

Subject: Memo For The Record - WW-II Restricted Documents

From: William Denig - NOAA Federal <william.denig@noaa.gov>

Date: 7/3/2014 11:10 AM

To: Dan Kowal - NOAA Federal <dan.kowal@noaa.gov>, Andre Sivels - NOAA Federal <andre.sivels@noaa.gov>

CC: Mark Ferguson <mark.ferguson@nara.gov>, "Bolger, Eileen" <eileen.bolger@nara.gov>, "Wolfinger, Henry" <henry.wolfinger@nara.gov>, Mark Moran - NOAA Federal <mark.p.moran@noaa.gov>

Dan - I have reviewed the subject "restricted" documents within the context of EO 10501 and believe that these documents can be considered "not classified" per the below text. I have done a strike-through of the relevant text and attached the cover page plus additional pages for each. - Bill Denig

Dr. William Denig, Chief

Solar & Terrestrial Physics Division

NOAA National Geophysical Data Center

On 5/27/2014 2:10 PM, Dan Kowal - NOAA Federal wrote:

Hi Andre,

I finally got some resolution on this issue about posting digital versions of these "restricted" old booklets from WWII online. I was finally put in touch with Bill Carpenter at [\(202\) 367-5466](#), who works for NARA's Information Security Oversight Office (ISOO), and their POC for matters of this kind. He explained to me that this "restricted" notice was abolished back in 1953 per the [Eisenhower Executive Order 10801](#) which established new classifications of restrictions. If documents were not transferred to the new classification scheme, they were to be considered "not classified." There are caveats, however. The documents cannot contain any details about nuclear weapons or any intelligence information that would pose a risk if divulged publicly prior to posting online. Therefore, I will have our staff comb through the document to see if any details of such nature exist, but I highly doubt it based on what I've seen so far. Bill also recommended that we can strike through any of the "restricted" notices posted in the document to clarify things and making a link available to the executive order for emphasis.

I will look into delivering clean copies to NARA as permanent records.

Dan

On Thu, Apr 17, 2014 at 11:27 AM, Dan Kowal - NOAA Federal <dan.kowal@noaa.gov> wrote:

Hi Andre,

There are two documents in question.

- "Radio Transmission Handbook, Frequencies 1000 to 30,000 KC," January 1, 1942.
- "Supplement to Radio Transmission Handbook, Summer, 1942," Project C-44, Communications Section, National Defense Research Committee, June 1, 1942.

Both booklets have the stamp, "Restricted," and another stamp on the front of the document:

"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 content in any manner to an unauthorized person is prohibited by law."

So the plan would be to submit these to NARA if indeed they have a permanent disposition. But we'd like to know if we scan them to digital for posting on our public website. Is that okay given the date of the document and some expiration access date associated with these materials. Come to think of it, if a statute of limitations or other governance policies makes it possible for their release, is there some message we should embed on the cover page of the document to convey that the restriction has expired per some government regulation - just what might that regulation be?

Thanks for any help you can provide. Otherwise, I can also follow up with the leads Mark gave me in an earlier email.

Dan

On Wed, Apr 16, 2014 at 8:01 AM, Andre Sivels - NOAA Federal <andre.sivels@noaa.gov> wrote:

Dan

It appears that these maybe covered under item 100.01, publication, Studies and Reports which are permanent Do you know the volume of this collection and whether these records have been officially classified or marked as Secret or Top Secret?

Andre

On Tue, Apr 8, 2014 at 3:56 PM, Dan Kowal - NOAA Federal <dan.kowal@noaa.gov> wrote:

Thanks for the info Mark. Andre, let me know if you have a contact. Otherwise I'll pursue the contact info Mark gave me.

Dan

On Tue, Apr 8, 2014 at 1:27 PM, Mark Ferguson <mark.ferguson@nara.gov> wrote:

Dan

We think you should refer this to whichever office in NOAA is charged with dealing with records classification/declassification. All agencies are required to examine classified records for periodic declassification under Executive Order 12958 (<http://www.archives.gov/isoo/policy-documents/eo-12958-amendment.html>) and other regulations. These particular records may have fallen through the cracks in terms of a past declassification review. Even though they date from WWII, it is possible that some restrictions may still apply, you never know. The few declassified records I have seen either have the old marking crossed-through or have some new stamp over them indicating they are no longer classified. That's not the case for the image you sent us. I have copied Andre Sivels on this reply in case he can identify someone at HQ you can talk to. You can also check with NARA's National Declassification Center for [general information](http://www.archives.gov/declassification/ndc/) at <http://www.archives.gov/declassification/ndc/> 301-837-1719, or forward your email message and the image to ndc@nara.gov. Let us know what you find out.

Mark

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On Mon, Apr 7, 2014 at 1:27 PM, Dan Kowal - NOAA Federal <dan.kowal@noaa.gov> wrote:

Hi Mark and Eileen,

Well we've been slow to move on these records I wrote to you about several months ago pertaining to bulletins, journals dating back to the WWII era. I finally have the attention of one of our divisions to look through and begin the index process for some of the boxes. One issue that's come up, is that the original material has "Restricted" notices stamped on these documents as you can see from this email thread. In some cases, NGDC would like to scan these documents and make them available on our website. What are rules/regs for this historical data? Can we post these online?

thanks,

Dan

----- Forwarded message -----

From: **Dan Kowal - NOAA Federal** <dan.kowal@noaa.gov>

Date: Mon, Apr 7, 2014 at 1:12 PM

Subject: Re: WW-II Restricted Documents

To: William Denig - NOAA Federal <william.denig@noaa.gov>

Cc: Mark Moran - NOAA Federal <mark.p.moran@noaa.gov>

Bill,

Correction. The documents would go to the National Archives. But before Mark gives approval, let me ping NARA and see about the posting of these documents, if a statute of limitations has expired and so on....

Dan

On Mon, Apr 7, 2014 at 12:49 PM, William Denig - NOAA Federal <william.denig@noaa.gov> wrote:

Mark - Our organizational roots trace back to 1942 and the Interservice Radio Propagation Laboratory under the NBS. These documents are a part of that work effort and of our [heritage](#). Aside from their historical significance, they are not particularly relevant. Dan Kowal will send copies of these documents to the Library of Congress so we have done our due diligence for preservation. Craig Clark has scanned the documents and, if appropriate, I would like to post these to our set of historical [online publications](#). - Bill

P.S. I'll leave a copy of each document in your office.

On 4/7/2014 8:15 AM, Mark Moran - NOAA Federal wrote:

Bill, I'm curious to see these. I'll be back on Wednesday. Why do we have these? Are they even relevant today or are they just historical documents? -Mark

Captain Mark P. Moran, NOAA
Deputy Director, National Geophysical Data Center; and
NOAA Liaison to US Northern Command / North American Aerospace Defense Command
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On Thu, Apr 3, 2014 at 1:02 PM, William Denig - NOAA Federal <william.denig@noaa.gov> wrote:

Mark - I have 2 WW-II era documents (Radio Transmission Handbook, plus its Supplement), each of which has the below restriction. I am not sure how applicable this statement is although I have no indication that it has been rescinded. - Bill

"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."

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--Attachments:	
HandbookCover.pdf	27 bytes
SupplementCover.pdf	27 bytes