

BRITISH EMBASSY,
WASHINGTON, D.C.

November 26th, 1940.

NO. 1020
This is heads only.

My Lord,

I have the honour to transmit to your Lordship herewith copies of an Act of Congress approved on the 14th October last and entitled The Nationality Act of 1940. This Act, which follows closely the lines of H.R. 6127, copies of which accompanied Sir Ronald Lindsay's despatch No.759 of the 10th July, 1939, brings together into one document all the nationality laws of the United States and revises them in certain particulars.

2. None of these revisions affect British interests but there is one provision which might have been of serious concern to His Majesty's Government had it been accepted by the Senate in the form in which it was passed by the House of Representatives. Section 401 of the Act reads in part as follows: "A person who is a national of the United States whether by birth or naturalization, shall lose his nationality by(c) entering, or serving in, the armed forces of a foreign state unless expressly authorized by the laws of the United States if he has or acquires the nationality of such foreign state." The words "if he has or acquires a nationality of such foreign state" were added by the Senate largely, I understand, in order not to penalize Americans serving

The Right Honourable,

The Viscount Halifax, K.G.,

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in the British Armed Forces by the loss of their citizenship. As it stands, this penalty for serving in the armed forces of a foreign state is reserved for persons who have another nationality in addition to their United States nationality or for persons who take an oath of allegiance on their enlistment. Under the previously existing law the penalty was only applicable to the latter.

I have the honour to be,
with the highest respect,
My Lord,
Yours Lordship's most obedient,
humble servant,