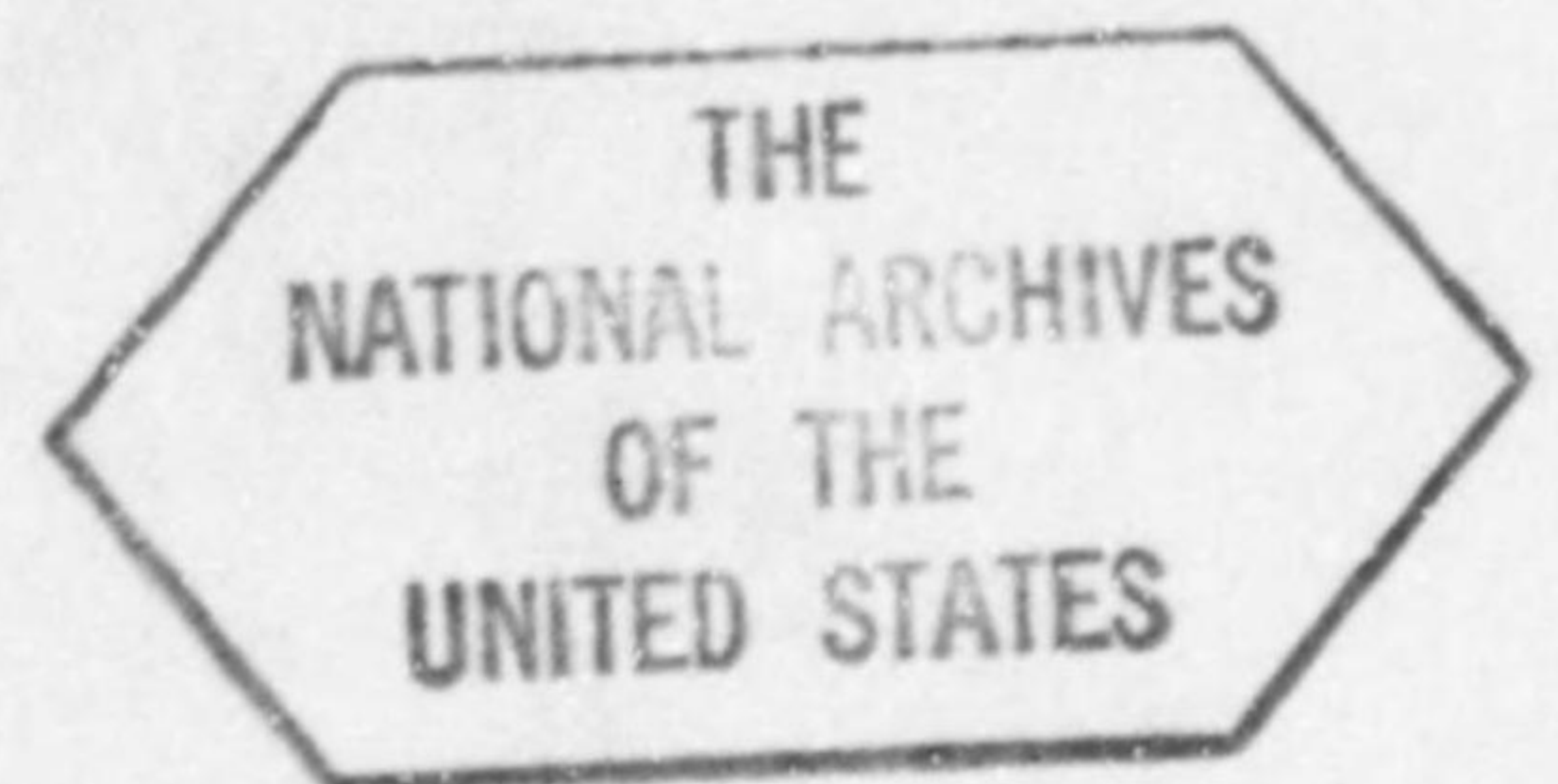


GHQ/SCAP Records(RG 331)
Description of contents



- (1) Box no. 2240
(2) Folder title/number: (19)
Action GS: Incoming: 1948

(3) Date: Jan. 1948, Mar. 1948

(4) Subject :

Classification	Type of record
020	n

(5) Item description and comment :

(6) Reproduction : Yes No

(7) Film no.

