
Franklin D. Roosevelt — “The Great Communicator”

The Master Speech Files, 1898, 1910-1945

**Series 2: “ You have nothing to fear but fear itself:” FDR
and the New Deal**

File No. 1384

1941 October 9

Message to Congress to Neutrality Act

October 8, 1941

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STEPHEN EARLY
Secretary to the President

TO THE CONGRESS OF THE UNITED STATES:

It is obvious to all of us that world conditions have changed violently since the first American Neutrality Act of 1935. The Neutrality Act of 1939 was passed at a time when the true magnitude of the Nazi attempt to dominate the world was visualized by few persons. We heard it said, indeed, that this new European war was not a real war, and that the contending armies would remain behind their impregnable fortifications and never really fight. In this atmosphere the Neutrality Act seemed reasonable. But so did the Maginot Line.

Since then -- in these past two tragic years -- war has spread from continent to continent; very many nations have been conquered and enslaved; great cities have been laid in ruins; millions of human beings have been killed, soldiers and sailors and civilians alike. Never before has such widespread devastation been visited upon God's earth and God's children.

The pattern of the future -- the future as Hitler seeks to shape it -- is now as clear and as ominous as the headlines of today's newspapers.

Through these years of war, we Americans have never been neutral in thought. We have never been indifferent to the fate of Hitler's victims. And, increasingly, we have become aware of the peril to ourselves, to our democratic traditions and institutions, to our country, and to our hemisphere.

We have known what victory for the aggressors would mean to us. Therefore, the American people, through the Congress, have taken important and costly steps to give great aid to those nations actively fighting against Nazi-Fascist domination.

We know that we could not defend ourselves in Long Island Sound or in San Francisco Bay. That would be too late. It is the American policy to defend ourselves wherever such defense becomes necessary under the complex conditions of modern warfare.

Therefore, it has become necessary that this government should not be handicapped in carrying out the clearly announced policy of the Congress and of the people. We must face the truth that the Neutrality Act requires a complete reconsideration in the light of known facts.

The revisions which I suggest do not call for a declaration of war any more than the Lend-Lease Act called for a declaration of war. This is a matter of essential defense of American rights.

In the Neutrality Act are various crippling provisions. The repeal or modification of these provisions will not leave the United States any less neutral than we are today, but will make it possible for us to defend the Americas far more successfully, and to give aid far more effectively against the tremendous forces now marching towards conquest of the world.

Under the Neutrality Act, we established certain areas as zones of combat into which no American flag ships could proceed. Hitler proclaimed certain far larger areas as zones of combat into which any neutral ship, regardless of its flag or the nature of its cargo, could proceed only at its peril. We know now that Hitler recognizes no limitation on any zone of combat in any part of the seven seas. He has struck at our ships and at the lives of our sailors within the waters of the Western Hemisphere. Determined as he is to gain domination of the entire world, he considers the entire world his own battlefield.

Ships of the United States and of other American Republics continue to be sunk, not only in the imaginary zone proclaimed by the Axis in the North Atlantic, but also in the senseless South Atlantic.

I recommend the repeal of section 6 of the Act of November 4, 1939 which prohibits the arming of American flagships engaged in foreign commerce.

The practice of arming merchant ships for civilian defense is an old one. It has never been prohibited by international law. Until 1937 it had never been prohibited by any statute of the United States. Through our whole history American merchant vessels have been armed whenever it was considered necessary for their own defense.

It is an imperative need now to equip American merchant vessels with arms. We are faced not with the old type of pirates but with the modern pirates of the sea who travel beneath the surface or on the surface or in the air destroying defenseless ships without warning and without provision for the safety of the passengers and crews.

Our merchant vessels are sailing the seas on missions connected with the defense of the United States. It is not just that the crews of these vessels should be denied the means of defending their lives and their ships.

Although the arming of merchant vessels does not guarantee their safety, it most certainly adds to their safety. In the event of an attack by a raider they have a chance to keep the enemy at a distance until help comes. In the case of an attack by air, they have at least a chance to shoot down the enemy or keep the enemy at such height that it cannot make a sure hit. If it is a submarine, the armed merchant ship compels the submarine to use a torpedo while submerged -- and many torpedoes thus firemiss their mark. The submarine can no longer rise to the surface within a few hundred yards and sink the merchant ship by gunfire at its leisure.

Already we take many precautions against the danger of mines -- and it seems somewhat incongruous that we have authority today to "degauss" our ships as a protection against mines, whereas we have no authority to arm them in protection against aircraft or raiders or submarines.

The arming of our ships is a matter of immediate necessity and extreme urgency. It is not more important than some other crippling provisions in the present Act, but anxiety for the safety of our crews and of the almost priceless goods that are within the holds of our ships leads me to recommend that you, with all speed, strike the prohibition against arming our ships from the statute books.

There are other phases of the Neutrality Act to the correction of which I hope the Congress will give earnest and early attention. One of these provisions is of major importance. I believe that it is essential to the proper defense of our country that we cease giving the definite assistance which we are now giving to the aggressors. For, in effect, we are inviting their control of the seas by keeping our ships out of the ports of our own friends.

It is time for this country to stop playing into Hitler's hands, and to unshackle our own.

A vast number of ships are sliding into the water from American shipbuilding ways. We are lending them to the enemies of Hitlerism and they are carrying food and supplies and munitions to belligerent ports in order to withstand Hitler's juggernaut.

Most of the vital goods authorized by the Congress are being delivered. Yet many of them are being sunk; and as we approach full production requiring the use of more ships now being built it will be increasingly necessary to deliver American goods under the American flag.

We cannot, and should not, depend on the strained resources of the exiled nations of Norway and Holland to deliver our goods nor should we be forced to masquerade American-owned ships behind the flags of our sister Republics.

I earnestly trust that the Congress will carry out the true intent of the Lend-Lease Act by making it possible for the United States to help to deliver the articles to those who are in a position effectively to use them. In other words, I ask for Congressional action to implement Congressional policy. Let us be consistent.

I would not go back to the earlier days when private traders could gamble with American life and property in the hope of personal gain, and thereby embroil this country in some incident in which the American public had no direct interest. But, today, under the controls exercised by the Government, no ship and no cargo can leave the United States, save on an errand which has first been approved by governmental authority. And the test of that approval is whether the exportation will promote the defense of the United States.

I cannot impress too strongly upon the Congress the seriousness of the military situation that confronts all of the nations that are combating Hitler.

We would be blind to the realities if we did not recognize that Hitler is now determined to expend all the resources and all the mechanical force and manpower at his command to crush both Russia and Britain. He knows that he is racing against time. He has heard the rumblings of revolt among the enslaved peoples -- including the Germans and Italians. He fears the mounting force of American aid. He knows that the days in which he may achieve total victory are numbered.

Therefore, it is our duty, as never before, to extend more and more assistance and ever more swiftly to Britain, to Russia, to all peoples and individuals fighting slavery. We must do this without fear or favor. The ultimate fate of the Western Hemisphere lies in the balance.

I say to you solemnly that if Hitler's present military plans are brought to successful fulfillment, we Americans shall be forced to fight in defense of our own homes and our own freedom in a war as costly and as devastating as that which now rages on the Russian front.

Hitler has offered a challenge which we as Americans cannot and will not tolerate.

We will not let Hitler prescribe the waters of the world on which our ships may travel. The American flag is not going to be driven from the seas either by his submarines, his airplanes, or his threats.

We cannot permit the affirmative defense of our rights to be annulled and diluted by sections of the Neutrality Act which have no realism in the light of unscrupulous ambition of madmen.

We Americans have determined our course.

We intend to maintain the security and the integrity and the honor of our country.

We intend to maintain the policy of protecting the freedom of the seas against domination by any foreign power which has become crazed with a desire to control the world. We shall do so with all our strength and all our heart and all our mind.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

October 9, 1941.

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FIRST DRAFT

TO THE CONGRESS OF THE UNITED STATES:

It is obvious to all of us that world conditions have changed, and are still constantly changing, since the first so-called American Neutrality Act of 1935. The Neutrality Act of 1939 was passed at a time when the ~~present condition of~~ Nazi attempt to dominate the world was visualized by few persons. We heard it said, indeed, that this new European war was ~~not an out-and-out war~~ *a counterfeit* ~~and that there was something mysterious in the conduct of~~

A The principle effort of the Neutrality Act at that time was to prevent the involvement of the United States through mere incidents affecting American citizens or American ships in foreign parts. The conception and the objective ~~were~~ *around* at that time reasonable ~~and sound~~

Subsequent developments have altered all that.

The American people have never been neutral in thought. They were never even then as willing to accept a Nazi-Fascist victory as a British-French victory.

We may as well be wholly frank in saying that since *the* April 1940, when overrunning of a succession of independent

European nations grew apace, the American people have increasingly learned the danger to themselves in case the aggressors were successful. Therefore, they have grown more and more unneutral in thought, and, through the Congress, have taken important and costly steps to give all possible aid, through Lend-Lease activities, to those nations actively fighting against Nazi-Fascist domination. Such domination, it is clear to nearly all of us, endangers the future of our own nation.

We cannot defend ourselves in Long Island Sound or in San Francisco Bay. That would be too late. It is still the American intent to defend ourselves wherever such defense becomes necessary in the light of modern warfare.

The events of the past two years have gradually brought the American situation to the point where it has become necessary that this government be not hamstrung in carrying out the clearly announced policy of the Congress, and of the Commander-in-Chief of the Armed Forces. Therefore, the Neutrality Act requires a complete reconsideration in the light of known facts today.

In that Act are several crippling provisions.

In my judgment the repeal or modification of these provisions will leave the United States no less neutral than we are today but will make it possible for us to defend the Americas far more successfully, and to give aid far more ~~successfully~~ ^{usefully} against would-be world conquerors, ~~even if~~ ^{if} our hands are tied ~~as they~~ are today.

The revisions which I suggest do not call for war any more than the Lend Lease Act called for war. The decision for war rests not in our hands but in the hands of the Chancellor of Germany.

In the meantime, ships of the United States and of other American Republics continue to be sunk, not only in the imaginary zone proclaimed by the Nazis in the North Atlantic, — ~~a zone which~~ ^{might} with equal reason have been proclaimed to cover all the oceans, but also in the South Atlantic these sinkings will doubtless continue and probably increase.

First in importance is the problem of removing the definite assistance which we are giving to the aggressors when we say to them, in effect, "we are inviting your control of the seas by keeping our ships out of the ports of your enemies".

I should like to have this country stop playing into Hitler's hands.

Furthermore, I wonder if it has not now become clear that we are doing, through round-about means, what in all honesty we might as well do directly. A vast number of ships are sliding into the water from American shipbuilding ways. We are lending them to the enemies of Hitlerism and they are carrying food supplies and munitions to belligerent ports in order to withstand Hitler's juggernaut. The food and the goods are leaving our shores today in American built ships and most of the supply~~s~~ authorized by the Congress is being delivered. Yet much of it is being sunk and as we approach full production it will be increasingly difficult to continue the present round-about method of delivery. That is why I hope that the Congress will carry out the true intent of the Lend-Lease Act by making it possible for the United States to help to deliver the articles themselves to those who are in a position effectively to use them. In other words, I ask for Congressional action to implement Congressional policy. Let us be consistent.

I would not go back to the earlier days when private traders could gamble with American life and property in the hope of personal gain, and thereby embroil this country in some incident in which the American public had no direct interest. But today under the controls exercised by the Government, no ship and no cargo can leave the United States, save on an errand which has first been approved by governmental authority. And the test of that approval is whether the exportation will promote the defense of the United States. That particular reason for some of the prohibitions of the Neutrality Act has obviously ceased to exist.

I recommend also the repeal of Section Six of the Act of November 4, 1939 which prohibits the arming of American ~~flagships~~ engaged in foreign commerce.

The practice of arming merchant ships for civilian defense is an old one. It has never been prohibited by international law. Until 1937 it had never been prohibited by any statute of the United States. Through our whole history American merchant vessels have been armed whenever it was considered necessary for their own defense.

It is an imperative need now to equip American merchant vessels with arms. We are faced not with the old type of pirates ^{with} but the modern pirates of the sea ^{who} ~~which~~ travel beneath the surface or on the surface or in the air destroying defenseless ships without warning and without provision for the safety of the passengers and crews.

Our merchant vessels are sailing the seas on missions connected with the defense of the United States. It does not seem just that the captains and crews of these vessels should be denied the means of defending their lives and their vessels. There is great urgency in this matter. ~~It~~ We should remember that while the arming of merchant vessels is not a guarantee of their safety, it is nevertheless a clear assistance to their safety. In the event of an attack by a raider they have the opportunity to keep the enemy at a distance and perhaps keep themselves afloat until aid comes. In the case of an attack by air, they have at least a chance to shoot down the enemy or keep the enemy at such ~~height~~ ^{height} that it cannot make a sure hit from a distance of a hundred feet. If it is a submarine, the armed merchant

ship compels the submarine to use a torpedo while submerged at some distance -- and many torpedoes thus fired miss their mark. The submarine can no longer rise to the surface within a few hundred yards and sink the merchant ship by gunfire at its leisure.

Any of us sailing the seas under the legitimate protection of the American Flag, would feel happier and safer if we carried effective armament instead of a revolver. Incidentally, it seems somewhat incongruous that we have authority today to de gauss our ships as a protection against mines, whereas we have no authority to arm them in protection against aircraft or raiders or submarines.

If we intend to maintain the policy of protecting the freedom of the seas against domination by nations which have run wild in their desires and actions to control the world, let us do so with all our strength and all our heart and all our mind. Therein lies the greater safety to our own nation.

FIRST DRAFT

TO THE CONGRESS OF THE UNITED STATES:

It is obvious to all of us that world conditions have changed, and are still constantly changing, since the first ~~European~~ American Neutrality Act of 1939. The Neutrality Act of 1939 was passed at a time when the present condition of a Nazi attempt to dominate the world was visualized by few persons. We heard it said, indeed, that this new European war was not ^{a real} ~~European~~ war

The contending armies would remain behind and that there was something mysterious in the conduct of their impregnable fortifications and never really fight. ~~in. The principle effort of the Neutrality Act at that~~
In this hopeful atmosphere was born the conception time was to prevent the involvement of the United States of the Neutrality Act. At the time, it seemed reasonable, ~~through any incidents affecting American citizens or~~

~~American ships in foreign ports. The conception and the~~
~~objective at that time reasonable, and sound.~~ (But so did the
Magna Carta.)

