

SYLVIA MEASHER

COMMITTEE RULES

OF THE

SELECT COMMITTEE ON ASSASSINATIONS

U.S. HOUSE OF REPRESENTATIVES

NINETY-FIFTH CONGRESS

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HOUSE SELECT COMMITTEE ON ASSASSINATIONS

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NINETY-FIFTH CONGRESS

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(ii)

Rules of the

SELECT COMMITTEE ON ASSASSINATIONS

As Adopted March 7, 1977

RULE 1. GENERAL PROVISIONS

1 The Rules of the House, and in particular the committee rules enumerated in Clause 2 of Rule XI, are the rules of the Select Committee on Assassinations, to the extent applicable, and by this reference are incorporated. Any subcommittee shall be part of the committee, and subject to the authority and direction of the committee and to its rules so far as applicable.

RULE 2. MEETINGS

2.1 The regular meeting time of the committee is 10 A.M. on every Monday, Tuesday and Thursday of each month when the House is in session. Additional meetings may be called by the Chairman as he may deem necessary or at the request of a majority of the committee in accordance with Clause 2(c) of Rule XI of the House of Representatives.

2.2 The committee and any subcommittee thereof may not sit, without special leave, while the House is reading a measure for amendment under the 5-minute rule.

2.3 In accordance with Clause 2(g) of Rule XI, each meeting of the committee or any subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting shall be closed to the public: *Provided however*, that no persons other than Members of the committee, and such congressional staff as they may authorize, shall be present at any meeting which has been closed to the public.

2.4 *Record votes.* A roll call vote of the committee may be had on the request of one Member. The result of each roll call vote shall be recorded and the record shall be made available for inspection by the public at reasonable times at the committee office. Such record shall include a description of the amendment, motion, order or other proposition; the name of each Member voting for or against, and whether by proxy or in person; and the Members present but not voting.

2.5 *Quorum.* One-third of the committee shall constitute a quorum for the purpose of transacting business other than reporting. However, a quorum for the purpose of taking testimony and receiving evidence by the committee or a subcommittee shall consist of two Members.

2.6 *Records.* It shall be the duty of the Clerk and Staff Director to keep or cause to be kept a verbatim transcript of all committee or subcommittee proceedings, including the record of votes on any matter on which a record vote is taken and of all quorum calls together with all motions, points of order, parliamentary inquiries, rulings of the chair and appeals therefrom. The record shall show those Members present at each meeting.

2.7 *Proxies.* A vote by any Member in the committee or in any subcommittee may be cast by proxy, but such proxy must be in writing for use during each roll call in which such Member's proxy is to be voted. Each proxy shall designate the Member who is to execute the proxy authorization and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a Member may authorize a general proxy only for motions to recess, adjourn or other procedural matters. Each proxy to be effective shall be signed by the Member assigning his vote and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum. The Member does not have to appear in person to present the proxy.

2.8 *Notice of Meetings.* The Chairman, in the case of hearings to be conducted by the committee, and the appropriate subcommittee chairman, in the case of hearings to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the committee determines that there is good cause to begin such hearing at an earlier date. In the latter event the Chairman or the subcommittee Chairman, whichever the case may be, shall make such public announcement at the earliest possible date. The Clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

RULE 3. HEARING PROCEDURES

3.1 *Participation of Members.* All other Members of the committee may have the privilege of sitting with any subcommittee during its hearing or deliberations and may participate in such hearings or deliberations, but no such Member who is not a Member of the subcommittee shall vote on any matter before such subcommittee.

3.2 *Interrogation of Witnesses.* Committee Members may question witnesses only when they have been recognized by the Chair for that purpose, and only for a 5-minute period until all Members present have had an opportunity to question a witness. The 5-minute period for questioning a witness by any one Member can be extended only with the unanimous consent of all Members present. The questioning of a witness in both full and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party Member and all other Members alternating between the majority and minority. In recognizing Members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority Members present and shall establish the order of recognition for questioning in

such a manner as not to disadvantage the Members of the majority. The Chairman may accomplish this by recognizing two majority Members for each minority Member recognized. The Chairman or any Member may recognize staff counsel for the purpose of questioning a witness for a period to be determined by the Chairman.