Sheet no.

19

SECRET

ACTION GS

INCOMING

1948

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F

FAR EAST COMMAND
GENERAL HEADQUARTERS, U. S. ARMY FORCES, PACIFIC
ADJUTANT GENERAL'S OFFICE
RADIO AND CABLE CENTER

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INCOMING MESSAGE

CWH

Secret
PRIORITY

24 Mar 48

FROM : DA (CSCAD PL)

TO : SCAP

NR : W 98100

A. New Zealand delegation to FEC has submitted to Commission as matter for urgent decision fol policy proposal re attendance at inter-govt'l conferences:

1. Subj to any decision by FEC in any particular case, no representatives of SCAP or of Japanese Govt, whether of Japanese nationality or not, should be permitted to attend inter-govt'l conferences in any capacity except as provided in this policy decision.

2. Consequent upon issue of appropriate invitation in each case SCAP may appoint non-Japanese members of his staff to participate as non-voting observers at such tech inter-govt'l conferences as he deems desirable in interests of objectives of occupation.

3. Such observers may be accompanied by Japanese tech pers when deemed necessary by SCAP.

4. Country acting as host to inter-govt'l conference should be under no obligation to receive Japanese without its consent.

B. Position in FEC on gen question of attendance at inter-govt'l conferences at present time roughly as fols:

1. Prior apl of FEC for all cases of attendance at inter-govt'l conferences. (USSR).

2. Prior apl of FEC in those cases involving Japanese natls. (China, Philippines, India).

3. Prior apl of FEC in cases involving official representation of Japan (France, Australia, New Zealand, Canada, Netherlands).

C. In order to formulate as soon as possible, your comments urgently rqstd.

NO SIG

20863

(over)
PRIORITY

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COPY NO. 10

Secret
PRIORITY

FROM : DA (CSCAD PL) NR : W 98100 24 MAR 48 CONT'D

ACTION: GOVT

INFORMATION: COMMANDER IN CHIEF, CHIEF OF STAFF, AG, DIPLOMATIC

20863

PRIORITY

TOO : 231531 Z
MCN : 73162

Secret
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per para 51 1 and 60 a (4) AR 380-5."

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65 ✓
FAR EAST COMMAND
GENERAL HEADQUARTERS, ~~U.S. FORCES, PACIFIC~~
ADJUTANT GENERAL'S OFFICE
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San Antonio
WRS
JR
Doyle

INCOMING MESSAGE

Restricted

ROUTINE

18 Mar 48

FROM : JCOS
TO : SCAP (MACARTHUR)
NR : W 97791

The following directive, Serial Nbr 89, prepared by the State Dept to implement the policy adopted by the Far Eastern Commission on Feb 12, 48, under the provisions of Para II, A, 1, of its terms of reference, has been recd from the state, Army, Navy, and AF Depts for transmission to you for your guidance in accordance with Para III, 1, of those terms of reference.

Directive begins.

"PROHIBITION OF MILITARY ACTIVITY IN JAPAN AND DISPOSITION OF THE JAPANESE MILITARY EQUIPMENT"

"PREAMBLE"

"In accordance with Para 1, Part III of the basic-surrender policy for Japan (FEC-014/9), adopted unanimously by the Far Eastern Commission, on 19 Jun 47, which states, 'disarmament and demilitarization are the initial tasks of the military occupation and shall be carried out promptly and with determination,' the Far Eastern Commission approves the following policy decision on the prohibition of military activity in Japan and disposition of the Japanese military equipment.

1. "a. For the purposes of this document, the term 'military' is defined to mean 'military, Naval, and air,' except where the context otherwise requires.

