# Classification Management

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# PROGRAM

## NATIONAL CLASSIFICATION MANAGEMENT SOCIETY
## FIFTH NATIONAL SEMINAR
## WASHINGTON, D. C.

### July 22, 1969

8:30 a.m. **REGISTRATION**

9:30 a.m. **CALL TO ORDER** – Mr. J. J. Bagley, U.S. Naval Research Laboratory, Washington, D.C.

**WELCOME** – Chairman of the Board, Mr. Lorimer F. McConnell, System Development Corporation, Santa Monica, California

**REMARKS** – President, Mr. Francis W. May, USAF Hq.
Mr. Alfred B. Berry, McDonald-Douglas Corporation, Santa Monica, California,
President, American Society for Industrial Security
**PRESENTATION OF AWARDS**

11:00 a.m. **KEYNOTE ADDRESS** – To be announced

12:00 noon **LUNCHEON**
Hon. John E. Moss, Congressman, California, The Freedom of Information Law after two years.

1:30 p.m. **PANEL** – Colonel Currie S. Downie, Office of Aerospace Research, USAF, Government Practices on the Dissemination of Scientific and Technical Information – Availability of STINFO, Dissemination Mechanisms, Problems, Impact of Classification.

4:00 p.m. Mr. Samuel Archibald, Director, Washington Center, Freedom of Information.

6:30 p.m. **PRESIDENT'S RECEPTION**

## July 23

9:00 a.m. Colonel Andrew A. Aines, Chairman, Committee on Scientific and Technical Information, The Importance of STINFO to National Welfare.

9:45 a.m. **PANEL** — Dr. Samuel D. Estep, Professor of Law, University of Michigan, Classified Research in Colleges and Universities — The Case for Publication, Government Review Processes, Legal and Social Implications of Government Research.

12:00 noon **LUNCHEON** — Dr. Bruce Wald, U.S. Naval Research Laboratory, Washington, D.C., Computers Affect Everybody.

1:30 p.m. **PANEL** — Mr. Charles P. Buckley, Bell Telephone Laboratories, Inc., Classification and Computers — Classification Considerations in Computer Operations, Remote Sharing of Classified Information and Programs, Internal Security Controls.

4:00 p.m. Mr. C. W. Borkland, Publisher, Government Executive, The Press Speaks Further on Secrecy.

## July 24

9:00 a.m. Lt. Gen. Jacob Smart, NASA, Interagency Liaison on Classification Matters.

9:45 a.m. **PANEL DISCUSSION** — Mr. Wayne T. Wilcox, Jr., Moderator, ARINC Research Corporation, Classification Management Today.

12:00 noon **LUNCHEON** — Hon. Jerry W. Friedheim, Deputy Assistant Secretary of Defense, Public Affairs.

1:30 p.m. **BUSINESS MEETING** — Society Status Reports, Chapter Reports, Old and New Business.

4:00 p.m. **ADJOURNMENT**

# NCMS—ACCOMPLISHMENT AND CHALLENGE

**Francis W. May, President, National Classification Management Society**

This issue of our *Journal* takes special note of the fifth anniversary of the incorporation of our Society. In the articles that follow you will find documentation of our past, statistics on our present, and speculations on our future.

This seems a useful thing to do at this particular stage in our development. Five years are enough to prove our viability—our desire and ability to exist as a national society. At the same time, our Society is still young enough so that what we do in the near future will shape its permanent character and determine the role it will play in the national scene in the years ahead.

The idea of protecting sensitive information by giving it a special designation and then controlling access to it is not new. The necessity for protection of defense information is widely recognized and techniques for accomplishing it are well developed. However, the recognition of the key importance of selecting the right information to be protected, combined with application of management principles and techniques to this specific activity, is a relatively recent development in our defense establishment. The Department of Defense Directorate of Classification Management was organized in 1963. Our Society, conceiving of classification management as potentially a new professional field in both government and industry, was organized the same year. Both developments, it now seems clear, took place none too soon.

Although the time and circumstances were favorable, the actual formation of the new Society was not easy. It required the public spirited dedication of many people. Dick Durham, whose brainchild the Society was, has never ceased energetically promoting and guiding it. The immediate support and organizational ability of Lorry McConnell and Bob Rushing on the West Coast were crucial in the early days. Don Woodbridge and Les Redman, eminent figures in the Atomic Energy classification program, threw their considerable prestige into the scales on the side of the Society at a critical juncture. And of utmost importance was the strong support given the Society by George MacClain and Don Garrett of the DOD. But I do not attempt to give proper credit here to all who played key roles in the formation and success of our Society. The names and deeds of many others whose contributions have been essential are on record in other articles of this issue of the *Journal*, and in previous issues of both the *Journal* and our *Bulletin*.

We have done considerably more than survive during these first years. We have grown in numbers, usefulness, and reputation. Our six chapters are all active, holding periodic meetings where experiences and views are exchanged and mutual aid and comfort are given. Our national seminars have provided larger scale opportunities for sharing experiences and for helping one another. Outside speak-

ers at these seminars, many of whom have been figures of national prominence, have given us new insights into our problems and—incidentally but very importantly—have themselves gained an understanding of what we are doing and how vital it is. Our *Journal* and *Bulletin* have been successful. They constitute the first, and still the only definitive body of information in print concerning the professional aspects of classification management. And not of least importance, we all have enhanced our individual professional competence and stature through our membership and participation in the Society.

Looking ahead, I am convinced that we are in the position of being able to render increasingly important service to our country. In this era of rapid development of new weaponry and new defense concepts, it is more evident than ever before that knowledge is power. Scientific and technical information, upon which much of our knowledge is based, is multiplying at an unprecedented rate. The effectiveness with which we utilize the outpouring of this new information, protecting what is necessary but only what is necessary, may well be crucial to our safety and world position in the future. I am particularly impressed by this thought: We will be less and less able, in the future, to tolerate the penalty of overclassification in order to be "safe." True safety will increasingly lie in our own technological progress, which depends upon as free a flow of information as possible in our scientific and industrial establishments. This is not to say that we should deliberately risk classifying too little. More than ever we must try to avoid errors. But it will be increasingly essential not to stand too much in our own way by classifying unnecessarily. In short, classification management is becoming a bigger job, and more demanding. We have a great challenge.

It is essential, I believe, that we keep in mind the first goal of the Society as stated in our by-laws: ". . . to advance the practice of classification management as a profession . . ." We need to convince our superiors, and keep them convinced, that classification management is an important activity requiring competent people and enough people. We need to sell the idea that good classification management doesn't cost—it pays. In such matters actions speak louder than words, and the professionalism with which we as individuals perform our duties will determine whether we are successful in this respect.

In any thoughtful look into the future, one cannot fail to be impressed by the extent to which the computer will affect us. Most of the information we will be coping with will be directly or indirectly computer-generated. Much of it will not be susceptible to conventional methods of handling and control. Just keeping track of it will be difficult. We should not be passive in this regard, but should make every effort to exploit the computer's capabilities for our own purposes. One step that holds immediate promise is the computer-indexing of classification guidance. The possibilities of being able quickly to locate classification guidance that has been issued on any

subject, and perhaps being able to test proposed guidance for logical compatibility with existing related guidance, are enough to make any classification man's heart leap up. We should be vigorously exploring the possibilities in this entire area.

The other national officers and directors join me in recommending continued recruitment of new members and formation of new chapters. Every possible assistance by the officers and board, and by the existing local chapters, will be given to efforts in this respect.

Finally, I believe the emergence of new leadership in our Society should be encouraged. Most of those who have served as officers and directors have been charter members who organized the Society and have been influential in setting its course so far. They will, of course, continue to be available for service, subject to the limitations of the by-laws, and their experience will be invaluable. However, as in the case of any organization, continued development of our Society will be enhanced by infusions of new leadership, bringing new vigor and new insights to bear on the tasks we face.

# HIGHLIGHTS AND FUTURE GOALS OF NCMS

**By Lorry McConnell, Chairman of the Board, NCMS**

Before I started to write this article, I looked through my files of NCMS correspondence to identify highlights in the brief history of our society. Also, I thought that a look backward might suggest where NCMS should be headed today. The "highlights" that stand out to me are events that in themselves do not appear important; but, viewed as a succession of events, they grow very much in importance. This is what I mean: Arranging for speakers, discussion materials, and conference space for a chapter meeting; paying and collecting dues; referring a friend to someone in NCMS who you know can help with his classification problem; receiving a copy of company X's procedure on document control; casting an NCMS ballot; visiting another organization and studying its classification program first-hand; taking notes on the back of an envelope during a coffee break at a chapter meeting; reading an article after seeing it recommended in the *C/M Bulletin*. Highlights? Perhaps not, individually. But taken together these and other events like them make up the worthwhile fabric of our Society. Although I recall memorable occasions in our history, I find few dramatic highlights that can compare in value with the hundreds and hundreds of these seemingly minor events which occur throughout NCMS every day. Let one of our goals be to increase these *small* activities, for in so doing we will enrich our Society in a very fundamental and therefore a very important way.

The purely "business" part of NCMS is sometimes confounding and aggravating. It tends to occupy a big part of the time we spend in our Society. And this is annoying when we have such pressing needs to identify

and solve *classification* problems. We all acknowledge that the business part is necessary. But I think we must always avoid the pitfalls of letting the business mechanisms get in the way of our primary goals and purposes. When we suggest some piece of business we think ought to be done, we should always consider first whether that is more important than an effort in the direction of classification. It is inescapable that we must spend considerable time organizing ourselves, establishing new chapters, finding locations for seminars, changing by-laws and voting for officials. And perhaps in the formative years of any society, business takes a disproportionate share of time. But now—as we are overcoming the major business problems of the Society—we should dedicate a greater share of our attention to classification proper. On 17 December 1963, I wrote the following to Dick Durham: ". . . it seems clear that the National Classification Management Society will become a reality soon." The business that had preceded that date of my letter had occupied 99% of our time—about 1% going to classification considerations. The balance of effort has been shifting to classification ever since then; but I think not fast enough. Let this be a primary goal as we enter 1970: *Do* something in *classification* that has real value; *it need not be a gigantic breakthrough—just something small, but of value;* then tell your colleagues about it—in casual conversation, at chapter meetings, and in print in our *C/M Bulletin* and our *Journal.*

There are important events in our history which I think are worth remembering:*

In *The Mosler Security Letter* of April 23, 1964, Sid Rubenstein noted that NCMS was being incorporated and that membership solicitation would begin the following month. Sid also devoted a full page to a description of NCMS. Those who knew Sid knew that he had been one of the hardest working proponents of classification management in or out of the government. He had recently convinced high officials in government that classification management had to be taken seriously. Sid and his work should never be forgotten by NCMS.

On January 11, 1965, an official news release from the Office of the Assistant Secretary of Defense (Public Affairs) announced the publication of ". . . an Instruction (5210.47) providing uniform policy guidance, standards, criteria and procedures for security classification of official information." This was a major event giving long overdue, top level recognition of classification as ". . . the first step in the Government's attempt to protect its military, scientific and technical secrets from unauthorized disclosure."

Certainly an event of major importance to NCMS was its first national seminar—held in Washington, D. C., July 13 and 14, 1965. Seminar Chairman Richard L. Durham and his committee deserve everlasting credit. That *first* seminar had to be success-

* I am excluding facts concerning the early history of NCMS that Richard Durham covered in Vol. IV, No. 1 (1968) of *Classification Management.*

ful if NCMS was to grow in its first critical years. The job was amazingly well done. The program was well selected—hitting on important issues and eliciting active participation by the audience by way of open discussions and debate. This was electric—not a formal, dry-as-dust series of speakers, but an intellectual arena—sorely needed in the past and now exploding.

As Robert J. Rushing, our first president, noted in his prefatory letter to the first issue of *Classification Management*,* the publication of the first professional journal in the field of classification happened only 16 months after the initial meeting to explore foundation of NCMS. Dr. Leslie Redman, our first editor, got our *Journal* going.

Within a year of its formal incorporation, NCMS had three chapters and was beginning to feel blood pumping through its veins.

Since 1965, a major effort of the Society has been to identify people who have (or ought to have) classification interests and get them into the mainstream of professionalism we are creating. This still is something we must consider a major goal for NCMS. There are still many not in NCMS who have major responsibilities for or who are in positions to strongly influence classification management. We must redouble our efforts to bring people into the Society.

* Vol. 1, No. 1 (1965).

In this connection, I think we find that our recruiting efforts, together with the other NCMS activities, are continuing to cast light on areas where classification management talent is needed; and we find that to get this talent we need some means of training. This is most critical at this time and I am glad to report to you that the other members of the Board of Directors agree on this and will see that NCMS takes the lead in finding solutions to training needs.

I refer back to the goal I described earlier—that of *doing* small things in classification *regularly* and not waiting to make a gigantic "breakthrough." Our *C/M Bulletin* is the ideal place to communicate such small achievements. But we must all learn to use the *Bulletin* for this much more than we have in the past. Robert Donovan, the man who originated this fine publication, continues to work diligently to publish on a regular basis, and to keep it fresh and vital. But he needs much more support from contributing sources in the Society.

In the years ahead I will always be proud to have had a part in the early formation of NCMS. Information is a most vital commodity. The decisions made to withold it or to make it known should be made in light of the best knowledge and wisdom we can possess. I believe in the future value of NCMS because it will provide a reservoir for these resources.

# THE FIRST FIVE NCMS SEMINARS

**Richard L. Durham, U.S. Arms Control and Disarmament Agency**

The history of the founding of NCMS was the subject of a previous article in the *Journal* and additional details of the organizational part of our history may be found in various articles in this and previous issues of the *Journal* and also in our *Bulletin*. Rather than repeat or expand upon those details, I feel it would be preferable, in complying with the request of the Directors to write further on the history of NCMS, to review the highlights of our national seminars.

Don Woodbridge, speaking at the second seminar, eloquently described the feeling we all had at the first seminar:

> "It was exhilerating to see how vigorously everybody entered into discussion, how we assaulted problems and expanded horizons, while seeing one another for the first time in this new and exciting mode as members of a society freely joined."

I think we continue to feel exhileration at each seminar, whether we attend in person or through reading the proceedings, because we are at once reassured and stimulated. We are reassured because we see that others are struggling with — and, by and large, coping with—the perplexities that plague us in this new and difficult field. We are stimulated by the fresh perspectives provided by our guest speakers and the new insights resulting from the catalytic effect of our discussion periods.

