

Calendar No. 159

79TH CONGRESS }
1st Session }

SENATE

{ REPORT
{ No 161

SAFEGUARDING MILITARY INFORMATION

APRIL 1 (legislative day, MARCH 16), 1945 —Ordered to be printed

Mr THOMAS of Utah, from the Committee on Military Affairs,
submitted the following

REPORT

[To accompany S 805]

The Committee on Military Affairs, to whom was referred the bill (S 805) to insure further the military security of the United States by preventing disclosures of information secured through official sources, having considered the same, report favorably thereon with an amendment and recommend that, as amended, the bill do pass

AMENDMENT

On page 1, line 4, after the word "or" and before the word "by", insert the words "by virtue of his employment by any person, firm or corporation performing services for the United States or"

STATEMENT

This bill has been originated by the War and Navy Departments to fill a serious gap in the legislation enacted to protect the military security of the United States. Briefly, it makes it a crime for any Government employee or member or former member of the armed forces to disclose any information he has obtained in his official capacity concerning the cryptographic or cryptanalytic activities of the United States or any foreign government, except as he may be authorized to do so pursuant to regulations prescribed by the President. The terms "cryptographic" and "cryptanalytic" are defined in section 4. Broadly, "cryptographic" means the use of codes and ciphers of our own, and "cryptanalytic" means obtaining information from the cryptographic communications of other nations.

Cryptographic security for classified communications of the Government is vital during both war and peace. Most military operations and diplomatic plans require the use of radio or cable communications which other governments or their military forces can intercept. The

2

SAFEGUARDING MILITARY INFORMATION

cryptographic methods by which the Army and Navy and State Departments and other governmental agencies attempt to prevent these communications from being read by unauthorized persons must be afforded absolute secrecy. Law must exist to require this secrecy. Everyone who by reason of his official status obtains any knowledge about those processes must be informed that specific legislation forbids the unauthorized disclosure to anyone of any information about them.

With respect to cryptanalysis, an even greater degree of secrecy is required. Such activities, of vital importance in time of war and also essential in time of peace in order to be ready for war, require even a greater degree of security because the enemy or potential enemy has it within his absolute power to deprive us of any information from this source if he suspects we are getting it.

The War Department therefore considers this legislation as vital to the present and future defense of the United States. Its passage is particularly urgent now because of the serious danger that the defeat of Germany may result in a relaxation of security standards on this subject by those leaving the armed forces. This would seriously interfere with the successful prosecution of the war against Japan.

The letter of recommendation, signed by the Secretary of War and the Acting Secretary of the Navy, follows.

WAR DEPARTMENT,
Washington, March 10, 1945

HON. ELBERT D. THOMAS,
*Chairman, Committee on Military Affairs,
United States Senate*

DEAR SENATOR THOMAS: There is enclosed a draft of a bill "To further insure the military security of the United States by preventing disclosures of information secured through official sources" which the War and Navy Departments recommend be enacted into law.

Certain communication activities conducted by military and civilian personnel afford them knowledge or possession of information which will be subjected to possible post-war unauthorized disclosures. Existing statutes do not afford adequate protection against such conduct.

Enactment of the proposed legislation, which has received the approval of the Joint Chiefs of Staff, is considered essential in the interests of national defense and security.

The War and Navy Departments consider this matter one of importance and urgency and request that it be presented to the Congress at the earliest practicable date.

The Bureau of the Budget advises that there is no objection to the submission of this proposed legislation for the consideration of the Congress.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War
H. STRUVD HENSEL,
Acting Secretary of the Navy