"b. For the purpose of this document 'Japanese Armed Forces' are defined to be all Japanese land, sea and air forces; Japanese military and organizations, formations and units; gendarmerie and secret military police and their organized Japanese auxiliaries; together with the administrative organs of the Armed Forces mentioned above.

(over)

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FROM : JCOS NR : W 97791 18 MAR 48 CONT'D

"c. 'Japanese military equipment' is defined as:

(1) All arms, ammunition, explosives, military equipment, stores and supplies and other implements of war of all kinds and any equipment, or other implements of war of all kinds and any equipment, or other property whatsoever belonging to, used by, or intended for use by Japanese Armed Forces and Japanese-controlled armed forces or any members thereof.

"(2) Naval combatant and auxiliary vessels and craft of all kinds both surface and submarine, including those under repair, alteration, remodeling, reconstruction or construction, as well as those which were reconstructed for military purposes.

"(3) All aircraft of all kinds, both military and civilian, aviation and anti-aircraft equipment and devices.

"(4) All military, Naval and air installations and establishments, including airfields, landing grounds and strips, seaplane bases, Naval bases, military equipment of harbors, establishments engaged in military research, military storage depots, including underground depots, all equipment and facilities primarily used for military communication and transport, permanent and temporary land and coast fortification fortresses and other fortified areas, together with plans and drawings of all such fortifications, installations and establishments.

"(5) Proving grounds and laboratories, all technical data, patents, plans, inventions and laboratory samples of weapons and means of war, including those which may be or have been under study, in the process of manufacture, finished or patented.

"2. Possession of arms, ammunition and implements of war by any Japanese should be prohibited save that the Supreme Commander may authorize the use:

"a. By Japanese civil police agencies for the purpose of maintaining law and order of rifles and pistols and the necessary ammunition for them and other small arms exclusively used by civil police.

"b. By licensed hunters of duly registered hunting weapons.

(over)
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GENERAL HEADQUARTERS, ~~U. S. ARMY FORCES, PACIFIC~~
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INCOMING MESSAGE

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ROUTINE

PROM : JCOS NR : W 97791 18 MAR 48 CONT'D

"3. The development, manufacture, importation and exportation of arms, ammunition and implements of war, and materials intended for military use should be prohibited for Japan, except for the importation of no more than the quantities of arms and ammunition necessary for the purposes mentioned in Japan in Para 2.

"4. The manufacture of aircraft of all kinds should be prohibited in Japan.

"5. The construction of any Naval combatant and auxiliary vessel or craft, the conversion of any commercial vessel or craft to military purposes, and the reconstruction or remodeling of commercial vessels or craft so as to render them more suitable for military purposes should be prohibited.

"6. Military equipment seized from the former Japanese Armed Forces or from members of the Japanese civil populace should after examination be destroyed or scrapped except for:

"a. Military equipment required for operational needs of the occupation forces or for the lawful activities of the Japanese Civil Police;

"b. Items convertible to peacetime civilian uses; such equipment may be drawn upon for:

"(1) The maintenance and subsistence of the occupation forces, prisoners of war, and nationals of members of the United Nations;

"(2) The relief of the local civil population to the extent necessary to prevent or alleviate epidemic or serious disease and serious unrest which would endanger the occupying forces and the objectives of the occupation;

"(3) Reparations including such military equipment as:—

(over)

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- 3 -

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Restricted
ROUTINE

NR : W 97791 18 MAR 48 CONT'D

"(a) Plant and machinery for shipbuilding and nautical instruments other than those limited to purposes of an exclusively military nature.

"(b) Diving gear.

"(c) Optical glass.

"(d) Chain and chain cables.

"(e) Machine tools convertible to peacetime uses.

"(f) Military research facilities.

"7. All former United Nations Naval Craft, equipment and facilities found in Japanese possession should be safeguarded and as soon as practicable should be delivered to the nations to which they belong at such points as may be designated by the supreme commander for the allied powers.

