

by utilization of business, trade, technical, and scientific publications and services;

(c) To effect, within the limits of his authority as now or hereafter defined by law, and with the consent of competent authority, the removal of restrictions on the dissemination of scientific and technical data in cases where consideration of national security permit the release of such data for the benefit of industry and business.

(Sept. 9, 1950, ch. 936, § 2, 64 Stat. 823.)

#### § 1153. Rules, regulations, and fees

The Secretary is authorized to make, amend, and rescind such orders, rules, and regulations as he may deem necessary to carry out the provisions of this chapter, and to establish, from time to time, a schedule or schedules of reasonable fees or charges for services performed or for documents or other publications furnished under this chapter.

It is the policy of this chapter, to the fullest extent feasible and consistent with the objectives of this chapter, that each of the services and functions provided herein shall be self-sustaining or self-liquidating and that the general public shall not bear the cost of publications and other services which are for the special use and benefit of private groups and individuals; but nothing herein shall be construed to require the levying of fees or charges for services performed or publications furnished to any agency or instrumentality of the Federal Government, or for publications which are distributed pursuant to reciprocal arrangements for the exchange of information or which are otherwise issued primarily for the general benefit of the public.

(Sept. 9, 1950, ch. 936, § 3, 64 Stat. 823; Pub. L. 91-412, § 3(e), Sept. 25, 1970, 84 Stat. 864.)

#### AMENDMENTS

1970—Pub. L. 91-412 struck out provisos of first par. for deposit of moneys received for services and publications after Sept. 9, 1950, in a special account in the Treasury, to be available, subject to appropriation authorizations, for reimbursement of appropriations and for refunds to organizations and individuals entitled thereto, and making appropriations reimbursed by the special account available for original purposes. See section 1526 of this title.

#### § 1153a. Repealed. Pub. L. 91-412, § 3(f), Sept. 25, 1970, 84 Stat. 865

Section, act Oct. 22, 1951, ch. 533, title III, § 301, 65 Stat. 586, provided for reimbursement of appropriations. See section 1526 of this title.

#### § 1154. Reference of data to armed services and other Government agencies

The Secretary is directed to refer to the armed services all scientific or technical information, coming to his attention, which he deems to have an immediate or potential practical military value or significance, and to refer to the heads of other Government agencies such scientific or technical information as relates to activities within the primary responsibility of such agencies.

(Sept. 9, 1950, ch. 936, § 4, 64 Stat. 824.)

#### § 1155. General standards and limitations; preservation of security classification

Notwithstanding any other provision of this chapter, the Secretary shall respect and preserve the security classification of any scientific or technical information, data, patents, inventions, or discoveries in, or coming into, the possession or control of the Department of Commerce, the classified status of which the President or his designee or designees certify as being essential in the interest of national defense, and nothing in this chapter shall be construed as modifying or limiting any other statute relating to the classification of information for reasons of national defense or security.

(Sept. 9, 1950, ch. 936, § 5, 64 Stat. 824.)

#### § 1156. Use of existing facilities

##### (a) Available assistance

The Secretary may utilize any personnel, facilities, bureaus, agencies, boards, administrations, offices, or other instrumentalities of the Department of Commerce which he may require to carry out the purposes of this chapter.

##### (b) Cooperation of other agencies

The Secretary is authorized to call upon other departments and independent establishments and agencies of the Government to provide, with their consent, such available services, facilities, or other cooperation as he shall deem necessary or helpful in carrying out the provisions of this chapter, and he is directed to utilize existing facilities to the full extent deemed feasible.

(Sept. 9, 1950, ch. 936, § 6, 64 Stat. 824.)

#### § 1157. Relation to other provisions

Nothing in this chapter shall be construed to repeal or amend any other legislation pertaining to the Department of Commerce or its component offices or bureaus.

(Sept. 9, 1950, ch. 936, § 7, 64 Stat. 824.)

### CHAPTER 24—TRANSPORTATION OF GAMBLING DEVICES

Sec.	
1171.	Definitions.
1172.	Transportation of gambling devices as unlawful; exceptions; authority of Federal Trade Commission.
1173.	Registration of manufacturers and dealers.
1174.	Labeling and marking of shipping packages.
1175.	Specific jurisdictions within which manufacturing, repairing, selling, possessing, etc., prohibited; exceptions.
1176.	Penalties.
1177.	Confiscation of gambling devices and means of transportation; laws governing.
1178.	Nonapplicability of chapter to certain machines and devices.

#### § 1171. Definitions

As used in this chapter—

(a) The term “gambling device” means—

(1) any so-called “slot machine” or any other machine or mechanical device an essential part of which is a drum or reel with insignia thereon, and (A) which when operated may deliver, as the result of the application of an

element of chance, any money or property, or (B) by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property; or

(2) any other machine or mechanical device (including, but not limited to, roulette wheels and similar devices) designed and manufactured primarily for use in connection with gambling, and (A) which when operated may deliver, as the result of the application of an element of chance, any money or property, or (B) by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property; or

(3) any subassembly or essential part intended to be used in connection with any such machine or mechanical device, but which is not attached to any such machine or mechanical device as a constituent part.