I should like, therefore, to touch on the highlights of each of our seminars —not to summarize or attempt to analyze them, but merely to lead you, hopefully, to re-read the proceedings and to ponder, from the perspective of the present, some of the things that are already on the NCMS record.

A high standard for our seminars was set at the first one by Don Woodbridge's opening discussion of professionalism, and his assertion that classification management was the newest profession.

The very first panel got us off to a good start, with the remarks of John Mackey of General Electric, Cincinnati, on the deficiencies of the troublesome DD 254 setting off the first of many free-swinging discussion periods.

We got an idea of how things look from the top from the panel moderated by George MacClain and featuring Jack Howard, Walter Skallerup, E. L. Nichols, and Elmer Plischke. Mr. Howard's remarks presaged the Critical Nuclear Weapon Design Information concept that has just now come into effect in the DOD, although he did not use that term. Mr. Nichols made the tongue-in-cheek (we hoped) suggestion that classification only calls attention to what's important, and that we would be safer to let the important information mingle anonymously with the unimportant, with no special markings or accountability. If this idea had caught on, the newest profession would have become an ex-profession.

An extremely interesting talk—and a prophetic one, we realize now—was by Richard Sangar, of the Foreign

Service Institute, on "The Age of Insurgency." Unfortunately we were not able to include this in our published proceedings.

The climax of the first seminar was the address by the Honorable Adrian S. Fisher on "International Aspects of Classification Management." Some of the questions he posed then concerning possible exchanges with Russia in the arms control area remain intensely interesting and thought-provoking today.

The highlight of the second seminar was the keynote address by Frank Thomas of DOD on "Classification and Technological Breakthroughs." He provided us with insights of the utmost importance in this area which is so vital to our continued world leadership.

The panel on Science and Technology, moderated by Les Redman, set the highwater mark for panels to date. All of the panelists were working scientists and we got a good glimpse of what classification can look like from their viewpoint. This was the panel where the famous *Science in CS Land* parody on *Alice in Wonderland* was so skillfully slipped to us. We felt the effect of that needle for some time.

We also had a good panel on computers at the second seminar, the first of a series of panels and talks on this subject which is becoming so important to us.

Again in the third seminar, the keynote address was the highlight. We had the great good fortune of having Congressman John E. Moss explain the background and intent of the Freedom of Information Act, which he had authored. In the same seminar the panel of lawyers on "Executive Orders and Laws Affecting Classification in Government" tied in beautifully with Congressman Moss's presentation. The transcript of these two presentations constitutes possibly as clear and thorough an analyses of the Freedom of Information Act as exists anywhere.

Last year's seminar at "Bagdad by the Bay," sometimes known as San Francisco, was in many respects the best yet.

We heard the most eloquent of Don Woodbridge's always-eloquent speeches. I heartily recommend re-reading it.

Of special interest at this seminar were the presentations by the press. We heard from a working newspaper reporter, two editors, and a magazine writer. If some of what they said was abrasive, and some of their criticisms perhaps unjustified, all of it was interesting and useful in providing us with a better understanding of how they operate and how they view the problems of information handling in our complex, open society.

Although I have mentioned only the formal presentations, in which speakers spoke and audiences listened, I am impressed with the fact that the discussion periods have played as important a part in the success of our seminars. They tend to bring to the surface what is really on the minds of the members. I believe one key to the success of future seminars will be the degree to which we all increase our participation in them and thus improve our ability to help one another in mutual problems.

# HISTORY OF NCMS CHAPTERS

Any review of the development of the National Classification Management Society would be incomplete without an account of the Society's vital elements, the local chapters. There follows a necessarily condensed history of the organization and growth of each chapter. Additional details are on file in the Society's records and can be made available upon request.

## Northern California

In supplying the information for the history of the Northern California Chapter, Fred Daigle observed that it is difficult to differentiate between the origin of the Society as a whole and that of the chapter, since so many of the people involved were the same. Five of the original eight who were considered the "very first charter members"[1] of the Society were Northern California people. These were: Robert Rushing, Fred Daigle, and Lyle Dunwoody, of Lockheed Missiles and Space Company; John Wise, also then of Lockheed MSC; and James Patterson, then of the Sandia Corporation's Livermore Laboratory. In the next three months, through March 1964, when the National Society's membership totaled twenty eight, thirteen of those were Northern California people. In addition to the aforementioned, the following, all Lockheed MSC, were early charter members: Steven B. Dudley, William R. Stobie Jr., Donald Griffin, H. Richard Wilson, Edgar C. Osborn, Hampton F. Weed, William Sullivan, and Edward A. Thompson.

[1]Richard L. Durham, "The History of the Founding of NCMS," *Classification Management*, IV, I (1968) 21.

After preliminary organizational work, mostly by Messrs. Rushing and Daigle, the chapter was formally organized in December 1964, as the Bay Area Chapter. In 1965 Mr. Daigle was elected the first chairman. Mr. Patterson was secretary-treasurer. By-laws were developed which later served as models for three other chapters. A highlight of the first year was the development and presentation of a full day workshop on CM for the Research Security Administrators, a west coast professional organization. In January 1965 Mr. Daigle was re-elected chairman and continued to guide the chapter activities. In June 1966 Robert Donovan of United Technology Center was elected chairman, with J. R. Rasmussen of Sylvania Electronic Systems as secretary-treasurer. This year was made notable by appearance on the scene of a chapter newsletter, the *C/M Intelligencer*, which soon gained national attention and evolved into the present *CM Bulletin* of the national Society. Mr. Donovan was the originator and remains the editor.

The major activities of the 1967/1968 year were preparations for the 1968 national seminar, the success of which does not need recounting here. Key people in those preparations were: Mr. Daigle, chairman; Messrs. Donovan and Rasmussen; James Maneggie, Applied Technology Inc.; Jack Kyne of Ampex Corporation; David Troupe, Lockheed Missile Space Center; and Robert Simmons of Stanford University.

The Northern California Chapter

has never had a large membership but has served its members well and has contributed substantially to the success of the national Society.

### Washington, D.C.

Richard L. Durham, who had initiated the organization of the national Society while at the Sandia Corporation's Livermore Laboratory in California, moved to the Arms Control and Disarmament Agency in Washington in 1964 and proceeded to get the Washington Chapter started. He issued a call for an organizational meeting on November 12, 1964. Forty people showed up, including ten other charter members of the Society: Frank May and Leo Carl of the Air Force; George MacClain and C. Donald Garrett of DOD; Robert Niles, Charles Atkinson, and Phyllis Vogt of DASA; Gene Suto of Research Analysis Corporation; Francis Jahn of Westinghouse Electric Corporation; and Robert Whipp of ACDA.

Elections resulted in the naming of Mr. Garrett as president and Mr. Suto as secretary-treasurer. Plans were started for the critical first national seminar which was to be held in Washington. Mr. Durham was chairman and was assisted by Messrs. Whipp, Suto, Atkinson, Niles, Garrett, and Howard Maines of NASA, and Leo Hodges of Air Force Systems Command.

Officers in 1966 were Mr. Carl, chairman; M. D. Aitken, of Army, vice president; and Mr. Suto, secretary-treasurer.

A pattern of six regular meetings per year was established, with "outside" speakers in most cases. Attendance over the years at the Washington Chapter meetings has averaged more than forty members and guests.

Officers elected in 1967 were Alfred Dupell, Naval Ordnance Systems Command, chairman; Mr. Jahn, vice chairman; and Mr. Suto again as secretary-treasurer. The chapter provided for its second national seminar — the Society's third — during July 1967. Seminar officials were: Mr. Maines, chairman; Sidney Rubenstein, Mosler Safe Company; Sam Brace, Naval Air Systems Command; Leslie Ayres, ACDA; and Messrs. Suto, Niles, and Hodges.

James Bagley, Naval Research Laboratory, was elected chairman in 1968, with Lynwood Satterfield of Westinghouse Electric Corporation as vice president, and Thomas Bracken, then of Research Analysis Corporation, as secretary-treasurer. Mr. Bagley is currently the chairman for the 1969 national seminar. Officers for 1969 are Mr. Satterfield, chairman; Wayne Wilcox of ARINC Research Corporation, vice chairman; and Sam Hollen of System Development Corporation, secretary-treasurer.

Membership rose to fifty-seven in January 1969 to make the Washington Chapter the largest in the Society.

### Rocky Mountain

Although Rocky Mountain area personnel such as John Shunny and James Marsh of the Sandia Corporation, Leslie Redman of the Los Alamos Scientific Laboratory, and Cecil Carnes, then of Dow Chemical, were early organizers of the national Society, the sparse population of the region did not provide enough potential members for a local chapter until 1967-1968. After organizational spade-

work by Messrs. Marsh and Shunny and Ann Merritt of DASA, an initial meeting was held in January 1968 in Albuquerque. Mr. Marsh was elected president, Mrs. Merritt, vice president; Ruth Ann Alves, secretary; and Robert Pogna of EG&G, treasurer.

Meetings were held throughout the year with good results. Officers for 1969 are William Green of DASA, president; Franklin Halasz, Sandia Corporation, vice president; Helen Kercher, secretary; and M. B. Gordon, Dikewood Corporation, treasurer. Mr. Marsh is currently a nominee for member of the national board of directors. The chapter appears to be firmly established, with twenty-one active members.

### New England

In 1967 the national board of directors asked Kenneth E. Wilson, Sylvania Electronic Products, to try to form a new chapter in the Boston area. Mr. Wilson organized an initial meeting late in 1967, and further meetings resulted in the official granting of the chapter charter in January 1968. The first officers were Mr. Wilson, chairman, and Charles Mangos, Sylvania Electronic Systems Division, secretary-treasurer. The 1969 officers are William A. Wilson, USAF, chairman, and Mr. Mangos, secretary-treasurer again. Chapter activities have featured the "workshop" format with practical subjects such as "How An Employer Can Benefit From Good CM." The chapter has grown from six original members to seventeen early in 1969.

### Mid-Eastern

James D. Moran, of General Precision, Inc., Aerospace Group, assisted by Henry Jespersen III, Western Electric, organized the Mid-Eastern Chapter to cover New York, New Jersey, and Pennsylvania. An organizational meeting was held at the Western Electric Company office in New York City on January 26, 1968. Others present then were John Foster, Avco Lycoming; Charles Uhland, General Electric; and Carl Danielson, Thiokol Chemical Corporation. Endorsing the action by proxy were Ronald Beatty of Avco Lycoming, Walter Lucas of Curtiss-Wright, and Edmund Weiss of Bell Telephone. The organization was successful and the charter was formally presented May 17, 1968, by R. L. Durham, national chairman of the board.

The chapter has grown to twenty-three members. The 1969 officers are John Jernigan, General Electric, chairman; Mr. Foster, secretary-treasurer, and Mr. Jespersen, vice chairman.

*(Material for the Southern California Chapter history did not arrive in time for publication — Editor)*

# NCMS OFFICERS AND DIRECTORS, PAST AND PRESENT

RICHARD J. BOBERG, Aerospace Corporation
Board of Directors — 1967-1970

ANTONIO A. CORREIA, North American Rockwell
Board of Directors — 1954-1966

RICHARD L. DURHAM, Arms Control and Disarmament Agency
Board of Directors — 1964-1971
Chairman of the Board — 1967
President — 1966
Vice President — 1964

C. DONALD GARRETT, Office of the Assistant Secretary of Defense, Administration
Board of Directors — 1966-1969
Vice President — 1967

WILLIAM J. HERLING, TRW Systems
Board of Directors — 1964
Secretary-Treasurer — 1964

FRANCIS W. MAY, Headquarters United States Air Force
Board of Directors — 1965-1971
President — 1968
Vice President — 1965
Secretary-Treasurer — 1966

LORIMER F. MCCONNELL, System Development Corporation
Board of Directors — 1965-1969
Chairman of the Board — 1968
President — 1967
Vice President — 1966
Secretary-Treasurer — 1965

ROBERT G. NILES, Defense Atomic Support Agency
Board of Directors — 1964

LESLIE M. REDMAN, Los Alamos Scientific Laboratory, University of Calif.
Board of Directors — 1964-1968

ROBERT RUSHING, Lockheed Missiles and Space Company
Board of Directors — 1964-1967
Chairman of the Board — 1965
President — 1964

EUGENE J. SUTO, Research Analysis Corporation
Board of Directors — 1967-1970
Vice President — 1968
Secretary-Treasurer — 1967

KENNETH E. WILSON, Sylvania Electronic Products, Inc.
Board of Directors — 1968-1971
Secretary-Treasurer — 1968

DONALD B. WOODBRIDGE, Union Carbide Nuclear Company
Board of Directors — 1964-1969
Chairman of the Board — 1964, 1966
President — 1965

# INTELLECTUAL PROPERTY†

**Warren Patton**

Intellectual property is a broad subject and if you will bear with me for a moment, the question about the intellectual quality is something to consider. There are times when you are going to think some of these things can't possibly be very intellectual. You see or hear of some things such as hat tippers. You know what a hat tipper is—you bow your head and the hat tips. Patents were granted on them in the 1800s. You would hardly think this was intellectual.

You are probably at times convinced that some of the "literature" is not very intellectual. Comic books come to mind, among some other things.

And one other field that is considered to be in the area of intellectual property is that of trade marks.

These are the usual forms. There are some other parts of intellectual property that we should at least mention. Sciences are a form of a product of the mind. After all, Sir Isaac Newton developed the mathematica of calculus; certainly this was an intellectual property. It was a product of the mind, but it is something not protectable.

A method of doing business can be something a person has thought about for a long time, really worked hard at. He may come up with something that he would call "bank night." It is, again, not protectable.

A new product, or a new process, may very well be protected. For example, nylon was a new material, again a product of the mind, and was protectable. The original patents on the methods of cracking petroleum are a good example of a protectable process.

We have artistic works, which include, of course, music, literature, and such things as that.

We have names that become known as trade names and service marks. Again, these are products of the mind. A trade mark that you would recognize, of course, is Kodak; and this was the result of considerable thought.

There are other products or results

† *Mr. Patton presented this paper at the 1968 Seminar in the panel on Proprietary Information moderated by L. F. McConnell. Because of recording difficulty the paper could not be included in the proceedings printed in the last Journal. Mr. Patton is a patent attorney of the firm Patton, Fulwider, Rieber, Lee, and Utecht, of Los Angeles.*

of thinking that are products of the mind but that are not protectable for a very simple reason: they do not meet the requirements. These are generally classified as trade secrets. For example, the people who originally came up with the formula for Angostura bitters won't tell outsiders how to make it. This is a trade secret. It is protected solely by the fact that it is a secret not discovered by the public.

