

Editorial Notes

REFERENCES IN TEXT

Section 452(i) of this title, referred to in subsec. (a), was repealed by act Aug. 26, 1954, ch. 937, title V, §542(a)(12), 68 Stat. 861. See former section 1934(a) and section 2778(a) of this title.

AMENDMENTS

1942—Subsec. (e). Joint Res. Feb. 21, 1942, added subsec. (e).

Statutory Notes and Related Subsidiaries

OPERATION OF SECTION POSTPONED UNTIL JULY 1, 1953

Joint Res. July 3, 1952, ch. 570, §1(b)(7), 66 Stat. 333, as amended by Joint Res. Mar. 31, 1953, ch. 13, §1, 67 Stat. 18, provided that this section which is normally operative in time of peace shall not be operative by reason of the termination of a state of war on Apr. 28, 1952, but rather (in addition to being inoperative, in accordance with their terms, in time of war) shall continue to be inoperative until 6 months after the termination of the national emergency proclaimed by the President on Dec. 16, 1950, 1950 Proc. 2914, 15 F.R. 9029, set out as a note preceding section 1 of Title 50, War and National Defense, or until such earlier date or dates as the Congress may provide, but in no event beyond Apr. 1, 1953.

REPEAL OF PRIOR ACTS CONTINUING SECTION

Section 6 of Joint Res. July 3, 1952, repealed Joint Res. Apr. 14, 1952, ch. 204, 66 Stat. 54 as amended by Joint Res. May 28, 1952, ch. 339, 66 Stat. 96; Joint Res. June 14, 1952, ch. 437, 66 Stat. 137; Joint Res. June 30, 1952, ch. 526, 66 Stat. 296, which continued provisions until July 3, 1952. This repeal shall take effect as of June 16, 1952, by section 7 of Joint Res. July 3, 1952.

§ 448. Solicitation and collection of funds and contributions**(a) Unlawful acts**

Whenever the President shall have issued a proclamation under the authority of section 441(a) of this title, it shall thereafter be unlawful for any person within the United States to solicit or receive any contribution for or on behalf of the government of any state named in such proclamation or for or on behalf of any agent or instrumentality of any such state.

(b) Medical aid, food, and clothing

Nothing in this section shall be construed to prohibit the solicitation or collection of funds and contributions to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds and contributions is made on behalf of and for use by any person or organization which is not acting for or on behalf of any such government, but all such solicitations and collections of funds and contributions shall be in accordance with and subject to such rules and regulations as may be prescribed.

(c) Revocation of proclamation

Whenever any proclamation issued under the authority of section 441(a) of this title shall have been revoked with respect to any state the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

(Nov. 4, 1939, ch. 2, §8, 54 Stat. 8.)

§ 449. American republics

This subchapter (except section 452¹ of this title) shall not apply to any American republic engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

(Nov. 4, 1939, ch. 2, §9, 54 Stat. 8.)

Editorial Notes

REFERENCES IN TEXT

Section 452 of this title, referred to in text, was repealed by act Aug. 26, 1954, ch. 937, title V, §542(a)(12), 68 Stat. 861. See former section 1934(a) and section 2778(a) of this title.

§ 450. Restrictions on use of American ports**(a) Bond to insure non-delivery of men, ammunition, fuel, etc.**

Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port or from the jurisdiction of the United States, fuel, men, arms, ammunition, implements of war, supplies, dispatches, or information to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 441(a) of this title, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 967 of title 18, and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power, and it shall be his duty, to require the owner, master, or person in command thereof, before departing from a port or from the jurisdiction of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any fuel, supplies, dispatches, information, or any part of the cargo, to any warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 441(a) of this title.

(b) Departure prohibited

If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously departed from a port or from the jurisdiction of the United States during such war and delivered men, fuel, supplies, dispatches, information, or any part of its cargo to a warship, tender, or supply ship of a state named in a proclamation issued under the authority of section 441(a) of this title, he may prohibit the departure of such vessel during the duration of the war.

(c) Alien seaman; bond

Whenever the President shall have issued a proclamation under section 441(a) of this title he

¹ See References in Text note below.

may, while such proclamation is in effect, require the owner, master, or person in command of any vessel, foreign or domestic, before departing from the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that no alien seaman who arrived on such vessel shall remain in the United States for a longer period than that permitted under the regulations, as amended from time to time, issued pursuant to section 168¹ of title 8. Notwithstanding the provisions of said section 168¹ of title 8, the President may issue such regulations with respect to the landing of such seamen as he deems necessary to insure their departure either on such vessel or another vessel at the expense of such owner, master, or person in command.

