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Washington, Tuesday, July 7, 1942

The President

PROCLAMATION 2561

DENYING CERTAIN ENEMIES ACCESS TO THE
COURTS OF THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the safety of the United States demands that all enemies who have entered upon the territory of the United States as part of an invasion or predatory incursion, or who have entered in order to commit sabotage, espionage or other hostile or warlike acts, should be promptly tried in accordance with the law of war;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America and Commander in Chief of the Army and Navy of the United States, by virtue of the authority vested in me by the Constitution and the statutes of the United States, do hereby proclaim that all persons who are subjects, citizens or residents of any nation at war with the United States or who give obedience to or act under the direction of any such nation, and who during time of war enter or attempt to enter the United States or any territory or possession thereof, through coastal or boundary defenses, and are charged with committing or attempting or preparing to commit sabotage, espionage, hostile or warlike acts, or violations of the law of war, shall be subject to the law of war as to the jurisdiction of military tribunals; and that such persons shall not be privileged to seek any remedy or maintain any proceeding directly or indirectly, or to have any such remedy or proceeding sought on their behalf, in the courts of the United States, or of its States, territories, and possessions, except under such regulations as the Attorney General, with the approval of the Secretary of War, may from time to time prescribe.

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 2d day of July, in the year of our Lord nineteen hundred and forty-two, [SEAL] and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-6322; Filed, July 3, 1942;
8:16 p. m.]

EXECUTIVE ORDER 9189

SUSPENDING CERTAIN STATUTORY PROVISIONS RELATING TO EMPLOYMENT IN THE CANAL ZONE

By virtue of the authority vested in me by section 7 of the Military Appropriation Act, 1943, (Public Law 649, 77th Congress, 2nd Session) relating to certain kinds of employment in the Canal Zone, and deeming such course to be in the public interest, I hereby suspend, from and including the effective date of said act, compliance with the provisions of the said section during the continuance of any of the wars in which the United States is now engaged.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 2, 1942.

[F. R. Doc. 42-6324; Filed, July 3, 1942;
2:05 p. m.]

EXECUTIVE ORDER 9190

AMENDING EXECUTIVE ORDER NO. 8197 OF JULY 11, 1939, PRESCRIBING REGULATIONS PERTAINING TO THE ADMINISTRATION OF THE ACT OF MAY 3, 1939

Executive Order No. 8197 of July 11, 1939 (4 F.R. 2953), is hereby amended to read as follows:

By virtue of the power vested in me as President of the United States, and by the act approved May 3, 1939, entitled "An Act to amend the Act entitled 'An Act authorizing the temporary detail of

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THE PRESIDENT

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United States employees, possessing special qualifications, to governments of American republics and the Philippines, and for other purposes, approved May 25, 1938" (53 Stat. 652), I hereby authorize and direct the Secretary of State to administer the said act of May 3, 1939, in accordance with the following regulations:

1. Only officers and employees of the Government of the United States possessing special scientific or other technical or professional qualifications shall be assigned under the said act, and no assignment shall be effected except at the formal request of the foreign government concerned and in agreement therewith.

2. No officer or employee shall be assigned under any government other than the governments of the other American republics, the Commonwealth of the Philippines, and Liberia; and all references in this order to foreign governments shall relate only to the said governments.

3. All requests of foreign governments for the loan of the services of officers and employees of the Government of the United States shall be communicated through the diplomatic channel to the Secretary of State.

4. If the Secretary of State considers that it would be in the public interest to comply with the requests, he shall so inform the appropriate department or agency and indicate the number of persons desired by the requesting government and the probable length of the assignment, and shall supply such other information as he may consider pertinent. The department or agency concerned shall submit to the Secretary of State the name or names of any of its officers or employees whose services are available, together with information respecting their education, previous experience, special qualifications (including language qualifications), basic salaries, family status, and such other information as the department or agency concerned may consider appropriate or as may be requested by the Secretary of State.

5. If, after consultation with the appropriate department or agency, the Secretary of State determines that the request of the foreign government may and should be complied with, he shall inform the requesting government of the names, positions, and qualifications of the personnel available and of the exact period for which their assignment could be authorized, and shall ascertain whether the detail of that personnel would be acceptable to the requesting government. The Secretary of State may, in his discretion, supply the re-

requesting government with an estimate of the expenses involved in the assignment, and request it to indicate whether it desires to reimburse the Government of the United States in whole or in part for such expenses.

6. If personnel having the requisite qualifications are not available, or if the Secretary of State determines that the Government of the United States is unable for any reason to comply with the request of a foreign government, he shall so inform the requesting government.

7. The Secretary of State may, when he deems it in the public interest, accept such advances of funds as the foreign government concerned may express a desire to offer for use by the Government of the United States to pay the expenses of such detail in whole or in part, and the amount so received shall be transferred to the Secretary of the Treasury to be established as a trust fund, to be available for the purposes and under the provisions of the said act until the termination of the detail; and any unused balance of the trust fund shall be returned to the government making the advance.

