

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.)

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 Repealed.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 (h) was subsequently repealed by act Aug. 30, 1954, ch. 1076, § 1(28), 68 Stat. 968.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

(a) The term “United States”, when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States, the Canal Zone, and the District of Columbia.

(b) The term “person” includes a partnership, company, association, or corporation, as well as a natural person.

(c) The term “vessel” means every description of watercraft and aircraft capable of being used as a means of transportation on, under, or over water.

(d) The term “American vessel” means any vessel documented, and any aircraft registered or licensed, under the laws of the United States.

(e) The term “state” shall include nation, government, and country.

(f) The term “citizen” shall include any individual owing allegiance to the United States, a partnership, company, or association composed in whole or in part of citizens of the United States, and any corporation organized and existing under the laws of the United States as defined in subsection (a) of this section.

(Nov. 4, 1939, ch. 2, § 16, 54 Stat. 12; Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352.)

#### Editorial Notes

##### REFERENCES IN TEXT

For definition of Canal Zone, referred to in subsec. (a), see section 3602(b) of this title.

##### CODIFICATION

Words “(including the Philippine Islands)” omitted from definition of “United States” in subsec. (a) pursuant to the authority of Proc. No. 2695, which granted independence to the Philippines under the provisions of section 1394 of this title, and which is set out as a note under section 1394.

#### § 457. Appropriations

There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this subchapter.

(Nov. 4, 1939, ch. 2, § 18, 54 Stat. 12.)