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The President

Regulations Pertaining to Alien Enemies

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 21 of title 50 of the United States Code provides as follows:

Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety.

WHEREAS by sections 22, 23, and 24 of title 50 of the United States Code further provision is made relative to alien enemies;

WHEREAS by Proclamation No. 2525 [1] of December 7, 1941, and Proclamations Nos. 2526 [2] and 2527 [3] of December 8, 1941, I prescribed and proclaimed certain regulations governing the conduct of alien enemies; and

WHEREAS I find it necessary in the interest of national defense to prescribe regulations additional and supplemental to such regulations:

[1] 6 F.R. 6321.
[2] 6 F.R. 6323.
[3] 6 F.R. 6324.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid sections of the United States Code, do hereby prescribe and proclaim the following regulations, additional and supplemental to those prescribed by the aforesaid proclamations of December 7, 1941, and December 8, 1941:

All alien enemies within the continental United States, Puerto Rico, and the Virgin Islands are hereby required, at such times and places and in such manner as may be fixed by the Attorney General of the United States, to apply for and acquire certificates of identification; and the Attorney General is hereby authorized and directed to provide, as speedily as may be practicable, for the receiving of such applications and for the issuance of appropriate identification certificates, and to make such rules and regulations as he may deem necessary for effecting such identifications; and all alien enemies and all other persons are hereby required to comply with such rules and regulations. The Attorney General in carrying out such identification procedure, is hereby authorized to utilize such agents, agencies, officers, and departments of the United States and of the several states, territories, dependencies, and municipalities thereof and of the District of Columbia as he may select for the purpose, and all such agents, agencies, officers, and departments are hereby granted full authority for all acts done by them in the execution of this regulation when acting by the direction of the Attorney General. After the date or dates fixed by the Attorney General for completion of such identification procedure, every alien enemy within the limits of the continental United States, Puerto Rico, or the Virgin Islands shall at all times have his identification card on his person.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

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DONE at the City of Washington this 14th day of January in the year of our Lord nineteen hundred and forty-two, and of the Independence of the United States of America the one hundred and sixty-sixth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:
CORDELL HULL,
Secretary of State.

[No. 2537]

[F. R. Doc. 42-452; Filed, January 16, 1942; 10:49 a. m.]

EXECUTIVE ORDER

ESTABLISHING THE WAR PRODUCTION BOARD IN THE EXECUTIVE OFFICE OF THE PRESIDENT AND DEFINING ITS FUNCTIONS AND DUTIES

By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States and Commander in Chief of the Army and Navy, and in order to define further the functions and duties of the Office for Emergency Management with respect to the state of war declared to exist by Joint Resolutions of the Congress, approved December 8, 1941, and December 11, 1941, respectively, and for the purpose of assuring the most effective prosecution of war procurement and production, it is hereby ordered as follows:

1. There is established within the Office for Emergency Management of the Executive Office of the President a War Production Board, hereinafter referred to as the Board. The Board shall consist of a Chairman, to be appointed by the President, the Secretary of War, the Secretary of the Navy, the Federal Loan Administrator, the Director General and the Associate Director General of the Office of Production Management, the Admin-

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istrator of the Office of Price Administration, the Chairman of the Board of Economic Warfare, and the Special Assistant to the President supervising the defense aid program.

2. The Chairman of the War Production Board, with the advice and assistance of the members of the Board, shall:

a. Exercise general direction over the war procurement and production program.

b. Determine the policies, plans, procedures, and methods of the several Federal departments, establishments, and agencies in respect to war procurement and production, including purchasing, contracting, specifications, and construction; and including conversion, requisitioning, plant expansion, and the financing thereof; and issue such directives in respect thereto as he may deem necessary or appropriate.

c. Perform the functions and exercise the powers vested in the Supply Priorities and Allocations Board by Executive Order No. 8875[1] of August 28, 1941.

d. Supervise the Office of Production Management in the performance of its responsibilities and duties, and direct such changes in its organization as he may deem necessary.

e. Report from time to time to the President on the progress of war procurement and production; and perform such other duties as the President may direct.

3. Federal departments, establishments, and agencies shall comply with the policies, plans, methods, and procedures in respect to war procurement and production as determined by the Chairman; and shall furnish to the Chairman such information relating to war procurement and production as he may deem necessary for the performance of his duties.

