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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-170924

DEC 22 1971



Dear Senator Proxmire:

This is in further response to your letter of October 18, 1971, in which you referred to the magazine entitled "Army" that is published by the Association of the U.S. Army. You called attention to the magazine's inclusion of advertising by firms having contracts with the Department of Defense. You raised questions concerning the practice of allowing active duty military personnel to write articles that would be printed in magazines published by military associations that sell advertising space to defense contractors.

Section 202 of Executive Order 11222--Standards of Ethical Conduct for Government Officers and Employees--and Department of Defense directives encourage writing for publication so long as the laws, provisions of the order, and agency and Civil Service regulations concerning conflict of interest and outside employment are observed. Department of Defense Directive 5500.7--Standards of Conduct--in pertinent part, also encourages personnel to write for publications. It recognizes that such writing may be compensated and also generally restricts the writings to that information which is in the public domain.

Also applicable is Department of Defense Directive 5230.9--Clearance of Department of Defense Public Information--which provides that military and civilian personnel may write articles for publication, unless such activity (1) prevents the public's prompt receipt of complete information through the usual public information media, (2) is contrary to law, or (3) is inconsistent or incompatible with the ethical standards of conduct for a Federal employee.

This directive generally restricts the publication of articles that deal with national defense plans, policies, programs, or operations and that are signed by key military and civilian personnel to official publications of the Department of Defense and other Government agencies, service journals, house organs, recognized scientific and professional journals, and encyclopedias. Neither of the two directives cited

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precludes the publication of articles in magazines which sell advertising.

Staff of the Assistant Secretary of Defense (Public Affairs) provided the following additional information generally pertinent to the questions set out in your letter.

1. Information concerning plans, policies, programs, or operations of the Department of Defense or the Government proposed for publication--whether such information is prepared by personnel of the Department as an official or personal enterprise--must be submitted to the Assistant Secretary for review and clearance prior to release when the information (a) is of national interest, (b) originates at or is proposed for release at the seat of the Government, (c) may be questionable from a security or policy standpoint, (d) concerns subjects of potential controversy among the military services or significant policy within the purview of other agencies of the Federal Government, or (e) is in special categories which may be designated from time to time by the Assistant Secretary.
2. Clearance authority for information not requiring review by the Assistant Secretary may be delegated to the lowest echelon competent to evaluate the content and implications of the information.
3. The Office of the Assistant Secretary does not maintain a list of military association journals which routinely publish articles signed by military and civilian personnel.
4. Although that Office maintains a file of articles it has approved for publication, the contents of the file may or may not indicate where the articles are to be published. Also the file would not indicate when the articles were to be published, whether the authors were to be compensated, or whether the articles had been written during duty hours or on the authors'

personal time. The degree to which such information may be maintained by lower echelons authorized to clear articles for publication is not known.

In the absence of any readily available list of military association publications--such as Army--we made a limited search of periodicals stocked by the Library of Congress and the Army Library at the Pentagon. We identified a number of such magazines which are published by military-interest groups, which contain advertising from both defense and nondefense firms, and which feature, in varying degrees, articles written by active duty military personnel.

The principal private associations and their publications that we identified follow,

<u>Service</u>	<u>Association</u>	<u>Magazine</u>
Army	Association of the U.S. Army	Army
Air Force	Air Force Association	Air Force Magazine
Navy	Navy League of the United States	Navy
Marines	Marine Corps Association	Marine Corps Gazette

A more detailed listing of the publications we identified is included in the enclosure to this letter. The degree of dependence upon active duty military personnel for contributions in the monthly issues we examined at the two libraries varies from fewer than half the articles in some issues to all the articles in other issues.

We could find no official records concerning payments to active duty military personnel who write for such publications. We informally contacted representatives of Army magazine and asked whether active duty military contributors received payment for their articles. They stated that, to their best knowledge, those individuals whose articles were written during off-duty hours were paid and that most articles they published had been prepared during off-duty hours. Notwithstanding this, each year a few payments are returned to the publisher by contributors who stated that their articles were written during duty hours.

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We were told that commandants of the Army schools are advised by the Army magazine, informally, of subject matter areas of particular current interest and that this interest is communicated, also informally, to individuals who have personal knowledge or experience in such areas. Most articles received for publication in the magazine are not solicited from individuals. From time to time, however, some individuals may be asked to prepare an article on a special subject.

This is best illustrated by the contents of the Green Book which is issued annually by the Army magazine. In 1971 the Green Book was issued in October. The authors of articles appearing in that issue are, with few exceptions, officers or civilians of high rank or position. The Army magazine representatives stated that these individuals received no payment because the publishers considered the articles to be expressions of official opinion which were largely ghost written during duty hours.

We trust that the information furnished is fully responsive to your request. If additional discussion is desired, we shall be pleased to meet with you or members of your staff.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "James B. Aronson".

Comptroller General
of the United States

Enclosure

The Honorable William Proxmire
United States Senate

ENCLOSURE

MILITARY INTEREST ASSOCIATIONS PUBLISHING MAGAZINES WHICH SELL
 ADVERTISING SPACE AND PUBLISH ARTICLES CONTRIBUTED BY ACTIVE DUTY MILITARY PERSONNEL

<u>Periodical</u>	<u>Publishing association and address</u>	<u>Issues checked</u>		<u>Approximate number of by-lined articles contributed by active duty military personnel</u>		
				<u>Less than half</u>	<u>Half</u>	<u>More than half</u>
Air Force Magazine	Air Force Association 1750 Pennsylvania Avenue, NW. Washington, D.C. 20006	Aug. Sept. Oct.	1971 1971 1971	X X X		
Army	Association of the United States Army 1529 18th Street, NW. Washington, D.C. 20036	Apr. May July Oct.	1971 1971 1971 1971			X X X X
Navy	Navy League of the United States 818 18th Street, NW. Washington, D.C. 20006	Oct. Nov. Dec.	1970 1970 1970	X X	X	
Marine Corps Gazette	Marine Corps Association Box 1775, Marine Corps Base Quantico, Virginia 22134	Oct. Nov.	1971 1971			X X
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Aerospace Historian	Air Force Historical Foundation Building 819 Bolling Air Force Base, D.C. 20332	Spring Summer	1971 1971	X X		
The Hawaii Guardsman	Hawaii National Guard Association Fort Ruger, Hawaii 96816	Spring Summer	1971 1971			X X
Leatherneck	Leatherneck Association, Inc. P. O. Box 1918 Marine Corps Headquarters Washington, D.C. 20013	July Oct.	1971 1971			X X
Military Engineer	Society of American Military Engineers 800 17th Street, NW. Washington, D.C. 20006	July-Aug. Sept.-Oct.	1971 1971			X X
Naval Engineers Journal	American Society of Naval Engineers, Inc. 1012 14th Street, NW. Washington, D.C. 20005	June	1971	X		
Ordnance	American Ordnance Association Union Trust Building Washington, D.C. 20005	Mar.-Apr. Sept.-Oct.	1971 1971			X X
Signal Magazine	Armed Forces Communications and Electronics Association 1725 Eye Street, NW. Washington, D.C. 20006	Oct. Nov.	1971 1971	X X		
The Review	Defense Supply Association 1026 17th Street, NW. Washington, D.C. 20036	July-Aug. Sept.-Oct.	1971 1971		X X	
U.S. Naval Institute Proceedings	United States Naval Institute Annapolis, Maryland 21402	Oct.	1971	X		
V*F*W	Veterans of Foreign Wars of the U.S.A. V.F.W. Building Kansas City, Missouri 64111	Oct.	1971	X		