The basis for protection is found in that place in the constitution where it says: "The Congress shall have power to promote the progress of science and the useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

This is the constitutional basis, and this is the basis for granting patents on products and processes. Also it is the basis for granting copyrights.

Now, we have done a little bit of twisting and have come to the conclusion that an artist painting a picture or sculpturing a statue is, according to the constitutional definition, a writer. This is not what you usually think of a writer as doing, but nevertheless, to get to the obvious intent of the framers of the constitution, we have made that little bit of twist.

Trademarks do not come under a heading of useful arts or sciences and so we cannot give the author or the inventor of a trademark any federal protection under the constitutional section mentioned. We can't give federal protection to trademarks or service marks unless they are products or services that enter into interstate commerce.

To get down to the basis of the various bits of protection, let's consider first patents and copyrights.

A patent is a grant to the inventor of the exclusive right—and let me say at this point it is important to remember that this is the right—to exclude others from making your invention, and not the right to make your invention yourself. There is a distinction. I may invent a radio, or a particular type of radio. If I get a patent on it, I can keep anybody else from making that particular radio but I may not have the right to make it myself because it may very well be that RCA or somebody else has a number of patents on various pieces that I use. For example, RCA may have patents on the transistor circuitry. They have have patents on amplifiers—or lots of things I need for my radio. So it really is a right to exclude others. It is a right that is granted with respect to a product, sometimes referred to as a "manufacture." And this must be a product or a process for making a useful product. You could get into a big discussion if you come up with what is known as a chemical intermediate that has no known use except it is a new chemical and is now made for the first time. The Patent Office, backed by the courts, has refused to grant a patent on such a product because it is not useful. Maybe a use will be found later, but there is no use now. So, no patent, and no protection.

The term of patent protection is seventeen years, and this is from the date of the grant or issue of the

patent. If the patent application should be in the Patent Office for five months or five years—some of them are there twenty years—the seventeen year protection period starts at the date of the grant of the patent.

You will find that a patent has a disclosure or specification—a description of what has been done; and you may find that there is a complete disclosure of what the inventor thinks he has invented and how it works. For example, take a beverage machine in which you put a coin and a cup drops down. The cup is filled and regardless of some of the comedians to the contrary, this machine supposedly works. The cup drops down, the cup is filled, and at the right moment the door is opened and you can reach in and get your cup of coffee or whatever. The inventor gave a complete description, a complete disclosure of the entire device, but he had protection only on the device for dispensing the cups. What had happened, of course, was that somebody else had invented the other parts or had come so close to what this man thought he had invented that there was not really an invention at all except in the cup dispenser.

The way you find out what is really protected is by reading the claims at the end of the patent. The claims determine the scope of the invention; they measure what is protected. If you haven't had experience in reading claims, take a tranquilizer and sit down in an easy chair—and check the claims against the determinations/specification.

And there is one further thing: you may invent the same thing I do. If I get a patent first, and you then independently invent the device, not knowing what I have done, not knowing of my patent, but you still completely independently invented the device, you cannot get a patent and you still cannot make the device because my patent gives me the right to stop you. Copying is not a necessary element. You are not permitted to make the device even though it is the product of your own mind. You were there later. After all, if you had never seen a wheel before and independently invented one, you still could not get a patent on the wheel. And if I had the patent on the wheel, I could stop you from making it yourself because I was the one who gave the idea to the public.

I might digress just a bit here to say that sometimes it is a little difficult to decide whether the patent is an unlawful monopoly or not. A patent, as well as a copyright, is a reward given by the government to the author or the inventor for the author's or inventor's making public his contribution. Before the author or the inventor, there was nothing. Nobody knew anything about this, or if he knew, hadn't solved the problem this man did. He solved the problem, and unlike the man who kept it a secret to himself, a trade secret, this man, in return for a monopoly for a limited period of time, gave all of the facts so that anybody in the public could, after the expiration of the monopoly, do what this inventor had done. For advancing science and art, he is given this monopoly for a certain time. So you

must recognize that he has contributed something, and the public has, in effect, gained something. The courts have held this to be a lawful monopoly.

If you have ever tried to get a patent, you may sometimes wonder whether the patent office is trying to beat you down and give you nothing. But if and when you finally are able to get your patent, it protects you against the person who independently creates the same thing, as well as the one who copies you.

There is another type of patent besides the customary one. This is known as the design patent. It covers the ornamental appearance of an article. You will find design patents granted on table ware—silverware, dishes—that sort of thing. Sometimes design patents are granted on certain machines—lathes, for example. Certain articles of clothing are granted design patents. Usually fashions change so quickly that it is not practical to get design patents on clothing, but sometimes things such as wedding gowns do have a sufficient time in which a certain design is in vogue to warrant a design patent.

How do you let the world know you have a patent? Usually the manufacturer places on his article, "patent pending," while the patent is being processed. This has no legal effect, but you may have a *psychological* effect.

Notice of the issued patent is not required, but is desirable because the law says that if the patent notice has appeared on all of the patented articles, an infringer is presumed to know of the patent and he will be liable for damages from the time he started, or from the time the patent issued, whichever is later.

So much for patents.

Coprights cover an artistic contribution of an author. Whereas the patent term is for seventeen years, the copyright term is for twenty-eight years and can be renewed for a second term of twenty-eight years. The copyright protects only against copying. It does not protect against an independent discovery or writing or making of the same thing. If I stand here and take a picture of this room and the people in it, I can copyright that picture. If Mr. McConnell sees what I am doing and stands up and takes a picture, a little to one side, he can copyright his picture. They would both be valid copyrights. We have, neither of us, copied from the other.

The copyright covers almost all forms of fine arts; and this includes books, paintings, sculpture, music. It includes some things that are on the ragged edge, such as some of the prints and labels that are used on articles of commerce.

There was a famous case in which a circus poster was copyrighted and someone copied it and said this was not a work of art. The copier said it was, well, anything but a work of art; it just wasn't very good. But the Supreme Court said that they would not act as critics as to how good or bad it was. They ruled that it was close enough to art, and they said the copyright was good. As you can see a, copyright gives you the right to control the making of copies.

A copyright is secured by publish-

ing with the copyright notice. You will recall that in the case of a patent, a notice was desirable. In the case of a copyright, a notice is essential. This copyright notice is usually "C" in a circle, the year of publication, and the name of the copyright owner. The form of notice is very simple. There are instructions as to where the notice must be placed, rather explicit instructions, and the courts in general have taken the position: "It is very simple. The instructions say the notice goes right here, and you do it this way or you don't have a copyright." If somebody says, "You didn't do it right. Go back, try again, and don't let any of these first copies get out," don't necessarily figure the lawyer is just trying to give you a bad time. (Of course, lawyers and courts are stuffy at times. You do it their way or you are in trouble.)

As I mentioned, design patents are granted for the ornamental appearance of an object that is not a work of art. Sometimes you wonder how you can distinguish between these two. The courts sometimes make the distinction that fine arts are covered by copyrights and commercial arts are covered by design patent. These words don't really tell you very much. If I make a little figurine, I can call it a doll. A doll comes under the heading of a design patent. If I call it a statuette, this is a work of art and comes under a copyright. You take a Grecian vase. Some of these are types that are found in the Metropolitan Museum. Obviously, they are fine art. If you go down and buy something at the dime store, there is certainly no attempt at anything like that and it is not fine art, though it may be attractive. So it is very difficult to say what is copyrightable subject matter and what is patentable subject matter.

We run into this same problem when we run into computer programs; and I will get back to this in a minute.

Since I am emphasizing copyrights at this point, let me say that so far as the copyright goes, only the original portion of the work of the author is protected. If I take, say, an old song or an old tune, and set new words to it, assuming that the tune is old enough so that any copyrights have expired, I am perfectly at liberty to publish this with my new words. This new words are the only part that will be protected.

The word "published" as related to copyrights means making known to the public. Printing is not the only means of publishing an article. Printing is a step in making public. But making it known to the public is the important thing. For example, the faces of the presidents on Mount Rushmore in South Dakota certainly had a "making public." They have been published. The mountain, obviously, cannot be distributed. Copies of it can be, but certainly the original cannot be. But this is what is meant —or at least is an example of what is meant—to make public by publishing. It lets the public know; it lets the public see. Sometimes this making public is very limited and I am quite sure there have been cases where no more than one or two people of the public were given a copy of something and the courts, for some parti-

cular reason, felt that was a publication. Nevertheless, the publication is one of the requirements.

The particular work must be in readable form. This gives us considerable trouble. If I write a play—write it out, say, in longhand—and I have some typed copies made and we put the play on, put it on Broadway and it runs for months—well, say, like *Oklahoma!* or something like that—and the script is never written down and published, there has been no publication of the play because it has not been published in readable form.

A phonograph record of a piece of music is similar—the recording is not in readable form. However, there have been some cases where judges have said "It is so well known, we will consider it as a publication." But in general the rule is that a phonograph record is not a publication.

Now, why is this important? Well, it is important because of the fact that the copyright is secured by publication with notice and if you don't have any publication, you don't have any statutory copyright. The statutory copyright was developed because originally the author had no rights in his work once it had been published. Before it was published it was his own, his secret, and he could do with it as he wanted. He could withhold it from the public or he could make it public. He could do anything he wanted. But once he had made it public, anyone was free to copy it. And this was felt to be unfair to authors. It didn't even encourage them to make their findings and works available. So we came up with the idea of the statutory copyright, which goes back to the middle ages.

Another thing, when it says the work must be in readable form, it means generally acceptable readable form. Music has a readable notation. A player piano roll, for example, is not in this notation, and though you think you can read it, the copyright office says you can't. So it is not in a readable form. You cannot present for copyright a dance step or a dance routine because, among other reasons, there is no generally accepted notation for putting a dance down on paper in readable form.

The author—and I am using this in the broad sense—has the right by virtue of his publication with notice to prevent the copying, selling, or distributing of unauthorized versions or reproductions of the copyrighted work. He can prevent the making of translations or arrangements. What he cannot protect against is someone who independently creates the same thing. Sometimes there is a question of whether it is independently created, and this is really a problem. But what we usually end up with is finding that there was access and sometimes unconscious copying. You may hear a tune, forget it, and two years later, or three years later, write the same thing down and think you have composed it yourself. If it can be shown you had access to the original tune, you are going to have an awfully hard time in convincing the copyright office, the courts, or anybody else that you created it.

There have been before Congress for about ten years different versions of a new copyright law. It has not

yet passed and a controversy over community antenna television networks, CATV, has slowed things down and caused quite a bit of furor. You may have read about it in the papers recently. We haven't heard the last of this particular problem. It is going to be with us for some time.

A new copyright law is going to be written. This new law probably will cover dance steps; it will cover the problem of the phonograph records; it will probably have something in it about computer programs; and it will probably try to solve some of the problems of CATV. At present it is planned to give longer protection. Instead of giving a total of fifty-six years protection, it is planned to give protection for life of the author plus seventy-five years so our law will be more in line with those of other countries. And there will be other changes in the law. So, although I have given you some ideas of the present law, I can't tell you what the new law will be because it has not been decided yet.

When we get to the question of computer programs, we cover the whole field: patents, copyrights, and trade secrets. The Copyright Office will register a computer program, but the program must be something other than a roll of magnetic tape or a stack of cards. The program must be in readable form, and this usually means a print-out of the tape or cards. When the Copyright Office's rather simple requirements are met a certificate of copyright registration will be issued.

It would be possible to keep a computer program as a trade secret if the programmer never told anyone what his program was, and never let anyone use it. However, if he sells or leases his program, someone will make a copy of it, and the copy, which can be duplicated, means the end of his secret.

That leaves us with patents, and the Patent Office has consistently refused to grant patents on computer programs, claiming that a program is a set of directions for the steps in a mental process, much as a book on differential equations is a set of directions. You will recall that Newton developed a very useful but unpatentable series of steps in a mental process we call calculus. And, of course, the problem of examining the claims to a computer program would be a tremendous job, and the Patent Office has just refused to do it. So the Patent Office has said, "No patents on computer programs."

This was all very simple until April 23, 1968, when Martin A. Goetz of the Applied Data Research, Inc., a corporation of New Jersey, was granted a patent on a sorting system. This patent has caused more consternation and questions than anything else the Patent Office has done in a long, long time. Did someone make a mistake, or has the Patent Office changed its rules?

At the present time I don't know the answer. The Patent Office had, in a proposed new patent law, inserted a statement that the computer programs are not patentable. A lot of furor was raised about this statement because a lot of machine tools have programs built into them and

people want to protect the way the tools are operated—in other words, their programs. These people say they can't see why such programs are not patentable. These people were deeply concerned with the statement in the new law. They said, "All right, if we can't have a statement that computer programs *are* patentable, let's have no statement at all." The Patent Office has said, "We will allow a computer patent under some circumstances." Where are you going to draw the line?

I don't know the answer. I am sure there is going to be a lot more heard about it and it is going to be very interesting to watch and see what happens. The fundamental questions that are going to have to be answered are (1) how can you tell when you look at the program whether it is an invention over another program; and (2) once you have an invention and a patent has been granted, it seems to me the patentee is going to have a real difficult time in finding who is infringing his program, and how do you go about finding the infringer? These are important questions, and all I can say is there are many details to be worked out. This is not a matter of just getting down and doing it. It is not a matter of politics. It is a matter of settling some rather fundamental problems. I think it is going to be a very difficult thing to do.

The protection of the intellectual property is a rather recent field in the law. We have developed patents, trademarks, and copyrights; and now maybe we have developed still another form. I don't know what the answer is going to be, but I think it is going to be fun to watch.

# LEGAL PROTECTION OF COMPUTER PROGRAMS—WHO WANTS IT?†

**E. H. Jacobs**

It is a wise man who does not discuss the law following a couple of lawyers. My talk is about one aspect of the need for legal protection of computer programs—that is, who wants it?

You have probably heard and read—and will continue to hear and read—a variety of conflicting statements about the need for protection and the kind of protection needed. I would like to cover, from the point of view of the computer industry, some of the reasons for such diverse opinions.

I hope this will help you, as a group, in several ways. For one thing, it will help you to see where your company is different from other companies, and to determine the need for protection in your own company.

