

(Mar. 4, 1909, ch. 321, §16, 35 Stat. 1091.)

CODIFICATION

Section was formerly classified to section 28 of title 18 prior to the general revision and enactment of Title 18, Crimes and Criminal Procedure, by act June 25, 1948, ch. 645, §1, 62 Stat. 683.

PRIOR PROVISIONS

Section was derived from R.S. §5289 (act Apr. 20, 1818, ch. 88, §10, 3 Stat. 449), which was repealed by act Mar. 4, 1909, ch. 321, §341, 35 Stat. 1153.

§ 464. Detention by collectors of customs

The several collectors of the customs shall detain any vessel manifestly built for warlike purposes, and about to depart the United States, or any place subject to the jurisdiction thereof, the cargo of which principally consists of arms and munitions of war, when the number of men shipped on board, or other circumstances, render it probable that such vessel is intended to be employed by the owners to cruise or commit hostilities upon the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace, until the decision of the President is had thereon, or until the owner gives such bond and security as is required of the owners of armed vessels by section 463 of this title.

(Mar. 4, 1909, ch. 321, §17, 35 Stat. 1091.)

CODIFICATION

Section was formerly classified to section 29 of title 18 prior to the general revision and enactment of Title 18, Crimes and Criminal Procedure, by act June 25, 1948, ch. 645, §1, 62 Stat. 683.

PRIOR PROVISIONS

Section was derived from R.S. §5290 (act Apr. 20, 1818, ch. 88, §11, 3 Stat. 450), which was repealed by act Mar. 4, 1909, ch. 321, §341, 35 Stat. 1153.

TRANSFER OF FUNCTIONS

Offices of collector of customs, comptroller of customs, surveyor of customs, and appraiser of merchandise of Bureau of Customs of Department of the Treasury to which appointments were required to be made by President with advice and consent of Senate ordered abolished, with such offices to be terminated not later than Dec. 31, 1966, by Reorg. Plan No. 1, of 1965 eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Offices eliminated were already vested in Secretary of the Treasury by Reorg. Plan No. 26 of 1950, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5.

§ 465. Detention of vessels

The President may employ such part of the land or naval forces of the United States as he may deem necessary to carry out the purposes of sections 462 and 465 of this title, and sections 756, 960, 963 to 967, and 3058 of title 18.

(June 15, 1917, ch. 30, title V, §9, 40 Stat. 223.)

CODIFICATION

This section was not enacted as part of act Mar. 4, 1909, ch. 321, 35 Stat. 1090, which comprises this chapter.

Sections 462 and 465 of this title, and sections 756, 960, 963 to 967, and 3058 of title 18, referred to in text, was

in the original "this title", meaning title V of act June 15, 1917, which had been classified to sections 462 and 465 of this title and sections 25, and 31 to 38 of former Title 18, Criminal Code and Criminal Procedure.

"Sections 756, 960, 963 to 967, and 3058 of title 18" substituted in text for "sections 25, and 31 to 38 of title 18" on authority of act June 25, 1948, ch. 645, 62 Stat. 683, section 1 of which enacted Title 18, Crimes and Criminal Procedures.

Section was formerly classified to section 38 of title 18 prior to the general revision and enactment of Title 18, by act June 25, 1948, ch. 645, §1, 62 Stat. 683.

DEFINITIONS

Definition of United States as used in this section, see section 408a of this title.

CHAPTER 10—HEMISPHERAL RELATIONS

SUBCHAPTER I—GENERALLY

Sec.

- 501. Utilization of services of Government agencies to promote inter-American relations.
- 502. Creation of advisory committees.
- 503. Facilitating work of foreign traveling salesmen; licenses and certificates of identification.
- 504. Transfer of hemisphere territory from one non-American power to another; recognition; consultation with American Republics.

SUBCHAPTER II—WAR MATERIALS

- 521. Military and naval assistance to governments of American Republics.
- 522. Transmission of information pertaining to implements of war, vessels, etc.
- 523. Restriction in contracts against disposal of implements of war, vessels, etc., or information.
- 524. Information on shipments to be given Chairman of National Munitions Control Board.
- 525. Appropriations and disposition of receipts.
- 526. Protection of patent rights.
- 527. Purchases of implements of war, etc., from American Republics.

SUBCHAPTER I—GENERALLY

§ 501. Utilization of services of Government agencies to promote inter-American relations

In order to render closer and more effective the relationship between the American republics the President of the United States is authorized, subject to such appropriations as are made available for the purpose, to utilize the services of the departments, agencies, and independent establishments of the Government in carrying out the reciprocal undertakings and cooperative purposes enunciated in the treaties, resolutions, declarations, and recommendations signed by all of the twenty-one American republics at the Inter-American Conference for the Maintenance of Peace held at Buenos Aires, Argentina, in 1936, and at the Eighth International Conference of American States held at Lima, Peru, in 1938.