Subsequent developments have altered all that.

The American people have never been neutral in thought. They were never even then as willing to accept a Nazi-Fascist victory as a British-French victory.

We may as well be wholly frank in saying that since April 1940, ^{The} ~~when overrunning of a succession of independent~~

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INSERT

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Since then -- in these past two tragic years -- war has spread from continent to continent; ten nations have been conquered and enslaved; great cities have been laid in ruins; millions of human beings have been killed, soldiers and sailors and civilians alike. Never before has such widespread devastation, such wholesale murder, been visited upon God's earth and God's children.

The pattern of the future -- the future as Hitler seeks to shape it -- is as clear and as ominous as the headlines of today's newspapers.

Through these years of war, we Americans have never been neutral in thought. We have never been indifferent to the fate of Hitler's victims. And, increasingly, we Americans have become aware of the peril to ourselves, to our beloved country, to our conception of civilized living.

INSERT - 2 -

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would mean to us. Therefore, the American people, through
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European nations grew apace, the American people have increasingly learned the danger to themselves in case the aggressors were successful. Therefore, they have grown more and more unneutral in thought, and, through the Congress, have taken important and costly steps to give all possible aid, ~~through Lend Lease activities~~ to those nations actively fighting against Nazi-Fascist domination. ~~Such domination~~ it is clear to nearly all of us, endangers the future of our own nation.

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FIRST DRAFT

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~~are today.~~

The revisions which I suggest do not call for war ^{a declaration of}
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any more than the Lend Lease Act called for war. ~~The decision~~
This is a matter of essential defense ^{of} American rights.
~~It is not a matter of essential defense of American rights.~~

~~TOP SECRET~~

Under the Neutrality Act, we established certain areas as zones of combat into which no American flag ships could proceed. Hitler proclaimed certain far larger areas as zones of combat into which any neutral ship, regardless of its flag or the nature of its cargo, could proceed only at its peril. We know now that Hitler recognizes no limitation on any zone of combat on any of the seven seas. He has struck at our ships and at the lives of our sailors within the waters of the Western Hemisphere. Determined as he is to gain domination of the entire world, he considers the entire world his own battlefield.

~~for war rests not in our hands but in the hands of the aggressors.~~

~~of Germany.~~

← B

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First in importance is the problem of removing the definite assistance which we are giving to the aggressors when we say to them, in effect, "we are inviting your control of the seas by keeping our ships out of the ports of your enemies".

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I recommend also the repeal of Section Six of the Act of November 4, 1939 which prohibits the arming of American *flag* ~~ships~~ engaged in foreign commerce.

The practice of arming merchant ships for civilian defense is an old one. It has never been prohibited by international law. Until 1937 it had never been prohibited by any statute of the United States. Through our whole history American merchant vessels have been armed whenever it was considered necessary for their own defense.

It is time for ^{to} ~~to~~ this country stop playing into Hitler's hands, and ^{to} unshackle our own.

~~Furthermore, I wonder if~~ ^{For} it has not now become clear that we are doing, through round-about means, what in all honesty we might as well do directly. A vast number of ships are sliding into the water from American shipbuilding ways. We are lending them to the enemies of Hitlerism and they are carrying food supplies and munitions to belligerent ports in order to withstand Hitler's juggernaut. ⁷¹ ~~The~~ Food and ~~the~~ ^{and munitions} goods [^] are leaving our shores today in American built ships and most of the supply ~~the~~ authorized by the Congress is being delivered. Yet much of it is being sunk and as we approach full production it will be increasingly difficult to continue the present round-about method of delivery. That is why I hope that the Congress will carry out the true intent of the Lend-Lease Act by making it possible for the United States to help to deliver the articles themselves to those who are in a position effectively to use them. In other words, I ask for Congressional action to implement Congressional policy. Let us be consistent.

Our fighting ships patrol the seas where our merchant ships travel on their legitimate errands.

FIRST DRAFT

- 5 -

I would not go back to the earlier days when private traders could gamble with American life and property in the hope of personal gain, and thereby embroil this country in some incident in which the American public had no direct interest. But today under the controls exercised by the Government, no ship and no cargo can leave the United States, save on an errand which has first been approved by governmental authority. And the test of that approval is whether the exportation will promote the defense of the United States. That particular reason for some of the prohibitions of the Neutrality Act has obviously ceased to exist.

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It is an imperative need now to equip American merchant vessels with arms. We are faced not with the old type of pirates but ^{with} the modern pirates of the sea ^{who} ~~which~~ travel beneath the surface or on the surface or in the air destroying defenseless ships without warning and without provision for the safety of the passengers and crew.

Our merchant vessels are sailing the seas on missions connected with the defense of the United States. It does not seem just that the captains and crews of these vessels should be denied the means of defending their lives and their vessels. There is great urgency in this matter. ² We should remember that while the arming of merchant vessels is not a guarantee of their safety, it is nevertheless a clear assistance to their safety. In the event of an attack by a raider they have the opportunity to keep the enemy at a distance and perhaps keep themselves afloat until aid comes. In the case of an attack by air, they have at least a chance to shoot down the enemy or keep the enemy at such ~~height~~ ^{height} that it cannot make a sure hit from a distance of a hundred feet. If it is a submarine, the armed merchant

FIRST DRAFT

- 7 -

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Any of us sailing the seas under the legitimate protection of the American Flag, would feel happier and safer if we carried effective armament instead of a revolver. Incidentally, it seems somewhat incongruous that we have authority today to de gauss our ships as a protection against mines, whereas we have no authority to arm them in protection against aircraft or raiders or submarines.

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~~us~~ a challenge which we as Americans cannot and
will not tolerate.

~~As Commander-in-Chief of our armed forces, I have ordered~~
~~our fighting ships to patrol the seas where our merchant ships travel~~
~~on their legitimate errands.~~ We will not let Hitler prescribe the
waters of the world on which our ships may travel. The American
Flag is not going to be driven from the seas either by his threats,
his submarines, his airplanes, or his mines.

~~We must not, therefore, permit in an environment in~~
~~which Hitler carries on warfare as he likes with no consideration~~
~~for any nation.~~

We cannot permit the affirmative defense of our rights
to be annulled and diluted by sections of the Neutrality Act which
have no realism in the light of ^a ~~the~~ madman's determination to rule
the world.

~~SECRET~~

I cannot impress too strongly upon the Congress the seriousness of the military situation that confronts all of the nations that are combatting Hitler.

~~True, ^{the} our defence in every sector has been brave,~~
~~powerful and unyielding, but~~ We would be blind to the realities if we did not recognize that Hitler ~~still has far greater military resources than all of his opponents combined.~~ ^{He} ~~has~~ his armies

~~advance his dream of world conquest and the enslavement of all peoples must occupy and possess his fanatical brain.~~ Therefore,

it is our duty, as never before, to extend more and more assistance and ever ^{more} ~~as~~ swiftly to ^{Britain} ~~England~~ and Russia. ^{we must do this without fear or favor.} The ultimate fate

of the Western Hemisphere lies in the balance. ~~The American people have determined their course. As President of the United States, I intend to follow that course INSOFAR as my executive power will permit.~~

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(over)

the mounting force of American aid. He knows that the days in which he may achieve victory are numbered.

But as the days and the very hours are numbered for Hitler, so are they numbered for us, if we falter and fail in our purpose.

~~anyone~~
~~has~~ ~~been~~ ~~determined~~ ~~on~~ ~~our~~ ~~course~~. As
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Hotel St. Regis
New York

Through these years of war,
~~the~~ ^{we} Americans ~~people~~ have
never been neutral in thought.
~~We~~ ^{we} have never been indifferent
to the fate of Hitler's victims.
And, increasingly, ~~the~~ ^{we} Americans
~~people~~ have become aware of
the peril to ourselves, to our
beloved country, to our conception
of civilized living.

We have known what victory
for the aggressors would mean
to us. Therefore, the American
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Hotel St. Regis
New York

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Since then - in these past
two ~~big~~ tragic years - war
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been conquered and enslaved;
great cities have been laid
~~to waste~~ in ruins; millions
of human beings have been
killed, soldiers & sailors & civilians
alike. Never before has such
widespread devastation, such
wholesale murder, been visited
upon God's earth and God's
children.

Hotel St. Regis
New York

The pattern of the future -
the future as hidden seeds
to shape it - is as clear and
as ominous as the headlines
of today's newspapers.

SECOND DRAFT

TO THE CONGRESS OF THE UNITED STATES:

It is obvious to all of us that world conditions have changed, and are still constantly changing, since the first American Neutrality Act of 1935. The Neutrality Act of 1939 was passed at a time when the present condition of a Nazi attempt to dominate the world was visualized by few persons. We heard it said, indeed, that this new European war was not a real war, and that the contending armies would remain behind their impregnable fortifications and never really fight. In this hopeful atmosphere was born the conception of the Neutrality Act. At the time, it seemed reasonable. But so did the Maginot Line.

Since then -- in these past two tragic years -- war has spread from continent to continent; ~~many~~ ^{many} nations have been conquered and enslaved; great cities have been laid in ruins; millions of human beings have been killed, soldiers and sailors and civilians alike. Never before has such widespread devastation, such wholesale murder, been visited upon God's earth and God's children.

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We have known what victory for the aggressors would mean to us. Therefore, the American people, through the Congress have taken important and costly steps to give all possible aid to those nations actively fighting against Nazi-Fascist domination.

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We know that we ~~cannot~~ defend ourselves in Long Island Sound or in San Francisco Bay. That would be too late. It is the American intent to defend ourselves wherever such defense becomes necessary, *under the complex conditions* ~~in the light~~ of modern warfare.

should be
Therefore, it has become necessary that this government ~~not~~ hamstrung in carrying out the clearly announced policy of the Congress, and of the Commander-in-Chief of the Armed Forces.

We must face the truth that the Neutrality Act requires a complete reconsideration in the light of known facts ~~which~~

→ *the Neutrality*
In ~~that~~ Act are various crippling provisions. The repeal or modification of these provisions will not leave the United States any less neutral than we are today, but will make it possible for us to defend the Americas far more successfully, and to give aid far more effectively against would-be world conquerors.

The revisions which I suggest do not call for a declaration of war any more than the Lend Lease Act called for a declaration of war. This is a matter of essential defense of American rights.

Under the Neutrality Act, we established certain areas as zones of combat into which no American flag ships could proceed. Hitler proclaimed certain far larger areas as zones of combat into which any neutral ship, regardless of its flag or the nature of its cargo, could proceed only at its peril. We know now that Hitler recognizes no limitation on any zone of combat on any of the seven seas. He has struck at our ships

and at the lives of our sailors within the waters of the Western Hemisphere. Determined as he is to gain domination of the entire world, he considers the entire world his own battlefield.

Ships of the United States and of other American Republics continue to be sunk, not only in the imaginary zone proclaimed by the Nazis in the North Atlantic, [and might with equal reason have been proclaimed to cover all the oceans] but also in the South Atlantic. These sinkings will doubtless continue and probably increase.

*80p 6A
after
"removing"* *that we cease giving*
First in importance is the problem of removing the *now* definite assistance which we are giving to the aggressors. *for we are*
separating ~~to~~ them, in effect, "we are inviting your control of the seas by keeping our ships out of the ports of your enemies".

I recommend ~~the~~ the repeal of section 6 of the Act of November 4, 1939 which prohibits the arming of American flag ships engaged in foreign commerce.

The practice of arming merchant ships for civilian defense is an old one. It has never been prohibited by international law. Until 1937 it had never been prohibited by any statute of the United States. Through our whole history American merchant vessels have been armed whenever it was considered necessary for their own defense.

It is an imperative need now to equip American merchant vessels with arms. We are faced not with the old type of pirates but with the modern pirates of the sea who travel beneath the surface or on the surface or in the air destroying defenseless ships without warning and without provision for the safety of the passengers and crews.

Our merchant vessels are sailing the seas on missions connected with the defense of the United States. It does not seem just that the captains and crews of these vessels should be denied the means of defending their lives and their vessels. ~~There is great urgency in this matter.~~

We should remember that while the arming of merchant vessels is not a guarantee of their safety, it is nevertheless a clear assistance to their safety. In the event of an attack by a raider they have the opportunity to keep the enemy at a distance and perhaps keep themselves afloat until aid comes. In the case of an attack by air, they have at least a chance to shoot down the enemy or keep the enemy at such height that it

SECOND DRAFT

as they do now on unmined vessels
cannot make a sure hit from a distance of a hundred feet.

If it is a submarine, the armed merchant ship compels the submarine to use a torpedo while submerged at some distance -- and many torpedoes thus fired miss their mark. The submarine can no longer rise to the surface within a few hundred yards and sink the merchant ship by gunfire at its leisure.

Already we take many precautions against
~~Any of us sailing the seas under the legitimate protection of the American flag, would feel happier and safer if we carried effective armament instead of a revolver.~~

~~consequently~~ it seems somewhat incongruous that we have authority today to de gauss our ships as a protection against mines, whereas we have no authority to arm them in protection against aircraft or raiders or submarines.

The arming of our ships is a matter of immediate necessity and extreme urgency. I do not say that it is more important than some other crippling provisions in the present Act, but the anxiety which I hold for the safety of our crews and of the almost priceless goods that are within the holds of our ships leads me to recommend that you, with all speed, strike the prohibitions for arming our ships from the statute books.

SECOND DRAFT

- 6 A -

There are other phases of the Neutrality Act, to the correction of which I hope the Congress will give earnest and early attention, as soon as the provisions which I have recommended to the Congress relative to the arming of merchant ships has been passed. One of these provisions is of major importance. I believe that it is essential to the proper defense of our country -

Pick up from page 4 Insert A

Hitler has offered a challenge which we as Americans cannot and will not tolerate. B

We will not let Hitler prescribe the waters of the world on which our ships may travel. The American Flag is not going to be driven from the seas either by ~~his submarines~~, his submarines, his airplanes, or his ~~submarines~~ ^{thrusts}.

We cannot permit the affirmative defense of our rights to be annulled and diluted by sections of the Neutrality Act which have no realism in the light of a madman's determination to rule the world.

It is time for this country to stop playing into Hitler's hands, and to unshackle our own.