3.3 *Additional Rules.* The following additional rules shall apply to all investigative hearing procedures:

(1) The Chairman at an investigative hearing shall announce in the opening statement the subject of the investigation.

(2) A copy of the committee rules and this clause shall be made available to each witness.

(3) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The Chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings, and the committee may cite the offender to the House for contempt.

(5) If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any persons, it shall—

(a) Receive such evidence or testimony in executive session;

(b) Afford such person an opportunity voluntarily to appear as a witness; and

(c) Receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the Chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.

3.4 Witness' counsel may submit written questions to be propounded to his or her client. Such questions will be asked by the committee if a majority of the members consent.

3.5 Any objection by witness' counsel must be specifically ruled upon by the Chairman or presiding Member and such rulings shall be the ruling of the committee, unless a disagreement thereon is expressed by a majority of the committee present. In the case of a tie, the rule of the Chair will prevail.

3.6 The Chairman of the committee or subcommittee shall offer each witness and/or counsel, at the conclusion of his or her testimony, the opportunity to explain or amplify that testimony. The time afforded each witness or counsel shall not exceed 5 minutes, unless extended for good cause by the Chairman. The committee or subcommittee may ask additional questions to the witness at the conclusion of any such explanation or amplification.

3.7 If a witness who desires counsel, but is financially or otherwise unable to secure counsel, informs the committee in writing at least 48 hours in advance of his or her inability to retain counsel, the committee will secure *voluntary* independent counsel for the witness. Such attempts by the committee to secure counsel will not include the payment of fees to an attorney representing a witness at a committee hearing. Failure of a witness to agree to the counsel provided will not excuse the witness from appearing and testifying.

3.8 A witness shall, upon request, be given an opportunity to inspect the preliminary transcript of his or her testimony to determine whether it was correctly transcribed and may be accompanied by his or her counsel during such inspection. If the testimony was given in executive session, the witness may only inspect the preliminary transcript at a location to be determined by the committee. Any corrections in the transcription of the testimony of the witness which the witness desires to make shall be submitted in writing to the committee within 5 days after the transcription of his or her testimony. However, changes shall only be made for the purpose of making minor grammatical corrections and editing, and not for the purpose of changing the substance of the testimony. Any questions arising with respect to such editing shall be decided by the Chairman.

The committee will furnish the witness a copy of the transcript of his or her testimony when it is made public, at no expense.

RULE 4. STATEMENTS UNDER OATH BY DESIGNATED COUNSEL

4.1 Pursuant to House Resolution 222, counsel on the committee staff may be designated to obtain statements from a witness who is placed under oath by an authority who is authorized to administer oaths in accordance with the applicable laws of the United States or of any State.

4.2 Subpenas may not be utilized to obtain such statements. Counsel must advise the person that such statements are voluntary. The person giving a statement shall be provided a copy of that statement by designated counsel. Such statements are not to be considered testimony before the committee, but may be used by the committee or its staff in pursuing investigative leads and as a basis for questioning witnesses before the committee; and may be incorporated as part of the record only when (a) the person is dead or (b) the committee determines that in the interest of justice and economy, with due regard to the importance of presenting oral testimony, the statement should be so used.

4.3 Witnesses giving statements under oath to designated counsel must be advised by counsel that they have the right to have their own counsel while giving such statements.

RULE 5. SUBPENAS

5.1 *Procedure.* Subpenas shall be issued only in accordance with the procedure specified in Clause 2(m) (2) (A) of Rule XI of the Rules of the House of Representatives. Each subpoena shall be served with a copy of House Resolution 222, 95th Congress, First

Session, and a copy of the Rules of this Committee which are in effect at the time of issuance of the subpoena.

5.2 Power to Sit and Act; Subpena Power.

(a) For the purpose of carrying out any of its functions and duties under House Resolution 222, the committee or subcommittee is authorized (subject to subparagraph (b) (1) of this paragraph)—

(1) To sit and act at such times and places within the United States, including any Commonwealth or possession thereof, or in any other country, whether the House is in session, has recessed, or has adjourned, and to hold such hearings, and

(2) To require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tangible objects, and other things of any kind, as it deems necessary. The Chairman of the committee or subcommittee, or any Member designated by the Chairman, may administer oaths to any witness.