4. The Army and Navy Munitions Board shall report to the President through the Chairman of the War Production Board.

5. The Chairman may exercise the powers, authority, and discretion conferred upon him by this Order through such officials or agencies and in such manner as he may determine; and his decisions shall be final.

6. The Chairman is further authorized within the limits of such funds as may be allocated or appropriated to the Board to employ necessary personnel and make provision for necessary supplies, facilities, and services.

7. The Supply Priorities and Allocations Board, established by the Executive Order of August 28, 1941, is hereby abolished, and its personnel, records, and property transferred to the Board. The Executive Orders No. 8629[2] of January 7, 1941, No. 8875[3] of August 28, 1941, No. 8891[4] of September 4, 1941, No. 8942[5] of November 19, 1941, No. 9001[6] of December 27, 1941, and No. 9023[7] of January 14, 1942, are hereby amended accordingly, and any provisions of these or other pertinent Executive Orders conflicting with this Order are hereby superseded.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 16, 1942

[No. 9024]

[F. R. Doc. 42-482; Filed, January 16, 1942; 1:45 p. m.]

[1] 6 F.R. 4483.

[2] 6 F.R. 191.
[3] 6 F.R. 4623.
[4] 6 F.R. 5909.
[5] 6 F.R. 6787.
[6] 7 F.R. 302.

Rules, Regulations, Orders

TITLE 10—ARMY: WAR DEPARTMENT

CHAPTER VI—ORGANIZED RESERVES

PART 64—ENLISTED RESERVE CORPS[7]

§ 64.13 *Separation from service*—(a) *Discharge before expiration of enlistment.* When on inactive status or active status for training, a member of the Enlisted Reserve Corps will not be discharged before the expiration of his term of enlistment, except—

(1) By order of the President or of the Secretary of War.

(2) By direction of the commander of a corps area, or such officers as may be designated by him for that purpose:

(i) On account of physical disability;

(ii) Upon acceptance of a commission in the Regular Army, Officers' Reserve Corps, or National Guard;

(iii) For the purpose of enlisting in the Regular Army, Navy, Marine Corps, National Guard or Coast Guard;

(iv) On account of absence beyond the continental limits of the United States for a period of six months or longer;

(v) Upon application in writing forwarded through channels 90 days before the discharge is to take effect in cases of those authorized to be enlisted for one year;

(vi) On account of sentence of imprisonment by a civil court whether suspended or not;

(vii) Under the provisions of paragraph 25, AR 150-5; or

(viii) On account of minority, action in such cases to be as provided for the Regular Army under the provisions of paragraph 33, AR 615-360.[8]

(3) Pursuant to sentence of a general court-martial, the enlisted man being in an active duty status.

(4) In compliance with an order of one of the United States courts or a justice or judge thereof on a writ of habeas corpus.

When on active duty in a national emergency (§ 64.2 (b)), the discharge of a member of the Enlisted Reserve Corps will be governed by the provisions of Army Regulations applicable to enlisted men of the Regular Army. (39 Stat. 195, 41 Stat. 780, 44 Stat. 705; 10 U.S.C. 421, 423-427) [Par. 22, AR 150-5 Sept. 30, 1931, amendments in Cir. 167, W.D., Aug. 13, 1941 (6 F.R. 4360) having been rescinded by Cir. 6, W.D., Jan. 9, 1942]

* * * * *

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 42-447; Filed, January 15, 1942; 2:19 p. m.]

CHAPTER VII—PERSONNEL

PART 71—ENLISTMENT IN THE REGULAR ARMY[1]

§ 71.5 *Enlistments in the Regular Army requiring special authority from the War Department.* The following classes of personnel will not be enlisted or reenlisted in the Regular Army without special authority in each case from The Adjutant General:

* * * * *

(b) Former enlisted men over 45 years of age who were last discharged as privates and failed to reenlist within 3 months thereafter. In such cases the application must show that the reenlistment will be for the interests of the service. (41 Stat. 765; 10 U.S.C. 42) [Par. 16b, AR 600-750, April 10, 1939, as amended by Cir. 5, W.D., January 8, 1942]

* * * * *

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 42-448; Filed, January 15, 1942; 2:22 p. m.]

[7] § 64.13 (a) is amended.

[1] § 71.5 (b) is amended.
[8] Administrative regulations of the War Department relative to discharge of enlisted man.