

Handwritten: *Neary*  
Faint: *Franklin D. Roosevelt*  
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# THE DEPARTMENT OF STATE BULLETIN

NOVEMBER 15, 1941

VOL. V, No. 125—PUBLICATION 1665

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our safety by a course of inactivity and complacency in the face of a peril which is compelling toward us. Other countries and especially countries unfriendly to us will necessarily assume that this bill has been discussed and dealt with on its own merits. I hope this will be kept in mind.

"The paramount duty of this Government is

to preserve the safety and security of our country. I would be neglecting the responsibility of my office if I did not state the frank opinion that there is imperative need for the passage of this bill to enable our Government effectively to carry out this duty.

"Sincerely yours,

CORDELL HULL"

## CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES

### PROCLAMATION BY THE PRESIDENT

(Released to the press November 14)

On November 14 the President issued the following proclamation (no. 2523) entitled "Control of Persons Entering and Leaving the United States":

"WHEREAS the act of Congress approved on May 22, 1918 (40 Stat. 559), as amended by the act of Congress approved on June 21, 1941 (Public Law 114, 77th Cong., chap. 210, 1st sess., 55 Stat. 252) vests authority in me to impose restrictions and prohibitions in addition to those otherwise provided by law upon the departure of persons from and their entry into the United States when the United States is at war, or during the existence of the national emergency proclaimed by the President on May 27, 1941,<sup>1</sup> or, as to aliens, whenever there exists a state of war between or among two or more states, and when I find that the interests of the United States so require; and

"WHEREAS the national emergency proclaimed by me on May 27, 1941 is still existing; and

"WHEREAS there unhappily exists a state of war between or among two or more states and open hostilities engage a large part of the Eastern Hemisphere; and

"WHEREAS the exigencies of the present international situation and of the national defense require that restrictions and prohibitions, in addition to those otherwise provided

by law, be imposed upon the departure of persons from and their entry into 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:

"NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me as set forth above, do hereby find and publicly proclaim and declare that the interests of the United States require that restrictions and prohibitions, in addition to those otherwise provided by law, shall be imposed upon the departure of persons from and their entry into 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; and I make the following rules, regulations, and orders which shall remain in force and effect until otherwise ordered by me:

"(1) 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

<sup>1</sup> Bulletin of May 31, 1941, p. 654.

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 execution of the rules, regulations, and orders herein prescribed. Seamen are included in the classes of persons to whom this paragraph applies.

"(2) No alien shall depart from or attempt to depart from the United States unless he is in possession 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 Secretary of State, with the concurrence of the Attorney General, is hereby authorized to prescribe in execution of the rules, regulations, and orders herein prescribed; 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 Immigration 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 concurrence of the Attorney General.

"(3) After the effective 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 Secretary of State, with the concurrence of the Attorney General, is hereby authorized 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 provided in the rules and regulations hereinbefore authorized to be prescribed by the Secretary of State, with the concurrence of the Attorney General.

"(4) No person shall depart 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 departure or entry, which are hereby made subject 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 Attorney General in the cases of aliens, is hereby authorized to prescribe.

"(5) A permit to enter issued to an alien seaman employed on a vessel arriving at a port in the United States from a foreign port shall be conditional and shall entitle him to enter only in a case of reasonable 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.

"(6) 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 Secretary of State at any time prior to the entry or departure of the alien, provided the permit-issuing authority or the Secretary of State is satisfied that the entry or departure of the alien would be prejudicial to the interests of the United States which it was the purpose of the above-mentioned acts to safeguard.

"(7) Except and regulations provisions of this regulations issued in addition to, modify, supersede and new statutes relating into the United States the provisions rule or regulation issued in pursuance as amended by not be considered from the duties provisions of any regulation, or order effect.

"(8) I direct of the Government Secretary of State under this proclamation,

[Released to the public]  
The Secretary of State with the concurrence of the Attorney General is hereby authorized to prescribe in execution of the rules, regulations, and orders herein prescribed; 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 Immigration and Naturalization or by an appropriate permit-issuing authority designated by the Secretary of State.  
The regulations hereinbefore authorized to be prescribed by the Secretary of State, with the concurrence of the Attorney General, are hereby authorized to be prescribed by the Secretary of State, with the concurrence of the Attorney General.  
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 Secretary of State at any time prior to the entry or departure of the alien, provided the permit-issuing authority or the Secretary of State is satisfied that the entry or departure of the alien would be prejudicial to the interests of the United States which it was the purpose of the above-mentioned acts to safeguard.