~~It~~ It has ~~become~~ become clear that we are doing, through round-about means, what in all honesty, we might as well do directly. A vast number of ships are sliding into the water from American shipbuilding ways. We are lending them to the enemies of Hitlerism and they are carrying food ^{supplies} and munitions to belligerent ports in order to withstand Hitler's juggernaut. Our fighting ships patrol the seas where our merchant ships travel on their legitimate errands.

[Food and munitions and goods are leaving our shores today in American built ships and ^{most of the} ~~most~~ ^{ital goods} ~~the~~ authorized by the Congress ^{all} ~~being~~ being delivered. Yet much of ~~it~~ ^{them is} ~~is~~ being sunk and as we approach full production it will be increasingly difficult to continue the present round-about method of delivery. That is why I hope that the Congress will carry out the true intent of the Lend Lease Act by making it possible for the United States to help to deliver the articles themselves to those who are in a position effectively to use them. In other words, I ask for Congressional action to implement Congressional policy. Let us be ~~considerable~~ consistent.

I would not go back to the earlier days when private traders could gamble with American life and property in the hope of personal gain, and thereby embroil this country in some incident in which the American public had no direct interest. But today under the controls exercised by the Government, no ship and no cargo can leave the United States, save on an errand which has first been approved by governmental authority. And the test of that approval is whether the exportation will promote the defense of the United States. That particular reason for some of the prohibitions of the Neutrality Act has obviously ceased to exist.

I cannot impress too strongly upon the Congress the seriousness of the military situation that confronts all of the nations that are combatting Hitler.

We would be blind to the realities if we did not recognize that Hitler is now ^{employing} ~~gathering~~ ^{mechanical force} all the ~~strength~~ and the resources and the manpower at his command to crush both Russia and Britain. He knows that he is racing against time. He has heard the rumblings of revolt among the enslaved people -- including the Germans and Italians. He fears the mounting force of American aid. He knows that the days in which he may achieve victory are numbered.

~~But as the days and the very hours are numbered for Hitler, so are they numbered for us, if we falter and fail in our~~

~~unwavering~~

Therefore, it is our duty, as never before, to extend more and more assistance and evermore swiftly to Britain and Russia. We must do this without fear or favor. The ultimate fate of the Western Hemisphere lies in the balance.

We Americans have determined our course. We intend to maintain the security and the integrity and the honor of our country.

I say to you solemnly that if Hitler's present military plans are brought to successful fulfillment, we Americans shall be forced to fight in defense of our own homes and our own freedom in a war as costly and as devastating as that which now rages on the Russian front. B
C

We intend to maintain the policy of protecting the freedom of the seas against domination by ^{those who} ~~nations which~~ have become crazed by their ambition ~~to run wild in their desires and actions~~ to control the world. We shall do so with all our strength and all our heart and all our mind. ~~Therein lies the greater safety to our own nation.~~

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THIRD DRAFT

TO THE CONGRESS OF THE UNITED STATES:

It is obvious to all of us that world conditions have changed, ^{violently} [and are still constantly changing,] since the first American Neutrality Act of 1935. The Neutrality Act of 1939 was passed at a time when the ^{true magnitude} [present condition] of [a] The Nazi attempt to dominate the world was visualized by few persons. We heard it said, indeed, that this new European war was not a real war, and that the contending armies would remain behind their impregnable fortifications and never really fight. In this [hopeful] atmosphere [was born the conception of] the Neutrality Act [At the time, it] seemed reasonable. But so did the Maginot Line.

Since then -- in these past two tragic years -- war has spread from continent to continent; many nations have been conquered and enslaved; great cities have been laid in ruins; millions of human beings have been killed, soldiers and sailors and civilians alike. Never before has such widespread devastation, such wholesale murder, been visited upon God's earth and God's children.

The pattern of the future -- the future as Hitler seeks to shape it -- ^{now} is as clear and as ominous as the headlines of today's newspapers.

Through these years of war, we Americans have never been neutral in ^{the} thought. We have never been indifferent to the fate of Hitler's victims. And, increasingly, we [Americans] have become aware of the peril to ourselves, to our [beloved] country, to our ^{democratic traditions and institutions,} [conception of civilized living.]

We have known what victory for the aggressors would mean to us. Therefore, the American people, through the Congress, have taken important and costly steps to give all possible aid to those nations actively fighting against Nazi-Fascist domination.

We know that we could not defend ourselves in Long Island Sound or in San Francisco Bay. That would be too late. It is the American ^{policy} [intent] to defend ourselves wherever such defense becomes necessary under the complex conditions of modern warfare.

Therefore, it has become necessary that this government should not be ^{handicapped} ~~hamstrung~~ in carrying out the clearly announced policy of the Congress and of the ^{people.} ~~the~~ Commander-in-Chief of the Armed Forces. We must face the truth that the Neutrality Act requires a complete reconsideration in the light of known facts.

The revisions which I suggest do not call for a declaration of war any more than the Lend-Lease Act called for a declaration of war. This is a matter of essential defense of American rights.

In the Neutrality Act are various crippling provisions. The repeal or modification of these provisions will not leave the United States any less neutral than we are today, but will make it possible for us to defend the Americas far more successfully, and to give aid far more effectively against ^{the tremendous forces now marching towards conquest of the} ~~the~~ ^{(would-be) world, (conquerors)} ~~world, (conquerors)~~.

Under the Neutrality Act, we established certain areas as zones of combat into which no American flag ships could proceed. Hitler proclaimed certain far larger areas as zones of combat into which any neutral ship, regardless of its flag or the nature of its cargo, could proceed only at its peril.

We know now that Hitler recognizes no limitation on any zone of combat on any of the seven seas. He has struck at our ships and at the lives of our sailors within the waters of the Western Hemisphere. Determined as he is to gain domination of the entire world, he considers the entire world his own battlefield.

Ships of the United States and of other American Republics continue to be sunk, not only in the imaginary zone proclaimed by the Nazis in the North Atlantic, but also in the South Atlantic. [These sinkings will doubtless continue and probably increase.]

I recommend the repeal of section 6 of the Act of November 4, 1939 which prohibits the arming of American flag ships engaged in foreign commerce.

The practice of arming merchant ships for civilian defense is an old one. It has never been prohibited by international law. Until 1937 it had never been prohibited by any statute of the United States. Through our whole history American merchant vessels have been armed whenever it was considered necessary for their own defense.

Our merchant vessels are sailing the seas on

[We should remember that while ^{although} the arming of
ships ^{does} ~~is~~ not ^{is} guarantee ~~of~~ their safety, it ^{most certainly} ~~is~~
is a clear assistance ^{adds} ~~to~~ their safety. In the event

of an attack by a raider they have the opportunity to keep the enemy at a distance, [and perhaps keep themselves aloft until aid comes] In the case of an attack by air, they have at least a chance to shoot down the enemy or keep the enemy at such height that it cannot make a sure hit, [as they do now on unarmed vessels from a distance of a hundred feet.] If it

is a submarine, the armed merchant ship compels the submarine to use a torpedo while submerged [at some distance] -- and many torpedoes thus fired miss their mark. The submarine can no longer rise to the surface within a few hundred yards and sink the merchant ship by gunfire at its leisure.

Already we take many precautions against the danger of mines -- and it seems somewhat incongruous that we have authority today to de gauge our ships as a protection against mines, whereas we have no authority to arm them in protection against aircraft or raiders or submarines.

The arming of our ships is a matter of immediate necessity and extreme urgency. I do not say that it is more important than some other crippling provisions in the present Act, but [the] anxiety [which I hold] for the safety of our crews and of the almost priceless goods that are within the holds of our ships leads me to recommend that you, with all speed, strike the prohibitions for arming our ships from the statute books.

There are other phases of the Neutrality Act// to the correction of which I hope the Congress will give earnest and early attention, as soon as the provisions which

I have recommended to the Congress relative to the arming of merchant ships has been passed. One of these provisions is of major importance. I believe that it is essential to the proper defense of our country that we cease giving the definite assistance which we are now giving to the aggressors. For [we are saying to them], in effect, ^{we} are inviting ^{their} ~~your~~ control of the seas by keeping our ships out of the ports of [their ^{your} enemies], our own friends.

It is time for this country to stop playing into Hitler's hands, and to unshackle our own.

[It has become clear that we are doing, through roundabout means, what in all honesty, we might as well do directly.] A vast number of ships are sliding into the water from American shipbuilding ways. We are lending them to the enemies of Hitlerism and they are carrying food and supplies and munitions to belligerent ports in order to withstand Hitler's juggernaut. [Our fighting ships patrol the seas where our merchant ships travel on their legitimate errands.]

Most of the vital goods authorized by the Congress are being delivered. Yet much of them is being sunk and as we approach full production ^{requiring the use of more ships now being built} [it will be increasingly difficult 'it will be increasingly necessary ^{necessary} to deliver American goods under The American flag. to continue the present roundabout method of delivery.] That is why I hope that the Congress will carry out the true intent of the Lend-Lease Act by making it possible for the United States to help to deliver the articles themselves to those who are in a position effectively to use them. In other words, I ask for Congressional action to implement Congressional policy. Let us be consistent.

I would not go back to the earlier days when private traders could gamble with American life and property in the hope of personal gain, and thereby embroil this country in some incident in which the American public had no direct interest. But today, under the controls exercised by the Government, no ship and no cargo can leave the United States, save on an errand which has first been approved by governmental authority. And the test of that approval is whether the exportation will promote the defense of the United States. [That particular reason for some of the prohibitions of the Neutrality Act has obviously ceased to exist.]

I cannot impress too strongly upon the Congress the seriousness of the military situation that confronts all of the nations that are combatting Hitler.

We would be blind to the realities if we did not recognize that Hitler is now ^{determined to expand} [employing] all the [mechanical force] ^{and the mechanical force} [and the] resources and the manpower at his command to crush both Russia and Britain. He knows that he is racing against time. He has heard the rumblings of revolt among the enslaved people -- including the Germans and Italians. He fears the mounting force of American aid. He knows that the days in which he may achieve ^{total} victory are numbered.

Therefore, it is our duty, as never before, to extend more and more assistance and even ~~more~~ more swiftly to Britain and Russia. We must do this without fear or favor. The ultimate fate of the Western Hemisphere lies in the balance.

I say to you solemnly that if Hitler's present military plans are brought to successful fulfillment, we Americans shall be forced to fight in defense of our own homes and our own freedom in a war as costly and as devastating as that which now rages on the Russian front.

Hitler has offered a challenge which we as Americans cannot and will not tolerate.

We will not let Hitler prescribe the waters of the world on which our ships may travel. The American Flag is not going to be driven from the seas either by his submarines, his airplanes, or his threats.

We cannot permit the affirmative defense of our rights to be annulled and diluted by sections of the Neutrality Act which have no realism in the light of a madman's determination [to rule the world.]

We Americans have determined our course.  We intend to maintain the security and the integrity and the honor of our country.

We intend to maintain the policy of protecting the freedom of the seas against domination by ^{any foreign power which has} ~~[those who have]~~ become ^{with a desire} crazed ^{by} ~~[their]~~ ambition] to control the world. We shall do so with all our strength and all our courage and all our devotion to the nation which we are privileged to serve.

FOURTH DRAFT

TO THE CONGRESS OF THE UNITED STATES:

It is obvious to all of us that world conditions have changed/ violently since the first American Neutrality Act of 1935. The Neutrality Act of 1939 was passed at a time when the true magnitude of the Nazi attempt to dominate the world was visualized by few persons. We heard it said, indeed, that this new European war was not a real war, and that the contending armies would remain behind their impregnable fortifications and never really fight. In this atmosphere the Neutrality Act seemed reasonable. But so did the Maginot Line.

Since then -- in these past two tragic years -- war has spread from continent to continent; ^{very} many nations have been conquered and enslaved; great cities have been laid in ruins; millions of human beings have been killed, soldiers and sailors and civilians alike. Never before has such widespread devastation, ~~such wholesale murder~~, been visited upon God's earth and God's children.

The pattern of the future -- the future as Hitler seeks to shape it -- is now as clear and as ominous as the headlines of today's newspapers.

Through these years of war, we Americans have never been neutral in thought. We have never been indifferent to the fate of Hitler's victims. And, increasingly, we have become aware of the peril to ourselves, to our country, to our democratic traditions and institutions *and to our hemisphere.*

We have known what victory for the aggressors would mean to us. Therefore, the American people, through the Congress, have taken important and costly steps to give ^{great} ~~all possible~~ aid to those nations actively fighting against Nazi-Fascist domination.

We know that we could not defend ourselves in Long Island Sound or in San Francisco Bay. That would be too late. It is the American policy to defend ourselves wherever such defense becomes necessary under the complex conditions of modern warfare.

Therefore, it has become necessary that this government should not be handicapped in carrying out the clearly announced policy of the Congress and of the people. We must face the truth that the Neutrality Act requires a complete reconsideration in the light of known facts.

The revisions which I suggest do not call for a declaration of war any more than the Lend-Lease Act called for a declaration of war. This is a matter of essential defense of American rights. 2

In the Neutrality Act are various crippling provisions. The repeal or modification of these provisions will not leave the United States any less neutral than we are today, but will make it possible for us to defend the Americas far more successfully, and to give aid far more effectively against the tremendous forces now marching towards conquest of the world.

Under the Neutrality Act, we established certain areas as zones of combat into which no American flag ships could proceed. Hitler proclaimed certain far larger areas as zones of combat into which any neutral ship, regardless of its flag or the nature of its cargo, could proceed only at its peril. We know now that Hitler recognizes no limitation on any zone of combat ~~in any part~~ ^{in any part} of the seven seas. He has struck at our ships and at the lives of our sailors within the waters of the Western Hemisphere. Determined as he is to gain domination of the entire world, he considers the entire world his own battlefield.

Ships of the United States and of other American Republics continue to be sunk, not only in the imaginary zone proclaimed by the Nazis in the North Atlantic, but also in the *joint* South Atlantic.

I recommend the repeal of section 6 of the Act of November 4, 1939 which prohibits the arming of American flag-ships engaged in foreign commerce.

The practice of arming merchant ships for civilian defense is an old one. It has never been prohibited by international law. Until 1937 it had never been prohibited by any statute of the United States. Through our whole history American merchant vessels have been armed whenever it was considered necessary for their own defense.

