

BRITISH EMBASSY,

WASHINGTON, D. C.,

December 2nd, 1939

No. 1354

My Lord,

I have the honour to inform Your Lordship that since last September several of His Majesty's Consular Officers in the United States have referred to me applications received from American-born wives of British subjects for British passports to enable them to return to their homes in the United Kingdom. In the majority of cases, these women had come to the United States before the outbreak of war on temporary visits travelling on United States passports.

2. On the 4th September, the State Department announced that United States passports would only be issued for travel to belligerent countries in Europe in cases where the journey was an "imperative necessity". In pursuance of this Order, the Department have hitherto refused to validate United States passports held by American-born wives of British subjects who desire to return to the United Kingdom. However, in reply to semi-official enquiries made shortly after the outbreak of war, they stated that they would raise no objection to such women leaving the United States on British passports. I accordingly authorised the issue of British passports where the applicants were able to establish their British nationality.

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The Right Honourable

The Viscount Halifax, K.G.,

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END

3. The position has been changed by the recent amendment of the Neutrality Law which makes it unlawful (1) to travel on belligerent ships and (2) to proceed into or through a combat zone, and provides severe penalties for violation of (2). The State Department who have been consulted semi-officially as to the effect of this development state that, in their view, United States citizens cannot evade the provisions of the Neutrality Law by travelling on passports of any second nationality they may possess. They have explained confidentially, however, that there is a possibility that, in the near future, some special concession may be made in favour of United States citizens ordinarily resident in belligerent countries which would enable the women in question to travel on United States passports. I have therefore informed Consular Officers that American-born wives of British subjects who apply for British passports to return to the United Kingdom should be warned about the severe penalties to which they, as United States citizens, render themselves liable under the United States Neutrality Law, and that they should be advised to wait a little to see whether the regulations relating to the issue of United States passports for travel to the war zone may not be relaxed in their favour.

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I have the honour to be,
 with the highest respect,
 My Lord,
 Your Lordship's most obedient,
 humble servant,

(80D) LOTHIAN