A BILL

To insure further the military security of the United States by preventing disclosures of information secured through official sources.

By Mr. Gurney

April 1 (legislative day, March 24), 1947
Read twice and referred to the Committee on the Judiciary
S. 1019

IN THE SENATE OF THE UNITED STATES

APRIL 1 (legislative day, MARCH 24), 1947

Mr. GURNEY (by request) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To insure further the military security of the United States by preventing disclosures of information secured through official sources.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That whoever, by virtue of his employment by or performance of services for the United States or by virtue of his employment by any person, firm, or corporation performing services for the United States or by virtue of his service in the armed forces of the United States, having obtained, or having had custody of, access to, or knowledge of (1) any information concerning the nature, preparation, or use of any code, cipher, or cryptographic or cryptanalytical system of
the United States or any foreign government; or (2) any
information concerning the design, construction, use, main-
tenance, or repair of any device, apparatus, or appliance
used or prepared or planned for use by the United States or
any foreign government for cryptographic or cryptanalytic
purpose; or (3) any message, document, writing, note,
paper, or the contents or meaning thereof, which has been,
or purports to have been, prepared or transmitted in or by
the use of any code, cipher, or cryptographic system of the
United States or any foreign government; or (4) any in-
formation concerning the cryptographic or cryptanalytic
activities of the United States or any foreign government;
or (5) any information which has been or purports to have
been derived from cryptanalysis of messages transmitted by
the United States or any foreign government, shall willfully,
without authorization by the head of the department or
agency by which such person was employed or in which he
performed services at the time when he had custody of or
access to or obtained knowledge of the above-described in-
formation or material, or if such department or agency is
no longer in existence, without joint authorization by the
Secretary of State, the Secretary of War, and the Secretary
of the Navy, communicate, furnish, or transmit to another
or publish any such information or material, shall be fined
not more than $10,000 or imprisoned not more than ten
years or both. Authorizations, as herein provided, shall be granted only in accordance with regulations prescribed by the President.

Sec. 2. Whoever, by virtue of his employment by or performance of services for any foreign government or by virtue of his service in the armed forces of any foreign government, having obtained, or having had custody of, access to, or knowledge of (1) any information concerning the nature, preparation, or use of any code, cipher, or cryptographic or cryptanalytical system of the United States; or (2) any information concerning the design, construction, use, maintenance, or repair of any device, apparatus, or appliance used or prepared or planned for use by the United States for cryptographic or cryptanalytic purpose; or (3) any message, document, writing, note, paper, or the contents or meaning thereof, which has been, or purports to have been, prepared or transmitted in or by the use of any code, cipher, or cryptographic system of the United States; or (4) any information concerning the cryptographic or cryptanalytic activities of the United States; or (5) any information which has been or purports to have been derived from cryptanalysis of messages transmitted by the United States, shall willfully, without joint authorization by the Secretary of State, the Secretary of War, and the Secretary of the Navy communicate, furnish, or transmit to another or publish any such information or material,
shall be fined not more than $10,000, or imprisoned not more than ten years, or both.

SEC. 3. The term “foreign government” as used herein includes any person or persons acting or purporting to act for or on behalf of any military or naval force, faction, party, department, agency, or bureau of or within a foreign country, or for or on behalf of any government or any person or persons purporting to act as a government within a foreign country, whether or not such government is recognized by the United States.

SEC. 4. (a) The terms “code”, “cipher”, and “cryptographic” as used herein include any secret writing, deception, mechanical or electrical device, or other method used for the purpose of disguising or concealing the contents or the meaning of any communication.

(b) The term “cryptanalytic” as used herein includes all methods of interception and all methods of obtaining information of the contents of cryptographic communication.

SEC. 5. Nothing in this Act shall prohibit the furnishing, upon lawful demand, of information to any regularly constituted committee of the Senate or House of Representatives of the United States of America, or joint committee thereof.