(Aug. 9, 1939, ch. 616, §1, 53 Stat. 1290.)

§ 502. Creation of advisory committees

The President is authorized to create such advisory committees as in his judgment may be of assistance in carrying out the undertakings of this Government under the treaties, resolutions, declarations, and recommendations referred to, but no committee or member thereof shall be al-

lowed any salary or other compensation for services: *Provided, however,* That they may, within the limits of appropriations made available therefor by the Congress, which appropriations are authorized, be paid their actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses while away from their homes in attendance upon meetings within the United States under instructions from the Secretary of State.

(Aug. 9, 1939, ch. 616, § 2, 53 Stat. 1290.)

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, and advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 503. Facilitating work of foreign traveling salesmen; licenses and certificates of identification

Whereas the United States has entered into conventions with the Governments of Uruguay, Guatemala, Salvador, Panama, and Venezuela which were signed on August 27, 1918, December 3, 1918, January 28, 1919, February 8, 1919, and July 3, 1919, respectively, for facilitating the work of traveling salesmen; and

Whereas Articles I and II of each of said conventions read as follows:

“ARTICLE I. Manufacturers, merchants, and traders domiciled within the jurisdiction of one of the high contracting parties may operate as commercial travelers either personally or by means of agents or employees within the jurisdiction of the other high contracting party on obtaining from the latter, upon payment of a single fee, a license which shall be valid throughout its entire territorial jurisdiction.

“In case either of the high contracting parties shall be engaged in war, it reserves to itself the right to prevent from operating within its jurisdiction under the provisions of this treaty, or otherwise, enemy nationals or other aliens whose presence it may consider prejudicial to public order and national safety.

“ART. II. In order to secure the license above mentioned the applicant must obtain from the country of domicile of the manufacturers, merchants, and traders represented a certificate attesting his character as commercial traveler. This certificate, which shall be issued by the authority to be designated in each country for the purpose, shall be visaed by the consul of the country in which the applicant proposes to operate, and the authorities of the latter shall, upon the presentation of such certificate, issue to the applicant the national license as provided in Article I.”

Now, therefore, the Secretary of Commerce, or any person in the Department of Commerce designated by him, is authorized to issue the li-

censes and certificates of identification which are provided for by the said Articles I and II, respectively, of the said conventions, or which may be provided for by similar articles in any convention or treaty that may, on and after September 22, 1922, be concluded by the United States with a foreign government, and is further authorized to collect a reasonable fee for each license and certificate of identification issued. The amount of such fee shall be fixed by regulations made by the Secretary of Commerce and shall be paid into the Treasury of the United States quarterly.

(Sept. 22, 1922, ch. 414, 42 Stat. 1028.)

§ 504. Transfer of hemisphere territory from one non-American power to another; recognition; consultation with American Republics

(1) The United States would not recognize any transfer, and would not acquiesce in any attempt to transfer, any geographic region of this hemisphere from one non-American power to another non-American power; and

(2) If such transfer or attempt to transfer should appear likely, the United States shall, in addition to other measures, immediately consult with the other American republics to determine upon the steps which should be taken to safeguard their common interests.

(Apr. 10, 1941, ch. 49, 55 Stat. 133.)

PURPOSE OF ENACTMENT

The “whereas” clauses preceding the resolving words in Joint Res. Apr. 10, 1941, provided as follows:

“Whereas our traditional policy has been to consider any attempt on the part of non-American powers to extend their system to any portion of this hemisphere as dangerous to the peace and safety not only of this country but of the other American republics; and

“Whereas the American republics agreed at the Inter-American Conference for the Maintenance of Peace held in Buenos Aires in 1936 and at the Eighth International Conference of American States held in Lima in 1938 to consult with one another in the event that the peace, security, or territorial integrity of any American republic should be threatened; and

“Whereas the Meeting of the Foreign Ministers of the American Republics at Panama October 3, 1939, resolved ‘That in case any geographic region of America subject to the jurisdiction of any non-American state should be obliged to change its sovereignty and there should result therefrom a danger to the security of the American Continent, a consultative meeting such as the one now being held will be convoked with the urgency that the case may require.’”

SUBCHAPTER II—WAR MATERIALS

§ 521. Military and naval assistance to governments of American Republics

(a) Coast-defense and anti-aircraft matériel; ammunition

The President may, in his discretion, authorize the Secretary of the Army to manufacture in factories and arsenals under his jurisdiction, or otherwise procure, coast-defense and anti-aircraft matériel, including ammunition therefor, on behalf of the government of any American republic; to sell such matériel and ammunition to any such government; to test or prove such matériel and ammunition prior to sale or delivery to any such government; to repair such