

May 6, 1918.
[H. J. Res. 284.]

[Pub. Res., No. 28.]

Appropriation for House of Representatives.

CHAP. 68.—Joint Resolution Making an appropriation for contingent expenses of the House of Representatives.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum is appropriated out of any money in the Treasury not otherwise appropriated:

HOUSE OF REPRESENTATIVES.

Miscellaneous items, and special and select committees.

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, fiscal year nineteen hundred and eighteen, \$40,000.

Approved, May 6, 1918.

May 9, 1918.
[H. R. 3132.]

[Public, No. 144.]

Naturalization of aliens. Vol. 34, p. 538, amended.

Admission to citizenship. Filipinos. Service requirement, etc.

Aliens, or Porto Ricans. Proof of residence not required if having Army, Navy, or shipping service.

Acceptance on presenting declaration of intention.

Aliens in armed force during present war.

Aliens with previous military or naval service.

Residence for three years if accepted on condition of becoming citizens.

CHAP. 69.—An Act To amend the naturalization laws and to repeal certain sections of the Revised Statutes of the United States and other laws relating to naturalization, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of the Act entitled "An Act to establish a Bureau of Immigration and Naturalization and to provide a uniform rule for the naturalization of aliens throughout the United States," approved June twenty-ninth, nineteen hundred and six, be, and is hereby, amended by adding seven new subdivisions as follows:

"Seventh. Any native-born Filipino of the age of twenty-one years and upward who has declared his intention to become a citizen of the United States and who has enlisted or may hereafter enlist in the United States Navy or Marine Corps or the Naval Auxiliary Service, and who, after service of not less than three years, may be honorably discharged therefrom, or who may receive an ordinary discharge with recommendation for reenlistment; or any alien, or any Porto Rican not a citizen of the United States, of the age of twenty-one years and upward, who has enlisted or entered or may hereafter enlist in or enter the armies of the United States, either the Regular or the Volunteer Forces, or the National Army, the National Guard or Naval Militia of any State, Territory, or the District of Columbia, or the State militia in Federal service, or in the United States Navy or Marine Corps, or in the United States Coast Guard, or who has served for three years on board of any vessel of the United States Government, or for three years on board of merchant or fishing vessels of the United States of more than twenty tons burden, and while still in the service on a reenlistment or reappointment, or within six months after an honorable discharge or separation therefrom, or while on furlough to the Army Reserve or Regular Army Reserve after honorable service, may, on presentation of the required declaration of intention petition for naturalization without proof of the required five years' residence within the United States if upon examination by the representative of the Bureau of Naturalization, in accordance with the requirements of this subdivision it is shown that such residence can not be established; any alien serving in the military or naval service of the United States during the time this country is engaged in the present war may file his petition for naturalization without making the preliminary declaration of intention and without proof of the required five years' residence within the United States; any alien declarant who has served in the United States Army or Navy, or the Philippine Constabulary, and has been honorably discharged therefrom, and has been accepted for service in either the military or naval service of the United States on the condition that he becomes a

citizen of the United States, may file his petition for naturalization upon proof of continuous residence within the United States for the three years immediately preceding his petition, by two witnesses, citizens of the United States, and in these cases only residence in the Philippine Islands and the Panama Canal Zone by aliens may be considered residence within the United States, and the place of such military service shall be construed as the place of residence required to be established for purposes of naturalization; and any alien, or any person owing permanent allegiance to the United States embraced within this subdivision, may file his petition for naturalization in the most convenient court without proof of residence within its jurisdiction, notwithstanding the limitation upon the jurisdiction of the courts specified in section three of the Act of June twenty-ninth, nineteen hundred and six, provided he appears with his two witnesses before the appropriate representative of the Bureau of Naturalization and passes the preliminary examination hereby required before filing his petition for naturalization in the office of the clerk of the court, and in each case the record of this examination shall be offered in evidence by the representative of the Government from the Bureau of Naturalization and made a part of the record at the original and any subsequent hearings; and, except as otherwise herein provided, the honorable discharge certificate of such alien, or person owing permanent allegiance to the United States, or the certificate of service showing good conduct, signed by a duly authorized officer, or by the masters of said vessels, shall be deemed prima facie evidence to satisfy all of the requirements of residence within the United States and within the State, Territory, or the District of Columbia, and good moral character required by law, when supported by the affidavits of two witnesses, citizens of the United States, identifying the applicant as the person named in the certificate or honorable discharge, and in those cases only where the alien is actually in the military or naval service of the United States, the certificate of arrival shall not be filed with the petition for naturalization in the manner prescribed; and any petition for naturalization filed under the provisions of this subdivision may be heard immediately, notwithstanding the law prohibits the hearing of a petition for naturalization during thirty days preceding any election in the jurisdiction of the court. Any alien, who, at the time of the passage of this Act, is in the military service of the United States, who may not be within the jurisdiction of any court authorized to naturalize aliens, may file his petition for naturalization without appearing in person in the office of the clerk of the court and shall not be required to take the prescribed oath of allegiance in open court. The petition shall be verified by the affidavits of at least two credible witnesses who are citizens of the United States, and who shall prove in their affidavits the portion of the residence that they have personally known the applicant to have resided within the United States. The time of military service may be established by the affidavits of at least two other citizens of the United States, which, together with the oath of allegiance, may be taken in accordance with the terms of section seventeen hundred and fifty of the Revised Statutes of the United States after notice from and under regulations of the Bureau of Naturalization. Such affidavits and oath of allegiance shall be admitted in evidence in any original or appellate naturalization proceeding without proof of the genuineness of the seal or signature or of the official character of the officer before whom the affidavits and oath of allegiance were taken, and shall be filed by the representative of the Government from the Bureau of Naturalization at the hearing as provided by section eleven of the Act of June twenty-ninth, nineteen hundred and six.