It is an imperative need now to equip American merchant vessels with arms. We are faced not with the old type of pirates but with the modern pirates of the sea who travel beneath the surface or on the surface or in the air destroying defenseless ships without warning and without provision for the safety of the passengers and crews.

Our merchant vessels are sailing ~~on~~ the seas on missions connected with the defense of the United States. It is not just that the crews of these vessels should be denied the means of defending their lives and their ~~vessels~~ ^{ships}.

Although the arming of merchant vessels does not guarantee their safety, it most certainly adds to their safety. In the event of an attack by a raider they have ^{a chance} ~~the opportunity~~ to keep the enemy at a distance ^{until help comes}. In the case of an attack by air, they have at least a chance to shoot down the enemy or keep the enemy at such height that it cannot make a sure hit. If it is a submarine, the armed merchant ship compels the submarine to use a torpedo while submerged -- and many torpedoes thus fired miss their mark. The submarine can no longer rise to the surface within a few hundred yards and sink the merchant ship by gunfire at its leisure.

Already we take many precautions against the danger of mines -- and it seems somewhat incongruous that we have authority today to de ["] ["] ~~gauss~~ our ships as a protection against mines, whereas we have no authority to arm them in protection against aircraft or raiders or submarines.

The arming of our ships is a matter of immediate necessity and extreme urgency. ~~I do not say that it is more~~ ^{It is better}

important than some other crippling provisions in the present Act, but anxiety for the safety of our crews and of the almost priceless goods that are within the holds of our ships leads me

to recommend that you, with all speed, strike the prohibition ^{against} ~~the~~ arming our ships from the statute books. 3

There are other phases of the Neutrality Act to the correction of which I hope the Congress will give earnest ^(STT) and early attention, ~~as soon as the provisions which I have recommended to the Congress relative to the arming of merchant ships has been passed.~~

One of these provisions is of major importance. I believe that it is essential to the proper defense of our country that we cease giving ~~us~~ the definite assistance which we are now giving to the aggressors. For, in effect, ~~we~~ are inviting their control of the seas by keeping our ships out of the ports of our own friends.

It is time for this country to stop playing into Hitler's hands, and to unshackle our own.

A vast number of ships are sliding into the water from American shipbuilding ways. We are lending them to the enemies of Hitlerism and they are carrying food and supplies and munitions to belligerent ports in order to withstand Hitler's juggernaut.

Most of the vital goods authorized by the Congress are being delivered. Yet ^{many} ~~much~~ of them ^{are} ~~is~~ being sunk, and as we approach full production requiring the use of more ships now being built it ~~is~~ will be increasingly necessary to deliver American goods under the American Flag. ^{As I earnestly trust} ~~That is the I hope~~

^{that} the Congress will carry out the true intent of the Lend-Lease Act by making it possible for the United States to help to ~~deliver~~ deliver the ~~articles~~ ~~materials~~ to those who are in a position effectively to use them. In other words, I ask for Congressional action to implement Congressional policy. Let us be consistent.

I would not go back to the earlier days when private traders could gamble with American life and property in the hope of personal gain, and thereby embroil this country in some incident in which the American public had no direct interest. But, today, under the controls exercised by the Government, no ship and no cargo can leave the United States, /

THE WHITE HOUSE
WASHINGTON

After the words "American Flag"

Page 7 - middle page

INSERT A

We cannot, and should not, depend
on the strained resources of the
exiled nations of Norway and Holland
to deliver our goods nor should we
be forced to masquerade American-
owned ships behind the flags of our
sister Republics.

save on an errand which has first been approved by governmental authority. And the test of that approval is whether the exportation will promote the defense of the United States.

I cannot impress too strongly upon the Congress the seriousness of the military situation that confronts all of the nations that are combatting Hitler.

We would be blind to the realities if we did not recognize that Hitler is now determined to expend all the resources ^{all} and the mechanical force and ~~the~~ manpower at his ₂ command to crush both Russia and Britain. He knows that he is racing against time. He has heard the rumblings of revolt among the enslaved people-- including the Germans and Italians. He fears the mounting force of American aid. He knows that the days in which he may achieve total victory are numbered. ✓

Therefore, it is our duty, as never before, to extend more and more assistance and ever more swiftly to Britain, ^{to all people and individuals fighting slavery.} ~~to~~ Russia, ^{we must do this without fear or favor.} The ultimate fate of the Western Hemisphere lies in the balance.

I say to you solemnly that if Hitler's present military plans are brought to successful fulfillment, we Americans shall be forced to fight in defense of our own homes

and our own freedom in a war as costly and as devastating as that which now rages on the Russian front.

Hitler has offered a challenge which we as Americans cannot and will not tolerate.

We will not let Hitler prescribe the waters of the world on which our ships may travel. The American flag is not going to be driven from the seas either by his submarines, his airplanes, or his threats.

We cannot permit the affirmative defense of our rights to be annulled and diluted by sections of the Neutrality Act which have no realism in the light of ~~the~~ *unscrupulous revolution of modern* ~~modern determination~~.

We Americans have determined our course.

We intend to maintain the security and the integrity and the honor of our country.

We intend to maintain the policy of protecting the freedom of the seas against domination by any foreign power which has become crazed with a desire to control the world.

We shall do so with all our strength and all our ~~heart~~ ^{heart} and ~~all our devotion to the nation which we are privileged to serve~~ ^{mind}.

JOINT RESOLUTION

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of any other law the President be and he is hereby authorized, when in his judgment such action is necessary in the national defense, to permit American vessels to carry articles of the character referred to in the Act to Promote the Defense of the United States, approved March 11, 1941 (55 Stat. 31), to any country whose defense shall be deemed by the President to be essential to the defense of the United States and to the effectuation of the purposes of that Act. The President may arm or cause to be armed any vessel of United States registry if in his judgment such action would contribute to the protection of such vessel and promote the purposes of this Resolution.

Sec. 2. The provisions of this Resolution shall terminate on July 1, 1943 or on the termination of the present emergency as proclaimed by the President, whichever shall first occur.

JOINT RESOLUTION

Resolved by the Senate and House of Representa-
tives of the United States of America in Congress
assembled, That section 2 of Public Resolution No. 54,
76th Congress, 2d session (54 Stat. 4), be and the
same is hereby repealed.

To Arm merchant men

October 7, 1941.

I recommend the repeal of section 6 of the Act of November 4, 1939 (54 Stat. 4), which prohibits the arming of American flag vessels engaged in foreign commerce.

The practice of arming merchant ships for self-defense is an old one, dating far back beyond the time when the United States became a nation. It was a necessity in the days when pirates infested the seas.

The arming of merchant ships for self-defense is not now, and never has been, prohibited by international law. Until 1937 it had never been prohibited by a statute of the United States. Throughout our entire history, American merchant vessels have been armed whenever it was considered necessary for their own defense.

There is an imperative need at this time for equipping American merchant vessels with arms to defend themselves. In the early days of the Republic it was necessary to arm American merchant vessels for protection against pirates which roamed the surface of the sea; it is now necessary to arm American merchant vessels against the modern pirates of the sea which travel underneath the surface, destroying their prey without warning and without provision for the safety of the passengers and crew. It is also necessary now to arm our merchant vessels against aircraft which unload their deadly cargo with equal disregard for the safety of those on board the vessel.

It

It has always been the policy of this Government to protect its citizens when engaged upon legitimate missions. Our American merchant vessels are sailing the seas on missions connected with the defense of the United States. In the face of the menacing danger from hostile submarines and aircraft, it does not seem right that the captains and crews of these vessels should be denied the means of defending their lives against piratical attack. I hope that the Congress will lose no time in removing from our statute books this provision which denies to American citizens the primitive right of self-defense.

Because of the great urgency of the matter I am sure that the Congress will adopt the most expeditious legislative means for accomplishing the repeal of this provision.

To repeal or modify Sec 2.

October 7, 1941.

From time to time I have called the attention of the Congress and the people of the United States to the steadily increasing danger to this country as the course of world conquest moves closer to our shores.

In the light of recent events, and particularly attacks upon American vessels in widely separated areas, it becomes my duty to request the Congress to reexamine certain important phases of the policy laid down in the law known as the Neutrality Act of 1939.

By means of that legislation, this country went far in denying to its citizens the exercise of certain commercial rights in time of foreign war. This act of self-negation represented an endeavor to avoid dangerous incidents such as those confronting our Government during the first World War as a result of German submarine warfare. But the law itself recites that we were not abandoning any of our rights under international law. There was no impairment of our freedom to take the measures deemed necessary for self-defense on land and on sea if the tide of conquest should turn in our direction.

That tide has turned. The course of the present war has altered the picture completely. The existing legislation, under the changed circumstances, merely obstructs and cripples our most important effort of self-defense and therefore stands in the way of our national safety.

Hitler

Hitler is struggling to obtain control of the high seas as a necessary part of his plan of world conquest. If he should gain control of the seas, the menace to the United States and the entire Western Hemisphere would be immediate and ominous. His agents are already conducting subversive activities and attempting to impose economic pressure in many countries of this Hemisphere.

This gigantic plan to conquer the earth has already progressed to the stage where the attempt to become master of the seas has in fact begun. No longer is Hitler merely waging the battle of Europe. He has begun the battle of the Atlantic. He has carried that contest even into the waters of the Western Hemisphere. He has attacked and destroyed our ships as well as ships of other American Republics. American vessels now confront the danger of ruthless submarine activity and of being bombed or torpedoed at short range from the air.

The problem of today is not aloofness but defense. The question presented to us now is not how we are to conduct ourselves to prevent attacks upon us but to what extent we can defend ourselves against aggravated forms of attack. We are not asked to avoid involvement by keeping out of harm's way. We are asked virtually to retreat from the high seas.

The Congress fairly judged and fully recognized the changed circumstances in the passage of the so-called Lease-Lend Act. It determined that those nations which were actively resisting aggression were thereby contributing to the safety of the United States.

I have stated that ways must and will be found to see to it that the materials which that Act provided should be made available to those nations shall reach their destination in order that they may be used, as the Act provides, in the interest of our national security.

The

The public opinion of the United States has overwhelmingly supported this program. We propose to continue our aid until the menace shall have been removed, and until the high seas have been restored to the use of peaceful nations.

In these circumstances some provisions of the Neutrality Act have become inapplicable and obstructive.

When American ships are being wantonly attacked, it is absurd to continue in force a provision of law which prohibits them from arming in self-defense.

When delivery of defense materials to certain foreign countries has been declared to be in the interest of our national defense, it is inconsistent to continue in force a provision of law prohibiting the carriage of such materials in American ships to the place of destination, whenever necessary.

The conditions have changed not merely in respect of the need for active defense but also in the traffic which should now be permitted and protected. At the outbreak of the war, there was no control of American shipping and commerce, except the embargo on the export of arms, other than the usual peace-time regulations. It was then possible for a private trader to gamble with American life and property in the hope of personal gain, and thereby possibly to embroil this country in an incident in which the American public had no direct interest. But today, under the controls exercised by the Government, no ship and no cargo can leave the United States save on an errand which has first been approved by governmental authority. The test of that approval

approval is whether the exportation will promote the defense of the United States. The chief reason for some of the prohibitions of the Neutrality Act has therefore ceased to exist.

The paramount duty of this Government is to preserve the safety of our nation. I would be neglecting my constitutional responsibility if I did not state the frank opinion that there is imperative need for modification of the Neutrality Act to enable the Government effectively to carry out this duty.

In my judgment, the basic consideration has now emerged. It is defense. This must mean defense where defense is needed -- on the high seas and in those areas which must be preserved from conquest if the full tide of that movement of conquest is not to beat at our own gates.

I therefore recommend, in the interest of our national security, that the Congress now modify the Neutrality Act. Specifically, I recommend that section 2, which prohibits American vessels from carrying cargoes to countries which have been declared by proclamation to be belligerent, be repealed, or, in the alternative, that statutory authority be given to permit American vessels, under appropriate regulations and to the extent that the exigencies of the situation may require, to carry articles to countries whose defense is deemed to be vital to our own defense.

The arming of merchant ships.

(a) One of the American ships which was recently sunk was sunk on a clear moonlit night, The plane swooping down within 200 feet of the ship could probably have been knocked down with an anti-aircraft gun.

(b) From the British experience they lose many ships by air attack because the planes come down with impunity within a few feet and almost drop bombs down the funnel. The British Admiralty consider one of the most important things to be done the arming of their merchant fleet and fail to do so only because of the lack of anti-aircraft guns. They are now arming them very rapidly.

(c) A gun to attack submarines will make the submarine commander less liable to come to the surface to sink the ship with a gun rather than with a torpedo. Submarines have repeatedly sunk merchant ships with impunity not by torpedo but by gun fire when they met an unarmed ship.

(d) The psychological effect on the submarine commander knowing that all American ships were armed would make the attack less likely and under any circumstances less daring.

(e) The morale effect on the men, irrespective of the value of the gun, is very great. One of the difficulties the Norwegians are having is keeping their crews on their 700 merchant ships with no gun protection. One of the favorite methods of Nazi propaganda in America is to tell the crews of these ships when they land in New York that the British don't care enough about them to arm these ships. The governments in exile of all occupied countries have asked repeatedly for guns to arm their ships, stating that that is the most important request they can make of our government. The psychological make-up of our own crews is inherently no different from the British and Norwegian. If the sinkings increase the crews are going to insist on protection afforded by guns.

(f) While we have authority to deGauss ships, thereby protecting them from mines, we have no authority to arm the ships.

"We are the only nation in the world that prohibits by law the arming of merchant ships. The protection of merchant ships going about their proper business is inherent in the realistic achievement of freedom of the seas.

These German submarines must be treated as pirates and we surely would arm our merchant ships against a pirate if he were doing us serious damage.

Since the neutrality act was passed the conditions have changed in the following particulars:

1. List of nations over-run.
2. The growing strength of Hitler's power.
3. The increased knowledge we have acquired about his intentions. For instance, he made his offer that Japan control the Far East, the United States have a sphere of influence in the Western Hemisphere and he to have control of Europe and Africa since the neutrality act was passed.

4. He has repeatedly failed to live up to promises he has made to countries which he later overran.

5. France has fallen.

6. The chances of a Hitler victory are far greater than they appeared to the American public at the time the neutrality act was passed.

7. The likelihood of Hitler winning (although you may not want to say this) is far greater than it was.

8. Our own policy of aid to the democracies has been laid down by Congress and the amendment to the neutrality act is required if we are to carry out the accepted foreign policy of this Government, not only the executive policy but the congressional policy.