(b) The term “State” includes the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

(c) The term “possession of the United States” means any possession of the United States which is not named in subsection (b) of this section.

(d) The term “interstate or foreign commerce” means commerce (1) between any State or possession of the United States and any place outside of such State or possession, or (2) between points in the same State or possession of the United States but through any place outside thereof.

(e) The term “intrastate commerce” means commerce wholly within one State or possession of the United States.

(f) The term “boundaries” has the same meaning given that term in section 1301 of title 43.

(Jan. 2, 1951, ch. 1194, §1, 64 Stat. 1134; Pub. L. 87-840, §§2, 3, Oct. 18, 1962, 76 Stat. 1075; Pub. L. 102-251, title II, §202(c), Mar. 9, 1992, 106 Stat. 62.)

#### AMENDMENTS

1992—Subsec. (f). Pub. L. 102-251 added subsec. (f).  
1962—Subsec. (a)(2), (3). Pub. L. 87-840, §2, substituted provisions including machines and mechanical devices designed and manufactured primarily for gambling by the operation of which a person may become entitled to receive, as the result of chance, any money or property, for provisions which included machines or mechanical devices designed and manufactured to operate by inserting a coin, token, or similar object, in par. (2), and inserted “, but which is not attached to any such machine or mechanical device as a constituent part”, in par. (3).

Subsec. (b). Pub. L. 87-840, §3, substituted “the District of Columbia” for “Alaska, Hawaii”.

Subsecs. (d) and (e). Pub. L. 87-840, §3, added subsecs. (d) and (e).

#### EFFECTIVE DATE OF 1962 AMENDMENT

Pub. L. 87-840, §7, Oct. 18, 1962, 76 Stat. 1077, provided that: “The amendments made by this Act [enacting section 1178 of this title and amending this section and sections 1172 and 1173 of this title] shall take effect on the sixtieth day after the date of its enactment [Oct. 18, 1962].”

#### SHORT TITLE OF 1962 AMENDMENT

Pub. L. 87-840, §1, Oct. 18, 1962, 76 Stat. 1075, provided: “That this Act [enacting section 1178 of this title and

amending this section and sections 1172 and 1173 of this title] may be cited as the ‘Gambling Devices Act of 1962.’”

#### SHORT TITLE

Act Jan. 2, 1951, which enacted this chapter and a note set out under this section, is popularly known as the “Gambling Devices Transportation Act”.

#### SEPARABILITY

Act Jan. 2, 1951, ch. 1194, §8, 64 Stat. 1136, provided that: “If any provision of this Act [this chapter] or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act [this chapter] which can be given effect without the invalid provision or application, and to this end the provisions of this Act [this chapter] are declared to be severable.”

### § 1172. Transportation of gambling devices as unlawful; exceptions; authority of Federal Trade Commission

#### (a) General rule

It shall be unlawful knowingly to transport any gambling device to any place in a State or a possession of the United States from any place outside of such State or possession: *Provided*, That this section shall not apply to transportation of any gambling device to a place in any State which has enacted a law providing for the exemption of such State from the provisions of this section, or to a place in any subdivision of a State if the State in which such subdivision is located has enacted a law providing for the exemption of such subdivision from the provisions of this section, nor shall this section apply to any gambling device used or designed for use at and transported to licensed gambling establishments where betting is legal under applicable State laws: *Provided, further*, That it shall not be unlawful to transport in interstate or foreign commerce any gambling device into any State in which the transported gambling device is specifically enumerated as lawful in a statute of that State.

#### (b) Authority of Federal Trade Commission

Nothing in this chapter shall be construed to interfere with or reduce the authority, or the existing interpretation of the authority, of the Federal Trade Commission under the Federal Trade Commission Act [15 U.S.C. 41 et. seq.].

#### (c) Exception

This section does not prohibit the transport of a gambling device to a place in a State or a possession of the United States on a vessel on a voyage, if—

(1) use of the gambling device on a portion of that voyage is, by reason of subsection (b) of section 1175 of this title, not a violation of that section; and

(2) the gambling device remains on board that vessel while in that State.

(Jan. 2, 1951, ch. 1194, §2, 64 Stat. 1134; Pub. L. 87-840, §4, Oct. 18, 1962, 76 Stat. 1075; Pub. L. 102-251, title II, §202(a), Mar. 9, 1992, 106 Stat. 61.)

#### REFERENCES IN TEXT

The Federal Trade Commission Act, referred to in subsec. (b), is act Sept. 26, 1914, ch. 311, 38 Stat. 717, as amended, which is classified generally to subchapter I