Proof of residence.

Petitions from aliens
or persons owing alle-
giance.
Acceptance without
residence proof.

Vol. 34, p. 596.
Evidence accepted.

Service certificate,
etc., in lieu of proof of
residence, etc.

Immediate hearings.

Petitions from aliens
now in military service.

Proof of service, oath,
etc.

R. S., sec. 1750, p. 31.
Effect as evidence.

Vol. 34, p. 599.

Naturalization officials to administer oaths.

Notice to district attorney, etc., repealed. Vol. 34, p. 601.

Provisos. Election day restrictions.

Service on vessels not of American registry not accepted for residence.

Fee restrictions.

Accounting. Vol. 34, p. 600.

Alien seamen. Protected as citizens by serving on American vessels after filing declaration.

Proviso. Seamen's Act not affected. Vol. 38, p. 1164.

Educating applicants for citizenship.

Use of naturalization fees for expenses, etc.

Members of the Naturalization Bureau and Service may be designated by the Secretary of Labor to administer oaths relating to the administration of the naturalization law; and the requirement of section ten of notice to take depositions to the United States attorneys is repealed, and the duty they perform under section fifteen of the Act of June twenty-ninth, nineteen hundred and six (Thirty-fourth Statutes at Large, part one, page five hundred and ninety-six), may also be performed by the Commissioner or Deputy Commissioner of Naturalization: *Provided*, That it shall not be lawful to make a declaration of intention before the clerk of any court on election day or during the period of thirty days preceding the day of holding any election in the jurisdiction of the court: *Provided further*, That service by aliens upon vessels other than of American registry, whether continuous or broken, shall not be considered as residence for naturalization purposes within the jurisdiction of the United States, and such aliens can not secure residence for naturalization purposes during service upon vessels of foreign registry.

During the time when the United States is at war no clerk of a United States court shall charge or collect a naturalization fee from an alien in the military service of the United States for filing his petition or issuing the certificate of naturalization upon admission to citizenship, and no clerk of any State court shall charge or collect any fee for this service unless the laws of the State require such charge to be made, in which case nothing more than the portion of the fee required to be paid to the State shall be charged or collected. A full accounting for all of these transactions shall be made to the Bureau of Naturalization in the manner provided by section thirteen of the Act of June twenty-ninth, nineteen hundred and six.

"Eighth. That every seaman, being an alien, shall, after his declaration of intention to become a citizen of the United States, and after he shall have served three years upon such merchant or fishing vessels of the United States, be deemed a citizen of the United States for the purpose of serving on board any such merchant or fishing vessel of the United States, anything to the contrary in any Act of Congress notwithstanding; but such seaman shall, for all purposes of protection as an American citizen, be deemed such after the filing of his declaration of intention to become such citizen: *Provided*, That nothing contained in this Act shall be taken or construed to repeal or modify any portion of the Act approved March fourth, nineteen hundred and fifteen (Thirty-eighth Statutes at Large, part one, page eleven hundred and sixty-four, chapter one hundred and fifty-three), being an Act to promote the welfare of American seamen.