9. The increased sinkings which have taken place since the neutrality act was passed and the scope of them and the waters in which the sinkings have taken place, plus the awareness on the part of the American people that it has become a part of the policy of Congress to supply tools to those fighting the aggressors.

The only defensible reason for our not sending American ships into belligerent ports is when one of the belligerents has claimed, on the one hand, and maintained, on the other, a successful blockade.

Hitler repeatedly says certain areas are dangerous and warns everybody to keep out but under international law that is entirely illegal unless he can make the blockade effective. I believe you can make a good case out that he hasn't made the blockade of England effective. Certainly the blockade of the western ports is not effective. At the height of his submarine effort he never sank more than 14% of the ships going into England. The average since the outbreak of the war is _____.

In other words, in spite of a theoretical blockade by mine, by submarine and aircraft _____ of ships have gone to England and only _____ have been sunk or badly damaged by mines or bombs or gun fire.

No such claims can be made by the Germans in regard to ports which the British are blockading. A few ships have been able to run the blockade but only a handful.

In other words, Britain is running an effective legal blockade of the Mediterranean, for instance, in so far as movement of ships to Italy is concerned and, therefore, even though our sympathies were with Italy in this war we could not undertake to claim that England was not legally running an effective blockade. Hitler, on the other hand, merely says it is a blockade without backing it up.

In spite of all the words you can write about this neutrality the most important and in fact the only good reason for the whole business is the fact that we want to help the democracies win this war and short of actual participation in the war this is the way to do it.

With our vast increase in merchant ships there is no probability that the British can man a great number of merchant ships we are going to build next year with British crews. They are having great

difficulty manning their vessels at present. The crews are deteriorating in quality and all their merchant ships are dangerously under staffed.

It is quite as dangerous to go to certain belligerent but now restricted ports as it is to go Iceland. If this Government considers its shipping purely from the matter of risks to ships it certainly is quite as dangerous, for instance, to go to Iceland as it is to go to Gibraltar..

We are facing a vast and mounting increase of supplies to Britain. While up to the present time the British have been able to provide the ships for this it is going to be extremely difficult for them to do it in the coming months, unless we transfer more American flag ships to the British.

Also we are just moving into the period when not only is the amount increasing but the importance of the materiel in terms of fighting Hitler. It is far more important than it was. For example, the large

number of tanks and fighting planes.

You may not want to say it but, of course, there is no chance of British ships being used to supply Russia in any quantity. They will use some of them during the coming weeks but if we are going to get into a long range supply responsibility for Russia, then there must be no question that American flag ships can go to Iran, even though Iran should tomorrow declare war on Germany.

We must remember that this whole world situation may change at any moment. Our ships may today be sailing to neutral ports but on the way there that country may become a belligerent and, although you have powers to declare what is and what is not belligerent, it is stretching it pretty far today to say that Russia is not a belligerent.

Of all the single amendments to the neutrality act, the one permitting our ships to go anywhere we want them to go is by far the most important hobble on this government's aid to the democracies.

The whole atmosphere in this country and Congress when the original neutrality act was passed and later amended was one in which this country above everything else was determined to keep out of range of a European war.

Since that time our policy has been changed completely. We have never been neutral. We are not neutral now, because the American people now know of the great threat to us in a Hitler victory.

The American people realize that we cannot defend ourselves in Long Island Sound. It is to our own selfish interest to help in every conceivable way to stop Hitler before he makes his inevitable attack on us in case he wins, or in case it is in his interest to strike us as he might at any moment.

You can not possibly carry out the foreign policy if the government is to be hamstrung at the very moment of some critical action which entirely changes the international scene.

Such events have happened in the past two years and we have at those points strengthened our means

of affirming our foreign policy. We must not be caught in a position where we have to wait for weeks and perhaps months to extend aid of a type which becomes immediately essential.

The message should not include any recommendation to abolish the neutrality act. The American people have a vague notion that the neutrality act has kept us out of war. A move should be made to strike out of the neutrality act those two or three crippling sections, particularly sections 2 and 6.

The Halifax business is relatively unimportant but, of course, should be fixed up.

The neutrality act was intended as a protection, not as a millstone when our vital interests are attacked by land or by any other way. That is the time to do something about it.

Our policy is to aid the democracies and that is self-protection. Anytime that gets in the gears to block it the neutrality act is no longer a protection but just the opposite.

The arming of merchant ships is really part of the whole patrol system. We guard our ships with destroyers but fail to give them the important protection they need of guns on their decks.

I think examples should be used of ships off the coast of Brazil or South America.

THE WHITE HOUSE
WASHINGTON

October 7, 1941.

MEMORANDUM FOR

THE PRESIDENT

TO TAKE UP AT THIS MORNING'S
CONFERENCE.

Senators -

Connally, Hill, Keating

House: McTiernan (Pat Belmont)

Luther Johnson,

Latham or Widener

To act as comm. with
Barry Ringhouse.

Usually To cover this
pm.

DEPARTMENT OF STATE

ASSISTANT SECRETARY

September 29, 1941.

Mr. Secretary:

Herewith is a draft message to Congress in case it is decided to limit the request for modification of the Neutrality Act to (1) removing the prohibition on the arming of American merchant vessels and (2) removing the prohibition on the carriage by American vessels of passengers and goods to Halifax.

Carlton Savage

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A-L:CS:AMH

To the Congress of the United States:

I recommend to the Congress the repeal of section 6 of the Act of November 4, 1939 (54 Stat. 4), which prohibits the arming of American flag vessels engaged in foreign commerce.

The practice of merchant ships being armed in self-defense is an old one, dating far back beyond the time when the United States became a nation. It was a necessity in the days when pirates infested the seas.

The arming of merchant ships for self-defense is not now, and never has been, prohibited by international law. Until 1937 it had never been prohibited by a statute of the United States. Throughout our entire history, American merchant vessels have been armed whenever it was necessary for their own defense.

There is an imperative need at this time for equipping American merchant vessels with arms to defend themselves. In the early days of the Republic it was necessary to arm American merchant vessels for protection against pirates which roamed the surface of the sea; it is now necessary to arm American merchant vessels against the modern pirates of the sea
which

which travel underneath the surface, destroying their prey without warning and without provision for the safety of the passengers and crew. It is also necessary now to arm our merchant vessels against aircraft which unload their deadly cargo with equal disregard for the safety of those on board the vessel.

It has always been the policy of this Government to protect its citizens when engaged upon legitimate missions. Our American merchant vessels are sailing the seas on missions connected with the defense of the United States. In the face of the menacing danger from hostile submarines and aircraft, it does not seem right that the captains and crews of these vessels should be denied the means of defending their lives against piratical attack. I hope that the Congress will lose no time in removing from our statute books this provision which denies to American citizens the primitive right of self-defense.

I recommend the removal of a further prohibition in the Act of November 4, 1939. By the terms of section 2 (g) of the Act, private American flag vessels are prohibited from carrying passengers or goods to Halifax, Nova Scotia. Since American flag vessels are now permitted to carry passengers and goods to

all

all other ^{vrijen} ports on the North American Continent, it does not seem reasonable to prohibit them from carrying passengers and goods to Halifax, especially since such carriage is connected with the defense of the United States.

[PUBLIC RESOLUTION—No. 54—76TH CONGRESS]

[CHAPTER 2—2D SESSION]

[H. J. Res. 306]

JOINT RESOLUTION

To preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests.

Whereas the United States, desiring to preserve its neutrality in wars between foreign states and desiring also to avoid involvement therein, voluntarily imposes upon its nationals by domestic legislation the restrictions set out in this joint resolution; and

Whereas by so doing the United States waives none of its own rights or privileges, or those of any of its nationals, under international law, and expressly reserves all the rights and privileges to which it and its nationals are entitled under the law of nations; and

Whereas the United States hereby expressly reserves the right to repeal, change or modify this joint resolution or any other domestic legislation in the interests of the peace, security or welfare of the United States and its people: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

PROCLAMATION OF A STATE OF WAR BETWEEN FOREIGN STATES

SECTION 1. (a) 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.

(b) Whenever the state of war which shall have caused the President to issue any proclamation under the authority of this section shall have ceased to exist with respect to any state named in such proclamation, he shall revoke such proclamation with respect to such state.

COMMERCE WITH STATES ENGAGED IN ARMED CONFLICT

SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation.

(b) Whoever shall violate any of the provisions of subsection (a) of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than \$50,000 or imprisoned for not more than five years, or both. Should the violation be by a

corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(c) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any state named in such proclamation, any articles or materials (except copyrighted articles or materials) until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. Issuance of a bill of lading under which title to the articles or materials to be exported or transported passes to a foreign purchaser unconditionally upon the delivery of such articles or materials to a carrier, shall constitute a transfer of all right, title, and interest therein within the meaning of this subsection. The shipper of such articles or materials shall be required to file with the collector of the port from or through which they are to be exported a declaration under oath that he has complied with the requirements of this subsection with respect to transfer of right, title, and interest in such articles or materials, and that he will comply with such rules and regulations as shall be promulgated from time to time. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials, if such citizen had knowledge of the filing of such declaration; and the exportation or transportation of any articles or materials without filing the declaration required by this subsection shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials, if such citizen had knowledge of such violation. No loss incurred by any such citizen (1) in connection with the sale or transfer of right, title, and interest in any such articles or materials or (2) in connection with the exportation or transportation of any such copyrighted articles or materials, shall be made the basis of any claim put forward by the Government of the United States.

(d) Insurance written by underwriters on articles or materials included in shipments which are subject to restrictions under the provisions of this joint resolution, and on vessels carrying such shipments shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials, or vessels, and no loss incurred thereunder or by the owners of such vessels, shall be made the basis of any claim put forward by the Government of the United States.

(e) Whenever any proclamation issued under the authority of section 1 (a) 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.

(f) The provisions of subsection (a) of this section shall not apply to transportation by American vessels on or over lakes, rivers, and inland waters bordering on the United States, or to transportation by aircraft on or over lands bordering on the United States; and the provisions of subsection (c) of this section shall not apply (1) to such transportation of any articles or materials other than

articles listed in a proclamation referred to in or issued under the authority of section 12 (i), or (2) to any other transportation on or over lands bordering on the United States of any articles or materials other than articles listed in a proclamation referred to in or issued under the authority of section 12 (i); and the provisions of subsections (a) and (c) of this section shall not apply to the transportation referred to in this subsection and subsections (g) and (h) of any articles or materials listed in a proclamation referred to in or issued under the authority of section 12 (i) if the articles or materials so listed are to be used exclusively by American vessels, aircraft, or other vehicles in connection with their operation and maintenance.

(g) The provisions of subsections (a) and (c) of this section shall not apply to transportation by American vessels (other than aircraft) of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation referred to in or issued under the authority of section 12 (i)) (1) to any port in the Western Hemisphere south of thirty-five degrees north latitude, (2) to any port in the Western Hemisphere north of thirty-five degrees north latitude and west of sixty-six degrees west longitude, (3) to any port on the Pacific or Indian Oceans, including the China Sea, the Tasman Sea, the Bay of Bengal, and the Arabian Sea, and any other dependent waters of either of such oceans, seas, or bays, or (4) to any port on the Atlantic Ocean or its dependent waters south of thirty degrees north latitude. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such vessels.

(h) The provisions of subsections (a) and (c) of this section shall not apply to transportation by aircraft of mail, passengers, or any articles or materials (except articles or materials listed in a proclamation referred to in or issued under the authority of section 12 (i)) (1) to any port in the Western Hemisphere, or (2) to any port on the Pacific or Indian Oceans, including the China Sea, the Tasman Sea, the Bay of Bengal, and the Arabian Sea, and any other dependent waters of either of such oceans, seas, or bays. The exceptions contained in this subsection shall not apply to any such port which is included within a combat area as defined in section 3 which applies to such aircraft.

(i) Every American vessel to which the provisions of subsections (g) and (h) apply, and every neutral vessel to which the provisions of subsection (i) apply, shall, before departing from a port or from the jurisdiction of the United States, file with the collector of customs of the port of departure, or if there is no such collector at such port then with the nearest collector of customs, a sworn statement

(1) containing a complete list of all the articles and materials carried as cargo by such vessel, and the names and addresses of the consignees of all such articles and materials, and (2) stating the ports at which such articles and materials are to be unloaded and the ports of call of such vessel. All transportation referred to in subsections (f), (g), (h), and (i) of this section shall be subject to such restrictions, rules, and regulations as the President shall prescribe; but no loss incurred in connection with any transportation excepted under the provisions of subsections (g), (h), and (i) of this section shall be

made the basis of any claim put forward by the Government of the United States.

(j) Whenever all proclamations issued under the authority of section 1 (a) shall have been revoked, the provisions of subsections (f), (g), (h), (i), and (j) of this section shall expire.

(k) The provisions of this section shall not apply to the current voyage of any American vessel which has cleared for a foreign port and has departed from a port or from the jurisdiction of the United States in advance of (1) the date of enactment of this joint resolution, or (2) any proclamation issued after such date under the authority of section 1 (a) of this joint resolution; but any such vessel shall proceed at its own risk after either of such dates, and no loss incurred in connection with any such vessel or its cargo after either of such dates shall be made the basis of any claim put forward by the Government of the United States.

(l) The provisions of subsection (c) of this section shall not apply to the transportation by a neutral vessel to any port referred to in subsection (g) of this section of any articles or materials (except articles or materials listed in a proclamation referred to in or issued under the authority of section 12 (i)) so long as such port is not included within a combat area as defined in section 3 which applies to American vessels.

COMBAT AREAS

Sec. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), and he shall thereafter find that the protection of citizens of the United States so requires, he shall, by proclamation, define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area. The combat areas so defined may be made to apply to surface vessels or aircraft, or both.

(b) In case of the violation of any of the provisions of this section by any American vessel, or any owner or officer thereof, such vessel, owner, or officer shall be fined not more than \$50,000 or imprisoned for not more than five years, or both. Should the owner of such vessel be a corporation, organization, or association, each officer or director participating in the violation shall be liable to the penalty hereinabove prescribed. In case of the violation of this section by any citizen traveling as a passenger, such passenger may be fined not more than \$10,000 or imprisoned for not more than two years, or both.