"8. Japanese disarmed Naval Craft may be used for the purpose of repatriation or such other purposes connected with carrying out the terms of surrender as the supreme commander may direct.

"9. All records of military registration of demobilized personnel from the Army, Navy, Air Forces, gendarmerie and secret police should be confiscated and transferred to the supreme commander for the allied powers for subsequent destruction. No further records of this nature should be compiled or maintained by the Japanese.

"10. Reestablishment of the following should be prohibited: The War and Navy Ministries, the Japanese Imperial High Command, the Supreme Military Council, the Council of Marshals and Admirals, the Inspectorate of Military Training, the Japanese Imperial General Hq, the Naval General Hq, the Hq of Armies and Fleets, and also any military organizations, military academies and schools, military scientific and research institutions and military laboratories, as well as the Officers Corps in any form. Such demobilization agency as is retained for the purpose of demobilizing returning Japanese Armed Forces should be of a civilian character and should be abolished immediately after completion of the demobilization. The former Japanese demobilization system involving special

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RADIO AND CABLE CENTER

INCOMING MESSAGE

Restricted
ROUTINE

FROM : JCOS NR : W 97791 18 MAR 48 CONT'D

privileges of demobilized members of the Japanese Armed Forces should also be abolished.

"11. All military and organizations in Japan, including ex-officers' organizations, together with their affiliates and the clubs which were used for making propaganda for militarism and ultra-nationalism should be dissolved and their revival or establishment in any form, including a disguised form, should be prohibited. The application of this para should extend also to various associations created under the guise of production associations, such as cooperative societies for joint cultivation of land, for fishing, and others, which are composed wholly or substantially of ex-officers of the Army and Navy and gendarmerie and headed by their former military commanders. This para should apply also to any other associations composed wholly or substantially of ex-officers of the Japanese Army and Navy and gendarmerie, ostensibly created for legitimate purposes, but which are, in reality, disguised forms of military or military organizations, or which have some other disguised subversive purpose.

"12. Military training of the civilian population and military instruction in schools should be prohibited.

"13. For the purpose of prevention of the revival of Japanese militarism, persons who have at one time fallen within any of the following categories should not be nominated or employed in the government service, public office, or educational institutions except as they may be necessary in performing duties essential to the demobilization of repatriated military and Naval personnel.

"a. Generals, admirals, and all other senior officers and all career officers of the Army, Navy, and
(over)

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- 5 -

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ROUTINE

FROM JCOS NR : W 97791 18 MAR 48 CONT'D

gendarmarie;

"b. Other officers of the Army, Navy and gendarmerie, including members of the reserve, if their employment would harm the cause of peace and security;

"c. Officials of ex-officers; and other military associations and of bodies closely associated with the Armed Forces.

"The supreme commander for the allied powers may authorize the nomination or employment of a person coming within categories a and c if his record shows that he has been an opponent of Japanese expansionism and totalitarianism.

"14. All measures necessary should be undertaken to prevent any revival of the Japanese Army, Navy, gendarmerie, secret police and their administrative organs."

Directive ends.

At the meeting when the directive was considered, the Soviet member abstained from voting but stated that it was his intention "not to prevent the adoption" of the policy. The commission chairman accordingly declared the policy adopted in accordance with the provisions of Para V, II, of the terms of reference on the grounds that the statement of the Soviet member amounted to "concurrence" in the "action" taken by the commission.

In view of the fact that at the time the policy decision on which the enclosed directive is based was adopted several members read into the minutes various statements of understanding as to the meaning of certain portions, the excerpt from the draft minutes of the 92d Commission Meeting, including these statements and the statement by the Soviet member, are included for your information.

