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APPENDIX "C"

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 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, 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 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, 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 information or material, shall be fined not more than \$10,000 or imprisoned not more than ten years or both. Authorizations granted as herein-

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before provided shall be in accordance with such regulations as the President may prescribe.

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 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 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, without authorization by the Secretary of War, the Secretary of the Navy or the Secretary of State, 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 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.

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Sec. 4. (a) The term "cryptographic" as used herein includes any code, cipher, secret writing, deception, mechanical 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 communications.

Appendix "C"

J.C.P. 204/3