

1941 SUPPLEMENT
TO THE
CODE OF FEDERAL REGULATIONS
OF THE
UNITED STATES OF AMERICA

Containing documents of general applicability
and legal effect issued by Federal Agencies and
filed with the Division of the Federal Register
during the calendar year 1941, including
Presidential proclamations, Executive
orders, and other Presidential
documents in full text

WITH ANCILLARIES AND INDEX



TITLE 8—TITLE 26

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See 58.1

1941 Supp

of the pendency of judicial or administrative proceedings in a foreign state in connection with which the establishment of his nationality in the United States is pertinent, and it has been found that he is now a national of the United States. A photographic likeness of the applicant for this certificate is affixed hereto.

In testimony whereof this special Certificate of Nationality, the issuance of which is authorized under section 502 of the act of October 14, 1940, is issued this _____ day of _____, 194_____.

[SEAL]

Secretary of State.

§ 19.34 *Transmission of certificate of nationality to foreign state.* When a certificate of nationality is issued, it shall be transmitted through official channels to the judicial or administrative officer of the foreign state in which it is to be used.

PART 31—PASSPORTS; APPLICATIONS, RENEWALS, AND REPLACEMENTS

§ 31.35 *Replacement of old-style passports—Validity of red-colored passports now in possession of persons in United States.* On and after April 10, 1941, the red-colored passports heretofore issued by the Secretary of State or under his authority and now in the possession of persons in the United States shall not be valid for foreign travel, but may be replaced by new-style passports which are green in color and the use of which was begun on February 10, 1941.

(b) *Validity of red-colored passports in possession of persons outside United States.* At a date to be determined, the red-colored passports heretofore issued by the Secretary of State or under his authority and then in the possession of persons outside the United States will be declared to be invalid for foreign travel.

(c) *Submission of passports to Department.* A person in the United States who is in possession of a red-colored passport which has been issued during the four years immediately preceding the date of this section, and who desires to travel abroad, must submit such passport to the Department or one of its passport agencies approximately three weeks prior to his scheduled departure from this country, together with two recently taken

photographs and complete information concerning his travel plans.

(d) *Charge for replacement; passports subject to replacement.* No charge may be made for replacing passports, but only passports which have been issued within a period of four years preceding the effective date of this section are subject to replacement, and they will be replaced only when it is established that the new-style passports are to be used for approved travel purposes. (Sec. 1, 44 Stat. 887; 22 U.S.C. 211A; E.O. 7856, Mar. 31, 1938) [As added Apr. 18, 1941; 6 F.R. 2052]

PART 32—PASSPORTS; CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES

Sec.

- 32.1 Passports required.
- 32.2 Permit to depart.
- 32.3 Permit to enter.
- 32.4 Inspection.
- 32.5 Permit of alien seaman to enter.
- 32.6 Termination of validity of permit.
- 32.7 Effect of this part on previous rules and regulations.
- 32.8 Cooperation with Secretary of State.
- 32.9 Section 61.6 of this chapter superseded.

AUTHORITY: §§ 32.1 to 32.9, inclusive, issued under 55 Stat. 252; 22 U. S. C., Sup. 228-229.

SOURCE: §§ 32.1 to 32.9, inclusive, contained in Proclamation 2523, President of the United States, Nov. 14, 1941; 6 F.R. 5869.

§ 32.1 *Passports required.* After the effective date of the rules and regulations hereinafter authorized, no citizen of the United States or person who owes allegiance to the United States shall depart from or enter, or attempt to depart from or enter, the United States, including the Panama Canal Zone, the Commonwealth of the Philippines, and all territory and waters, continental or insular, subject to the jurisdiction of the United States, unless he bears a valid passport issued by the Secretary of State or, under his authority, by a diplomatic or consular officer of the United States, or the United States High Commissioner to the Philippine Islands, or the chief executive of Hawaii, of Puerto Rico, of the Virgin Islands, of American Samoa, or of Guam, or unless he comes within the provisions of such exceptions or fulfils such conditions as may be prescribed in rules and regulations which the Secretary of State is hereby authorized to prescribe in exe-

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required. After the
rules and regulations
authorized, no citizen of the
or person who owes alle-
nity to the United States shall depart
or attempt to depart from
the United States, including the
Territories, the Commonwealth
of the Virgin Islands, and all territory and
insular, subject to
of the United States, un-
less a valid passport issued by
the Secretary of State or, under his au-
thority, the chief executive of-
ficer of a Territory, the United States
Virgin Islands, or the United
States, or the United
States, or the United States
Secretary of State
authorized to prescribe in exe-

cutation of the rules, regulations, and or-
ders herein prescribed. Seamen are in-
cluded in the classes of persons to whom
this paragraph applies.

§ 32.2 *Permit to depart.* No alien shall
depart from or attempt to depart from
the United States unless he is in posses-
sion of a valid permit to depart issued
by the Secretary of State or by an officer
designated by the Secretary of State for
such purpose, or unless he is exempted
from obtaining a permit, in accordance
with rules and regulations which the Sec-
retary of State, with the concurrence of
the Attorney General, is hereby author-
ized to prescribe in execution of the rules,
regulations, and orders herein pre-
scribed; nor shall any alien depart from
or attempt to depart from the United
States at any place other than a port of
departure designated by the Attorney
General or by the Commissioner of Im-
migration and Naturalization or by an
appropriate permit-issuing authority
designated by the Secretary of State.

No alien shall be permitted to depart
from the United States if it appears to
the satisfaction of the Secretary of State
that such departure would be prejudicial
to the interests of the United States as
provided in the rules and regulations
hereinbefore authorized to be prescribed
by the Secretary of State, with the con-
currence of the Attorney General.