"STATEMENT OF THE SOVIET MEMBER RELATIVE TO FEC-017/17
SUBMITTED AT THE 92D MEETING OF THE FAR-EASTERN COMMISSION
12 FEB 48

"Document FEC-017/17, prohibition of military activity in Japan and disposition of Japanese military equipment, is of essential importance in the matter of carrying out the demilitarization of Japan. Proceeding from this, the
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ROUTINE

FROM : JCOS NR : W 97791 18 MAR 48 CONT'D

Soviet Delegation during the discussion studied most carefully each para of FEC-017/17 and submitted a number of amendments which improved and clarified provisions of this document. It is regretted that the Soviet Delegation's amendments to Para's 2, 6, 9, 10, and 13 have not been accepted by the other members of the commission. As before, the Soviet Delegation considers these amendments very important and reserves the right to return to their consideration again at an appropriate time. However, in order not to prevent the adoption of Document FEC-017/17 the Soviet Delegation will abstain from voting."

"EXCERPT FROM THE DRAFT MINUTES OF THE 92D FAR EASTERN COMMISSION MEETING"

"ITEM 2-PROHIBITION OF MILITARY ACTIVITY IN JAPAN AND DISPOSITION OF JAPANESE MILITARY EQUIPMENT (FEC 017/17. FEC-017/19)"

"THE COMMISSION" resumed consideration of this subject as follows:

"Para 2 a:

"General McCoy recalled that, at the 87th meeting of the commission (Page 4, minutes) the Soviet representative had stated that he would be willing to retain this para as worded in FEC-017/17 provided that a statement of the Soviet understanding of the term 'and other small arms' be attached to the policy decision.

If there were no objection, General McCoy said, the Soviet proposal would be handled in accordance with normal commission procedure. General McCoy said that he realized that Mr Panyushkin had not had an opportunity to familiarize himself with the normal commission procedure in forwarding such statements of understanding to the supreme commander.

(over)

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FROM : COS NR : W 97791 18 MAR 48 CONT'D

He therefore requested the Secretary General to explain just what was meant by the normal procedure in question.

"MR JOHNSON offered the following statement with regard to normal procedure concerning statements of understanding by delegations with regard to policy decisions.

"When the commission passes policy decisions, the secretary general sends certified copies to the Secretary of State. Then, in accordance with the terms of reference of the commission, the US Government prepares directives in accordance with the policy decisions of the commission and transmits these directives to the supreme commander, through the appropriate US Government agency.

"In a number of instances representatives have made statements of the interpretation or explanation of their governments in regard to certain parts of the paper or as to the paper as a whole. These statements have normally been forwarded by the Secretary General to the Secretary of State for "transmission to the supreme commander for his information." These statements have been termed "excerpts from the minutes of the commission."

"For example, the Secretary General on Jun 6, 46, forwarded to the Secretary of State a policy decision, "aliens in Japan" (FEC-034/2). The Secretary General added: "I am also enclosing for your information an excerpt from the minutes of the 14th meeting of the commission including a statement made by the representative of the Union of Soviet Socialist Republics in connection with the approval of his government of the enclosed policy."

"In accordance with this normal procedure, in case this pending draft policy decision should be approved by the commission, the Secretary General if there is no objection will forward to the Secretary of State a certified copy of the policy decision, and will also send to the Secretary of State, for transmission to the supreme commander for his information, whatever statements of interpretation or understanding may be made by representatives on the commission."

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ROUTINE

FROM : JCOS NR : W 97791 18 MAR 48 CONT'D

"GENERAL MCCOY" said that if there were no objection, the Soviet statement of understanding regarding Para 2 a would be handled under the procedure outlined by Mr Johnson. The Soviet statement is as follows:

"The Soviet Delegation understands the term "and other small arms" in Par 2 a of FEC-017/17 to mean arms of non-group use and non-fragmentation or mass effect, carried and used by a single person."

"GENERAL MCCOY presented the following statement of understanding on behalf of the US Government for incorporation in the minutes and transmission to the supreme commander in accordance with normal procedure:

"The US Government understands that it is within the SCAP's discretionary authority to interpret with what small arms he may equip the Japanese Civil Police and that any interpretation on the phrase "small arms," which he may find it necessary to make in accordance with his authority under the terms of reference, is in no way abridged by any other understanding."