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"(7) Except as provided herein or by rules and regulations prescribed hereunder, the provisions of this proclamation and the rules and regulations 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 provisions of this proclamation or of any rule or regulation which may hereafter be issued in pursuance of the act of May 22, 1918, as amended by the act of June 21, 1941, shall not be considered as exempting any individual from the duty of complying with the provisions of any statute, proclamation, rule, regulation, or order heretofore issued and now in effect.

"(8) I direct all departments and agencies of the Government to cooperate with the Secretary of State in the execution of his authority under this proclamation and any subsequent proclamation, rule, regulation, or order pro-

mulgated in pursuance hereof. They shall upon request make available to the Secretary of State for that purpose the services of their respective officials and agents. I enjoin upon all officers of the United States charged with the execution of the laws thereof the utmost diligence in preventing violations of the act of May 22, 1918, as amended by the act of June 21, 1941, and in bringing to trial and punishment any persons who shall have violated any provisions of such acts.

"(9) Paragraph 6, part I, of Executive Order 8766, issued June 3, 1941, is hereby superseded by the provisions of this proclamation and such regulations as may be prescribed hereunder.

"IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

"DONE at the city of Washington this 14th day of November, in the year of our Lord nineteen hundred and forty-one, and of the Independence of the United States of America the one hundred and sixty-sixth."

#### REQUIREMENTS FOR THE DEPARTURE OF ALIENS

[Released to the press November 14]

The Secretary of State has prescribed, with the concurrence of the Attorney General, regulations governing the entry and departure of aliens in accordance with the proclamation issued by the President on November 14, 1941, under the authority conferred upon the President by the act of Congress of May 22, 1918, as amended by the act of June 21, 1941 (Public Law 114, 77th Cong.)

The regulations will be published in the *Federal Register*, copies of which may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C., for a nominal fee.

Under the proclamation and the regulations aliens desirous of departing from the United States are required to obtain exit permits from the Secretary of State, Washington, D. C., un-

less they fall within one or more of the classes which are exempt from the exit-permit requirements as specified in regulations now in course of being issued. No fee has been prescribed for the issuance of such permits. Blank application forms may be obtained from the Visa Division, Department of State, Washington, D. C.

Applications should be filed not less than 30 days before the contemplated date of departure. Permits to depart, when issued by the Secretary of State, will be sent to departure-control officers of the Immigration and Naturalization Service at the ports of departure designated in the applications. Such permits will be issued subject to the condition that the applicant shall have complied with all other laws and regulations of the United States, particularly to laws relating to public safety, prior to the date of contemplated departure.

Permits to depart will not be subject to transfer from one applicant to another nor from one port of departure to another. Aliens attempting to depart without the necessary permits will be subject to the penalties of the law, unless they fall within a class which is exempt by regulation from the departure-permit requirements.

### REQUIREMENTS FOR THE ENTRY OF ALIENS

[Released to the press November 14]

The regulations governing the entry of aliens under the act and the proclamation issued thereunder construe and adopt visas and other present documentation as permits to enter within the meaning of the act, subject to certain additional restrictions which have been placed upon the issuance of such documents for the purpose of protecting the interests of the United States.

The new procedure for the issuance of visas, which became effective on July 1, 1941, has been laid down in formal regulations, which, with certain specified exceptions, provide for the issuance of advisory opinions by the Secretary of State to American diplomatic and consular officers before visas are issued. Advisory opinions are to be formulated through the various Interdepartmental Committees which are now functioning and sifting the great mass of information in possession of Government agencies concerning visa applicants.

Sponsors of visa applicants, attorneys, agents, and other intermediaries will be per-

The Governors of Alaska, Hawaii, Puerto Rico, the Virgin Islands, the Panama Canal Zone, Guam, and American Samoa, and the United States High Commissioner to the Philippine Islands, will administer the law and regulations in these territories and outlying possessions.

mitted to appear before an Interdepartmental Committee of Review in the Department of State and make appropriate statements concerning their knowledge of, and interest in, visa applicants. The written record of cases not finally disposed of by the Committees may be reviewed by a Board of Appeals composed of two members appointed by the President from persons outside of the Government. As this Board will confine its consideration of cases to the record received from the Interdepartmental Committees there will be no hearings by the Board. Cases requiring further hearing of interested persons may be returned by the Board to the Committee of Review.

