

*File
Legislation*79TH CONGRESS
1ST SESSION**H. R. 2711**

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1945

Mr. SUMNERS of Texas introduced the following bill; which was 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 per-
4 formance of services for the United States or by virtue of
5 his service in the armed forces of the United States, having
6 obtained, or having had custody of, access to, or knowledge
7 of (1) any information concerning the nature, preparation,
8 or use of any code, cipher, or cryptographic or cryptanalytical
9 system of the United States or any foreign government; or
10 (2) any information concerning the design, construction,

1 use, maintenance, or repair of any device, apparatus, or
2 appliance used or prepared or planned for use by the United
3 States or any foreign government for cryptographic or crypt-
4 analytic purpose; or (3) any material which has been,
5 or purports to have been, prepared or transmitted in or
6 by the use of any code, cipher, or cryptographic system of
7 the United States or any foreign government; or (4) any
8 information concerning the cryptographic or cryptanalytic
9 activities of the United States or any foreign government;
10 or (5) any information which has been or purports to
11 have been derived from cryptanalysis of messages trans-
12 mitted by the United States or any foreign government,
13 shall, without authorization by the head of the department
14 or agency by which such person was employed or in
15 which he performed services at the time when he had
16 custody of or access to or obtained knowledge of the above-
17 described information or material, communicate, furnish,
18 or transmit to another or publish any such information
19 or material, shall be fined not more than \$10,000 or im-
20 prisoned not more than ten years, or both. Authorizations,
21 as herein provided, shall be granted only in accordance with
22 regulations prescribed by the President.

23 SEC. 2. Whoever, by virtue of his employment by or
24 performance of services for any foreign government or by
25 virtue of his service in the armed forces of any foreign gov-

1 ernment, having obtained, or having had custody of, access
2 to, or knowledge of (1) any information concerning the
3 nature, preparation, or use of any code, cipher, or crypto-
4 graphic or cryptanalytical system of the United States; or
5 (2) any information concerning the design, construction,
6 use, maintenance, or repair of any device, apparatus, or
7 appliance used or prepared or planned for use by the United
8 States for cryptographic or cryptanalytic purpose; or (3)
9 any material which has been, or purports to have been,
10 prepared or transmitted in or by the use of any code, cipher,
11 or cryptographic system of the United States; or (4) any
12 information concerning the cryptographic or cryptanalytic
13 activities of the United States; or (5) any information which
14 has been or purports to have been derived from cryptanalysis
15 of messages transmitted by the United States, shall, without
16 joint authorization by the Secretary of State, the Secretary
17 of War, and the Secretary of the Navy, communicate, fur-
18 nish, or transmit to another or publish any such information
19 or material, shall be fined not more than \$10,000 or im-
20 prisoned not more than ten years, or both.

21 SEC. 3. The term "foreign government" as used herein
22 includes any person or persons acting or purporting to act
23 for or on behalf of any military or naval force, faction, party,
24 department, agency, or bureau of or within a foreign country,
25 or for or on behalf of any government or any person or

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1 persons purporting to act as a government within a foreign
2 country, whether or not such government is recognized by
3 the United States.

4 SEC. 4. (a) The term "cryptographic" as used herein
5 includes any code, cipher, secret writing, deception, me-
6 chanical or electrical device, or other method used to disguise
7 or conceal the meaning of any communication.

8 (b) The term "cryptanalytic" as used herein includes
9 all methods of interception and all methods of obtaining
10 information of the contents of cryptographic communications,

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