"MR FORD said that he understood the US statement of understanding to mean that discretion as to the interpretation of the phrase 'small arms' should be left to the supreme commander. With this understanding, the United Kingdom concurred, and he wished therefore to associate himself with the statement.

"MR POWLES said that while he agreed that it was the responsibility of the supreme commander to interpret any policy decision of the Far Eastern Commission, he could not agree to any implication that the supreme commander was at liberty to interpret the term 'small arms' without reference to the use of the phrase in the policy decision.

"MR BULLOCK associated himself with Mr Powles's statement and said that the question involved was not the meaning

(over)

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ROUTINE

FROM JCS NR : W 97791 18 MAR 48 CONT'D

of 'small arms' as such, but was rather the meaning of the term as it was used in the proposed policy decision, namely, 'small arms exclusively used by civil police'

"GENERAL MCCOY agreed that the over-all policy decision must govern and determine the interpretation of any particular aspect of it.

"MR FORD said that his remarks above, in concurring with Gen McCoy, had been based on the fact that the United Kingdom Government had accepted the whole proposed policy decision as shown in FEC-017/17. Consequently, any explanatory statement would have to be read in connection with the policy decision as a whole, and not as a definition separated in any manner from the context of the proposed policy.

"DR KOO said that he saw no radical differences in the statements which had been made because he regarded the principal purpose of the document to be to enable the supreme commander to maintain law and order in Japan.

"He agreed that discretion as to the meaning of the term 'small arms' should reside in the supreme commander and it was the feeling of the Chinese Delegation that the supreme commander could be entrusted to make use of only those small arms actually needed to meet any specific situation that might arise. He was therefore prepared to associate himself with the understandings which had been expressed above.

"MR NAGGIAR said that, in view of the statements which had been made and in view of the general course of discussion on Para 2 a, he felt that the amendment which he had previously proposed (Page 5, 86th FEC meeting) as a possible means of affording a basis for unanimity, was no longer necessary, since the commission appeared to be ready to approve the para in the Form in FEC-017/17. Therefore, Mr Powles, his seconder, had no objection, he would withdraw his proposed amendment.

"MR PANYUSHKIN stated that the statement of Gen McCoy, Chairman of the Far Eastern Commission, made by him on behalf of the US Government on the question of interpretation on the term 'and other small arms' in fact did not concern the substance of this question. In this statement General McCoy set forth the opinion of the US Government, which considered that the question as to what small arms the Japanese civil police

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INCOMING MESSAGE

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ROUTINE

FROM : JCOS NR : W 97991 18 MAR 48 CONT'D:

may be armed with came within the jurisdiction of the supreme commander's action in this regard could not be abridged by any other understanding of this term.

"The Soviet Delegation, MR PANYUSHKIN continued, could not recognize as correct the understanding by the United States Govt that it is within the SCAP's jurisdiction to determine with what arms the Japanese civil police should be armed, since the right to determine this belonged to the Far Eastern Committee. Therefore, the Soviet Delegation could not also agree with the opinion of the United States Govt that any interpretation by the supreme commander of the term 'and other small arms' was not abridged by any other understanding.

"In virtue of the foregoing, MR PANYUSHKIN concluded the Soviet Delegation considered this statement by the United States Delegation as lacking legal standing since it was incompatible with the decision of the Moscow Conference of Foreign Ministers in Dec of 45 in respect to the functions of the United States Govt and the functions of the supreme commander.

"GENERAL MCCOY said that there seemed to be some misunderstanding on the part of the Soviet representative regarding the United States statement of understanding. He emphasized that there was no question of 'Adoption' of his statement involved. The statement was rather a statement for the record and for transmission, together with statements by other representatives, to the Supreme Commander, with the thought that such statements would be extremely useful to the Supreme Commander in administering the commission's policy. None of these statements, he pointed out, in any way affected the terms of the proposed policy decision. As for the substance of his statement, GENERAL MCCOY recalled the inability, after extremely exhaustive technical discussion, to arrive at an agreed definition of 'small arms.' It therefore seemed to him that the only authority left to determine the meaning of the term was the administering authority who would be responsible for meeting any emergency which might arise.