(b) (1) A subpoena may be authorized and issued by the committee or subcommittee under subparagraph (a) (2) in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the Members voting, a majority being present. The power to authorize and issue subpoenas under subparagraph (a) (2) may be delegated to the Chairman of the committee or subcommittee pursuant to such rules and under such limitations as the committee or subcommittee may prescribe. Authorized subpoenas shall be signed by the Chairman of the committee or subcommittee or any Member designated by the committee or subcommittee.

(c) Compliance with any subpoena issued by the committee under subparagraph (a) (2) may be enforced only as authorized or directed by the House.

5.3 Except as otherwise specifically authorized by the committee, no Member of the committee or staff shall make public the name of any witness subpoenaed by the committee.

5.4 Witnesses shall be subpoenaed at a reasonably sufficient time in advance of any hearing in order to give the witness an opportunity to prepare for the hearing, employ counsel should he or she so desire, and/or produce the materials called for by a subpoena *duces tecum*. The committee shall determine in each particular instance what period of time constitutes reasonable notice; however, in no case shall it be less than 24 hours, unless the witness waives such notice.

RULE 6. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS AND GENERAL PRESS POLICY OF THE COMMITTEE

6.1 Upon approval by the committee, all committee and subcommittee hearings which are open to the public may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage.

6.2 The Chairman of the full committee or the Chairmen of the subcommittees are authorized to determine on behalf of the full

committee or its subcommittees, respectively, whether hearings which are open may be broadcast, unless the committee or its subcommittees respectively by majority vote determine otherwise.

6.3 Permission for such coverage shall be granted only under the following conditions:

(1) Live coverage by radio or television shall be without commercial sponsorship.

(2) No witness served with a subpoena by the committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off.

(3) Not more than four television cameras, operating from fixed positions, shall be permitted in the room. The allocation among the television media of the positions of television cameras in the room shall be in accordance with fair and equitable procedures as devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any Member of the committee or the visibility of that witness and that Member to each other.

(5) Television cameras shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(6) Television and radio media equipment shall not be installed in, or removed from, the room while the committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used, except that the television media may install additional lighting in the room, without cost to the Government, in order to raise the ambient lighting level to the lowest level necessary to provide adequate television coverage at the then current state-of-the-art.

(8) Not more than five press photographers shall be permitted to cover a hearing or meeting by still photography. In the selection of these photographers, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If request is made by more than five of the media for coverage, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the Members of the committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage by the other media.

(11) Television and radio media personnel shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Still photography personnel shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

6.4 The staff of the committee shall not discuss with anyone outside the staff either the substance or procedure of their work or that of the committee unless specifically authorized by the Chairman or the subcommittee Chairman.

RULE 7. INVESTIGATIVE GUIDELINES

7.1 *Tape Recordings.* No conversation of committee members or staff with any person shall be recorded without the prior knowledge and/or written consent of the person whose conversation is to be recorded. A transcribed copy of any recording so made will be furnished to the recorded party upon his or her request, at no expense to the recorded party.

7.2 (a) *Polygraphs.* No person will be required to take a polygraph test, nor shall any such tests be made or given without the specific, written authorization of the person concerned. No such tests may be made or given without the specific, prior and written authorization of a majority of the committee or subcommittee, a majority being present. No such test may be used as a basis for a finding of fact, or be referred to in any public report or public hearing. Results of any such test shall not be disclosed to any person, other than the person tested, who is not a member of the committee or staff employee authorized by the Chairman. Nor shall the failure or agreement to take a polygraph test form the basis of any finding of fact, or be referred to in any public report or public hearing, or be otherwise publicly disclosed.

(b) *Voice Analysis.* No recording made with the permission of the recorded party pursuant to Rule 7.1 shall be subject to mechanical voice analysis without a written consent from the recorded party specifically authorizing such analysis. No such tests may be made or given without the specific, prior and written authorization of the committee or subcommittee, a majority being present. Results of any such test shall not be disclosed to any person, other than the person tested, who is not a member of the committee or staff employee authorized by the Chairman. Neither the results of any such test nor the failure or agreement to take such test shall form the basis of any finding of fact, or be referred to in any public report or public hearing, or be otherwise publicly disclosed.

