

Section 738, act May 5, 1950, ch. 169, §9, 64 Stat. 146, provided for removal of suits. See section 1442a of Title 28, Judiciary and Judicial Procedure.

Section 739, act May 5, 1950, ch. 169, §10, 64 Stat. 146, related to dismissal of officers. See sections 1161 and 6408 of Title 10.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1957, see act Aug. 10, 1956, ch. 1041, §53 footnote, 70A Stat. 680.

§ 740. Omitted

CODIFICATION

Section, act May 5, 1950, ch. 169, §12, 64 Stat. 147, which authorized the Judge Advocate General of any of the armed forces to grant a new trial, vacate a sentence, restore rights and property, and substitute an administrative discharge for a dismissal or for a dishonorable or bad-conduct discharge in any court-martial case for offenses committed during World War II upon application made within one year after termination of the war or after final disposition upon initial appellate review, whichever was the later, limited new trial applications to one as to any one case, and provided that World War II was deemed to have ended as of May 31, 1951.

EXECUTIVE ORDER NO. 10190

Ex. Ord. No. 10190, Dec. 6, 1950, 15 F.R. 8711, provided for the petition to the Judge Advocate General of the Navy or to the General Counsel of the Treasury Department, in respect to violations of Navy or Coast Guard disciplinary laws committed between Dec. 7, 1941 and May 30, 1951, for a new trial, the vacatur of sentence and restoration of rights and property, or the substitution of an administrative discharge for a dismissal, dishonorable discharge, or bad-conduct discharge; limited such petition to within one year after final disposition of the case upon initial appellate review or to any time before May 31, 1952 (whichever was the later date); prohibited submission of more than one such petition in any one case and submission after death of an accused; specified the ground for relief and the form and contents of the petition; permitted oral agreement; prescribed the rules for a hearing; authorized additional investigation; required the action granting or denying a remedy to be in writing and published; provided the procedure for a new trial; and specified the effect of a new trial upon the prior trial and sentence.

§ 741. Repealed. Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641, eff. Jan. 1, 1957

Section, act May 5, 1950, ch. 169, §13, 64 Stat. 147, prescribed qualifications of Judge Advocate Generals of armed forces. See sections 3037, 5148, and 8072 of Title 10, Armed Forces.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1957, see act Aug. 10, 1956, ch. 1041, §53 footnote, 70A Stat. 680.

CHAPTER 22A—REPRESENTATION OF ARMED FORCES PERSONNEL BEFORE FOREIGN JUDICIAL TRIBUNALS

§§ 751 to 755. Repealed. Pub. L. 85-861, §36A, Sept. 2, 1958, 72 Stat. 1570

Section 751, act July 24, 1956, ch. 689, §1, 70 Stat. 630, related to representation of members of the Armed Forces before foreign judicial tribunals and employment of counsel.

Section 752, act July 24, 1956, ch. 689, §2, 70 Stat. 630, provided for enactment of regulations.

Section 753, act July 24, 1956, ch. 689, §3, 70 Stat. 630, provided that sections 189 and 365 of the Revised Statutes not apply to action taken under this act.

Section 754, act July 24, 1956, ch. 689, §4, 70 Stat. 630, related to claims for reimbursement.

Section 755, act July 24, 1956, ch. 689, §5, 70 Stat. 630, related to appropriations.

CHAPTER 23—INTERNAL SECURITY

SUBCHAPTER I—CONTROL OF SUBVERSIVE ACTIVITIES

Sec.

781, 782. Repealed.

783. Offenses.

784 to 795. Repealed.

796. Effect of subchapter on other criminal laws.

797. Penalty for violation of security regulations and orders.

798. Repealed.

SUBCHAPTER II—EMERGENCY DETENTION OF SUSPECTED SECURITY RISKS

811 to 826. Repealed.

SUBCHAPTER III—PERSONNEL SECURITY PROCEDURES IN NATIONAL SECURITY AGENCY

831. Regulations for employment security.

832. Full field investigation and appraisal.

833. Repealed.

834. "Classified information" defined.

835. Nonapplicability of administrative procedure provisions.

SUBCHAPTER IV—COMMUNIST CONTROL

841. Findings and declarations of fact.

842. Proscription of Communist Party, its successors, and subsidiary organizations.

843. Application of Internal Security Act of 1950 to members of Communist Party and other subversive organizations; "Communist Party" defined.

844. Determination by jury of membership in Communist Party, participation, or knowledge of purpose.

SUBCHAPTER V—REGISTRATION OF CERTAIN PERSONS TRAINED IN FOREIGN ESPIONAGE SYSTEMS

851. Registration of certain persons; filing statement; regulations.

852. Exemption from registration.

853. Retention of registration statements; public examination; withdrawal.

854. Rules, regulations, and forms.

855. Violations; penalties; deportation.

856. Continuing offense.

857. Compliance with other registration statutes.

858. Applicability to Canal Zone.

APPLICATION TO COMMUNIST PARTY MEMBERS

Application of subchapters I and II of this chapter and other provisions of the Internal Security Act of 1950, as amended, to members of the Communist Party and other subversive organizations, see section 843 of this title, and References in Text note set out under that section.