"Ninth. That for the purpose of carrying on the work of the Bureau of Naturalization of sending the names of the candidates for citizenship to the public schools and otherwise promoting instruction and training in citizenship responsibilities of applicants for naturalization, as provided in this subdivision, authority is hereby given for the reimbursement of the printing and binding appropriation of the Department of Labor upon the records of the Treasury Department from the naturalization fees deposited in the Treasury through the Bureau of Naturalization for the cost of publishing the citizenship textbook prepared and to be distributed by the Bureau of Naturalization to those candidates for citizenship only who are in attendance upon the public schools, such reimbursement to be made upon statements by the Commissioner of Naturalization of books actually delivered to such student candidates for citizenship, and a monthly naturalization bulletin, and in this duty to secure the aid of and cooperate with the official State and national organizations, including those concerned with vocational education and including personal services in the District of Columbia, and to aid the local Army

exemption boards and cooperate with the War Department in locating declarants subject to the Army draft and expenses incidental thereto.

"Tenth. That any person not an alien enemy, who resided uninterruptedly within the United States during the period of five years next preceding July first, nineteen hundred and fourteen, and was on that date otherwise qualified to become a citizen of the United States, except that he had not made the declaration of intention required by law and who during or prior to that time, because of misinformation regarding his citizenship status erroneously exercised the rights and performed the duties of a citizen of the United States in good faith, may file the petition for naturalization prescribed by law without making the preliminary declaration of intention required of other aliens, and upon satisfactory proof to the court that he has so acted may be admitted as a citizen of the United States upon complying in all respects with the other requirements of the naturalization law.

"Eleventh. No alien who is a native, citizen, subject, or denizen of any country, State, or sovereignty with which the United States is at war shall be admitted to become a citizen of the United States unless he made his declaration of intention not less than two nor more than seven years prior to the existence of the state of war, or was at that time entitled to become a citizen of the United States, without making a declaration of intention, or unless his petition for naturalization shall then be pending and is otherwise entitled to admission, notwithstanding he shall be an alien enemy at the time and in the manner prescribed by the laws passed upon that subject: *Provided*, That no alien embraced within this subdivision shall have his petition for naturalization called for a hearing, or heard, except after ninety days' notice given by the clerk of the court to the Commissioner or Deputy Commissioner of Naturalization to be present, and the petition shall be given no final hearing except in open court and after such notice to the representative of the Government from the Bureau of Naturalization, whose objection shall cause the petition to be continued from time to time for so long as the Government may require: *Provided, however*, That nothing herein contained shall be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy at any time previous to the actual naturalization of such alien; and section twenty-one hundred and seventy-one of the Revised Statutes of the United States is hereby repealed: *Provided further*, That the President of the United States may, in his discretion, upon investigation and report by the Department of Justice fully establishing the loyalty of any alien enemy not included in the foregoing exemption, except such alien enemy from the classification of alien enemy, and thereupon he shall have the privilege of applying for naturalization; and for the purposes of carrying into effect the provisions of this section, including personal services in the District of Columbia, the sum of \$400,000 is hereby appropriated, to be available until June thirtieth, nineteen hundred and nineteen, including travel expenses for members of the Bureau of Naturalization and its field service only, and the provisions of section thirty-six hundred and seventy-nine of the Revised Statutes shall not be applicable in any way to this appropriation.

"Twelfth. That any person who, while a citizen of the United States and during the existing war in Europe, entered the military or naval service of any country at war with a country with which the United States is now at war, who shall be deemed to have lost his citizenship by reason of any oath or obligation taken by him for the purpose of entering such service, may resume his citizenship by taking the oath of allegiance to the United States

Alien residents not enemies erroneously exercising citizenship rights.
Acceptance without preliminary declaration.

Restriction on granting citizenship to natives, etc., of enemy country.

Provisos. Hearing requirements. require-

Removal, etc., of alien enemies.

R. S., sec. 2171, p. 380, repealed.
Loyalty exemption allowed.

Appropriation.

Restrictions waived.
R. S. sec. 3679, p. 723.
Vol. 34, p. 49.

Repatriation of citizens serving with allies of United States in present war.

prescribed by the naturalization law and regulations, and such oath may be taken before any court of the United States or of any State authorized by law to naturalize aliens or before any consul of the United States, and certified copies thereof shall be sent by such court or consul to the Department of State and the Bureau of Naturalization, and the Act (Public fifty-five, Sixty-fifth Congress, approved October fifth, nineteen hundred and seventeen), is hereby repealed.