7.3 *Electronic Surveillance; Wiretapping.* There shall be no electronic surveillance or wiretapping of any person.

7.4 *Interrogations.* In all interrogations of prospective witnesses, committee investigators and counsel shall first identify themselves as representatives of the Select Committee on Assassinations of the United States House of Representatives and shall present official credentials issued by the Clerk of the House. The investigator or counsel shall advise each such person of the nature of the investigation being conducted.

7.5 Prior to the utilization of any investigative techniques not otherwise covered by these Rules, such techniques will be discussed and voted upon by the full committee.

RULE 8. TRAVEL

8.1 *Travel of Member and Staff.*

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of committee members and staff. Travel to be reimbursed for any Member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any Member and any staff member in connection with the attendance of hearings conducted by the committee or of any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

- (1) The purpose of the travel;
- (2) The dates during which the travel is to be made and the date or dates of the event for which the travel is being made;
- (3) The location of the event for which the travel is to be made; and

(4) The names of Members and staff seeking authorization.

(b) (1) In the case of travel outside the United States of Members and staff of the committee or of a subcommittee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee or pertinent subcommittee, prior authorization must be obtained from the Chairman. Before such authorization is given, there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

- (A) The purpose of the travel;
- (B) The dates during which the travel will occur;
- (C) The names of the countries to be visited and the length of time to be spent in each;
- (D) An agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and
- (E) The names of Members and staff for whom authorization is sought.

(2) Requests for travel outside the United States shall be initiated by the Chairman and shall be limited to members and permanent employees of the committee.

(3) At the conclusion of any hearing, investigation, study, meeting or conference for which travel outside the United States has been authorized pursuant to this rule, each subcommittee (or Members and staff attending meetings or conferences) shall submit a written report to the Chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the committee performing authorized travel on official business shall be governed by applicable laws, reso-

lutions, or regulations of the House and of the Select Committee on Assassinations pertaining to such travel.

RULE 9. PROCEDURES, REGULATIONS, AND RULES

9 The Rules, Regulations, and Procedures of the Select Committee on Assassinations shall be established, modified, amended or repealed only by a majority vote of the committee, a majority of the committee being present, provided that prior written notice of the proposed change has been provided each member of the committee not less than 48 hours before those changes are to be discussed by the committee.

RULE 10. PROCEDURES FOR HANDLING ASSASSINATIONS

INQUIRY MATERIAL

10.1 Before the commencement of any presentation at which testimony will be heard or papers and things considered, each committee member will be furnished with a list of all papers and things that have been obtained by the committee by subpoena or otherwise. No Member shall make the list or any part thereof public unless authorized by a majority vote of the committee, a quorum being present.

10.2 The chief counsel, after discussion with the Chairman and the ranking minority Member, shall initially recommend to the committee the testimony, papers, and things to be presented to the committee. The determination as to whether such testimony, papers, and things shall be presented in open or executive session shall be made pursuant to the rules of the House and of this committee.

10.3 Before the committee is called upon to make any disposition with respect to the testimony or papers and things presented to it, the committee members shall have a reasonable opportunity to examine all testimony, papers, and things that have been obtained by the inquiry staff. No Member shall make any of that testimony or those papers or things public unless authorized by a majority vote of the committee, a quorum being present.

10.4 All examination of papers and things other than in a presentation shall be made in a secure area designated for the purpose. Copying, duplicating, or removal of classified or other material deemed sensitive by the committee is prohibited except where authorized by a Member.

10.5 Any committee member may bring additional testimony, papers, or things to the committee's attention.

10.6 Only testimony, papers, or things that are included in the record will be reported to the House; all other testimony, papers, or things will be considered as executive session material.

10.7 The committee or its subcommittees will at all times endeavor to obtain access to full, complete and unedited material considered relevant for its investigations and now held by any local, State or Federal criminal justice or intelligence agency.

Any agreements regarding committee or subcommittee access to agency files made between the committee and the appropriate local,

State, or Federal agency will be made by majority vote of the full committee.