When I use the expression "computer industry," I am really talking

† *Mr. Jacobs presented this paper at the 1968 Seminar in the panel on Proprietary Information moderated by L. F. McConnell. Because of a recording difficulty the paper could not be included in the proceedings printed in the last Journal. Mr. Jacobs is Head, Programming Technology Department, System Development Corporation, Santa Monica, California.*

about the people who produce computer programs in some way. I would like to divide these people into categories and discuss the needs of each class.

In the first group are the computer manufacturers themselves. They appeared on the scene first, at the time the computer business started. They produce many computer programs, and they do so for a variety of reasons. One of their reasons is to check out their machinery. Another, more significant, is that they want to make this machinery usable to customers. The programs are usually given to customers at no charge, and the manufacturer even maintains and provides services for the programs. Whenever new programs are developed, the computer salesman is happy to tell old customers about them. It provides him an entree to the computer facility and a chance to sell more equipment. The cost of all of these programs is, of course, recouped from the sales of computers.

The manufacturers, then, are not interested in protecting computer programs. They want to protect the computer; but, the computer program is merely a sales tool. I should note that there is a possibility a program written for one computer can be converted to another. But such conversions are usually very expensive, costing almost as much as starting from scratch.

Finally, I do not want to say that the manufacturers will never want to protect any of their programs. Obviously, some cases will not fit the mold I've described, and some programs will need protection.

Another group of people who produce computer programs consists of those who rent or buy computers for use in their businesses. These people have a variety of motivations. Generally, they are in other businesses, unrelated to computers—for example, the aircraft business, the oil business, or the banking business. These people are anxious to find new ways to make money in their primary businesses, and computers and computer programs are merely tools to them.

Before we proceed with a discussion of the users of computer programs, I should mention that there are several classes of programs.

One class just makes computers more usable. This is the class of what we commonly call "system programs" and "utility programs." These programs are very general purpose, and merely help a programmer get his work on the machine and off the machine.

The other class of programs we must distinguish is that of "application programs." These are programs that do specific things, such as writing pay checks. The program that sorts the employee records before pay checks are written would be a utility program, because the sorting program can be used to sort other records for other purposes. But the pay check program—the one that produces pay checks—is an application program. In the aircraft business, computers were used very early to design specific parts of the aircraft. Application programs were used here.

Utility programs are common to a lot of fields. They generally have nothing very special about them ex-

cept a lot of hard work in producing them. Quite early in the history of computer programs, users got together and began exchanging utility programs. In a short time, the users formed into several groups, each oriented to a particular computer. This facilitated the exchange of computer programs. These groups developed extensive services; they set up files of available utility programs, and published catalogs of these for members—to save a lot of money which their companies spent to write new programs that duplicated one another.

On the other hand, the application program was frequently viewed as proprietary information. In the aircraft business, for example, companies did not readily tell each other how they did some of their design work.

So, from the user community, generally, you do not hear much about protecting programs. They either have proprietary programs they do not wish to reveal, or they have nonproprietary programs they are willing to trade with others.

There are two subgroups of users that are exceptions to the above description. One consists of people who have written a utility program they are very proud of, and which they wish to protect from modification. These people may be happy to give their programs away as long as the recipients use them in unmodified form. These users have been unsuccessful in the past in keeping their property from being altered without their consent. They are now trademarking the names of their programs. So, if they give you copies, they have assurance that the *names* cannot be used on altered versions. If you take their copies and modify them, the authors don't mind provided you don't use their names.

The second group of exceptional users consists of the service bureaus. They provide computing facilities for companies who don't want in-house computers. In some cases, the service bureaus develop programs that make their services unique, and they want some protection for these programs.

The last section of the computer industry consists of the companies who are in the business of producing computer programs. That is all they do for a living, so they are interested in protection. In the last few years, these people have seen a market for programs they are producing. And some of them have been actively pursuing the possibility of patent protection for computer programs. There is no controversy about the need for protection for this group; but there is controversy about the kind of protection.

Mr. Patton said it is sometimes hard to tell when your patents and copyrights have been infringed. Because computer programs tend to be fairly complicated and not too easily readable, it is particularly difficult to recognize infringement. This problem of detecting infringement worries software companies who are trying to decide what kind of protection to select for their programs. It appears there will be quite a bit more study required in this area.

I am sure you will find other questions in this area raised from time to

time. Perhaps you can see which of these segments of the industry your company falls into and you will have a little better understanding, I think, of why your company needs (or doesn't need) some protection.

In closing, I would like to mention some parties outside of the computer community who are interested in these issues. The first one, as represented by Mr. Patton, is the legal community. Lawyers and security people are interested because they have to deal with the problems that arise, such as whether or not the program requiring protection meets the requirement of the law governing the type of protection desired. Computer programs appear in a variety of forms—on magnetic tape and card decks, as well as actual copies of programs in machines. Meeting the requirements of the law requires coordination of the computer facility and the company lawyer.

Newspaper people—especially those in the computer industry—have an interest in computer programs. Their special interest in reporting exciting news causes them to picture various events and opinions in the most attention-getting manner. So you don't hear about the many companies that have little or no active interest in computer protection. But if a company is "considering" the problem, that's news. If the company is a big one, even routine consideration can be blown up into a headline.

The last group I will mention are the public agencies. Congress is interested in the problem from another point of view—namely, what will serve the public interest? Patents and copyrights give the right to make money from ideas in return for making the ideas known to the public; there is considerable argument as to whether protection of computer programs is good for the public, or even for the computer industry. I mentioned that there are two large segments of the computer software world who don't really need the protection and who may or may not be interested in it. These two segments of the community are the ones who came first—the manufacturers and users. Although the computer field is a young field, over its lifetime there has developed a very good relationship among members of the computer community. Many programs have been freely distributed. People developed a tradition of being proud of their work and trying to get it widely used. So, there is considerable question as to whether a substantial change in the relationship between the writers and users of programs will enhance or detract from the usefulness of the computer.

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Chapter affiliation (see code beside each name)
W—Washington, D.C.
SC—Southern California
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ME—Mid Eastern

AITKEN, M. D.
227 Polaris Avenue
White Sands Missile Range
New Mexico 88002

ALVES, RUTH A. (Mrs.) (RM)
Naval Weapons Evaluation Facility,
Kirtland AFB
Albuquerque, New Mexico

ANDERSON, DUANE D.
1247 S. Wales Avenue
Glendora, California 91740
Off. Phone 213-923-7511 Ext. 2344

ANDERSON, PAUL H. (W)
(NASA, WASHINGTON, D. C.)
13010 Hathaway Drive
Silver Springs, Maryland 20906

ANTONUCCI, JOSEPH T. (ME)
(Applied Devices Corp.)
29-27 163rd Street
Flushing, New York 11358
Office Phone: 445-4200

ATKINSON, CHARLES M. (W)
(Defense Atomic Support Agency)
7104 Healy Drive
Springfield, Virginia 22150
Office Phone: OX 5-4318

AYERS, LESLIE S. (W)
(U. S. Arms Control and
Disarmament Agency)
5327 28th Street N.W.
Washington, D. C. 20015
Office Phone: DU 3-8831

BAGLEY, JAMES J.
U. S. Naval Research Laboratory
Washington, D. C. 20390

BALLARD, ROY W. (SC)
Data Systems Division,
Litton Industries, Inc.
8000 Woodley Avenue
Van Nuys, California 41409

BARBER, ARTHUR E.
Atlantic Richfield Hanford Co.
P. O. Box 250
Richland, Washington 99352

BEATTY, RONALD H. (ME)
Lycoming Division
AVCO Corporation
555 So. Main St.
Stratford, Connecticut 06497
Office Phone: 378-8211 Ext. 341

BECKNER, ROBERT L. (SC)
TRW Systems
One Space Park
Redondo Beach, California 90278

BELLERUE, VICTOR L. (W)
Raytheon Company
4217 Wheeler Avenue
Alexandria, Virginia 22304

BERGEN, RAPHAEL J. (NE)
(USAF Elec. Systems Div.)
11 Bacon Street
Winchester, Massachusetts 01890
Office Phone: 274-6100 Ext. 4477

BERKUS, JACK M. (SC)
Litton Industries
Advanced Marine Technology Div.
9920 W. Jefferson Blvd.
Culver City, California 90230

BETTS, PHIL V. (RM)
(Edgerton, Germeshausen &
Grier Inc.)
4976 S. Topaz Road
Las Vegas, Nevada 89109
Office Phone: 736-8111 Ext. 578

BOBERG, RICHARD J. (SC)
Aerospace Corporation
2350 E. El Segundo Blvd.,
El Segundo, California 90245

BOEDER, WILLMAR K. (RM)
The Dow Chemical Company
Rocky Flats Division
P. O. Box 888
Golden, Colorado 80402

BOOSER, RONALD J. (W)
General Systems Sciences
7310 Wilburn Drive
Seat Pleasant, Maryland 20027

BOYCE, DAVID K. (NE)
Sanders Associates
95 Canal Street
Nashua, New Hampshire 03060

BRACKEN, THOMAS G. (W)
8124 Keeler Street
Alexandria, Virginia 22309
Office Phone: 893-5900 Ext. 581

BRIGGS, RALPH T. (W)
(Department of Navy
OPNAV-OP-92C2)
500 Roosevelt Blvd.
Apt. #128
Falls Church, Virginia 22044
Office Phone 694-1885/3160

BUCKLAND, JAMES A.
Sanders Associates
95 Canal Street
Nashua, New Hampshire 03060
Office Phone: 885-5513

BURDETTE, JOHN J. (ME)
General Electric Company
P. O. Box 152
New Hartford, New York 13413
Office Phone: SW 7-1000 Ext. 5034

BUSH, JOSEPH P.
Honeywell, Inc.
Ordnance Division (H1033)
600 North Second Street
Hopkins, Minnesota 55343
Office Phone: 935-5155 Ext. 8270

BUXTON, RICHARD W. (W)
(Naval Ordnance Systems Command)
7105 Cynthia Ct.
Annadale, Virginia 22003
Office Phone: OX 6-2309

CALLISTER, PHYLLIS O. (W)
(Department of the Navy)
5001 Seminary Road No. 1224
Alexandria, Virginia 22311

CALVERT, EDWARD H. (W)
(Hq. USAF)
73 G St. S.W.
Washington, D.C. 20024
Office Phone: OX 6-7941

CARE, JOSEPH C. (NE)
Navy Underwater Sound Laboratory
Code 8230
Fort Trumbull
New London, Connecticut 06320
Office Phone: 203-442-0771 Ext. 2880

CARNES, CECIL C. (RM)
(Los Alamos Scientific Laboratory)
130 Rover Blvd.
White Rock
Los Alamos, New Mexico 87544
Office Phone: 443-1302

CETONE, DANIEL F. (SC)
Systems Development Corporation
2500 Colorado Avenue
Santa Monica, California 90406
Office Phone: 393-9411

CHELIUS, GEORGE L. II (SC)
Douglas Aircraft Co.
3000 Ocean Blvd.
Santa Monica, California 90406
Office Phone: 213-EX9-9311 Ext. 4418

CLARK, LAWRENCE F. (ME)
Grumman Aircraft
South Oyster Bay Road
Bethpage, New York 11714
Office Phone: 516-LR5-2375

COBBS, ROBERT H., Lt. Col. (SC)
(AFSC (SAMSO) USAF)
20204 South Galway Avenue
Gardena, California 90249
Office Phone: 213-643-2701

COFFEY, DONALD A.
15 Blue Ridge Drive
Trumbull, Connecticut 06611
Office Phone: 366-7851

CONDER, JAMES W. (RM)
The Dow Chemical Company
Rocky Flats Division
P. O. Box 888
Golden, Colorado 80402
Office Phone: 444-3311 Ext. 2022

CORREIA, ANTONIO A. (SC)
Autonetics Division
North American Rockwell
3370 Miraloma Avenue
Anaheim, California 92803
Office Phone: 632-4417

COYNE, JOHN E.
North American Rockwell
1700 East Imperial Highway
El Segundo, California 90245
Office Phone: 670-9151

DAIGLE, FREDERICK J. (NC)
(Lockheed Missiles and Space Co.)
155 Smithwood Street
Milpitas, California 95035
Office Phone: OA 7-7000 Ext. 365

DANIELSON, CARL RALPH (ME)
Thiokol Chemical Corporation
Box 123
Parsippany, New Jersey 07054
Office Phone: 769-4948

DARLING, DON D. (SC)
Don Darling and Associates
P. O. Box 358
El Segundo, California 91603
Office Phone: 769-4948

DAVIS, ALBERT S. (NE)
Diebold, Inc.
818 Mulberry Road, S. E.
Canton, Ohio 44702

DEANE, WALTER A. (NE)
Edgerton, Germeshausen & Grier, Inc.
Crosby Drive
Bedford, Massachusetts 01730
Office Phone: 617-271-5000

DE ANGELIS, CLARISSA M. (NE)
Navy Underwater Sound Laboratory
Code 8230
Fort Trumbull
New London, Connecticut
Office Phone: 203-422-0771 Ext. 2756

DENECKE, MILDRED F.
Institute of Science and Technology
University of Michigan
Ann Arbor, Michigan 48107

DePERI, JOSEPH J.
Class. Mgmt. Consultant
P. O. Box 7340
Baltimore, Maryland 21227

diLORENZO, LUCIUS V., Lt. Col.
Department of Defense
Washington, D. C.
Office Phone: OX 7-5574

DONOVAN, ROBERT D. (NC)
United Technology Center
1050 East Arques Street
Sunnyvale, California 94086
Office Phone: 408-739-4880 Ext. 2548

DREYER, ROBERT C.
USAEC-DTIE
P. O. Box 62
Oak Ridge, Tennessee 37830

DRYER, CASS J. (W)
(Naval Research Laboratory)
2422 Chestnut Street
Falls Church, Virginia 22043

DuCOING, WILLIAM F.
2131 Bueter Road
Fort Wayne, Indiana 46803
Office Phone: 743-9721

DUPELL, ALFRED E.
3310 Old Dominion Blvd.
Alexandria, Virginia 22305

DURHAM, RICHARD L. (W)
(U. S. Arms Control and
Disarmament Agency)
11232 Waycross Way
Kensington, Maryland 20795
Office Phone: DU 3-4302

ENGLE, ROBERT W.
(Lockheed Missiles and Space Co.)
1070 W. Riverside Way
San Jose, California 95120