Former provision repealed.
Ante, p. 340.

Continuous residence not required of persons in armed forces during the war.

“Thirteenth. That any person who is serving in the military or naval forces of the United States at the termination of the existing war, and any person who before the termination of the existing war may have been honorably discharged from the military or naval services of the United States on account of disability incurred in line of duty, shall, if he applies to the proper court for admission as a citizen of the United States, be relieved from the necessity of proving that immediately preceding the date of his application he has resided continuously within the United States the time required by law of other aliens, or within the State, Territory, or the District of Columbia for the year immediately preceding the date of his petition for naturalization, but his petition for naturalization shall be supported by the affidavits of two credible witnesses, citizens of the United States, identifying the petitioner as the person named in the certificate of honorable discharge, which said certificate may be accepted as evidence of good moral character required by law, and he shall comply with the other requirements of the naturalization law.”

Procedure for naturalization.

Laws repealed.
R. S. secs., 2166, 2174, pp. 379, 380.

Navy and Marine Corps service qualifications.
Vol. 28, p. 124.

Sec. 2. That the following provisions of law be, and they are hereby, repealed: Section twenty-one hundred and sixty-six and twenty-one hundred and seventy-four of the Revised Statutes of the United States of America and so much of an Act approved July twenty-sixth, eighteen hundred and ninety-four, entitled “An Act making provisions for the naval service for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes,” being chapter one hundred and sixty-five of the laws of eighteen hundred and ninety-four (Twenty-eighth Statutes at Large, page one hundred and twenty-four), reading as follows: “Any alien of the age of twenty-one years and upward who has enlisted or may enlist in the United States Navy or Marine Corps and has served or may hereafter serve five consecutive years in the United States Navy or one enlistment in the United States Marine Corps and has been or may hereafter be honorably discharged, shall be admitted to become a citizen of the United States upon his petition without any previous declaration of his intention to become such; and the court admitting such alien shall, in addition to proof of good moral character, be satisfied by competent proof of such person’s service in and honorable discharge from the United States Navy or Marine Corps;” and so much of an Act approved June thirtieth, nineteen hundred and fourteen, entitled “An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and fifteen, and for other purposes,” being chapter one hundred and thirty of the laws of nineteen hundred and fourteen (Thirty-eighth Statutes at Large, part one, page three hundred and ninety-two), reading as follows: “Any alien of the age of twenty-one years and upward who may under existing law become a citizen of the United States, who has served or may hereafter serve for one enlistment of not less than four years in the United States Navy or Marine Corps, and who has received therefrom an honorable discharge or an ordinary discharge, with recommendation for reenlistment, or who has completed four years in the Revenue-Cutter Service and received therefrom an honorable discharge or an ordinary discharge

Vol. 38, p. 395.

with recommendation for reenlistment, or who has completed four years of honorable service in the naval auxiliary service, shall be admitted to become a citizen of the United States upon his petition without any previous declaration of his intention to become such, and without proof of residence on shore, and the court admitting such alien shall, in addition to proof of good moral character, be satisfied by competent proof from naval or revenue-cutter sources of such service: *Provided*, That an honorable discharge from the Navy, Marine Corps, Revenue-Cutter Service, or the Naval Auxiliary Service, or an ordinary discharge with recommendation for reenlistment, shall be accepted as proof of good moral character: *Provided further*, That any court which now has or may hereafter be given jurisdiction to naturalize aliens as citizens of the United States may immediately naturalize any alien applying under and furnishing the proof prescribed by the foregoing provisions"; and so much of section three of an Act approved June twenty-fifth, nineteen hundred and ten (Thirty-fourth Statutes at Large, part one, page six hundred and thirty), reading as follows: "That paragraph two of section four of an Act entitled 'An Act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States,' approved June twenty-ninth, nineteen hundred and six, be amended by adding, after the proviso in paragraph two of section four of said Act, the following: *Provided further*, That any person belonging to the class of persons authorized and qualified under existing law to become a citizen of the United States, who has resided constantly in the United States during a period of five years next preceding May first, nineteen hundred and ten, who, because of misinformation in regard to his citizenship or the requirements of the law governing the naturalization of citizens has labored and acted under the impression that he was or could become a citizen of the United States and has in good faith exercised the rights or duties of a citizen or intended citizen of the United States because of such wrongful information and belief may, upon making a showing of such facts satisfactory to a court having jurisdiction to issue papers of naturalization to an alien, and the court in its judgment believes that such person has been for a period of more than five years entitled upon proper proceedings to be naturalized as a citizen of the United States, receive from the said court a final certificate of naturalization, and said court may issue such certificate without requiring proof of former declaration by or on part of such person of their intention to become a citizen of the United States, but such applicant for naturalization shall comply in all other respects with the law relative to the issuance of final papers of naturalization to aliens."