RULE 11. RULES FOR THE ASSASSINATIONS INQUIRY STAFF

In addition to rules of conduct for staff contained in other rules of this committee and the House, the following rules shall apply:

11.1 Staff offices of the committee shall operate under strict security precautions. One guard shall be on duty at all times to control entry. All persons entering the committee area shall identify themselves.

11.2 Classified or other material the committee deems sensitive shall be segregated in a secure storage area. They may be examined only at supervised reading facilities within the secure area. Copying or duplicating of such documents and other things is prohibited except upon the authorization of a committee member.

11.3 Access to classified information supplied to the committee shall be limited by the committee and chief counsel to those committee staff members with appropriate security clearances and a need to know and to a designated personal staff member of each committee member, that personal staff member also having the appropriate security clearances and a need to know.

11.4 Testimony taken or papers and things received by the staff shall not be disclosed or made public by the staff unless authorized by a majority of the committee.

11.5 Executive session transcripts and records shall be available to designated staff for inspection in person but may not be released or disclosed to any other person without the consent of a majority of the committee.

11.6 The professional and clerical staff of the committee shall be appointed and their remuneration determined in such manner as the committee shall determine by a majority vote, a majority of the committee being present, within the budget approved for such purposes by the committee.

The professional and clerical staff of the committee:

(a) Shall be appointed without regard to race, creed, sex, or age, and solely on the basis of fitness to perform the duties of their respective positions; and

(b) Shall not be assigned any duties other than those pertaining to committee business.

The committee may terminate the services of any professional or clerical staff member by a majority vote, a majority of the committee being present.

RULE 12. SUBCOMMITTEES

12.1 Each subcommittee is authorized to exercise all powers conferred on subcommittees by the resolution establishing the Select Committee on Assassinations, including but not limited to the authority to meet, hold hearings, authorize subpoenas, receive evidence, and report to the full committee on all matters referred to it or under its jurisdiction. Subcommittee Chairmen shall set dates for hearings and meetings of their respective subcommittees

after consultation with the Chairman and other subcommittee Chairmen with a view toward avoiding simultaneous scheduling of full committee and subcommittee meetings or hearings whenever possible.

12.2 There shall be the following standing subcommittees of the Select Committee on Assassinations:

- (a) Subcommittee on the Assassination of John F. Kennedy;
- and
- (b) Subcommittee on the Assassination of Martin Luther King, Jr.

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18 § 1001

§ 1001. Statements or entries generally

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

June 25, 1948, c. 645, 62 Stat. 749.

18 § 793

§ 793. Gathering, transmitting, or losing defense information

(a) Whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, fueling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, research laboratory or station or other place connected with the national defense owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers, departments, or agencies, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, stored, or are the subject of research or development, under any contract or agreement with the United States, or any department or agency thereof, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place so designated by the President by proclamation in time of war or in case of national emergency in which anything for the use of the Army, Navy, or Air Force is being prepared or constructed or stored, information as to which prohibited place the President has determined would be prejudicial to the national defense; or

(b) Whoever, for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts to copy, take, make, or obtain, any sketch, photograph, photographic negative,

blueprint, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or

(c) Whoever, for the purpose aforesaid, receives or obtains or agrees or attempts to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts to receive or obtain it, that it has been or will be obtained, taken, made, or disposed of by any person contrary to the provisions of this chapter; or

(d) Whoever, lawfully having possession of, access to, control over, or being entrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, or information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States or to the advantage of any foreign nation, willfully communicates, delivers, transmits or causes to be communicated, delivered, or transmitted or attempts to communicate, deliver, transmit or cause to be communicated, delivered or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or

(e) Whoever having unauthorized possession of, access to, or control over any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, or information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States or to the advantage of any foreign nation, willfully communicates, delivers, transmits or causes to be communicated, delivered, or transmitted, or attempts to communicate, deliver, transmit or cause to be communicated, delivered, or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it to the officer or employee of the United States entitled to receive it; or

(f) Whoever, being entrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, note, or information, relating to the national defense, (1) through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, or (2) having knowledge that the same has been illegally removed from its proper place of custody or delivered to anyone in violation of his trust, or lost, or stolen,