§ 32.3 *Permit to enter.* After the ef-
fective date of the rules and regulations
hereinafter authorized, no alien shall
enter or attempt to enter the United
States unless he is in possession of a valid
unexpired permit to enter issued by the
Secretary of State, or by an appropriate
officer designated by the Secretary of
State, or is exempted from obtaining a
permit to enter in accordance with the
rules and regulations which the Secre-
tary of State, with the concurrence of
the Attorney General, is hereby author-
ized to prescribe in execution of these
rules, regulations, and orders.

No alien shall be permitted to enter
the United States if it appears to the
satisfaction of the Secretary of State
that such entry would be prejudicial to
the interests of the United States as pro-
vided in the rules and regulations herein-
before authorized to be prescribed by the
Secretary of State, with the concurrence
of the Attorney General.

§ 32.4 *Inspection.* No person shall de-
part from or enter, or attempt to depart
from or enter, the United States without
submitting for inspection, if required to
do so, all documents, articles, or other
things which are being removed from or
brought into the United States upon or
in connection with such person's depart-
ure or entry, which are hereby made sub-
ject to official inspection under rules and
regulations which the Secretary of State
in the cases of citizens, and the Secretary
of State with the concurrence of the At-
torney General in the cases of aliens, is
hereby authorized to prescribe.

§ 32.5 *Permit of alien seaman to enter.*
A permit to enter issued to an alien sea-
man employed on a vessel arriving at a
port in the United States from a foreign
port shall be conditional and shall en-
title him to enter only in a case of reason-
able necessity in which the immigration
authorities are satisfied that such entry
would not be contrary to the interests of
the United States; but this shall not be
deemed to supersede the provisions of
Executive Order 8429, dated June 5, 1940
concerning the documentation of seamen.

§ 32.6 *Termination of validity of per-
mit.* The period of validity of a permit
to enter or a permit to depart, issued
to an alien, may be terminated by the
permit-issuing authority or by the Sec-
retary of State at any time prior to the
entry or departure of the alien, provided
the permit-issuing authority or the Sec-
retary of State is satisfied that the entry
or departure of the alien would be prej-
udicial to the interests of the United
States which it was the purpose of the
above-mentioned acts to safeguard.

§ 32.7 *Effect of this part on previous
rules and regulations.* Except as pro-
vided herein or by rules and regulations
prescribed hereunder, the provisions of
this proclamation and the rules and reg-
ulations issued in pursuance hereof shall
be in addition to, and shall not be held
to repeal, modify, suspend, or supersede
any proclamation, rule, regulation, or
order heretofore issued and now in effect
under the general statutes relating to the
immigration of aliens into the United
States; and compliance with the provi-
sions of this proclamation or of any rule
or regulation which may hereafter be is-
sued in pursuance of the act of May 22,
1918, as amended by the act of June 21,

Sec.		Sec.	
33.50	Statement from War Department giving name of deceased soldier, sailor, or marine, and place of burial.	33.64	Application including husband of applicant.
	Evidence of citizenship to accompany applications for passports	33.65	Further information concerning American citizenship.
33.51	Birth certificate.		Evidence of citizenship to accompany a woman's application for a passport
33.52	Evidence of birth in United States of father of applicant born abroad.	33.66	American-born women.
33.53	Reference to application for passport previously issued.	33.67	Evidence of husband's citizenship.
33.54	Person born abroad after noon, Eastern Standard Time, May 24, 1934, of mother born in United States.	33.68	American citizenship lost by marriage to alien.
33.55	Person born abroad after noon, Eastern Standard Time, May 24, 1934, of parents born in United States.	33.69	Alien-born women.
33.56	Person born abroad whose father, born abroad, acquired American citizenship at birth.	33.70	Additional evidence of American citizenship. Resident of outlying possession of the United States not born or naturalized in the United States but who owes permanent allegiance, whether a citizen or not, to the United States
33.57	Person born abroad after noon, Eastern Standard Time, May 24, 1934, whose mother, born abroad, acquired American citizenship at birth.	33.71	Resident of outlying possession of the United States to give facts necessary to determine nationality status.
33.58	Person born abroad claiming citizenship at birth through parent naturalized as citizen.	33.72	Additional documentary evidence of American nationality.
33.59	Person naturalized in his own right.	33.73	Citizen of Commonwealth of the Philippines. Affidavits
33.60	Child of naturalized citizen.	33.74	Affidavits. Additional regulations
33.61	Reference to application for passport previously issued.	33.75	Refusal to issue passport.
33.62	Adopted alien child.	33.76	Violation of passport restrictions.
33.63	Application including wife of applicant.	33.77	Secretary of State authorized to make passport regulations.
		33.78	Executive orders superseded.

CROSS REFERENCES

Citizenship regulations relating to passports: See §§ 79.150-79.172.
Passport rules: See Part 31.

Section 33.1 Authority to issue passports. Only the Secretary of State may grant and issue passports in the United States.*† (R.S. 4078; 22 U.S.C. 219) [Par. 1]

*§§ 33.1 to 33.78, inclusive, issued under the authority contained in sec. 1, 44 Stat. 887; 22 U.S.C. 211a.

†The source of §§ 33.1 to 33.78, inclusive, is Executive Order 7856, Mar. 31, 1938, 3 F.R. 681.

TO WHOM PASSPORTS ARE ISSUED

33.2 Passports issued only to those owing allegiance to United States. No passport shall be granted or issued to any other persons than those owing allegiance, whether citizens or not, to the United States.*† (Sec. 2, 32 Stat. 386; 22 U.S.C. 212) [Par. 2]

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