8. All officers and employees detailed pursuant to the provisions of the said act shall receive from the department or agency in which they are employed reimbursement for travel expenses to and from the place of detail, and a monthly allowance determined by the Secretary of State to be adequate for quarters and subsistence; and if, in the opinion of the Secretary of State, the duties to be performed under the assignment render it necessary, officers and employees so detailed may also receive additional compensation from such department or agency in amounts to be determined by the Secretary of State but not to exceed 50 percent of the amounts of compensation they were receiving as officers or employees of the United States at the time of the assignment. Such monthly allowance and additional compensation shall be paid only for the period the officer or employee is actually in the foreign country serving under his assignment.

9. No officer or employee detailed pursuant to the provisions of the said act shall perform any services not contemplated by his assignment, and no such officer or employee shall receive any monthly allowance or additional compensation not authorized in accordance with these regulations.

10. The Secretary of State shall fix the period of each assignment and each extension of an assignment within the limitations provided in the said act.

11. The time required for travel to and from the place of assignment shall be included within the period of the assignment.

12. No reimbursement shall be accepted from any foreign government for any expenses not authorized in accordance with these regulations, and no funds advanced by a foreign government shall be used to pay any expenses not authorized in accordance with these regulations.

13. The Secretary of State is authorized to establish for administrative purposes such forms as he may consider necessary for the maintenance of uniform records.

14. The Secretary of State shall give each person assigned pursuant to the said act an appropriate letter of instruction, which shall include the name of the country to which the officer or employee is assigned; the period of the assignment; a description of the duties to be performed; the amount of the monthly allowance, and the amount of additional compensation if any, which has been authorized; and such additional instructions as the Secretary of State may deem appropriate. The Secretary of State shall also transmit to the department or agency concerned the information set forth in the letter of instruction.

15. The Secretary of State may prescribe such additional regulations not inconsistent herewith as he may deem necessary or desirable for carrying out the provisions of this order.

FRANKLIN D. ROOSEVELT
THE WHITE HOUSE,
July 2, 1942.

[F. R. Doc. 42-6340; Filed, July 4, 1942;
10:34 a. m.]

EXECUTIVE ORDER 9185

ESTABLISHING THE SUSQUEHANNA NATIONAL
WILDLIFE REFUGE, MARYLAND

Correction

The longitude given in the second line of the land description in the order appearing on page 4713 of the issue for Thursday, June 25, 1942, should have 01' instead of 91'.

Commander in Chief of the Army and Navy

APPOINTMENT OF A MILITARY COMMISSION

By virtue of the authority vested in me as President and as Commander in Chief of the Army and Navy, under the Constitution and statutes of the United States, and more particularly the Thirty-Eighth Article of War (U.S.C., title 10, sec. 1509), I, Franklin Delano Roosevelt, do hereby appoint as a Military Commission the following persons:

Major General Frank R. McCoy,
President
Major General Walter S. Grant
Major General Blanton Winship
Major General Lorenzo D. Gasser
Brigadier General Guy V. Henry
Brigadier General John T. Lewis
Brigadier General John T. Kennedy

The prosecution shall be conducted by the Attorney General and the Judge Advocate General. The defense counsel shall be Colonel Cassius M. Dowell and Colonel Kenneth Royall.

The Military Commission shall meet in Washington, D. C., on July 8th, 1942, or as soon thereafter as is practicable, to try for offenses against the law of war and the Articles of War, the following persons:

Ernest Peter Burger
George John Dasch
Herbert Hans Haupt
Henry Harm Heinck

Edward John Kerling
Hermann Otto Neubauer
Richard Quirin
Werner Thiel

The Commission shall have power to and shall, as occasion requires, make such rules for the conduct of the proceeding, consistent with the powers of military commissions under the Articles of War, as it shall deem necessary for a full and fair trial of the matters before it. Such evidence shall be admitted as would, in the opinion of the President of the Commission, have probative value to a reasonable man. The concurrence of at least two-thirds of the members of the Commission present shall be necessary for a conviction or sentence. The record of the trial, including any judgment or sentence, shall be transmitted directly to me for my action thereon.

FRANKLIN D. ROOSEVELT
THE WHITE HOUSE,
July 2, 1942.

[F. R. Doc. 42-6323; Filed, July 3, 1942;
5:16 p. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 26—THE FEDERAL LAND BANK OF ST. LOUIS

FEES FOR RELEASE OF PERSONAL LIABILITY

Part 26 of Title 6, Code of Federal Regulations, is amended by adding a new section, § 26.11, to read as follows:

§ 26.11 Fees for release of personal liability in connection with Federal Land Bank and Commissioner loans. When no reappraisal is necessary by a land bank appraiser, no fee is charged. When reappraisal is required, a \$5.00 fee is charged. (Sec. 13 "Ninth", 39 Stat. 372, Sec. 26, 48 Stat. 44, Sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (c), 1016 (e), and Sup.) (Res. Ex. Com., June 15, 1942)

[SEAL] THE FEDERAL LAND BANK OF ST. LOUIS.

By W. L. RUST, President.

Attest:

E. B. HARRIS,
Assistant Secretary.

[F. R. Doc. 42-6362; Filed, July 6, 1942;
10:16 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 502—VESTING ORDERS

[Vesting Order No. 42]

BUFFALO ELECTRO-CHEMICAL COMPANY, INC.

VESTING 3,681 SHARES OF THE COMMON CAPITAL STOCK

§ 502.42 Vesting Order No. 42. Under the authority of section 5 (b) of the Trading with the Enemy Act of October