(c) The President may from time to time modify or extend any proclamation issued under the authority of this section, and when the conditions which shall have caused him to issue any such proclamation shall have ceased to exist he shall revoke such proclamation and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation.

AMERICAN RED CROSS

Sec. 4. The provisions of section 2 (a) shall not prohibit the transportation by vessels under charter or other direction and control of

the American Red Cross, proceeding under safe conduct granted by states named in any proclamation issued under the authority of section 1 (a), of officers and American Red Cross personnel, medical personnel, and medical supplies, food, and clothing, for the relief of human suffering.

TRAVEL ON VESSELS OF BELLIGERENT STATES

Sec. 5. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of any state named in such proclamation, except in accordance with such rules and regulations as may be prescribed.

(b) Whenever any proclamation issued under the authority of section 1 (a) 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.

ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

Sec. 6. Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel, engaged in commerce with any foreign state to be armed, except with small arms and ammunition therefor, which the President may deem necessary and shall publicly designate for the preservation of discipline aboard any such vessel.

FINANCIAL TRANSACTIONS

Sec. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, or political subdivision thereof, issued after the date of such proclamation, or to make any loan or extend any credit (other than necessary credits accruing in connection with the transmission of telegraph, cable, wireless and telephone services) to any such government, political subdivision, or person. The provisions of this subsection shall also apply to the sale by any person within the United States to any person in a state named in any such proclamation of any articles or materials listed in a proclamation referred to in or issued under the authority of section 12 (i).

(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

(c) Whoever shall knowingly violate any of the provisions of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than \$50,000 or imprisoned for not more than five years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(d) Whenever any proclamation issued under the authority of section 1 (a) 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.

SOLICITATION AND COLLECTION OF FUNDS AND CONTRIBUTIONS

SEC. 8. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), 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) 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) Whenever any proclamation issued under the authority of section 1 (a) 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.

AMERICAN REPUBLICS

SEC. 9. This joint resolution (except section 12) 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.

RESTRICTIONS ON USE OF AMERICAN PORTS

SEC. 10. (a) 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 1 (a), but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by 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), 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 1 (a).

(b) 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 1 (a), he may prohibit the departure of such vessel during the duration of the war.

(c) Whenever the President shall have issued a proclamation under section 1 (a) he 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 33 of the Immigration Act of February 5, 1917 (40 Stat. 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 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976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000).

SUBMARINES AND ARMED MERCHANT VESSELS

SEC. 11. 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.

NATIONAL MUNITIONS CONTROL BOARD

SEC. 12. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the "Board"). The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this section, or by other law, the administration of this section is vested in the Secretary of State.

The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

(b) Every person who engages in the business of manufacturing, exporting, or importing any arms, ammunition, or implements of war listed in a proclamation referred to in or issued under the authority of subsection (i) of this section, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of \$100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for five years, which shall be renewable for further periods of five years upon the payment for each renewal of a fee of \$100; but valid certificates of registration (including amended certificates) issued under the authority of section 2 of the joint resolution of August 31, 1935, or section 5 of the joint resolution of August 31, 1935, as amended, shall, without payment of any additional registration fee, be considered to be valid certificates of registration issued under this subsection, and shall remain valid for the same period as if this joint resolution had not been enacted.

(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any arms, ammunition, or implements of war listed in a proclamation referred to in or issued under the authority of subsection (i) of this section, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war listed in any such proclamation, without first having submitted to the Secretary of State the name of the purchaser and the terms of sale and having obtained a license therefor.

(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

(f) Licenses shall be issued by the Secretary of State to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this joint resolution or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued; but a valid license issued under the authority of section 2 of the joint resolution of August 31, 1935, or section 5 of the joint resolution of

August 31, 1935, as amended, shall be considered to be a valid license issued under this subsection, and shall remain valid for the same period as if this joint resolution had not been enacted.

(g) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this joint resolution.

(h) The Board shall make a report to Congress on January 3 and July 3 of each year, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war, including the name of the purchaser and the terms of sale made under any such license. The Board shall include in such reports a list of all persons required to register under the provisions of this joint resolution, and full information concerning the licenses issued hereunder, including the name of the purchaser and the terms of sale made under any such license.

(i) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section; but the proclamation Numbered 2237, of May 1, 1937 (50 Stat. 1831), defining the term "arms, ammunition, and implements of war" shall, until it is revoked, have full force and effect as if issued under the authority of this subsection.

REGULATIONS

SEC. 13. 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.

UNLAWFUL USE OF THE AMERICAN FLAG

SEC. 14. (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.

GENERAL PENALTY PROVISION

SEC. 15. In every case of the violation of any of the provisions of this joint resolution or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than \$10,000, or imprisoned not more than two years, or both.

DEFINITIONS

SEC. 16. For the purposes of this joint resolution--

(a) The term "United States", when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), 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.

SEPARABILITY OF PROVISIONS

SEC. 17. If any of the provisions of this joint resolution, or the application thereof to any person or circumstance, is held invalid, the remainder of the joint resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby.

APPROPRIATIONS

SEC. 18. 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 joint resolution.

REPEALS

SEC. 19. The joint resolution of August 31, 1935, as amended, and the joint resolution of January 8, 1937, are hereby repealed; but offenses committed and penalties, forfeitures, or liabilities incurred under either of such joint resolutions prior to the date of enactment of this joint resolution may be prosecuted and punished, and suits and proceedings for violations of either of such joint resolutions or of any rule or regulation issued pursuant thereto may be commenced and prosecuted, in the same manner and with the same effect as if such joint resolutions had not been repealed.

SHORT TITLE

SEC. 20. This joint resolution may be cited as the "Neutrality Act of 1939".

Approved, November 4, 1939, 12:04 p. m.

October 1, 1941.

I recommend the repeal of Section 6 of the Act of November 4, 1939 (54 Stat. 4), which prohibits the arming of American flag vessels engaged in foreign commerce.

The practice of merchant ships being armed in self-defense is an old one, dating far back beyond the time when the United States became a nation. It was a necessity in the days when pirates infested the seas.

The arming of merchant ships for self-defense is not now, and never has been, prohibited by international law. Until 1937 it had never been prohibited by a statute of the United States. Throughout our entire history, American merchant vessels have been armed whenever it was necessary for their own defense.

There is an imperative need at this time for equipping American merchant vessels with arms to defend themselves. In the early days of the Republic it was necessary to arm American merchant vessels for protection against pirates which roamed the surface of the sea; it is now necessary to arm American merchant vessels against the modern pirates of the sea which travel underneath the surface, destroying their

prey

prey without warning and without provision for the safety of the passengers and crew. It is also necessary now to arm our merchant vessels against aircraft which unload their deadly cargo with equal disregard for the safety of those on board the vessel.

It has always been the policy of this Government to protect its citizens when engaged upon legitimate missions. Our American merchant vessels are sailing the seas on missions connected with the defense of the United States. In the face of the menacing danger from hostile submarines and aircraft, it does not seem right that the captains and crews of these vessels should be denied the means of defending their lives against piratical attack. I hope that the Congress will lose no time in removing from our statute books this provision which denies to American citizens the primitive right of self-defense.

Because of the great urgency of the matter I am sure that the Congress will adopt the most expeditious legislative means for accomplishing the repeal of this provision.

JOINT RESOLUTION

*Section
2*

Resolved by the Senate and House of Representa-
tives of the United States of America in Congress
assembled, That section 2 of Public Resolution No. 54,
76th Congress, 2d session (54 Stat. 4), be and the
same is hereby repealed.

JOINT RESOLUTION

*Discretion
in the President
to send ships
and to arm them*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of any other law the President be and he is hereby authorized, when in his judgment such action is necessary in the national defense, to permit American vessels to carry articles of the character referred to in the Act to Promote the Defense of the United States, approved March 11, 1941 (55 Stat. 31), to any country whose defense shall be deemed by the President to be essential to the defense of the United States and to the effectuation of the purposes of that Act. The President may arm or cause to be armed any vessel of United States registry if in his judgment such action would contribute to the protection of such vessel and promote the purposes of this Resolution.

Sec. 2. The provisions of this Resolution shall terminate on July 1, 1943 or on the termination of the present emergency as proclaimed by the President, whichever shall first occur.

October 1, 1941.

The Joint Resolution of November 4, 1939, commonly referred to as the Neutrality Act, was enacted to meet a situation arising from the outbreak of war in Europe when it seemed prudent to restrict the movements of American citizens, American vessels, and American cargoes in order to avoid dangerous controversies with belligerents.

Since then the situation has changed entirely. Continental Europe has been overrun by conquering armies. Nation after nation has gone down under military aggression and a large part of the population of Europe is enslaved. A movement of world conquest is under way with resulting death, destruction, and terrorism. No nation is secure in the face of this threat. The aggressors are struggling to obtain control of the high seas as a part of their plan of conquest of continents. If they should gain control of the seas, the United States and the entire Western Hemisphere would be seriously menaced.

In view of this situation, the United States, as a part of its own plan of self-defense, has adopted the policy of extending aid to those nations resisting aggression. That policy was expressed in the Lend-Lease Act of March 11, 1941 and has been endorsed by the overwhelming majority of the American people.

Under

Under the Lend-Lease Act, aid has been given, and is being given, in ever increasing quantities to countries whose defense is considered vital to the defense of the United States. The purpose of this policy is to preserve the security of the United States; to keep war from the shores of the Western World.

Certain provisions of the Act of November 4, 1939 stand directly in the way of carrying out effectively this policy of aid to the nations resisting aggression. American vessels are prohibited from carrying needed supplies to the very nations we are determined to aid; they are not permitted to arm for their own protection against piratical submarine or air attack while engaged on missions necessary to the defense of the United States.

I am convinced that for the duration of the present emergency these provisions should be set aside to enable this Government more effectively to carry out the policy laid down in the Lend-Lease Act.

I believe that American flag vessels should be permitted, whenever necessary in the national defense, to carry articles of the character referred to in the Lend-Lease Act to any country whose defense is considered vital to the defense of the United States.

It

It does not seem reasonable to exert the utmost national effort to produce articles for these countries and not take steps necessary to insure their delivery. The peoples of these countries are waging a heroic battle to stop a wave of aggression which also menaces the United States. In order to carry on their battle they need our supplies now; they need the supplies delivered safely where they can be utilized. Every cargo sent to the bottom of the Atlantic diminishes their power of resistance.

I believe that as a part of our own program of national defense, American vessels should be permitted to carry these supplies to their destination, and I believe that these vessels should be permitted to arm for their own protection while so employed.

The practice of merchant ships being armed in self-defense is an old one, dating far back beyond the time when the United States became a nation. It was a necessity in the days when pirates infested the seas.

The arming of merchant ships for self-defense is not now, and never has been, prohibited by international law. Until 1937 it had never been prohibited by a statute of the United States. Throughout our entire history, American merchant vessels have been armed whenever it was necessary for their own defense.

In

In the early days of the Republic it was necessary to arm American merchant vessels for protection against pirates which roamed the surface of the sea; it is now necessary to arm American merchant vessels against the modern pirates of the sea which travel underneath the surface, destroying their prey without warning and without provision for the safety of the passengers and crew. It is also necessary now to arm our merchant vessels against aircraft which unload their deadly cargo with equal disregard for the safety of those on board the vessel.

It has always been the policy of this Government to protect its citizens when engaged upon legitimate missions. Our American merchant vessels are sailing the seas on missions connected with the defense of the United States. In the face of the menacing danger from hostile submarines and aircraft, it does not seem right that the captains and crews of these vessels should be denied the means of defending their lives against piratical attack.

There is transmitted herewith a draft law designed to make effective these recommendations. I hope that the Congress will act promptly in order that the defense of the United States shall not be jeopardized longer by these statutory prohibitions which hinder the accomplishment of the policy set out in the Lend-Lease Act.

AMERICA IN AN ACTION THE TURNING-POINT

BY J. L. GARVIN

With deep faith in the spirit and destiny of the United States—a faith long held and unchangeable—we have had no sympathy with the recent wave of pessimistic feeling among us about America. That backwash of emotional gloom exaggerated some adverse fluctuations but failed to understand the dynamic factors of an irreversible movement. The gathering momentum of America—however slow hitherto in working up speed after getting under way—goes forward in the decisive direction. It can take no other.

"IT MOVES FOR ALL THAT"

That movement passed long since beyond revealing its friend or foe on any side of the sea. It is impelled inwardly and outwardly by the ineradicable necessity that has gripped all men, and the organized societies of all men, who "must be free or die." Not only free on the social plane, facing an anxious future, safeguarded only by superannuated laws but free again to draw happy breath and to hope for their children. That movement of the United States in the decisive direction is impelled by this vital and invisible. There is here, under democratic conditions, an unavoidable slowness of the initial pace is not simply a temporary and remediable matter. It is a secondary consideration by comparison with the growing compulsion of world-factors, and with the profounder interests, practical and spiritual, that were never or can be at stake for the United States as for other peoples.

"EVERY WORD WEIGHS A TON"

These thoughts of ours about America, and the faith of ours in America, are justified and vindicated by President Roosevelt's great and grave broadcast last Thursday. It is poured into our minds in matter that "every word weighs a ton." Not only does it declare unflinching purposes with more powerful definition. It announces that new

orders for preventive action have been issued to the American Navy.

What of the principles? They preclude all compromise and surrender in every banner-bedecked phrase that may be no compromise or true compromise in every sense and under the banner of all freedom in the world. Until the Nazi system of nation-killing and its policy of world ruling are destroyed there can be no good prospect for the safety and welfare of the people of the United States or for the future of their democratic institutions.

"YOU SHALL GO NO FARTHER"

The President attacks the recent successes of enemy attacks and retreats at sea. He shows that these attempts and crimes are not isolated incidents. They follow a general plan. A plan to defeat the oceans with piracy as another means to sway the coastlands. A plan not to be further endured by the United States, but to be grappled with now. Mr. Roosevelt tells how Nazi espionage, reaching across the Atlantic, already shows its design upon America and its work by rap and mine against every bulwark of sound public opinion within the United States themselves. Now, the word to the Republic goes to the enemy.

"You shall go no farther. . . . One grave danger after another has been disaster because each refused to look the Nazi menace squarely in the eye until it actually had come to the door. The United States will not make that fatal mistake."

"SHOOT FIRST"

Then what of our new action? What is our defensive force? We call it epochal and not less. The President demands that the assassin ships of Hitlerism and their submarines be shot out of every maritime space where they menace American traffic. "Their very presence in any waters which America deems vital to its defense constitutes an attack."