In case the opinion of the Board of Appeals is not acceptable to the Secretary of State, or if the members of the Appeals Board are unable to agree, the Secretary of State will substitute his own opinion, which decision shall be transmitted to the appropriate consular or diplomatic officials as the advisory opinion of the Department of State.

### REQUIREMENTS FOR THE DEPARTURE AND ENTRY OF AMERICAN CITIZENS

[Released to the press November 14]

Under the regulations which it is contemplated will in the immediate future be prescribed by the Secretary of State pursuant to the proclamation issued by the President under authority of the act of May 22, 1918, as amended by the act of June 21, 1941, all citizens of the United States or persons who owe

allegiance to the United States shall after six o'clock in the forenoon of January 15, 1942, be required to bear valid passports in order to depart from or enter the continental United States, the Canal Zone, the Commonwealth of the Philippines, and all territories, continental or insular, subject to the jurisdiction of the United States, except that, effective immedi-

ately, no such attempt to depart by any foreign citizen of the Hemisphere or territory in the jurisdiction of bases are being intract with the States unless by or under au-

The regulations for ports shall not persons who within the United States continental United States of Hawaii, Puerto Rico or between any part of the continent of Canada and the continental United States.

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The following Department of State Column C. Tarver

"Charges against the government particularly Great Britain of our American own commercial interests these charges aggressor countries out foundation

"Consequently following statement (1) the use of British exports leading to furthering interests at and other forms of wartime commerce of American interests.

ately, no such person shall depart from or attempt to depart from any such territory for any foreign country or territory in the Eastern Hemisphere or any foreign country or territory in the Western Hemisphere under the jurisdiction of Great Britain in which defense bases are being constructed by or under contract with the Government of the United States unless he bears a valid passport issued by or under authority of the Secretary of State.

The regulations will also provide that passports shall not be required of citizens or persons who while not citizens owe allegiance to the United States when traveling between the continental United States and the territories of Hawaii, Puerto Rico, and the Virgin Islands, or between any such places, between points in the continental United States and points in Canada and Mexico, and between the continental United States and islands adjacent to

Canada or the United States or the islands of the West Indies, except any such island as is subject to the jurisdiction of a non-American country other than Great Britain.

The regulations will provide further that effective immediately American seamen who intend to travel on or over the north Atlantic Ocean north of 35 degrees north latitude and east of 66 degrees west longitude or on other waters adjacent to Europe or adjacent islands or in any of the waters now defined by the proclamations of the President to be combat areas must bear valid passports or be otherwise specifically authorized to depart. American seamen shall not be required to bear passports or other permission for entry into the United States prior to February 15, 1942.

The regulations when issued will be published in the *Federal Register*.

#### ALLEGED PROMOTION OF BRITISH COMMERCIAL INTERESTS TO DISADVANTAGE OF AMERICAN INTERESTS

The following statement has been sent by the Department of State to Representative Malcolm C. Tarver in response to his request.

"Charges are frequently made that some of the governments opposing aggression, and particularly Great Britain, are taking advantage of our American aid in order to promote their own commercial interests. The repetition of these charges is naturally very helpful to the aggressor countries. Since the charges are without foundation the facts should be known.

"Consequently at this critical time the following statements are made in connection with (1) the use of the Lend-Lease Act to push British exports; (2) the use of British shipping to further their own private commercial interests at the expense of the United States and other friendly countries; and (3) the use of wartime censorship of the mails to the detriment of American commercial and other interests.

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"One of the most insistent charges against the British has been that they have taken advantage of our generosity, particularly in connection with the Lend-Lease Act, to push their export business into all corners of the globe at our expense. They have been accused both of reexporting lend-lease goods on a large scale and feathering their own nests with the proceeds therefrom, and of using lend-lease goods at home to displace domestic products which they have in turn been enabled to export.

"From the very beginning of these charges, running back to last spring, there was the most gross exaggeration with respect to this whole matter. So far as concerns the reexportation of lend-lease goods, any such reexportation would have been in clear violation of section 4 of the Lend-Lease Act, which provides that 'all contracts or agreements made for the disposition of any defense article or

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Hawaii, Puerto Rico, the Panama Canal, Samoa, and the Philippines, and the law and regulations and outlying

interdepartmental statements concerning interest in record of cases Committees may appeals composed by the President Government. As consideration of from the Interdepartmental will be no hearing further may be returned of Review. Board of Appeals, Secretary of State, or Board are unable will substitute shall be transnational or diplomatic opinion of the

CITIZENS

shall after six months in order to continental United States and other friendly countries, continental jurisdiction of the effective immedi-