EXLINE, JOHN D.
4900 Lyndale Avenue South
Minneapolis, Minnesota 55440
Office Phone: 612-888-5555

FARRELL, JAMES W., Jr.
General Dynamics
Electric Boat Division
Groton, Connecticut 06335
Office Phone: 203-446-2992

FELAGO, ERNEST E.
General Precision Systems
Equipment Corp
50 Prospect Avenue
Tarrytown, New York 10591
Office Phone: 914-ME1-6200

FELAGO, JOHN J.
General Precision Systems
Engineering
Kearfott Group
1150 McBride Avenue
Little Falls, New Jersey 07424

FLORENCE, WILLIAM G.
(Hq. USAF)
708 - 6th Street S. W.
Washington, D. C. 20024

FOSTER, JOHN E. (ME)
AVCO/Lycoming
Stratford, Connecticut 06601
Office Phone: 372-7198

FUCHS, JOHN D. (SC)
Aerospace Corporation
2350 E. El Segundo Blvd.
El Segundo, California 90245
Office Phone: 648-7466

GALLO, SALVADORE, Jr.
Martin Company, Division of
Martin Marietta Corp.
P. O. Box 6181
Vandenberg AFB, California 93437
Office Phone: 866-1611

GARRETT, C. DONALD (W)
(Office Assist. Secretary of
Defense—Adm.)
6505 Machodoc Court
Falls Church, Virginia 22043
Office Phone: OX 7-4917

GARZA, ROBERTO R. (SC)
System Development Corporation
2500 Colorado Avenue
Santa Monica, California 90406
Office Phone: EX 3-9411

GILLIS, JOHN P. (W)
National Academy of Sciences
2101 Constitution Avenue
Washington, D. C. 20418
Office Phone: 961-1572

GORDON, M. B. (RM)
The Dikewood Corporation
1009 Bradbury Drive SE
Albuquerque, New Mexico 87106
Office Phone: 243-9781

GOULART, EDWARD G. (NE)
M.I.T. Lincoln Laboratory
P. O. Box 73
Lexington, Massachusetts 02173
Office Phone: 862-5500 Ext. 611

GREEN, JAMES B. (NC)
Lockheed Missiles and Space Co.
P. O. Box 504 Orgn/ 80/44
Sunnyvale, California 94088
Office Phone: 743-2202

GREEN, ROBERT E. (W)
U. S. Naval Material Command
18th and Constitution Avenue, N. W.
Washington, D. C. 20360
Office Phone: OX 6-5338

GREEN, WILLIAM (RM)
(Field Command DASA, Sandia Base)
8809 Snow Heights N.E.
Albuquerque, New Mexico 87112
Office Phone: 264-2150

GRUBBS, WILLIAM F. (W)
(Raytheon/Autometric)
4217 Wheeler Avenue
Alexandria, Virginia 22301
Office Phone: 751-1000 Ext. 241

HALASZ, FRANKLIN E. (RM)
ORG. 3414, Sandia Corporation
P. O. Box 5800
Albuquerque, New Mexico 87115
Office Phone: 264-1977

HAMMOND, N. CARTER
Diebold, Inc.
1550 Grand Blvd.
Hamilton, Ohio 45011
Office Phone: 513-894-8301

HANSEN, ROBERT L.
2839 Fillmore Street
Davenport, Iowa 52804
Office Phone: 794-5746

HARGIS, JACK R. (SC)
System Development Corporation
2500 Colorado Avenue
Santa Monica, California

HARVEY, JOHN R.

HEBBLEWHITE, ROBERT K. (SC)
1111 East Mill Street
San Bernardino, California 92402
Office Phone: TU 4-9211 Ext. 1023

HEFLIN, WILLIAM R.
(HQ. U. S. Army Missile Command)
503 Chadwell Circle
Huntsville, Alabama 35802
Office Phone: 876-4192

HENDRICKSEN, HARRY E. (ME)
Leesona Moos Laboratories
Pond Hill Road
Great Neck, New York 11021
Office Phone: 516-466-0800 Ext. 361

HERALD, VIRGIL H. (SC)
(Singer Company)
351 West Linden Avenue
Burbank, California 91506
Office Phone: 245-8711 Ext. 1415

HEYD, JOSEF W., Dr.
Monsanto Research Corporation
Mound Laboratory
P. O. Box 32
Miamisburg, Ohio 45342

HODGES, LEO J.
(HQ. AFSC, USAF)
8708 Millford Mill Road
Baltimore, Maryland 21207
Office Phone: 981-5257

HODOCK, MICHAEL ALOYSIUS
(EG&G, Inc.) (RM)
933 San Pedro S. E.
Albuquerque, New Mexico 87108
Office Phone: 265-8481 Ext. 304

HOLLEN, SAMUEL J. (W)
System Development Corporation
5720 Columbia Pike
Falls Church, Virginia 22041
Office Phone: 481-2220

HUDSON, WILLIAM J. (RM)
Sandia Corporation
Sandia Base
Albuquerque, New Mexico 87115
Office Phone: 264-8808

HYDE, JOHN F. (W)
3505 Duff Drive
Falls Church, Virginia 22041
Office Phone: OX 6-3155

INGARGIOLA, HENRY B. (NC)
Standard Research Institute
Menlo Park, California 94025
Office Phone: 326-6200 Ext. 3168

JACKSON, JAMES G., Jr. (SC)
Cal Tech. Propulsion Lab.
4800 Oak Grove Drive
Pasadena, California 91103
Office Phone: 354-5090

JAHN, FRANCIS X. (W)
Westinghouse Electric Corp. Defense
& Space Center
P. O. Box 1693
Baltimore, Maryland 21203
Office Phone: 301-765-3981

JERNIGAN, JOHN B. (ME)
General Electric Company
Room 6112, 3198 Chestnut Street
Philadelphia, Pennsylvania 19101
Office Phone: 583-5445

JESPERSON, HENRY L. III (ME)
General Electric Company
83 Maiden Lane
New York, New York 10038
Office Phone: 212-571-5782

JOHNSON, ELEANOR (W)
(Naval Ordnance Systems Command)
1266 Delafield Place, N.E.
Washington, D. C. 20017
Office Phone: OX 6-4952

JOHNSON, RICHARD D. (SC)
Hughes Aircraft Co.
359 4th Floor
El Segundo, California 90230
Office Phone: 805-252-5594 Ext. 6721

JOYCE, ROBERT A. Lt. Col. (W)
(Hq. USAF)
3711 Yuma Street, N.W.
Washington, D. C. 20016
Office Phone: OX 6-8363

KEMP, RAYMOND J. (W)
Bendix Field Engineering Corp.
Owings Mills, Maryland 21117
Office Phone: 363-1300

KERCHER, HELEN R. (RM)
Ken O'Brien and Associates
1027 San Mateo S. E.
Albuquerque, New Mexico 87108
Office Phone: 265-7817

KYNE, JACK P. (NC)
Ampex Corporation
401 Broadway MS 2-20-
Redwood City, California 94063
Office Phone: 264-1269

LEDDY, EDMUND, Jr.
General Electric Company
P. O. Box 11508
St. Petersburg, Florida 33733
Office Phone: 813-544-2511 Ext. 594

LEMIRE, ADRIEN E.
USAF Systems Command
L. G. Hanscom Field
Bedford, Massachusetts 01730
Office Phone: 617-274-6100 Ext. 2886

LICHLITER, LEROY L. (W)
(Navy Ship Systems Command)
P. O. Box 344
McLean, Virginia 22101
Office Phone: OX 6-3620

LOCH, WAYNE S. (NC)
Watkins-Johnson
3333 Hillview Avenue
Palo Alto, California 94304
Office Phone: 326-8830 Ext. 551

LONG, JACK E.
The Bendix Corporation
P. O. Box 1159
Kansas City, Missouri 64141
Office Phone: EM 3-3211

LOUDENSLAGER, HARRY C.
Battelle Memorial Institute
(Columbus Labs)
505 King Avenue
Columbus, Ohio 43201

LUCAS, WALTER A. (ME)
Olin Matheson Chemical Corp.
275 Winchester Avenue
New Haven, Connecticut 06504

LUDLOW, RICHARD W. (SC)
Aerospace Corporation
2350 E. El Segundo Blvd.
El Segundo, California 90245

LUNINE, LEO R. (SC)
Jet Propulsion Lab.
P. O. Box 194
LaCanada, California 91011

MacCLAIN, GEORGE (W)
(Office Assist. Secretary of
Defense—Adm.)
2646 S. Fort Scott Drive
Arlington, Virginia 22202

MACKEY, JOHN B.
General Electric Company
Building 800
Evandale Plant
Cincinnati, Ohio

MAINES, HOWARD G. (W)
(National Aeronautics & Space Adm.)
301 "G" Street S. W.
Washington, D. C. 20024
Office Phone: 393-9411 Ext. 7675

MARISON, O. JANE, MRS. (SC)
System Development Corporation
2500 Colorado Avenue
Santa Monica, California 90406
Office Phone: 393-9411 Ext. 7675

MANEGGIE, JAMES A. (NC)
Applied Technology Inc.
Division of Itek Corporation
3410 Hillview Avenue
Palo Alto, California 94304
Office Phone: 415-321-5135

MANGOS, CHARLES JOHN (NE)
Sylvania Electric Products Inc.
77 "A" Street
Needham, Massachusetts 02194
Office Phone: 617-449-2000

MARSH, JAMES G. (RM)
Sandia Corporation
Sandia Base Division 3414
P. O. Box 5800
Albuquerque, New Mexico 87115

MASSO, FRANK J.
(AVCO-Lycoming Corp.)
333 Hollister Street
Stratford, Connecticut
Office Phone: 203-378-8211 X 392

MAY, FRANCIS W. (W)
(Hq. USAF)
728 South Lee Street
Alexandria, Virginia 22314
Office Phone: OX 6-7941

McANDREW, LUCILLE (MRS.)
University of California
Los Alamos Scientific Lab
P. O. Box 1663
Los Alamos, New Mexico 87544
Office Phone: 7-4515

McCONNELL, L. F. (LORRY) (SC)
(System Development Corporation)
14001 South Daphne Avenue
Gardena, California 90249
Office Phone: 393-9411 X 7420

McELHINNEY, THOMAS J. Jr. (W)
(Naval Ship Engineering Center)
Oxon Hill, Maryland 20021
Office Phone: JE 4-0911

McROBERTS, GEORGE W. (NC)
(Philco-Ford Corporation)
3186 David Avenue
Palo Alto, California 94304
Office Phone: 326-4350 X 4112

MERRITT, OCTAVIA L. (MRS.)
(Test Command, Defense (NM)
Atomic Support Agency)
733 California Street, S. E.
Albuquerque, New Mexico 87108

MESSICK, HARRY J.
(American Electronic Lab.)
1029 Cedargrove Road
Wynnewood, Pennsylvania 19096
Phone: MI 2-6712 (Home)
Office Phone: 215-822-2929 X 515

MILLER, CHARLES R. (RM)
(Field Command, DASA, Sandia Base)
3413 Harwood Court, N.E.
Albuquerque, New Mexico 87110
Office Phone: 200-8639

MILLETT, LOVELL H. (NE)
General Electric Co.
1 Federal Street
Springfield, Massachusetts 01105
Office Phone: 781-6000 X 2054

MORAN, JAMES D. (ME)
General Precision, Inc.
94 Young Avenue
Cedar Grove, New Jersey 07009

MORGAN, BETTY A. (SC)
General Precision Systems, Inc.
808 Western Avenue
Glendale, California 91201
Office Phone: 213-245-8711 X 1416

NAVARRE, F. J. (SC)
Litton Systems, Inc.
Advanced Marine Technology Div.
2609 Fairgreen Avenue
Arcadia, California 91006
Office Phone: 836-5500 X 120

NEAL, ROBERT E. (SC)
(TRW Systems)
28413 Hazelridge Drive
Palos Verdes Peninsula, Calif. 90274

NEWLAN, IRL E. (SC)
Jet Propulsion Laboratory
California Institute of Technology
4800 Oak Grove Drive
Pasadena, California 91103
Office Phone: 354-3360

NICOLSON, ROBERT P.
U. S. Naval Radiological Defense Lab
San Francisco, California 94135
Office Phone: 415-648-6900

NILES, ROBERT G. (W)
(Hq. Defense Atomic Support Agency)
2201 South Dinwiddie
Arlington, Virginia 22206
Office Phone: OX 5-4318

NITKOWSKI, KAROL ADAM (W)
ANNADIV US Navy Ship
R&D Center
Annapolis, Maryland 21402
Office Phone: 761-8858

NOWAK, GILBERT C. (SC)
11742 Cherry Street
Los Alamitos, California 90720
Home Phone: 596-1955

O'CONNOR, GEORGE F.
Del. Contract Adm Serv. Reg.
Los Angeles
10915 Inglewood Avenue
Inglewood, California 90304

ODA, WILLIAM S. (NC)
(Lockheed Missiles & Space Co.)
5451 Del Oro Drive
San Jose, California 95124
Office Phone: 743-2234

O'DE[illegible] ALTON L. (W)
Ray[illegible] tometric
421, [illegible] Avenue
Alexandria, Virginia 22304
Office Phone: 751-1090

OSTRANDER, LURL S.
Sandia Corporation
Classification Division 8244
P. O. Box 969
Livermore, California 94551
Off. Phone: AC415 447-5100 Ext. 2659

OTTENSTROER, HUBERT W. (W)
Naval Research Lab
Washington, D. C. 20390
Office Phone: 574-2240

PARKER, W. W. (RM)
EG&G Inc.
933 San Pedro, S.E.
Albuquerque, New Mexico 87108
Office Phone: 265-8481

PARKS, MILTON L. (NE)
Mitre Corporation
Bedford, Massachusetts 01730

PARSELL, WILLIAM L. (W)
U. S. Naval Weapons Lab
Dahlgren, Virginia 22448
Office Phone: NO 3-2511 Ext. 975

PETERS, WILEY MURREL
9227 Alcona Street
Lanham, Maryland 20801
Office Phone: 995-1602

PHILIPSEN, WILLIAM R. (W)
Ling-Temco-Vought, Inc.
1155 15th St. NW
Washington, D. C. 20005

PIZZINO, MICHAEL A.
U. S. Naval Applied Science Lab
Flushing and Washington Avenue
Brooklyn, New York 11251
Office Phone: 212-625-4500