MR NAGGIAR observed that subsequent to the adoption of any policy decision by the Commission any representative

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FAR EAST COMMAND
GENERAL HEADQUARTERS, U.S. FORCES, PACIFIC
ADJUTANT GENERAL'S OFFICE
RADIO AND CABLE CENTER

INCOMING MESSAGE

Restricted
ROUTINE

FROM : JCOS NR : W 97991 18 MAR 48 CONT'D:

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ROUTINE

FROM : JCOS NR : W 97991 18 MAR 48 CONT'D

could offer criticism or comment of any kind on action taken by the supreme commander to implement the policy. Indeed, representatives on the commission were free to review that actions of the supreme commander in connection not only with the implementation of Commission policy but also in connection with the implementation of United States directives issued before the existence of the commission or interim directives issued since the beginning of the commission. Personally, MR NAGGIAR failed to see any important advantage to be gained from entering statements of understanding at the time of adoption of policy decisions, as he had pointed out, formal adoption was no hindrance to subsequent review of the supreme commander's actions. He thought there was little danger of the commission's 'by passed' since the commission could always intervene in action being taken or even completed in Japan, under Section II, A, 2, of the terms of reference which provided, among the functions of the commission, 'to review, on the request of any member, any directive issued to the Supreme Commander for the Allied Powers or any action taken by the supreme commander involving policy decisions within the jurisdiction of the commission.'

"GENERAL MCCOY said that, to meet the wishes of representatives, an excerpt from the minutes covering the statements made on this para would be forwarded to the supreme commander in accordance with the normal procedure.

"The commission has agreed to release the foregoing directive to the press after its receipt in Tokyo, therefore acknowledgment of receipt is requested."

NO SIG

18965

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INCOMING MESSAGE
ROUTINE

FROM: JCOS NR: W 97991 18 MAR 48 CONT'D

ACTION: GOVT

INFORMATION: COMMANDER IN CHIEF, CHIEF OF STAFF, G-1, G-2, G-3, G-4, AG, PUBLIC INFORMATION, TRANSP, CIV COMM, STAT & RPTS, PUBLIC H & W, ECON & SCI, GEN PROC, CIV I & E, LEGAL, NAT RESOURCES, GEN ACCTG, DIPLOMATIC, INT'L PROS, CIV PROP CUST, REPARATIONS, COMNAVFE

18965

ROUTINE

TOO: 171851 Z
MCN: 72846

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CS

Action GS

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Confidential
PRIORITY

WFS

24 Jan 48

FROM : CSGPO
TO : CINCFE
NR : W 94614

Soviets are again actively pressing in Far Eastern Commission for adoption of policy stating "the demobilization agency should terminate its activities and the functions of demobilization should not be transferred to any other agency, except the functions of repatriation of Jap prisoners of war which functions should be assigned to some civilian agency." For obvious reasons the US Representatives are opposing this amendment to FEC 017/17 but in course of discussion French and Chinese Representatives requested information as to progress of implementation of SCAP directive to Japanese Government of 4 Oct 47 sub1 Reorganization of Demobilization Machinery (SCAPIN 1791). Would greatly appreciate latest information available prior to next commission meeting on 29 Jan.

NO SIG

Action taken 26 Jan 48

ACTION: GOVT

INFORMATION: COMMANDER IN CHIEF, CHIEF OF STAFF, G-2, AG

98549

PRIORITY

TOO : 232247 Z
MCN : 69633

Confidential

"Paraphrase not required. Handle as CONFIDENTIAL correspondence per para 51 1 and 60 a (4) AR 380-5."

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16-50735-1 GPO