SUBCHAPTER I—CONTROL OF SUBVERSIVE ACTIVITIES

APPLICATION TO COMMUNIST PARTY MEMBERS

Application of this subchapter to members of the Communist Party and other subversive organizations, see section 843 of this title, and References in Text note set out under that section.

§ 781. Repealed. Pub. L. 103-199, title VIII, § 803(1), Dec. 17, 1993, 107 Stat. 2329

Section, act Sept. 23, 1950, ch. 1024, title I, §2, 64 Stat. 987; Pub. L. 90-237, §1, Jan. 2, 1968, 81 Stat. 765, related

to Congressional finding of necessity to control subversive activities.

SHORT TITLE

Act Sept. 23, 1950, ch. 1024, 64 Stat. 987, provided that: "This Act [enacting subchapters I to III of this chapter and section 1507 of Title 18, Crimes and Criminal Procedure, amending sections 137 to 137-8, 156, 456, 457, 704, 705, 725, 729, 733, 734, and 735 of Title 8, Aliens and Nationality, section 793 of Title 18, and sections 611 and 618 of Title 22, Foreign Relations and Intercourse, enacting provisions set out as notes under sections 781 and 811 of this title and section 792 of Title 18, and amending a provision set out as a note under section 402 of this title] may be cited as the 'Internal Security Act of 1950'."

Act Sept. 23, 1950, ch. 1024, title I, §1(a), 64 Stat. 987, which provided that title I of act Sept. 23, 1950, which enacted this subchapter and section 1507 of Title 18, Crimes and Criminal Procedure, amended sections 137 to 137-8, 156, 456, 457, 704, 705, 725, 729, 733, 734, and 735 of Title 8, Aliens and Nationality, section 793 of Title 18, and sections 611 and 618 of Title 22, Foreign Relations and Intercourse, and enacted provisions set out as notes under section 781 of this title and section 792 of Title 18, be cited as the "Subversive Activities Control Act of 1950", was repealed by Pub. L. 103-199, title VIII, §803(1), Dec. 17, 1993, 107 Stat. 2329.

Act Aug. 24, 1954, ch. 886, §1, 68 Stat. 775, provided: "That this Act [enacting sections 792a and subchapter IV of this chapter, amending sections 782, 784, 785, 789 to 792, and 793 of this title, and enacting a provision set out as a note under section 841 of this title] may be cited as the 'Communist Control Act of 1954'."

SEPARABILITY

Act Sept. 23, 1950, ch. 1024, title I, §32, 64 Stat. 1019, provided: "If any provision of this title [see Short Title note above] or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this title, or the application of such provision to other persons or circumstances, shall not be affected thereby."

§ 782. Repealed. Pub. L. 103-199, title VIII, § 803(1), Dec. 17, 1993, 107 Stat. 2329

Section, acts Sept. 23, 1950, ch. 1024, title I, §3, 64 Stat. 989; Aug. 24, 1954, ch. 886, §7(a), (b), 68 Stat. 777; May 31, 1962, Pub. L. 87-474, §1(a), 76 Stat. 91; Jan. 2, 1968, Pub. L. 90-237, §2, 81 Stat. 765, defined terms for purposes of this subchapter.

§ 783. Offenses

(a) Communication of classified information by Government officer or employee

It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, knowing or having reason to know that such information has been so classified, unless such officer or employee shall have been specifically authorized by the President, or by the head of the department, agency, or corporation by which this officer or employee is

employed, to make such disclosure of such information.

(b) Receipt of, or attempt to receive, by foreign agent or member of Communist organization, classified information

It shall be unlawful for any agent or representative of any foreign government knowingly to obtain or receive, or attempt to obtain or receive, directly or indirectly, from any officer or employee of the United States or of any department or agency thereof or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, any information of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, unless special authorization for such communication shall first have been obtained from the head of the department, agency, or corporation having custody of or control over such information.

(c) Penalties for violation

Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine of not more than \$10,000, or imprisonment for not more than ten years, or by both such fine and such imprisonment, and shall, moreover, be thereafter ineligible to hold any office, or place of honor, profit, or trust created by the Constitution or laws of the United States.

(d) Limitation period

Any person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after the commission of such offense, notwithstanding the provisions of any other statute of limitations: *Provided*, That if at the time of the commission of the offense such person is an officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in major part by the United States or any department or agency thereof, such person may be prosecuted, tried, and punished for any violation of this section at any time within ten years after such person has ceased to be employed as such officer or employee.

(e) Forfeiture of property

(1) Any person convicted of a violation of this section shall forfeit to the United States irrespective of any provision of State law—

(A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and

(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

(2) The court, in imposing sentence on a defendant for a conviction of a violation of this section, shall order that the defendant forfeit to the United States all property described in paragraph (1).

(3) Except as provided in paragraph (4), the provisions of subsections (b), (c), and (e) through (p) of section 853 of title 21 shall apply to—