

Ref.



The Secretary of State to the Japanese Charge (Morishima)

The Secretary of State presents his compliments to the Charge d'Affaires ad interim of Japan and acknowledges the receipt of the Japanese Embassy's note of November 19, 1940, in regard to the issuance of export licenses for machine tools.

As the Embassy is aware, each application to export a machine tool is examined by the interested agencies of this Government with a view to determining whether or not the tool in question is needed in the United States defense program. In view of the constant and rapid expansion which this program is undergoing, it frequently becomes necessary to revoke a license already granted, since the tool which it seemed at the time of the issuance of the license could be dispensed with has thereafter been found to be essential to the program. Attention should also be invited to the fact that, even though a particular tool for the exportation of which application is made may not be needed in the defense program, the application may nevertheless be rejected if the manufacture of the tool in question would occupy production capacity needed for the manufacture of other tools which are essential to the program.

It should be pointed out, moreover, that other considerations are also weighed by those agencies of the Government responsible for the issuance of export licenses. On December 2, 1939, the President publicly stated the policy of this Government in regard to the export of materials essential to aircraft manufacture to countries the armed forces of which engage in the unprovoked bombing from the air of civilian populations. This policy is naturally taken into consideration by those officers responsible for the granting or rejection of export license applications.

The Embassy refers to the revocation of licenses for tools which collectors of customs had previously been informed could be exported without the requirement of a license. The attention of the Embassy is invited to the fact that collectors of customs were informed that no license would be required for the export of these types of tools "until further notice". In view of the fact that the expanding defense program of this Government makes the conservation of machine tool production capacity for its own needs constantly more necessary, collectors of customs were recently instructed that licenses will be henceforth required for the export of additional types of machine tools, including those types listed in the enclosure to the Embassy's note.

In regard to the specific case referred to in the second numbered paragraph of the first section of the Embassy's note, the Embassy is informed that this application was received by the Department of State on October 3, 1940, and transmitted to the interested agencies of this Government on the same date. It is understood that a decision in this case has now been reached and that it is being communicated to Mitsubishi Shoji Kaisha. It is also understood that a decision has been reached in the case referred to in the concluding section of the Embassy's note and that this decision also is being transmitted to Mitsubishi Shoji Kaisha.

Washington, December 9, 1940

Ref.

辯護文書

一四〇〇一〇一四

國務長官より日本代理公使（森島）宛

國務長官は日本臨時代理大使宛に敬意を表し、工作機械輸出許可交附に
關する一九四〇年十一月十九日附日本大使館通牒を受領せる旨御通知申上
げる。

大使館で御承知の如く工作機械の輸出申請は凡て該工作機械が米國國防
計畫に必要なりや否やと決定するため我が政府の關係機關によつて調査さ
れる。該計畫に加へられつつある不斷の且つ急激なる擴張に鑑み、既に與
へられたる許可と雖も之を取消すことが屢々必要となる。
それは、許可を發した當時には不要と見做された機械がその後計畫に不可
缺き見做されるに至ることがあるからである。同様に次の事實にも注意が
望まれる。即ち申請の爲された特定の輸向機械が、たとへ國防計畫に不
要なりとしても、若し該機械の製造が計畫に不可欠なる他の機械の製造に
要する生産力を占取してゐる場合には、同様に却下されるであらうと云ふ
ことである。



且つ又輸出許可附與任務を有する政府の關係諸機關が右以外の考慮を備へることも茲に指摘して置かねばならない。一九三九年十二月二日、大統領は無の住民に空軍を以て謂れなき爆撃を加ふるが如き國家に對する航空機製造に不可缺たる材料の輸出に關して我が政府の政策を公表した。此の政策は輸出許可申請に就いて認可又は却下の任務を有する官吏が當然考慮に入れらるるのである。

日本大使館は、關稅徵收官が以前に許可を要せずして輸出し得ると受けたる機械の許可を取消したることについて照會してゐる。これについては關稅徵收官が此の種の機械輸出に對して「別命ある迄」許可の不要なる旨を指示されてゐる事に日本大使館は注意を向けられたい。我が政府の國防計畫の擴張により工作機械製造能力をその需要に應ずるため保存することが絶えず必要となる事實に鑑みて關稅徵收官は日本大使館通牒に添附の別紙に呈げられた種類を含む工作機械の追加種目の輸出に關しても今后は許可を要することを最近指示されてゐる。

日本大使館通牒第一章第二項に述べられた事例に關しては、該申請が一九四〇年一〇月二日國務省に於て受領され同日我が政府の關係機關に交附

されたことを了承されたい。此の件は既に決定済となり、目下三菱商事
會社宛通知發送中である。又大使館通牒最終重部中に述べられたる事例
に關しても決定を見、同様三菱商事會社宛通知されるものと御承知あり
たい。

ワシントン、一九四〇、一月九日

米、日外交關係、一九三一—一九四一年度、一一卷より抜萃