IN THE SENATE OF THE UNITED STATES

MARCH 30 (legislative day, MARCH 16), 1945
Mr. Thomas of Utah introduced the following bill; which was read twice and referred to the Committee on Military Affairs

APRIL 4 (legislative day, MARCH 16), 1945
Reported by Mr. Thomas of Utah, with an amendment

[Insert the part printed in italic]

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

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 That whoever, by virtue of his employment by or perform-
4 ance of services for the United States or by virtue of his em-
5 ployment by any person, firm, or corporation perform-
6 ing services for the United States or by virtue of his service
7 in the armed forces of the United States, having obtained,
8 or having had custody of, access to, or knowledge of (1)
9 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,
maintenance, 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 material 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 information con-
cerning the cryptographic or cryptanalytic activities of the
United States or any foreign government, or (5) any infor-
mation which has been or purports to have been derived from
cryptanalysis of messages transmitted by the United States
or any foreign government, shall, 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 information or material, communicate,
furnish, or transmit to another or publish any such inform-
formation or material, shall be fined not more than $10,000,
or imprisoned not more than ten years, or both. Authoriza-
tions, 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 material 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, 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 term "cryptographic" as used herein includes any code, cipher, secret writing, deception, mechanical or electrical device, or other method used to disguise or conceal 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.
S. 805
[Report No. 161]

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By Mr. Thomas of Utah

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