

Ref.

The Japanese Embassy to the Department of State

No. 316

The Japanese Government has taken note of the Proclamation, dated December 10, 1940, by the President of the United States of America, governing the exportation of iron and steel under the provisions of Section 6 of the Act entitled, "An Act to expedite the strengthening of the national defense," approved July 2, 1940, and of the "White House announcement" of the same date, stating in part, that "licenses will be granted for exports to the British Empire and Western Hemisphere, and for the present, so far as the interests of the national defense permit, for exports to other destinations in quantities approximating usual or pre-war exports."

The enforcement of the measure ordered by the President in the Proclamation, especially when carried out in accordance with the policy as announced -- that is, the granting of licenses for exports exclusively to certain countries while subjecting exports to other countries to the considerations of "the interests of the national defense" and to arbitrary quantitative limitations -- constitutes an instance of discriminatory treatment of countries in the latter category, of which Japan, in consideration of the volume of her importation in recent years of the specified commodities, would be one of those most gravely affected.

The Japanese Government, which has had occasion to file protests against discriminations embodied in previous Presidential Proclamations, regulations, and announcements of administrative policy governing the exportation of aviation gasoline and iron and steel scrap, by the Japanese Ambassador's notes of August 3, 1940 and October 8 (7), 1940, respectively, is now constrained to protest, under similar circumstances and for similar reasons, against this fresh measure of discrimination reviewed in the above.

(Washington), December 21, 1940

Page 237

Excerpt from FOREIGN RELATIONS OF THE UNITED STATES, JAPAN,
1931-1941, Vol. 11



第三一六號

日本政府より國務省へ

日本政府は、一九四〇年十二月十日附米國大統領布告即ち、一九四〇年七月二日認可された「國防強化促進法」と題する條例第六節の規定に依り及國境の輸出管理に關する布告、並に月日前「白堊館告知」即ちその中で「英帝國及西半球への輸出並に當分の間は國防上の利害が許す限り平時或は戰前の輸出量までは他の仕向地に對する輸出に對し許可書が與へられる」といふことに、注意を拂つてゐる。

大統領が布告に於て命令した電置の實施、特に變更された方針に於いて實施された場合——即ち、輸出許可書を或る國にのみ許與する一方、其他の國への輸出を「國防上の利害」の酌量及び任意の分量的制限に任せること——は後者の範疇の國に對する差別待遇の一例を成すものである。これが爲め日本は列強された商品の近年の輸入量に對し最も重大な影響を受ける國の一つであらう。

日本政府は、航空機用ガソリン、鐵及鋼或層の輸出管理に關する幾の



大統領布告、法令並に實施方針の發表に對し表明された差別取扱に對し、一九四〇年八月三日及一九四〇年十月八日（七）日夫々大使覺書を以て抗議を提出したことがあつたが、今や同様の情況の下にそして同様の理由に依り、前記の新しい差別的處置に對し抗議するを余儀なくされてゐる。

（ワシントン）一九四〇年十二月二十一日

米日外交關係、日本、一九三一—一九四一年、第二卷抜萃

第二三七頁