POENICKE, CHARLES D. Cmdr. (W)
Office of the Chief of
Naval Material
Washington, D. C. 20360
Office Phone: OX 6-3338

POGNA, ROBERT (RM)
EG&G, Inc.
933 Bradbury Drive S.E.
Albuquerque, New Mexico 87106
Office Phone: 592-3187

POMPETTI, PETER (ME)
Rohm & Haas Co.
Independence Mall West
Philadelphia, Pennsylvania 19105
Office Phone: 592-3187

RANKIN, DANIEL F. (W)
(U. S. Navy)
4420 N. Fairfax Drive
Arlington, Virginia 20390

RASMUSSEN, J. R. (NC)
Sylvania Electronic Systems
Western Division
P. O. Box 188
Mountain View, California 94040
Office Phone: 966-3667

RATY, RAYMOND (NC)
(Sandia Corporation)
1023 Westridge
Danville, California 94526

REDMAN, LESLIE M., Dr. (RM)
University of California
Los Alamos Scientific Laboratory
P. O. Box 1663
Los Alamos, New Mexico 87544

RICHARDSON, DEAN C.
Texas Instruments
13500 N. Central Expressway
Dallas, Texas 75222
Office Phone: 214-238-3261

ROSATO, VICTOR M.
3900 McKinley Avenue
El Paso, Texas 79930
Office Phone: 678-4977

ROUSH, OKEY C.
North American Rockwell
4300 E. Fifth Avenue
Columbus, Ohio 43216
Office Phone: 614-882-4698

ROZZI, GAETANO D. (ME)
Grumman Aircraft Engineering
South Oyster Bay Road
Bethpage, L. I. New York 11714
Office Phone: 516-LR5-3910

RUBENSTEIN, SIDNEY S. (W)
(Mosler Safe Company)
8201 16th Street NW, Apt. 1225
Silver Spring, Maryland 20910
Office Phone: 525-5800

SANDERS, GEORGE E.
White Sands Enterprises Inc.
1308 Berkeley Street
Santa Monica, California 90401

SATTERFIELD, LYNWOOD G. (W)
Westinghouse Electric Corporation
Friendship International Airport
P. O. Box 1693
Baltimore, Maryland 21203
Office Phone: 765-3976

SAVINO, VINCENT G. (ME)
Naval Plant Representative Office
187 Princess Street
Hicksville, New York 11801
Office Phone: 516-574-1003

SCHUKNECHT, LLOYD C. Jr. (NC)
Stanford Research Institute
333 Ravenswood Avenue
Menlo Park, California 94025
Office Phone: 336-6200

SHEEHAN, JOHN B. (NC)
Fairchild Camera & Instrument Corp.
464 Ellis Street
Mountain View, California 94040

SHUNNY, JOHN (RM)
Sandia Corporation (3411)
Sandia Base
Albuquerque, New Mexico 87115
Office Phone: 505-264-2804

SIMMONS, ROBERT D. (NC)
(Stanford University)
3756 Starr King Circle
Palo Alto, California 94306
Office Phone: 321-3300 Ext. 341

SIMPSON, FRANCIS W.
Gulf General Atomic Incorporated
P. O. Box 608
San Diego, California 92112

SMITH, JAMES A.
System Development Corporation
2500 Colorado Avenue
Santa Monica, California 90406
Office Phone: 393-9411

SNYDER, CLAUDE F.
Sanders Associates
95 Canal Street
Nashua, New Hampshire 03060
Office Phone: AC 603-885-5511

STADERMANN, HOWARD A. (W)
(Office of the Secretary of
Defense ODDR&E)
4000 Massachusetts Avenue N. W.
Apartment 1508
Washington, D. C. 20016
Office Phone: OX 7-5697

STANLEY, C. JUNE (W)
(Naval Ordnance Systems Command)
6704 Westcott Road
Falls Church, Virginia 22042
Office Phone: OX 6-2309

STARR, LELAND K.
Stanford University
Stanford, California 94305
Office Phone: 321-5300 Ext. 351

STELLE, A. MACNEIL (SC)
Atomics International
Box 309
Canoga Park, California 91304
Office Phone: 341-1000 Ext. 2321

SUNDE, EIVEN (W)
Page Communications Engrs., Inc.
3300 White Haven Street N.W.
Washington, D. C. 20007
Office Phone: FE 7-7600

SUTO, EUGENE (W)
6116 Roseland Lane
Rockville, Maryland 20852
Office Phone: 893-5900 Ext. 371

TAYLOR, CARL G.
Reynolds Elec. and Eng. Co.
3720 Fortune Avenue
Las Vegas, Nevada 89107
Office Phone: 734-3011 Ext. 3523

TAYLOR, ROBERT L. Capt.
211 Ferson Loop
San Antonio, Texas 78236

TENNANT, THEODORE C.
(System Development Corporation)
926 Iliff Street
Pacific Palisades, California 92072
Office Phone: 393-9111 Ext. 7762

THOMPSON, WILLARD N. (SC)
Hq. SAMSO (SMMIS), USAF
(Research Analysis Corporation)
Air Force Post Office
Los Angeles, California 90045
Office Phone: 643-2534

TOBIN, JOSEPH FRANCIS, Jr.(NE)
AVCO Corporation
201 Lowell Street
Wilmington, Massachusetts 01887
Office Phone: 658-8311 Ext. 2474

TODD, RUBY (Mrs.)
Naval Undersea Warfare Center
Commander (Code 702)
San Diego, California 92132
Office Phone: 222-6311 Ext. 1380

TORMEY, JOHN C. (NE)
Bolt, Beranek, & Newman, Inc.
50 Moulton Street
Cambridge, Massachusetts 02138
Office Phone: 617-491-1850

TROSINO, JAMES C. (NC)
Sylvania Electronic Systems
Western Division
100 Ferguson Drive
P. O. Box 188
Mountain View, California 94040
Office Phone: 966-2816

TROUPE, DAVID H. (NC)
(Lockheed Missile Space Center)
3670 Peacock Court
Santa Clara, California 95051
Office Phone: 408-742-2173

TYDELL, ERNEST (NC)
Sylvania Electronic Systems
100 Ferguson Drive
Mountain View, California 94086
Office Phone: 966-2368

UHLAND, CHARLES V. (ME)
General Electric Reentry Systems
435 N. 38th Street
Camden, New Jersey 08110
Office Phone: 215-823-2849

UNLAND, KENNETH R. (SC)
TRW Systems Group
600 East Mill Street
San Bernardino, California 92408
Office Phone: 714-884-0411

VOGT, PHYLLIS A. (W)
(Defense Atomic Support Agency)
2143 Mohegan Drive
Falls Church, Virginia 22043
Office Phone: OX 5-4318

VOLZ, HARRY A. (MEY)
Grumman Aircraft Engr. Corp.
South Oyster Bay Road
Bethpage, New York 11714
Office Phone: 516-LR5-3910

WALSH, RICHARD J.
Raytheon Company
Box 1395
APO, New York 09293 S. A. M.

WEISS, EDMUND C. (ME)
(Bell Telephone Labs Inc.)
Mountain Avenue
Murray Hill, New Jersey 07974
Office Phone: 201-582-5252

WHELAN, FRANK JOSEPH (NC)
4395 Glenmont Drive
San Jose, California 95123
Office Phone: 408-742-4139

WHALEN, JOHN M. (NC)
Applied Technology
3110 Hillview Avenue
Palo Alto, California 94304
Office Phone: 961-7406

WHIPP, ROBERT F. (W)
(U. S. Arms Control and
Disarmament Agency)
5312 Flanders
Kensington, Maryland 20795
Office Phone: RE 7-5600 Ext. 7246

WIKLUND, ANDERS S., Col.
(USA MISSILE CMD)
2900 Congress Road
Pebble Beach, California 93953

WILCOX, WAYNE T. Jr. (W)
ARINC Research Corp.
2551 Riva Road
Annapolis, Maryland 21401
Office Phone: 202-296-4626

WILKIE, FRANCIS E., Lt. Col.
(AFLC, Wright-Patterson AFB)
2568 N. Emerald Drive
Fairborn, Ohio 45324
Office Phone: 257-2905

WILLIAMS, DAVID H. (SC)
(Douglas Aircraft Co.)
3855 Lakewood
Long Beach, California 90808
Office Phone: 421-2711 Ext. 4323

WILSON, KENNETH E. (NE)
Sylvania Electronic Systems
40 Sylvan Road
Waltham, Massachusetts 02154
Office Phone: 617-894-8444 Ext. 434

WILSON, WILLIAM A. (NE)
(Electric Systems Division USAF)
868 Washington Street
South Easton, Massachusetts
Office Phone: 274-6100

WINSTEAD, FREDERICK E.
Intelligence & Security
Directorate, FC DASA
Sandia Base, New Mexico
Office Phone: 505-264-6626

WISE, JOHN W. (SC)
TRW Systems Group
Redondo Beach, California

WOODBRIDGE, DONALD B.
Union Carbide Nuclear Co.
P. O. Box Y
Oak Ridge, Tennessee 37830
Office Phone: 483-8611

WOODS, RICHARD L.
Hughes Aircraft Company
Culver City, California
Office Phone: 391-0711, Ext. 3575

YOUNG, SETH T. (W)
(Hq. AFSC, USAF)
7409 Colchester Drive
Clinton, Maryland 20735
Office Phone: 297-9509

YOUTZ, EDWIN S. (W)
Westinghouse Defense & Space Center
Friendship International Airport
P. O. Box 1693
Baltimore, Maryland 21203
Office Phone: 301-763-3975

ZUCKER, JEANNE K. (W)
National Scientific Labs, Inc.
Westgate Research Park
McLean, Virginia 22101
Office Phone: 703-893-4423

# NCMS MEMBERSHIP BY ORGANIZATION

AEROJET GENERAL CORPORATION
Duane D. Anderson

AEROSPACE CORPORATION
Richard J. Boberg
John D. Fuchs
Robert K. Hebblewhite
Richard W. Ludlow

AMERICAN ELECTRIC LAB INCORPORATED
Harry J. Messich

AMPEX CORPORATION
John P. Kyne

APPLIED DEVICES CORPORATION
Joseph T. Antonucci

APPLIED TECHNOLOGY
James A. Maseggie
John M. Whalen

ARINC RESEARCH CORPORATION
Wayne Wilcox, Jr.

ATLANTIC RICHFIELD HANFORD COMPANY
Arthur E. Barber

ATOMICS INTERNATIONAL
A. MacNeil Stelle

AVCO
Ronald H. Beatty
John E. Foster
Frank J. Masso, Jr.
Joseph F. Tobin, Jr.

BATTELLE MEMORIAL INSTITUTE
Harry C. Loudenslager

BELL TELEPHONE LABS
Edmund C. Weiss

BENDIX CORPORATION
Raymond J. Kemp
Jack E. Long

BOLT, BERANIEK, & NEWMAN INC.
John C. Tormey

CAL. TECH. JET PROPULSION LAB.
James G. Jackson, Jr.
Leo R. Lunine

CONTROL DATA CORPORATION
John D. Exline

DEFENSE ATOMIC SUPPORT AGENCY
Charles M. Atkinson
William Green
Octava L. Merritt
Charles R. Miller
Robert G. Niles
George F. O'Connor
Phyllis A. Vogt
Frederick E. Winstead

DEFENSE SUPPLY AGENCY
Donald Anthony Coffey

DEPARTMENT OF DEFENSE
L. V. diLorenzo
C. Donald Garrett
George MacClain
Howard A. Stadermann

DIEBOLD INCORPORATED
Albert Davis
N. Carter Hammond

DIKEWOOD CORPORATION
M. B. Gordon

DON D. DARLING & ASSOCIATES
Don D. Darling

DOUGLAS AIRCRAFT COMPANY
George L. Chelius, II

DOW CHEMICAL COMPANY
Willmar K. Boeder
James W. Conder

EG&G
Phil V. Betts
Walter A. Deane
Michael A. Hodock
W. W. Parter
Robert Pogna

FAIRCHILD CAMERA INSTRUMENT CORPORATION
John Brian Sheehan

GENERAL DYNAMICS CORPORATION
James W. Farrell, Jr.

GENERAL ELECTRIC COMPANY
John J. Burdette
John B. Jernigan
Edmund Leidy, Jr.
John B. Mackey
Lovell H. Millett
Charles V. Uhland

GENERAL PRECISION INC.
Ernest E. Felago
John J. Felago
Virgil H. Herald
James D. Moran
Betty Angela Morgan

GENERAL SYSTEMS SCIENCES
Ronald J. Booser
GRUMMAN AIRCRAFT
Lawrence F. Clark
Gaetano D. Rozzi
Harry A. Volz

GULF GENERAL ATOMIC INCORPORATED
Francis W. Simpson

HONEYWELL ORDNANCE DIVISION
Joseph Paul Bush

HUGHES AIRCRAFT COMPANY
Richard D. Johnson
Richard L. Woods

INSTITUTE OF SCIENCE & TECHNOLOGY
Mildred F. Denecke

KEN O'BRIEN AND ASSOCIATES
Helen R. Kercher

LEESONA MOOS LABORATORIES
Harry E. Hendricksen

LELAND STANFORD UNIVERSITY
Robert D. Simmons

LING-TEMCO-VOUGHT, INC.
William R. Philipsen

LITTON INDUSTRIES
William R. Ballard
Jack W. Berkus
Robert J. Navarre

LMSC
David H. Troupe

LOCKHEED MISSILES & SPACE COMPANY
Frederick J. Daigle
Robert W. Engle
James B. Green
William S. Oda
Frank J. Whelan

LOS ALAMOS SCIENTIFIC LABORATORY
Cecil C. Carnes
Lucille R. McAndrew
Leslie M. Redman

MAGNAVOX COMPANY
William F. DuCoing

M.I.T., LINCOLN LABORATORY
Edward G. Goulart

MITRE CORPORATION
Milton Lewis Parks

MONSANTO RESEARCH CORPORATION
Josef W. Heyd

MOSLER SAFE COMPANY
Sidney S. Rubenstein

NASA
Paul H. Anderson
Howard G. Maines

NATIONAL ACADEMY OF SCIENCES
John Paul Gillis

NATIONAL SCIENTIFIC LABS.
Jeanne (Kaufman) Zucker

NORTH AMERICAN ROCKWELL
John E. Coyne
A. A. Correia
Okey C. Roush

NORTHROP CORPORATION
Gilbert C. Nowak

PAGE COMMUNICATIONS ENGINEERING INC.
Eiven Sunde

PHILCO-FORD
George William McRoberts

RAYTHEON CORPORATION
Victor L. Bellerue
William F. Grubbs
Milton L. O'Dea
Richard J. Walsh

