

[PUBLIC—No. 37—73D CONGRESS]

[H.R. 4220]

AN ACT

For the protection of Government records.

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 the United States, shall obtain from another or shall have custody of or access to, or shall have had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or competent authority, publish or furnish to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

Approved, June 10, 1933.

73^D CONGRESS
1ST SESSION

H. R. 4220

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 1933

Mr. SUMNERS of Texas introduced the following bill; which was referred to the Committee on the Judiciary and ordered to be printed

A BILL

For the protection of Government records.

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 the United
4 States, having custody of, or access to, any record, pro-
5 ceeding, map, book, document, paper, or other thing shall,
6 for any purpose prejudicial to the safety or interest of the
7 United States willfully and unlawfully conceal, remove,
8 mutilate, obliterate, falsify, destroy, or sell, any such record,
9 proceeding, map, book, document, paper, or thing, or any
10 information contained therein, or a copy or copies thereof,
11 shall be fined not more than \$2,000 or imprisoned not more

1 than three years, or both, and moreover shall forfeit his
2 office and be forever afterwards disqualified from holding any
3 office under the Government of the United States.

4 SEC. 2. Whoever shall willfully, without authorization
5 of competent authority, publish or furnish to another any
6 matter prepared in any official code; or whoever shall, for
7 any purpose prejudicial to the safety or interest of the
8 United States, willfully publish or furnish to another any
9 matter obtained without authorization of competent author-
10 ity, from the custody of any officer or employee of the United
11 States or any matter which was obtained while in process
12 of transmission from one public office, executive department,
13 or independent establishment of the United States or branch
14 thereof to any other such public office, executive depart-
15 ment, or independent establishment of the United States or
16 branch thereof or any matter which was in process of trans-
17 mission between any foreign government and its diplomatic
18 mission in the United States; or whoever shall for any pur-
19 pose prejudicial to the safety or interest of the United States,
20 willfully, without authorization of competent authority, pub-
21 lish or furnish to another, facts or information purporting
22 to be contained in any such matter, shall be fined not more
23 than \$10,000 or imprisoned not more than ten years, or
24 both.

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1 SEC. 3. In any prosecution hereunder, proof of the
2 commission of any of the acts described herein shall be prima
3 facie evidence of a purpose prejudicial to the safety or
4 interest of the United States.

1116 A

after a preliminary hearing, and the
prosecution shall be dismissed
if the evidence is insufficient to
show that the defendant committed
the offense charged.

73^d CONGRESS }
1st Session }

H. R. 4220

A BILL

For the protection of Government records.

By Mr. SUMNERS of Texas

MARCH 27, 1933

Referred to the Committee on the Judiciary and
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