Note, above all, the wide sweep of that warning. It applies already to more than our seas.

Last even that might not be explicit enough for those to whom it is addressed, the President goes on to specify and emphasize. American warships are no longer to await the possibility of attack. In case of hostile approach they must take the initiative and must not wait to be shot at. They must strike first by shooting or otherwise.

"AT THEIR OWN PERIL"

Here, no condensed paraphrase of words can do justice to the force and stringency of the text.

In waters we deem necessary to our defense, American ships will hunt down Axis submarines lurking under water or Axis raiders on the surface, strike them deadly blow-first.

Fleet rows on, if German or Italian vessels of war enter the waters the protection of which is necessary for American commerce they go on at their peril.

As Commander-in-Chief of the armed forces of the Republic, the President orders that these formidable injunctions shall be carried out at once.

A TRAVAIL OF SOUL

Like another CROMWELL or LINCOLN in their mortal crises—though they knew no such thing as a great plan. . . . THE PRESIDENT confesses the travail of his soul. What it comes to is the final word of conscience and courage: "I can no stand this waste, because, take a mere solemn coloring because uttered in one of those hours of personal grief and despair, every human heart. . . . I have no illusions about the gravity of this step. I have not taken it hurriedly or lightly. It is the result of constant and thoughtful anxiety, and prayer. In the protection of your nation and mine it cannot be avoided. . . . Their private as well as public circumstances will be remembered in American tradition long hence—when."

"Our brave boys been students in the being Of the eternal Silence. . . ."

HITLER'S CLEFT STICK

The next question is what will Hitler do? No longer the unchecked tyrant of a great empire, Hitler, who adopted in explicit, he is confronted with the veto of a mighty nation. America, as yet, is half in the war and half out of it, as Hitler describes the issue in his great

BOOKS OF THE DAY

"WAR IN THE AIR." By David Crampton. "THE PALE OF THE YEAR." By H. M. Morgan. "THE LIVES OF THE ENGLISH SLAVE TRADE, LIVERPOOL, 1793-1807." By A. R. M. Jones. "NIGHTMARE, MR. LON." By Alfred Lunt. "AT GOD'S MONUMENTS." An anthology edited by Richard B. Sewall. "THE BLIND MAN'S NOSE." By Hugh Walpole. "BUNCHMAN'S CREEK." By Stephen A. Moore.

tion—half in the earth and half out of it. PRESIDENT ROOSEVELT, in effect, demands unqualified and unrestrained passage for American munitions and supplies of all kinds not only to Britain and the British Commonwealth but to Russia and to the fighters for national freedom everywhere on earth.

AMERICA WILL MAKE GOOD

If Hitler or anyone else, through drastic terms it means surrender in the battle of the Atlantic to begin with and total disaster at the end of a longer conflict. . . . The battle of the Atlantic, it means war to the death with the United States. This, so far, he has postposed with an obvious cunning that, as Mr. Roosevelt says, can deceive none but dupes. His friends of fraud are exhausted. He carries his mask in his hand. He knows that the United States has more than any nation. He would find him there to the last, if the United States would be lured to evade until too late the battle for the future of Germany and the world. That is until the accomplishment according to plan of the original intention.

First, the colossal conquest of Soviet Russia and its resources; second, the destruction of Britain; third, the attack on an America reduced to the isolation of the isolationists. The President kicks the top of the Nazi ant-heap when he explains why a more certain victory than that which he offers before America can exist unless the British Navy survives. American war-outfit, after a change of leadership, is to be sent on its long stride. The President's ultimatum to Hitlerism and the Moscow Conference seems pretty certain to mark the turning-point of the war.

RUSSIA'S GRAPPLE THE PILL-TILT THIRTS

One name in the news unravels a film of memories. The enemy claims to have trevied the ring round Leningrad by seizing Schliisselburg, where the Neva flows out of Lake Ladoga. On an island there PETER THE GREAT built a fortress which became afterwards the "vest" Bastille of Dardanel. Its notorious danger, some believe, was that it was "the stone-bag of Schliisselburg." The German claim to have it firmly in their hands is disputed.

The siege of Leningrad may be in truth the greatest in history. The nearest parallel is the siege of Paris by the Germans seventy years ago. Desperate resistance through the winter would be a glorious venture. The early fall of the city, after such resistance, no daring to our Allies, would be the heaviest blow they have been.

Why? The factories of the former capital of Tsardom and revolution produced nearly a fifth of Russia's war-products. The Baltic waterway, the lifeblood of its larger units—hangs on the same hook. From the city as a vast new base, re-organized, the campaign by first to our Allies, or sooner might double the threat to Moscow.

It is a question of all of enigmas. Anecdotes say Hitler's real G.H.Q. at the Kremlin have reckoned with what is happening and may happen. They must have their plan in mind for the north as for the center and the south. Leningrad's concentric defenses are reputed the most invulnerable system of modern fortification except Singapore. This immense citadel must be heavily shored with food and munitions.

Then what are the enigmas? How

many mouths are there to feed in this biggest of sieges? Have a million inhabitants been evacuated? Or more? Between the fortified zone and the outer country—strategically inseparable, from Lake Ladoga to the Volga hills—how are Volynskoy's forces distributed? Is it a strategic hard nut within and without. Siege and counter-stroke are the double beat of this drama.

What of the Germans and their alternatives? What of the enemy's difficulties and complications? Starve out Leningrad or stem it? They would much rather reduce it to starvation than fight with ceaseless air-bombardment. But they want urgently to get its accommodation before winter, and to make it an incomparable eastern base before spring. The thick snow came sooner in the north. In fact, while a pall of black smoke covers part of the city, the snow already has whitened the streets. Time presses. If the invaders cannot succeed soon enough by other means they must assault and drain the veins of their blood.

A word of balance here. Not for a moment is the case of the siege of Leningrad suggest a false perspective. However important, it is not like what old philosophers called the plain glacial—the cold cell of the human mind. It is the human mystery. Leningrad, though a strong member, is not a vital organ of the Soviet Union.

In the center, which holds together the whole vast system of Russian defense, the invaders have been staggered by the number as well as the force of the Transsiberian's counter-attacks, north and south of Smolensk, on the chief railway of the Russian Empire. Now the Volga hills heavy battle supports Voronezh.

Notably at Yelovka, south-east of Smolensk, about 110 miles from the Kremlin the Germans, after weeks of fire fighting, have been driven out and driven back for miles with large losses of men and material. These are their achievements of death-defying soldiership by the Soviet armies.

In more than one quarter elsewhere there is an extraordinary situation of thrust and counter thrust. The result is unpredictable, but the fate of further large spaces of Russian territory may depend on it. In the Gornel area, where the industrial belt of the Caucasus most critically the industrialized region of the Greater Ukraine up to the Don and the Dnieper, a Russian attack made strong head up against a powerful German push from the Gornel region and concerted movements further south reveal the danger to the whole line of the Dnieper and the Greater Ukraine. The enemy has reached Chernigov, 80 miles from the rear of Kiev. But great enough for pure success, but too ripe.

This is a supreme crisis in the south. BROOKLYN'S attack is to be used to it. The enemy has forced the passage of the Dnieper at some place unnamed. Russian and German troops have recovered the same place. Several other places to attack their enemy's flanks and communications. It is hammer and anvil. Kiev is still a Queen of the Donets. As the old Russian word, Deister Odessa must be besieged.

What of aid to Russia at this crisis of the whole world-war? The PRIME MINISTER last week received a profound national anxiety by the thousands of his resolute House of Commons. In this matter Mr. CHURCHILL himself should be the last man suspected by the world of any lack of courage. He has Nazi invasion his trumpet-call to the world on Russia's behalf was second to none. He has shaken of historic leadership. He has a half an hour. Hitler's densest scheme of propaganda

plotted for years. It rallied to the Soviet Union the undivided forces of world-freedom.

THE PRIME MINISTER'S reassurances regarding help to Russia stand in that light. He, like the country, accepts no serious condition. Helping Russia means that Britain takes the lead. The scale of what is sent to the Soviet Union must be severely subtracted from our own production, or from American supplies that had been intended for this country. There is a salutary compensation. Now negotiation will repair our own organization to the standard per cent effort.

The scale of the mobilization in eastern Europe throughout the two thousand miles from the Arctic Ocean to the Black Sea—the hatching hosts, the spaces, the distances, the numbers, are almost as vast beyond our clear ken as astronomical distance and magnitude. The PRIME MINISTER's words bring home part of it, at least, in a remarkable passage where he states his measured confidence in the Russian issue. Hitler has failed to force a quick conquest. "Already in three months he has lost more German blood than was shed in any single year of the last war."

After that sentence of tremendous impact, Mr. CHURCHILL reminds us that the Soviet powers between 15,000 and 15,000,000 troops. New armies are training in the Urals, where war-production day and night clangs and rings like a range of anvils. The common front between these pre-gigantic forces and the British empire is established. From the Iranian through the Middle East to the United States as to Britain. For replacement of wastage in the technical arm Russia in an armament of the world of all we can send, and we must help till it burns.

"Give all this coast, high Heaven rejects the very thought of it."

Of nicely calculated loss or more.

J. L. G.

71 NURSES GET DIPLOMAS

Graduates of Hospital School
Hear Archbishop

Archbishop Francis J. Spellman stressed yesterday the importance of nursing in the world crisis when he addressed the graduates of the School of Nursing of St. Vincent's Hospital.

He congratulated the seventy-one members of this year's class as the largest in the history of the institution which is to celebrate its fifteenth anniversary next year. The exercises were held in the auditorium of the school at 138 West Twelfth Street.

"You are members of a profes-

sion that has much to do with the immediate future of our country and the rest of the world," he declared in his address at the close of the exercises at which he presided.

Other speakers were Mgr. William R. McCann, rector of Saint Alphonsus Church in Harlem, and Dr. Edward R. Mahoney, president of the medical staff of St. Vincent's Hospital, who presented the diplomas.

The following scholarships were awarded:

James Louis Gossage scholarship given by the Alumni of the Nursing School—Miss Veronica Miller, Class of 1940.

Katherine A. Mathews scholarship given by the Nurses' Alumnae Association—Miss Charles Murphy, Class of 1941 and a member of the staff of Massachusetts Hospital, College of Mount St. Vincent scholarship—Miss Barbara Marion Rodman, Class of 1941.

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torn between his love of beauty
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The story of a man
of giant passions
torn between his love of beauty
and his thirst for wealth

THE RED ROSE FOREVER

A Big Romantic American Novel
By MILDRED JORDAN

wearing historical romance based upon the life of Stiegel, the great glassmaker of Colonial and Revolutionary Pennsylvania. It is the story of a man of giant passions, a man in whom the love of beauty and women is mixed with a thirst for wealth and power. He found solace in gallies and riotous living. He was swept into the debacle of the Revolution. His two marriages, his love with various women, his life-long love for the elusive Diane, his revolutionary attitude toward business, his great rise and fall and his discovery of a new beauty in life, make a tremendously moving and exciting story. The romance is set against a little-known and marvellously real picture of life in Colonial Pennsylvania and the Philadelphia of Franklin, Morris, the Quakers, the slave traders and the ornate social life of the day.

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September 19, 1941.

THE AMERICAN DOCTRINE OF FREEDOM OF THE SEAS

Hugo Grotius, in his Mare Liberum (1608), said an unimpeachable axiom of the law of nations was that "every nation is free to travel to every other nation, and to trade with it."

The earliest found official use of the expression "freedom of the seas" was in connection with the Armed Neutrality of 1780 which was based on the Russian declaration of that year. This declaration embodied the following principles for the protection of neutral commerce: (1) Neutral vessels should navigate freely from port to port of belligerents; (2) goods of belligerents, except contraband of war, should be free in neutral ships; (3) contraband goods should be limited to arms and war supplies; and (4) a port should be considered blockaded only when there was evident danger to entering ships.

In stating his agreement with the principles of the Russian declaration, the King of France said that the war in which he was engaged had "no other object than the attachment of His Majesty to the freedom of the seas." The King stated later that this reply had made known "how well calculated are the principles of His Majesty with regard to the freedom of the seas to bring about security and tranquility for neutral vessels." He expressed his most sincere hope that the cooperation of the powers, "which are equally interested in the freedom of the seas, may render immutable laws whose equity he recognizes authoritatively."

Twenty years later, in referring to the Armed Neutrality of 1780, the Emperor of Russia mentioned that Europe then had given its approval to the measures taken by the majority of maritime powers for the establishment of the principles "of a wise and impartial neutrality". He asked several nations to accede to measures for reestablishment of "the principles of armed neutrality, and thus to ensure the freedom of the seas."

During this period American adherence was given to the principles of the Armed Neutrality, and several treaties were concluded which provided for liberal treatment of neutral commerce. However, no instance has been found in this early period of use by the American Government of the expression "freedom of the seas".

In the administration of President John Adams, French depredations on our commerce prompted him to recommend to Congress the adoption of defensive measures. In 1798 the House of Representatives addressed a message to the President in which it was stated that the French had proclaimed a "predatory warfare against the unquestionable rights of neutral commerce which with our means of defence our interest and our honor command us to repel." American armed vessels were authorized by Congress to take action against French armed vessels. American naval captains were instructed that they were "at War with French Armed Vessels." Although the phrase "freedom of the seas" appears not to have been used at this time by our Government, it is clear that the action against French armed vessels was to insure the freedom of the seas.

The

The operations of the United States Navy against the Barbary States in the early part of the nineteenth century constituted another instance of American defense of the freedom of the seas. So also was our participation in the War of 1812, the principal causes of which were held by Secretary of State Monroe to be "impressment of our Seamen and illegal Blockades."

The earliest found use of the expression "freedom of the seas" in American diplomatic correspondence was by Secretary of State Madison in 1806 when he said that the importance of the principle, free ships free goods, "to the security of neutral commerce, and to the freedom of the seas, has at all times been felt by the United States." The expression was used again in 1830 by Secretary of State Van Buren in an instruction to the American Minister in Russia. He stated that if future events should require the United States and Russia "again to arm in defence of neutral rights and the freedom of the seas, their combined fleets sweeping over the inland seas of Europe, along the American Continent, and reaching across the Atlantic, will give them power and influence adequate to the maintenance of the principles they shall have asserted, and which those of the Law of Nations have given them the right to enforce."