RESEARCH ANALYSIS CORPORATION
Eugene J. Suto

REYNOLDS ELECTRIC & ENGINEERING INC.
Carl G. Taylor

ROHM & HAAS COMPANY
Peter Pompetti

SANDERS ASSOCIATES
James A. Buckland
Claude F. Snyder

SANDIA CORPORATION
Franklin E. Halasz
William J. Hudson
James G. Marsh
Lurl S. Ostrander
Raymond Raty
John Shurny

STANFORD RESEARCH INSTITUTE
Henry B. Ingargiola
Lloyd C. Schuknecht, Jr.
Leland K. Starr

SYLVANIA ELECTRONIC SYSTEMS
Charles J. Mangos
J. R. Rasmussen
James C. Trosino
Ernest Tydell
Kenneth E. Wilson

SYSTEMS DEVELOPMENT CORPORATION
Daniel F. Cetone
Roberto R. Garza
Jack R. Hargis
Samuel J. Hollen
O. Jane Mairson
Larry F. McConnell
James A. Smith
Theodore C. Tennant

TECH. COMM. INCORPORATED
Joseph J. DePeri

TEXAS INSTRUMENTS
Dean C. Richardson

THIOKOL CHEMICAL CORPORATION
Carl Ralph Danielson

TRW SYSTEMS
Robert L. Beckner
Victor L. Bellerue
Robert E. Neal
Kenneth R. Unland
John W. Wise

UNION CARBIDE NUCLEAR COMPANY
Donald B. Woodbridge

UNITED TECHNOLOGY CENTER
Robert D. Donovan

U. S. AIR FORCE
Raphael J. Bergen
Edward H. Calvert
Robert H. Cobbs
William G. Florence
Robert A. Joyce
Leo J. Hodges
Adrien E. Lemire
Francis W. May
Robert L. Taylor
Willard N. Thompson
Francis E. Wilkie
William A. Wilson
Seth T. Young

U. S. ARMS CONTROL AND DISARMAMENT AGENCY
Leslie L. Ayres
Richard L. Durham
Robert F. Whipp

U. S. ARMY
Robert L. Hansen
William Robert Heflin
John Francis Hyde
Victor M. Rosato
Anders S. Wiklund

U. S. ATOMIC ENERGY COMMISSION
Robert C. Dreyer
U. S. NAVY
M. D. Aitken
Ruth A. Alves
James J. Bagley
Ralph T. Briggs
Travis O. Burneston
Richard W. Buxton
Phyllis O. Callister
Joseph C. Care
Clarissa Mae DeAngelis
Cass J. Dryer
Alfred E. Dupell
Robert E. Green
Eleanor Johnson
Leroy L. Lichliter
Thomas J. McElhinney, Jr.
Robert P. Nicolson
Karol A. Nitkoski
Hubert W. Ottenstroer
William L. Parsell
Wiley M. Peters
Michael A. Pizzino
Charles F. Poenicke, Jr.
Daniel F. Rankin
Vincent G. Savino
C. June Stanley
Ruby Todd

WATKINS-JOHNSON
Wayne Stanley Loch

WESTERN ELECTRIC COMPANY
Henry L. Jesperson III
Edwin S. Youtz

WESTINGHOUSE ELECTRIC CORPORATION
Francis X. Jahn
Lynwood G. Satterfield

WHITE SANDS ENTERPRISES
George Lewis Sanders

## BY-LAWS OF NATIONAL CLASSIFICATION MANAGEMENT SOCIETY
**a non-profit corporation**

### ARTICLE I. OFFICES

The principal office of the corporation in the State of New Mexico shall be located in the City of Albuquerque, County of Bernalillo. The corporation may have such other office, either within or without the State of New Mexico, as the Board of Directors may determine or as the affairs of the corporation may require from time to time.

The registered office may be, but need not be, identical with the principal office in the State of New Mexico, and the address of the registered office may be changed from time to time by the Board of Directors.

### ARTICLE II.* PURPOSE AND SCOPE

**Section 1.** It is the purpose of the National Classification Management Society to advance the practice of Classification Management as a profession and to foster the highest qualities of professionalism and professional competence among its members. In furthering this purpose, the Society provides a forum for the free exchange of views and information on the methods, practices, and procedures for managing classification programs and it engages in activities for disseminating such information and for developing and refining the principles and techniques of classification management.

**Section 2.** The Society shall engage in activities for promoting the following:

(a) Understanding of the philosophies, doctrines, standards, and criteria of the Government's programs for identifying and designating information that requires protection in the interest of national defense.

(b) Methods for training and indoctrination of personnel in the application of classification principles, practices, techniques, procedures and requirements.

(c) Systems and techniques for identifying and marking documents and materials requiring classification, regrading or declassification under guidance issued by the Government.

(d) Understanding among the industrial, scientific and technical communities of the character and significance of security classification.

(e) Procedures, methods and practices for the management of classified inventories.

(f) Methods, techniques, and standards for identifying and designating

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company private or proprietary information.

## ARTICLE III. MEMBERSHIP

**Section 1.** The membership of the Society shall include the following classes: Regular, Associate and Honorary.

(a) **Regular Members** shall be those contractor and government employees, including military personnel, whose principal or primary duty is managing, supervising or performing in a Classification Management capacity within industry, government, the military services or an educational institution.

(b) **Associate Members** shall be those contractor and government employees, including military personnel, whose duties or responsibilities include a secondary or collateral responsibility for managing, supervising or performing in a Classification Management capacity within industry, government, the military services or an educational institution. Persons employed in a professional, staff or supervisory capacity with a primary responsibility in a field directly related to Classification Management are included.

(c) **Honorary Members** may be elected to the Society. The Board of Directors may, at its discretion, by a majority vote of all its members, designate and elect as Honorary Members of the Society individuals who are deemed to be outstanding in the field of Classification Management or in any field related to the purpose of the Society. No more than one Honorary Member may be elected in a calendar year. Honorary Members shall be entitled to all privileges of membership except the right to hold office or to take part in the management of the affairs of the Society except as provided in Article III, Section 8, of these By-laws.

**Section 2.** Those who hold membership in the Society as Regular or Associate Members, and who retire, or who enter into a field not related to Classification Management may continue their membership in the Society at the pleasure of the Board.

**Section 3.** No individual under twenty-one (21) years of age shall be eligible for membership in the Society.

**Section 4.*** Any member may resign, by advising the Society Secretary in writing. Resignation does not relieve the member of any liability to the Society that may exist as of the postmark date of the letter of resignation.

**Section 5.** The Board of Directors shall be empowered to resolve all questions pertaining to eligibility of persons for Regular or Associate membership, or to the eligibility and fitness of any member for continued membership in the Society.

**Section 6.** The Board of Directors shall prescribe the application form and rules governing admission to the Society.

**Section 7.*** All members shall be entitled to receive a Certificate of Membership in such form as the Board may from time to time approve. Charter, Regular, and Associate Members will receive certificates of membership designating them as Charter Members of the Society. Charter membership will be limited to persons accepted for membership prior to July 1, 1964. In the event of termination of membership, the surrender of the certificate may be required, according to the determination of the Board on a general or specific basis.

**Section 8.** Only Regular Members of the Society in good standing shall be entitled to vote for the Directors of the Society, to vote at stated or called executive meetings of the Society, to hold national offices and to participate in the management of the Society's national business.

Regular and Associate Members shall be entitled to vote and to hold office in their respective Chapters.

Regular, Associate and Honorary Members may hold committee assignments, both National and Chapter, and shall be permitted to chair such committees and to vote in business meetings of such committees, except as otherwise herein provided by these By-laws.

Each member shall be entitled to one (1) vote on each matter submitted to a vote of the members.

## ARTICLE IV. ENTRANCE FEE, DUES AND ASSESSMENTS

**Section 1.** The entrance fee for admission to Regular or Associate membership in the Society shall be Ten Dollars ($10.00).

**Section 2.** The annual dues for Regular Members shall be Ten Dollars ($10.00), and the annual dues for Associate Members, Ten Dollars ($10.00). Dues are payable in advance on the first day of January each year. New members admitted on or after July 1st of any year shall pay only one-half of the annual dues for the balance of the year of their admission. Members paying dues within ninety (90) days of the

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due date shall be considered to be in good standing.

**Section 3.** If dues or other amount owed by any member remains unpaid for a period of ninety (90) days after the beginning of the calendar year, or after election in the instance of a new member, the Society shall by mail request immediate payment. Such request having been made, then from and after the end of said period and until full payment is made, said member shall cease to be in good standing. If after thirty (30) days additional time the amount owing continues unpaid, in whole or in part, membership of such member shall automatically terminate. However, membership shall be automatically restored provided payment of the full amount in arrears is made within a year after dues became payable, except in the case of a new member. Any person desiring to have his membership restored after the expiration of one year from the loss of membership, as above described, shall be subject to the rules and procedures prescribed for an original application for membership. In the event dues in arrears are fully paid, no entrance fee need be paid again.

## ARTICLE V. DIRECTORS

**Section 1.** The property, business, and affairs of the Society shall be managed and controlled by a Board of not fewer than four (4) and not more than thirteen (13) Directors. The exact number of Directors will be fixed by resolution of the Board from time to time, EXCEPT the number of Directors will not exceed nine (9) until the Society's Regular and Associate membership combined exceeds three hundred (300) members in good standing.

The Board shall have the power to elect from among its members the National Officers of the Society, and in the event of a vacancy in the Board of Directors appoint from the Regular Membership persons to serve until the next National Election. The Board will fix or provide for the salary and other compensation, if any, of all officers and Directors; employ or terminate, fix and provide for the salary of employees necessary in carrying out the business of the Society.

**Section 2.** Directors shall be elected by a vote of Regular Members. Initially, one-third (1/3) of the Directors shall be elected for a term of one (1) year; one-third (1/3) for a term of two (2) years, and one-third (1/3) for a term of three (3) years. In the event one class of Directors must of necessity have a greater number of Directors than the other two classes, it shall be the class in which the Directors have the shortest term to serve. Each Director shall hold his office until the expiration of his term and until his successor shall have been elected and qualified, or until his death, resignation or removal. No person may be elected, appointed or serve as a Director who is not a Regular Member of the Society in good standing. No Director having served two terms shall be eligible for reelection until after the lapse of one year.*

The Board of Directors shall have complete authority to declare vacant the directorship of any Director who fails to attend three consecutive meetings of the Board, without the excuse of the Board itself entered into the official minutes of the meeting of the Board.

**Section 3.** During the Annual Membership Meeting, following announcement of the incoming class of Directors, the Board of Directors shall meet for the purpose of organization, including the election of officers and the transaction of other business.

**Section 4.**** Meetings of the Board may be called by the President or the Secretary of the Society and shall be called by either of them upon a written request of a majority of the Board or the President or the Secretary may be notified directly by said majority of the Board. Each meeting shall be held as provided in the call, and the notice shall state the time, place and general purpose.

**Section 5.** Notice of Director meetings shall be given personally or in writing, by mail, at least ten (10) days before the meeting, but such notice may be waived by any Director before or after the meeting. Any business may be transacted at any meeting at which every Director is present, even though there be no notice or waiver of notice.

**Section 6.**** At all meetings of the Board, the President shall preside, or in his absence, in the order named, the Vice President, or a member of the Board chosen by a majority of the Directors present.

**Section 7.** At all meetings of the Board, one-half (½) of the Directors shall constitute a quorum and the act of a majority of the Directors present at any meeting at which there is a quorum shall be the act of the Board. If at any meeting there is less than a quorum present, a majority of those

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present may adjourn the meeting without further notice to any absent Director.

**Section 8.** Any vacancy on the Board occurring for any reason may be filled by a majority vote of the remaining Directors, although less than a quorum; any Director so appointed shall hold office for the unexpired portion of the term of office of his predecessor. Any increase in the number of Directors constituting the Board shall be deemed a vacancy on the Board. Appointment of new members to the Board through increase in the number of Directors constituting the Board shall require a majority of the quorum. Such appointments shall be for a term of not more than one year.

**Section 9.**** The President shall present at the Annual Meeting of the Members a report, verified by the President and Treasurer, or by a majority of the Directors, showing, as of the end of the immediately preceding fiscal year, the whole amount of real and personal property owned by the Society, where located, where and how invested, the amount and nature of the property acquired during such fiscal year, and the manner of acquisition; the amount applied, appropriated, or expended during such fiscal year and the purposes, objects, or persons to or for which such application, appropriations, or expenditures have been made; and the names and places of residence of the persons who have been admitted to membership in the Society during such fiscal year, which report shall be filed with the records of the Society and an abstract thereof entered in the minutes of the Annual Meeting.

**Section 10.** Any Director or officer may resign at any time by giving written notice to the President or Secretary of the Society; such a resignation shall take effect at the time specified therein or, if no time is specified, then upon receipt thereof, and unless otherwise specified therein, acceptance of such resignation shall not be necessary to make it effective. Any principal or other officer or employee of the Society may be removed at any time, with or without cause, either at any meeting of the Regular Members of the Society called or notified for the purpose, or by vote of a majority of the whole Board at any Directors' meeting.

**Section 11.** Each year, as provided for in Article V, Section 2, one class of Directors shall be elected for terms of three (3) years. Further, in the event of an increase in the number of Directors constituting the Board, one (1) Director will be elected for each position for a term set by the Board based on the ratios established in Article V, Section 2.

*Elections of Directors will be by mail vote of the Regular Members. The voting period shall be not less than two (2) months and shall close at least fifteen (15) days in advance of the Annual Meeting. The Nominating Committee shall send to all Regular Members prior to the beginning of the voting period, a ballot containing the names of all nominees. The names shall be arranged alphabetically. Separate from the ballot the Nominating Committee shall provide information as to the background and qualifications of each nominee.

*Each Regular Member shall vote for only as many of the nominees as there are Directorships to be filled. The ballots shall be marked by the Regular Members and shall be returned by them to the Chairman, Nominating Committee, within the voting period specified by these By-laws.

At the end of the voting period, the ballots shall be opened and counted by the Nominating Committee, serving as the Canvassing Committee. From among those nominees receiving the highest number of votes, the number of nominees equal to the number of vacancies to be filled shall be declared elected, provided no nominees shall be declared elected in violation of thse By-laws.