(Nov. 4, 1939, ch. 2, § 10, 54 Stat. 9.)

Editorial Notes

REFERENCES IN TEXT

Section 168 of title 8, referred to in subsec. (c), was repealed by act June 27, 1952, ch. 477, § 403(a)(13), 66 Stat. 279. See section 1286 of Title 8, Aliens and Nationality.

CODIFICATION

In subsec. (a), “section 967 of title 18” substituted for “section 1, title V, chapter 30, of the Act approved June 15, 1917 (40 Stat. 217, 221; U.S.C., 1934 edition, title 18, sec. 31)” on authority of act June 25, 1948, ch. 645, 62 Stat. 863, section 1 of which enacted Title 18, Crimes and Criminal Procedure.

Executive Documents

DELEGATION OF FUNCTIONS

For delegation to Secretary of Homeland Security of authority vested in President by subsecs. (a) and (b) of this section, see sections 1(n) and 1(o) of Ex. Ord. No. 10637, Sept. 16, 1955, 20 F.R. 7025, as amended, set out as a note under section 301 of Title 3, The President.

§ 451. Submarines and armed merchant vessels

Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation.

(Nov. 4, 1939, ch. 2, § 11, 54 Stat. 9.)

¹ See References in Text note below.

Executive Documents

USE OF UNITED STATES PORTS AND TERRITORIAL WATERS BY SUBMARINES OF FOREIGN NATIONS

By Proc. Nos. 2375, Nov. 4, 1939, 4 F.R. 4494, 54 Stat. 2672; 2400, Apr. 25, 1940, 5 F.R. 1570, 54 Stat. 2699; 2406, May 11, 1940, 5 F.R. 1690, 54 Stat. 2705; 2409, June 10, 1940, 5 F.R. 2192, 54 Stat. 2707; 2445, Nov. 15, 1940, 5 F.R. 4524, 54 Stat. 2672, submarines of France, Germany, Poland, United Kingdom, India, Australia, Canada, New Zealand, Union of South Africa, Norway, Belgium, the Netherlands, Italy, and Greece were denied use of United States ports and territorial waters.

§ 452. Repealed. Aug. 26, 1954, ch. 937, title V, § 542(a)(12), 68 Stat. 861

Section, acts Nov. 4, 1939, ch. 2, § 12, 54 Stat. 10; Jan. 26, 1942, ch. 19, 56 Stat. 19, established the National Munitions Control Board. See former section 1934 and section 2778 of this title.

Subsec. (h) was subsequently repealed by act Aug. 30, 1954, ch. 1076, § 1(28), 68 Stat. 968.

§ 453. Regulations

The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this subchapter; and he may exercise any power or authority conferred on him by this subchapter through such officer or officers, or agency or agencies, as he shall direct.

(Nov. 4, 1939, ch. 2, § 13, 54 Stat. 11.)

Executive Documents

DELEGATION OF POWERS

Power to make rules and regulations under this subchapter delegated to Secretary of State by Proc. No. 2374, promulgated Nov. 4, 1939, 4 F.R. 4493, 54 Stat. 2671. See proclamations preceding section 1 of Title 50, War and National Defense.

§ 454. Unlawful use of the American flag by vessel of foreign state

(a) It shall be unlawful for any vessel belonging to or operating under the jurisdiction of any foreign state to use the flag of the United States thereon, or to make use of any distinctive signs or markings, indicating that the same is an American vessel.

(b) Any vessel violating the provisions of subsection (a) of this section shall be denied for a period of three months the right to enter the ports or territorial waters of the United States except in cases of force majeure.

(Nov. 4, 1939, ch. 2, § 14, 54 Stat. 11.)

§ 455. General penalty provision

In every case of the violation of any of the provisions of this subchapter or of any rule or regulation issued pursuant thereto where a specific penalty is not provided in this subchapter, such violator or violators, upon conviction, shall be fined not more than \$10,000, or imprisoned not more than two years, or both.

(Nov. 4, 1939, ch. 2, § 15, 54 Stat. 11.)

§ 456. Definitions

For the purposes of this subchapter—