In 1823 the expression "freedom of the seas" began to be used in American diplomatic correspondence also in connection with the suppression of the African slave trade. Great Britain then desired to conclude a treaty with the United States providing for

mutual

mutual right of visit and search in time of peace of vessels flying the British or American flag and suspected of transporting slaves. In reply, Secretary of State John Quincy Adams said that the right of search at sea was "a right exclusively of war, never exercised but by an outrage upon the rights of peace." He said that the American Government had an insuperable objection to the extension of that right by treaty; that "if the freedom of the sea is abridged by compact for any new purpose, the example may lead to other changes." President Buchanan, referring to this subject in 1858, stated that the occasional abuse of the flag of any nation "is an evil far less to be deprecated than would be the establishment of any regulations which might be incompatible with the freedom of the seas."

Another use of the phrase "freedom of the seas" about this time was in connection with the Danish Sound dues. President Pierce, in reporting to Congress regarding the imposition of tolls by Denmark on the vessels and cargoes of Americans passing into or from the Baltic Sea, said that he did not believe exaction of these tolls was justified by any principle of international law; that the United States ought not to submit to payment of the tolls because the payment was in effect the recognition of the right of Denmark to treat a great maritime highway as a closed sea and to require tribute from those who had occasion to use it. In this connection he stated that on a former occasion the Barbary States had coerced the payment of tribute from all nations whose ships frequented the Mediterranean;

that

that the United States had then "signalized its determination to maintain the freedom of the seas and of the great natural channels of navigation."

An international pronouncement to insure a degree of freedom of the seas in time of war was set forth in the Declaration of Paris of 1856, which provided as follows: (1) Privateering is, and remains, abolished; (2) the neutral flag covers enemy goods, except contraband of war; (3) neutral goods, except contraband of war, are not liable to capture under enemy flag; and (4) blockades, in order to be binding, must be effective. The United States has in practice followed the provisions of the Declaration of Paris, but did not formally adhere because of a reluctance then to give up the right of privateering, a right which Secretary of State Marcy said might well be considered "as essential to the freedom of the seas".

During the nineteenth century several attempts were made by the United States to induce the nations of the world to adopt the principle of immunity of private property at sea in time of war. This principle, since termed the freedom of the seas, was stated by the American delegates to the First Hague Conference to mean that private property, except contraband of war, should be exempt from capture or seizure, but that this exemption should not apply to vessels and their cargoes which might attempt to enter a port blockaded by naval forces. The principle was not accepted at the First Hague Conference, nor at the Second when it was offered again by the American delegation .

The

The London Conference of 1908-1909 brought forth a statement of laws of naval warfare in a declaration which was signed by several powers including the United States, but which was not ratified by any of them.

The expression "freedom of the seas" was used early in the World War. In the first Lusitania note to Germany, May 13, 1915, Secretary Bryan mentioned "the humane and enlightened attitude hitherto assumed by the Imperial German Government in matters of international right and particularly with regard to the freedom of the seas". The German Government, in a note of July 8, 1915 to the American Government, expressed the hope that some way would be found upon the conclusion of peace, or perhaps earlier, "to regulate the law of maritime war in a manner guaranteeing the freedom of the seas". Despite this statement, Germany, by her wanton unrestricted submarine warfare, violated the most fundamental principles of freedom of the seas.

President Wilson declared in an address of January 22, 1917, that the freedom of the seas was the "sine qua non of peace, equality, and cooperation." Although a somewhat radical reconsideration of many rules of international practice might be necessary in order to make the seas free and common in practically all circumstances, he believed that the motive for such changes was "convincing and compelling." It need not be difficult, he stated, either to define or to secure the freedom of the seas if the governments of

the

the world sincerely desired to reach an agreement on the subject. He considered the problem closely connected with the limitation of naval armaments and the cooperation of the navies of the world in keeping the seas free and safe. The President, apparently referring to the principle of immunity of private property at sea, proposed "that freedom of the seas which in international conference after conference representatives of the United States have urged with the eloquence of those who are the convinced disciples of liberty."

One year later, January 8, 1918, President Wilson announced his program of fourteen points. Point II provided for absolute freedom of navigation upon the seas, "alike in peace and in war, except as the seas may be closed in whole or in part by international action."

The principle of the freedom of the seas was not considered in the plenary sessions of the Paris Peace Conference. President Wilson explained in September 1919:

"One of the principles that I went to Paris most insisting on was the freedom of the seas. Now, the freedom of the seas means the definition of the right of neutrals to use the seas when other nations are at war, but under the League of Nations there are no neutrals, and, therefore, what I have called the practical joke on myself was that by the very thing that I was advocating it became unnecessary to define the freedom of the seas. All nations are engaged to maintain the right, and in that sense no nation can be neutral when the right is invaded, and, all being comrades and partners in a common cause, we all have an equal right to use the seas."

Because

Because of the menace of submarine warfare to the freedom of the seas, that subject has been discussed much since the War of 1914-1918. Finally, in Part IV of the Treaty for the Limitation and Reduction of Naval Armament, signed at London on April 22, 1930, it was provided that the following are accepted as established rules of international law:

"(1) In their action with regard to merchant ships, submarines must conform to the rules of International Law to which surface vessels are subject.

"(2) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board."

These rules have been acceded to formally by all of the naval powers, including Germany. They were referred to in the Nyon Agreement of September 14, 1937, signed by representatives of Great Britain, France, U.S.S.R., Bulgaria, Egypt, Greece, Rumania, Turkey, and Yugoslavia. In this agreement it was stated that arising out of the Spanish conflict attacks had been committed repeatedly in the Mediterranean by submarines against merchant ships not belonging to either of the conflicting Spanish parties; that these attacks were violations of the rules of international law set out in the London Treaty of 1930 and constituted "acts contrary to the most elementary dictates of humanity, which should be justly treated as acts of piracy". The contracting

contracting powers agreed to instruct their naval forces that any submarine which attacked a merchant ship, not belonging to either of the Spanish parties, in a manner contrary to the rules in that Treaty, should be "counter-attacked and, if possible, destroyed". Furthermore, this instruction should extend to any submarine encountered in the vicinity of a position where such a ship had been attacked recently in violation of these rules "in circumstances which give valid grounds for the belief that the submarine was guilty of the attack."

Shortly after the beginning of the present war in Europe, Congress passed the Neutrality Act of 1939. It was made clear that the enactment of this legislation did not mean that the United States was renouncing the freedom of the seas. The preamble contains statements that the United States voluntarily imposes upon its nationals by domestic legislation the restrictions set out in the Act; that by so doing the United States waives none of its own rights or privileges, or those of any of its nationals, under international law; that the United States expressly reserves the right to repeal, change or modify the Act or any other domestic legislation "in the interests of the peace, security, or welfare of the United States and its people".

The appearance of German raiders outside the combat areas proclaimed under the Neutrality Act and the emergence in the summer of 1940 of the possibility that Germany might obtain control of the Atlantic through the seizure or destruction of the British fleet, placed squarely before us the problem of the safety of our shipping

shipping on the high seas and the far graver problem of the security of the United States and the entire Western Hemisphere. In an address of October 26, 1940, Secretary Hull, warning of the dangers to this Hemisphere, said that the would-be conquerors had as a first objective the securing of "control of the high seas". He went on to say:

"There can be nothing more dangerous for our nation than for us to assume that the avalanche of conquest could under no circumstances reach any vital portion of this Hemisphere. Oceans give the nations of this Hemisphere no guaranty against the possibility of economic, political, or military attack from abroad. Oceans are barriers but they are also highways. Barriers of distance are merely barriers of time. Should the would-be conquerors gain control of other continents, they would next concentrate on perfecting their control of the seas, of the air over the seas, and of the world's economy; they might then be able with ships and with planes to strike at the communication lines, the commerce and the life of this Hemisphere; and ultimately we might find ourselves compelled to fight on our own soil, under our own skies, in defense of our independence and our very lives."

Secretary Hull referred to this subject again in a statement of January 15, 1941. He said that we were in the presence of forces desperately struggling to seize control of the oceans as an essential means of achieving and maintaining their conquest of the other continents. Further, he said that "control of the high seas by law-abiding nations is the key to the security of the Western Hemisphere in the present-day world situation"; that if this control should be gained by the partners of the Tripartite Pact, the danger to the United States would be multiplied many fold.

The President, in his Fireside Chat of May 27, 1941, referring to the German ambition and attempt to gain control of the seas, discussed the doctrine of freedom of the seas.

"The Axis Powers can never achieve their objective of world domination unless they first obtain control of the seas. This is their supreme purpose today; and to achieve it, they must capture Great Britain. They could then have the power to dictate to the Western Hemisphere. ...

"But if the Axis Powers fail to gain control of the seas, they are certainly defeated. Their dreams of world domination will then go by the board; and the criminal leaders who started this war will suffer inevitable disaster. Both they and their people know this -- and they are afraid. That is why they are risking everything they have, conducting desperate attempts to break through to the command of the ocean. ...

"All freedom -- meaning freedom to live, and not freedom to conquer and subjugate other peoples -- depends on freedom of the seas. All of American history -- North, Central and South American history -- has been inevitably tied up with those words, 'freedom of the seas'.

"Since 1799, when our infant Navy made the West Indies and the Caribbean and the Gulf of Mexico safe for American ships, since 1804 and 1805 when we made all peaceful commerce safe from the depredations of the Barbary pirates; since the War of 1812, which was fought for the preservation of sailors' rights; since 1867, when our sea power made it possible for the Mexicans to expel the French Army of Louis Napoleon, we have striven and fought in defense of freedom of the seas -- for our own shipping, for the commerce of our sister Republics, for the right of all nations to use the highways of world trade -- and for our own safety.

"During the first World War we were able to escort merchant ships by the use of small cruisers, gunboats and destroyers; and this type of convoy was effective against submarines. In this second World War, however, the problem is greater, because the attack on the freedom of the seas is now fourfold: first -- the improved submarine; second -- the much greater use of the heavily armed raiding cruiser or hit-and-run battleship; third, -- the bombing airplane, which is capable of destroying merchant ships seven or eight hundred miles from its nearest base; and fourth -- the destruction of merchant ships in those ports of the world which are accessible to bombing attack. ...

"We shall actively resist his (Hitler's) every attempt to gain control of the seas. ...

"We reassert the ancient American doctrine of freedom of the seas."

The

The expression "freedom of the seas" was not used in the joint declaration of the President and the British Prime Minister, released on August 14, 1941. However, the declaration contained the statement that the peace established after the final destruction of the Nazi tyranny "should enable all men to traverse the high seas and oceans without hindrance."

Two weeks later, in his Labor Day address, the President said that as long as the Navies of the British Empire and the Netherlands and Norway and Russia exist, the American Navy and these Navies "can together guarantee the freedom of the seas"; that if these other Navies are destroyed, our Navy cannot now, or in the future, maintain the "freedom of the seas" against all the rest of the world.

The subject of freedom of the seas was discussed somewhat extensively in the President's address of September 11, 1941. In that address he made the following statements:

"It is the Nazi design to abolish the freedom of the seas, and to acquire absolute control and domination of the seas for themselves. ...

"The Hitler Government, in defiance of the laws of the sea and of the recognized rights of all other nations, has presumed to declare, on paper, that great areas of the seas -- even including a vast expanse lying in the Western Hemisphere -- are to be closed, and that no ships may enter them for any purpose, except at peril of being sunk. Actually they are sinking ships at will and without warning in widely separated areas both within and far outside of these far-flung pretended zones. ...

"Generation after generation, America has battled for the general policy of the freedom of the seas. That policy is a very simple one -- but a basic, fundamental one. It means that no nation has the right to make the broad oceans of the world at great distances from the actual theatre of land war, unsafe for the commerce of others. ...

"Our policy has applied from time immemorial -- and still applies -- not merely to the Atlantic but to the Pacific and to all other oceans as well.

"Unrestricted submarine warfare in 1941 constitutes a defiance -- an act of aggression -- against that historic American policy. It is now clear that Hitler has begun his campaign to control the seas by ruthless force and by wiping out every vestige of international law and humanity. ...

"These Nazi submarines and raiders are the rattlesnakes of the Atlantic. They are a menace to the free pathways of the high seas. They are a challenge to our sovereignty. They hammer at our most precious rights when they attack ships of the American flag -- symbols of our independence, our freedom, our very life. ...

"Upon our naval and air patrol -- now operating in large number over a vast expanse of the Atlantic Ocean -- falls the duty of maintaining the American policy of freedom of the seas -- now. That means, very simply and clearly, that our patrolling vessels and planes will protect all merchant ships -- not only American ships but ships of any flag -- engaged in commerce in our defensive waters. They will protect them from submarines; they will protect them from surface raiders.

"This situation is not new. The second President of the United States, John Adams, ordered the United States Navy to clean out European privateers and European ships of war which were infesting the Caribbean and South American waters, destroying American commerce. The third President of the United States, Thomas Jefferson, ordered the United States Navy to end the attacks being made upon American ships by the corsairs of the nations of North Africa. My obligation as President is historic; it is clear; it is inescapable.

"It is no act of war on our part when we decide to protect the seas which are vital to American defense. The aggression is not ours. Ours is solely defense. But let this warning be clear. From now on, if German or Italian vessels of war enter the waters, the protection of which is necessary for American defense, they do so at their own peril."

DEPARTMENT OF STATE

THE SECRETARY

October 8, 1941

MEMORANDUM FOR THE PRESIDENT

Attached is the draft regarding section six of the Neutrality Act, which I read to you on the telephone.

File personal
T RESOLUTION

and House of Representatives

in Congress assembled, That
Resolution No. 54, 76th Congress,
and the same is hereby repealed,
any vessel of United States
armament when, in his judgment,
to the protection of such

vessel, and the provisions of section 28 of Title 18 of the
United States Code shall not be deemed to be applicable
thereto.

JOINT RESOLUTION

Resolved by the Senate and House of Representatives
of the United States of America in Congress assembled, That
section 6 of Public Resolution No. 54, 76th Congress,
2d session (54 Stat. 7), be and the same is hereby repealed,
and the President may permit any vessel of United States
registry to carry defensive armament when, in his judgment,
such action will contribute to the protection of such
vessel, and the provisions of section 28 of Title 18 of the
United States Code shall not be deemed to be applicable
thereto.