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II. Proclamations and Regulations Concerning Neutrality of the United States in the War Between Germany and Belgium, Luxemburg, and The Netherlands

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PROCLAMATION OF A STATE OF WAR BETWEEN GER-
MANY, ON THE ONE HAND, AND BELGIUM, LUXEM-
BURG, AND THE NETHERLANDS, ON THE OTHER HAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A Proclamation

WHEREAS section 1 of the joint resolution of Congress approved November 4, 1939, provides in part as follows:

“That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.”

AND WHEREAS it is further provided by section 13 of the said joint resolution that

“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 joint resolution; and he may exercise any power or authority conferred on him by this joint resolution through such officer or officers, or agency or agencies, as he shall direct.”

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred on

me by the said joint resolution, do hereby proclaim that a state of war unhappily exists between Germany, on the one hand, and Belgium, Luxemburg, and the Netherlands, on the other hand, and that it is necessary to promote the security and preserve the peace of the United States and to protect the lives of citizens of the United States.

And I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution and in bringing to trial and punishment any offenders against the same.

And I do hereby delegate to the Secretary of State the power to exercise any power or authority conferred on me by the said joint resolution, as made effective by this my proclamation issued thereunder, which is not specifically delegated by Executive order to some other officer or agency of this Government, and the power to promulgate such rules and regulations not inconsistent with law as may be necessary and proper to carry out any of its provisions.

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 eleventh
day of May, in the year of our Lord
[SEAL] nineteen hundred and forty, and of the
Independence of the United States of
America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,

Secretary of State.

PROCLAIMING THE NEUTRALITY OF THE UNITED
STATES IN THE WAR BETWEEN GERMANY, ON THE
ONE HAND, AND BELGIUM, LUXEMBURG, AND THE
NETHERLANDS, ON THE OTHER HAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A Proclamation

WHEREAS a state of war unhappily exists between Germany, on the one hand, and Belgium, Luxemburg, and the Netherlands, on the other hand;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in order to preserve the neutrality of the United States and of its citizens and of persons within its territory and jurisdiction, and to enforce its laws and treaties, and in order that all persons, being warned of the general tenor of the laws and treaties of the United States in this behalf, and of the law of nations, may thus be prevented from any violation of the same, do hereby declare and proclaim that all of the provisions of my proclamation of September 5, 1939, proclaiming the neutrality of the United States in a war between Germany and France; Poland; and the United Kingdom, India, Australia and New Zealand apply equally in respect to Belgium, Luxemburg, and the Netherlands.

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 eleventh
 day of May, in the year of our Lord
 [SEAL] nineteen hundred and forty, and of the
 Independence of the United States of
 America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,

Secretary of State.

USE OF PORTS OR TERRITORIAL WATERS OF THE
 UNITED STATES BY SUBMARINES OF FOREIGN
 BELLIGERENT STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A Proclamation

WHEREAS section 11 of the Joint Resolution approved November 4, 1939, provides:

“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.”

WHEREAS there exists a state of war between Germany on the one hand and Belgium and the Netherlands on the other hand ;

WHEREAS the United States of America is neutral in such war ;

WHEREAS by my proclamation of November 4, 1939, issued pursuant to the provision of law quoted above, I placed special restrictions on the use of ports and territorial waters of the United States by the submarines of France ; Germany ; Poland ; and the United Kingdom, India, Australia, Canada, New Zealand, and the Union of South Africa ;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 11 of the Joint Resolution approved November 4, 1939, do by this proclamation declare and proclaim that the provisions of my proclamation of November 4, 1939, in regard to the use of the ports and territorial waters of the United States, exclusive of the Canal Zone, by the submarines of France ; Germany ; Poland ; and the United Kingdom, India, Australia, Canada, New Zealand, and the Union of South Africa, shall also apply to the use of the ports and territorial waters of the United States, exclusive of the Canal Zone, by the submarines of Belgium and the Netherlands.

AND I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said Joint Resolution, and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

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 eleventh day of May, in the year of our Lord nineteen hundred and forty, and of the Independence
[SEAL] of the United States of America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,

Secretary of State.