A.