Nominees receiving the highest number of votes shall be elected in the class having three (3) years to serve, and, if necessary, the next highest fill the vacancies in the class having two (2) years to serve, and the next highest to fill the vacancies in the class having one (1) year to serve. In event of a tie vote, the Canvassing Committee shall resolve the tie by lot. The Canvassing Committee shall promptly certify the results of the election, over the signature of the Chairman, countersigned by the National Secretary, to the President of the Society. The President shall notify the successful nominees of their election and, in turn, the membership at the Annual Meeting.

Each year each Chapter Chairman, acting in behalf of his membership, shall have the right to petition the Nominating Committee to propose two candidates for Directorships on the Board of Directors to be filled at the next annual election. At least one of the two candidates must be a resident

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of the region in which the Chapter is situated. Petitions must be submitted to the Nominating Committee not fewer than one hundred (100) days in advance of the election. The Nominating Committee shall receive such petitions as suggestions only, and this procedure does not alter the right of the Committee to select and submit to the Regular Members of the Society a list of nominees for election as Directors. The Nominating Committee shall, at least sixty (60) days in advance of the annual election, prepare a list of nominees, consisting of at least two (2) more nominees than there are Directorships to be filled. The Nominating Committee shall list as nominees only those Regular Members who have certified a willingness to serve on the Board if nominated and elected.

**Section 12.** Where in these By-laws it is specified that any duty, action, or performance shall be accomplished by the Board or any Committee in a meeting of the Board or such Committee, such duty, action or performance may be accomplished in full force and effect by the unanimous consent, in writing, of the members of the Board or such Committee (by mail).

## ARTICLE VI. OFFICERS

**Section 1.**** The principal National Officers shall be a President, a Vice-President, a Secretary and a Treasurer. These officers shall be elected annually by the Board of Directors from among their number. Election shall be by ballot, and a majority of the votes cast shall elect. Each elective officer shall take office during the Annual Meeting. In the event the Annual Meeting is postponed or canceled, the Board shall specify the date, not later than sixty (60) days following the date of election, upon which the newly elected officers shall take office.

In addition to the principal National Officers specified above in this section, the Board may elect or appoint such other minor officers or agents, each with such powers and duties not inconsistent with these By-laws as from time to time it may deem proper

**Section 2.**** Each officer of the Society shall hold office for one (1) year and until the election and qualification of his successor, or until his death, resignation, or removal prior thereto. The member elected to the office of President shall be ineligible to succeed himself as President. The offices of President and Vice President may not be held by the same person.

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**Section 3.** In case any office in the Society becomes vacant as a result of death, resignation, retirement, disqualification, or other cause, such vacancy so created may be filled by the Board. An officer elected to fill such a vacancy shall hold office until the end of the term and the election and qualification of his successor.

**Section 4.**** The PRESIDENT of the Society shall be elected from among the Members of the Board. He shall be the Chief Executive Officer and spokesman of the Society and shall be a member of the Executive Committee and a member ex-officio of all regular and special committees. He shall preside at all meetings of the members and of the Executive Committee. He shall have general charge and supervision of all the business and affairs of the Society, and shall do and perform such other duties as may be assigned to him from time to time by the Board. He shall preside at meetings of the Board of Directors.

**Section 5.** The VICE PRESIDENT shall assist the President in performance of his duties as the President may request, including performance of functions delegated to him by the President.

**Section 6.**** The SECRETARY shall attend all meetings of the Board and Members of the Society and shall make arrangements for recording all votes and the minutes of all proceedings. He shall attend to the giving and serving notices of all meetings of the Board and Members. He shall have custody of such books, documents, and papers as the Board may determine. He shall attend to the publication of all reports and conduct the official correspondence of the Society.

**Section 7.**** The TREASURER shall attend all meetings of the Board and Members of the Society. He shall have custody of all funds and securities of the Society, subject to such regulations as may be imposed by the Board. When necessary and proper, he may endorse on behalf of the Society for collection, checks, notes and other obligations, and shall deposit the same to the credit of the Society at each bank, banks or depository as the Board may designate. He shall sign all receipts and vouchers. He, together with such other officer, officers, or agents if any, as the Board or Executive Committee may designate, shall sign all checks of the Society; provided, however, that the Board or Executive Committee may authorize an officer or officers to sign any such receipts, vouchers or checks either with

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or without the signature of the Treasurer. Promissory notes, if any, issued by the Society shall be signed by him or another or others only pursuant to specific authority conferred by the Board or the Executive Committee. He shall make such payments as may be necessary or proper on behalf of the Society, subject to the control of the Board, and shall enter regularly on the books of the Society to be kept for the purpose of recording a full and accurate account of all moneys and obligations received and paid or incurred on account of the Society. He shall exhibit such books at all reasonable times to any Director upon application by the Director to the Executive Committee. Whenever required by the Board or the Auditing Committee, he shall make a full written report covering the financial transactions of the Society. He may be required to give bond for the faithful performance of his duties in such sum and with such securities as the Board may require. He shall, in general, perform all the duties incident to the office of Treasurer, subject to the control of the Board.

**Section 8.**** An ASSISTANT SECRETARY and an ASSISTANT TREASURER, at the request of the Secretary or the Treasurer, respectively, or in his absence or disability at any time, may perform any and all of the duties and possess other powers of the Secretary or the Treasurer, respectively, and shall have other powers and perform such other duties as the Board, or the President, Secretary or the Treasurer may determine, to the extent authorized by law. An Assistant Treasurer may be required to give bond for the faithful performance of his duties in such sum and with such sureties as the Board may require.

**Section 9.** A CHAPTER CHAIRMAN shall have the following responsibilities: to promote the welfare, growth, and professional stature of the Society; manage Chapter activities to include providing the Board with an annual report of Chapter operations, plans and financial condition; to represent the President and/or Board of Directors upon such occasions as specifically requested or delegated to do so; to present the views of the Members of his Chapter to the Board; and to bring to the Board's attention problems, reports, surveys and recommendations as he may be petitioned to present by his Chapter or by individual Members or as his judgment may dictate.

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They may be invited to sit individually or jointly with the Board, in order to render such advice and assistance as the Board may require.

## ARTICLE VII. COMMITTEES

**Section 1.** There shall be the following standing Committees:

(a)** An EXECUTIVE COMMITTEE, which shall consist of the President and two other Board members as the Board may determine. The committee shall advise and aid the officers of the Society in all matters concerning its interests and, during intervals between meetings of the Board, shall have and exercise all powers of the Board. No specific reference to the committee in any other provision of these By-laws shall be deemed to limit the general power hereby authorized the committee. Each member of the committee, other than the President shall be elected annually at the first meeting of the Board after the Annual Meeting of the Society. A majority of the committee shall constitute a quorum. The minutes of each Executive Committee Meeting shall be the first order of business of the succeeding Board Meeting, and the actions of the committee shall be subject to revision or alteration of the Board, provided that no rights of third parties shall be affected by such revision or alteration. The Committee may, subject to the approval of the Board, prescribe rules and regulations for the calling and conducting of its meetings and for other matters relating to its procedure and exercise of its powers. Unless otherwise determined by the committee, the President shall act as chairman. A member of the Executive Committee who is unable to attend a duly called meeting of said committee shall, in a letter addressed to the Committee Chairman, state the cause of his absence. If a member of the Executive Committee is absent from three consecutive meetings for reasons which the committee has failed to declare as sufficient, his resignation shall be deemed to have been tendered and accepted.

Vacancies that appear in the Executive Committee shall be filled by the Board.

(b)** A BUDGET AND FINANCE COMMITTEE, which shall consist of three (3) Regular Members, selected by the President, to be chosen from persons who are or have been Directors of the Society. The committee shall review the budget prepared by the Treasurer; inquire into and examine the

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financial condition of the Society, with the authority to obtain such information as the committee may deem advisable or necessary for its proper function; suggest ways and means of increasing revenues, of limiting expenses, and of providing resources for emergencies and future programs; report to the Board of Directors or to the Executive Committee as often as the committee may deem necessary and whenever it shall be requested to do so by the President.

(c) A NOMINATING COMMITTEE, which shall consist of from five (5) to seven (7) members, selected by the President with the advice and consent of the Board, from among the Regular Members of the Society. The Nominating Committee shall perform its duties as prescribed in Article V, Section 11, hereof.

Except as provided in this section 1, no member of any committee need be a Director, a former Director, or Regular Member of the Society.

**Section 2.** In addition to the Executive, Nominating and Budget and Finance Committees, there may be such other committees as may be authorized or designated by the Regular Members or by the Board. The members of such committees shall be chosen as directed in the resolution authorizing such committees or, in the absence of directions concerning membership in the resolution, then by the President.

**Section 3.** Except as herein otherwise provided, each committee referred to in this Article may, subject to the control of the Board, determine its own rules and regulations for the calling and holding of meetings or for other action by it, including the designation of a secretary to act for such committee. All committees of the Society, except the Executive Committee, shall hold office at the pleasure of the President. The tenures of all committees and their chairmen shall be concurrent with that of the President who appointed them and shall expire upon the expiration of the President's tenure, unless otherwise provided by resolution of the Board.

## ARTICLE VIII.
## MEETINGS OF MEMBERS

**Section 1.** Unless otherwise specified by the Board of Directors, the Annual Membership Meeting of the Society shall be held in July at a time and place as the Board may designate. Failing such designation by the Board, the Annual Meetings shall be held on the fourth Tuesday in July at the principal office of the Society. If the fourth Tuesday in July should be a legal holiday, then said meeting shall be held on the next succeeding business day that is not a legal holiday. At this meeting the Regular Members shall receive annual reports of the officers, directors, and committees, and transact any other business which shall come before the meeting.

**Section 2.**** Special Meetings of the Members may be called at any time by a majority of the Board, the President or the Secretary upon written request of twenty-five (25) Regular Members of the Society then in good standing. All such meetings shall be held at the principal office of the Society unless the Board designates some other place.

**Section 3.** Notice of the time and place of each Annual or Special Meeting shall be served either personally or by mail, not less than five (5) nor more than thirty (30) days before the meeting, upon each member of the Society in good standing. Notice shall, if mailed, be directed to the member at his mailing address as it appears on the books or records of the Society. Notice of the Annual Meeting need not specify the object thereof, but notice of any Special Meeting shall indicate the object or objects thereof.

**Section 4.** At any meeting of the Regular Members, twenty (20) of the members, or ten per cent (10%) of the Regular Membership, whichever is the greater number, present either in person or by proxy, shall constitute a quorum. A quorum being present or represented, it shall decide all questions submitted for action by the Regular Members. In the absence of a quorum or when a quorum is present, a meeting may be adjourned from time to time by vote of a majority of the active members present in person or by proxy without notice other than by announcement at the meeting. At any meeting at which a quorum shall be present, any business may be transacted at the meeting as originally notified. For the purpose of Article V, the term "proxy" with respect to any meeting shall be deemed to include also a signed ballot of a Regular Member for such meeting if the Board shall have authorized the use of such ballots, but in any event the Member signing the ballot shall be deemed present at the meeting only with respect to the matter covered by such ballot.

**Section 5.**** At every meeting of the Regular Members, each Regular Mem-

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ber shall be entitled to one vote on any question put before the Regular Membership, in person or by written proxy filed with the Secretary. The vote on any question shall be by ballot, if the Board so determines or if ordered by a majority of the active members present at the meeting. The vote for Directors shall be by ballot, by mail, as provided in Article V.

**Section 6.**** At any meeting of members, the President or, in his absence, the Vice-President, the Secretary or the Treasurer shall preside in the order listed. In the event that no principal officer is present any other Regular Member selected by a majority of the Regular Members present or represented at a meeting of the members shall preside as Chairman. Any other person appointed by the Chairman of the Meeting shall act as Secretary thereof.

**Section 7.** Whenever reference is made herein to any specified number or percentage of the Regular Members of the Society voting to approve or disapprove any matter, or taking any action at or with respect to any meeting of the Members, the number or percentage of members referred to shall mean Regular Members in good standing.

## ARTICLE IX. CHAPTERS

**Section 1.** If the Board so determines, Chapters may be established in any city, or cities, area or areas, to perform such functions and exercise such powers as the Board may determine. Rules or regulations for the control, guidance, or continuance of any such unit may be fixed or changed by the Board.

## ARTICLE X. INTERPRETATION AND CONSTRUCTION OF BY-LAWS

**Section 1.** All questions of interpretation or construction of these By-laws shall be decided by the Board, whose decision thereon shall be final.

## ARTICLE XI. FISCAL YEAR

**Section 1.** The fiscal year of the Society shall be from July 1 through June 30 of the following year.

## ARTICLE XII. CORPORATE SEAL

**Section 1.** The seal of the Society shall be in such form and design as the Board of Directors may select and shall bear the name of the Society and the year of its incorporation.

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## ARTICLE XIII. AMENDMENTS

**Section 1.** The Board shall have the power to make, alter, amend, and repeal the By-laws of the Society by the Affirmative vote of a majority of the Board, provided there has been proper notice or waiver of notice of such meeting, as provided in Article V, Section 5, hereof, except that the Board shall have no power to amend, alter or repeal sections of these By-laws relating to qualification for Regular Membership, qualifications for Directors, or assessment against members.

**Section 2.** Except as provided, these By-laws may be altered, amended or repealed at any meeting of the Regular Members of the Society by a majority vote of the Regular Members present, either in person or by proxy, provided notice of the proposed action is stated in general terms in the notice of such meeting. Notwithstanding the foregoing, the provisions of the sections relating to qualification for Regular Membership, qualifications for Directors and assessments against members can only be amended by vote of a majority of the Regular Members at a Special Meeting called for such purpose, or by means of a poll of the active members by mail. All By-laws made by the Board may be altered, amended, or repealed as aforesaid by the Regular Members of the Society.

FRANCIS W. MAY
President

The undersigned Secretary of the corporation known as the National Classification Management Society does hereby certify that the above and foregoing By-laws were duly adopted by the Board of Directors of said corporation on the 1st day of February 1969, as the By-laws of said corporation, and that they do now constitute the By-laws of the National Classification Management Society. Changes in the By-laws on February 1, 1969 are effective beginning with the first meeting of the Board of Directors after the 1969 Annual Meeting.

KENNETH E. WILSON
Secretary

(CORPORATE SEAL)