That all Acts or parts of Acts inconsistent with or repugnant to the provisions of this Act are hereby repealed; but nothing in this Act shall repeal or in any way enlarge section twenty-one hundred and sixty-nine of the Revised Statutes, except as specified in the seventh subdivision of this Act and under the limitation therein defined: *Provided*, That for the purposes of the prosecution of all crimes and offenses against the naturalization laws of the United States which may have been committed prior to this Act the statutes and laws hereby repealed shall remain in full force and effect: *Provided further*, That as to all aliens who, prior to January first, nineteen hundred, served in the Armies of the United States and were honorably discharged therefrom, section twenty-one hundred and sixty-six of the Revised Statutes of the United States shall be and remain in full force and effect, anything in this Act to the contrary notwithstanding.

Issue of naturalization papers on declaration.
Vol. 36, p. 830.

Inconsistent laws repealed.
Limitation.

R. S., sec. 2169, p. 389.
Ante, p. 542.

Provisos.
Pending prosecutions, etc., continued.

Status of aliens serving in the Army.

R. S., sec. 2166, p. 379.

Naturalization certificates on declarations filed prior to September 27, 1906, validated.

SEC. 3. That all certificates of naturalization granted by courts of competent jurisdiction prior to December thirty-first, nineteen hundred and eighteen, upon petitions for naturalization filed prior to January thirty-first, nineteen hundred and eighteen, upon declarations of intention filed prior to September twenty-seventh, nineteen hundred and six, are hereby declared to be valid in so far as the declaration of intention is concerned, but shall not be by this Act further validated or legalized.

District of Columbia included.
Vol. 34, pp. 597, 599, 604-607.

The word "District" in sections four, ten, and twenty-seven of the Act which this Act amends is hereby amended to read "the District of Columbia."

Approved, May 9, 1918.

May 10, 1918.
[S. 3803.]

[Public, No. 145.]

CHAP. 70.—An Act Authorizing the President during the existing emergency to sell supplies, materials, equipment, or other property, heretofore or hereafter purchased, acquired, or manufactured by the United States, in connection with, or incidental to, the prosecution of the war.

War supplies, materials, etc.
Sales allowed to persons, allied Governments, etc., during the war.
Post, p. 850.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the existing emergency the President be, and he hereby is, authorized, in his discretion, and upon such terms as he shall deem expedient, through the head of any executive department, to sell any supplies, materials, equipment or other property heretofore or hereafter purchased, acquired, or manufactured by the United States in connection with, or incidental to, the prosecution of the war, to any person, partnership, association, or corporation, or to any foreign State or Government engaged in war against any Government with which the United States is at war; and any moneys received by the United States as the proceeds of any such sale shall be covered into the Treasury of the United States and a full report of the same shall be forthwith submitted to Congress.

Approved, May 10, 1918.

Disposal of receipts.

May 10, 1918.
[S. 4208.]

[Public, No. 146.]

CHAP. 71.—An Act Authorizing postage rates on aeroplane mail.

Postal service.
Rate for aeroplane mail.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General, in his discretion, may require the payment of postage on mail carried by aeroplane at not exceeding 24 cents per ounce or fraction thereof.

Approved, May 10, 1918.

May 11, 1918.
[S. 1548.]

[Public, No. 147.]

CHAP. 72.—An Act To amend the Act of March third, nineteen hundred and thirteen, entitled "An Act to regulate the officering and manning of vessels subject to the inspection laws of the United States."

Steam vessels.
Licensed officers and crew.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-four hundred and sixty-three of the Revised Statutes of the United States be, and it is hereby, amended to read as follows:

Minimum number of, including lifeboat men, to be prescribed.
R. S., sec. 4463, p. 864, amended.
Vol. 37, p. 732.

"SEC. 4463. No vessel of the United States subject to the provisions of this title or to the inspection laws of the United States shall be navigated unless she shall have in her service and on board such complement of licensed officers and crew including certificated lifeboat men, separately stated, as may, in the judgment of the local inspectors who inspect the vessel, be necessary for her safe navigation. The local inspectors shall make in the certificate of inspection of the

Changes in certificates of inspection.