

80TH CONGRESS  
1ST SESSION

**S. 1019**

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**A BILL**

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

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By Mr. GURNEY

APRIL 1 (legislative day, MARCH 24), 1947

Read twice and referred to the Committee on the  
Judiciary

Return to  
Mr. Friedman

See also

HR 2965

80TH CONGRESS  
1ST SESSION

# S. 1019

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Et 92

## 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.

- 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
- 5 employment by any person, firm, or corporation performing
- 6 services for the United States or by virtue of his service in
- 7 the armed forces of the United States, having obtained, or
- 8 having had custody of, access to, or knowledge of (1) any
- 9 information concerning the nature, preparation, or use of any
- 10 code, cipher, or cryptographic or cryptanalytical system of

1 the United States or any foreign government; or (2) any  
2 information concerning the design, construction, use, main-  
3 tenance, or repair of any device, apparatus, or appliance  
4 used or prepared or planned for use by the United States or  
5 any foreign government for cryptographic or cryptanalytic  
6 purpose; or (3) any message, document, writing, note,  
7 paper, or the contents or meaning thereof, which has been,  
8 or purports to have been, prepared or transmitted in or by  
9 the use of any code, cipher, or cryptographic system of the  
10 United States or any foreign government; or (4) any in-  
11 formation concerning the cryptographic or cryptanalytic  
12 activities of the United States or any foreign government;  
13 or (5) any information which has been or purports to have  
14 been derived from cryptanalysis of messages transmitted by  
15 the United States or any foreign government, shall willfully,  
16 without authorization by the head of the department or  
17 agency by which such person was employed or in which he  
18 performed services at the time when he had custody of or  
19 access to or obtained knowledge of the above-described in-  
20 formation or material, or if such department or agency is  
21 no longer in existence, without joint authorization by the  
22 Secretary of State, the Secretary of War, and the Secretary  
23 of the Navy, communicate, furnish, or transmit to another  
24 or publish any such information or material, shall be fined  
25 not more than \$10,000 or imprisoned not more than ten

1 years or both. Authorizations, as herein provided, shall be  
2 granted only in accordance with regulations prescribed by  
3 the President.

4 SEC. 2. Whoever, by virtue of his employment by or  
5 performance of services for any foreign government or by  
6 virtue of his service in the armed forces of any foreign govern-  
7 ment, having obtained, or having had custody of, access to,  
8 or knowledge of (1) any information concerning the nature,  
9 preparation, or use of any code, cipher, or cryptographic or  
10 cryptanalytical system of the United States; or (2) any  
11 information concerning the design, construction, use, main-  
12 tenance, or repair of any device, apparatus, or appliance used  
13 or prepared or planned for use by the United States for  
14 cryptographic or cryptanalytic purpose; or (3) any message,  
15 document, writing, note, paper, or the contents or meaning  
16 thereof, which has been, or purports to have been, prepared  
17 or transmitted in or by the use of any code, cipher, or crypto-  
18 graphic system of the United States; or (4) any information  
19 concerning the cryptographic or cryptanalytic activities of  
20 the United States; or (5) any information which has been or  
21 purports to have been derived from cryptanalysis of messages  
22 transmitted by the United States, shall willfully, without joint  
23 authorization by the Secretary of State, the Secretary of War,  
24 and the Secretary of the Navy communicate, furnish, or trans-  
25 mit to another or publish any such information or material,

1 shall be fined not more than \$10,000, or imprisoned not more  
2 than ten years, or both.

3 SEC. 3. The term "foreign government" as used herein  
4 includes any person or persons acting or purporting to  
5 act for or on behalf of any military or naval force, faction,  
6 party, department, agency, or bureau of or within a foreign  
7 country, or for or on behalf of any government or any  
8 person or persons purporting to act as a government within  
9 a foreign country, whether or not such government is recog-  
10 nized by the United States.

11 SEC. 4. (a) The terms "code", "cipher", and "crypto-  
12 graphic" as used herein include any secret writing, decep-  
13 tion, mechanical or electrical device, or other method used  
14 for the purpose of disguising or concealing the contents  
15 or the meaning of any communication.

16 (b) The term "cryptanalytic" as used herein includes  
17 all methods of interception and all methods of obtaining  
18 information of the contents of cryptographic communication.

19 SEC. 5. Nothing in this Act shall prohibit the furnish-  
20 ing, upon lawful demand, of information to any regularly  
21 constituted committee of the Senate or House of Repre-  
22 sentatives of the United States of America, or joint com-  
23 mittee thereof.