

BRITISH EMBASSY,

WASHINGTON, D.C.,

January 10th, 1939.

No. 29.

My Lord,

1699/9.

In paragraph 2 of my telegram No. 472 of the 23rd December, 1938, I reported some outspoken remarks by Senator Key Pittman, Chairman of the Foreign Relations Committee of the Senate, on the American people's "dislike" of the German and Japanese Governments. I now have the honour to report that on the 2nd January, Senator Pittman made some further remarks on the subject of Japan.

2. Asked by a reporter for his own personal view as to what should be done in case the Japanese reply to the latest American note regarding the Open Door in China should be unsatisfactory, the Senator is reported to have replied: "If the Japanese continue in their actions I would like to see our Government in some way ostracise them". Such ostracism, he explained, might take the form of an embargo on Japanese goods entering the United States and, if the country wished to go further, they might, through Congress, put an embargo upon all export trade to Japan. "I assume it would make the Japanese Government very angry" continued the Senator. "They might retaliate by the confiscation

of/

The Right Honourable

The Viscount Halifax, K. G.,

etc.,

etc.,

etc.

VALM:CB:ACEM:NT

INDEX

of property of American citizens in Japan and even in China where they have military control. They might even declare that diplomatic relations are broken off. That is as far as an intelligent government can go. I cannot conceive, however, that they would go any further. The Japanese statesmen are too intelligent to declare war against the United States. In the first place such a declaration would be absurd. They know and we know that they do not intend to cross the Pacific Ocean to attack us. Such a declaration would do them no good and do us no harm".

3. Senator Pittman then explained the action which might in fact be taken to exert economic pressure on "dictator governments". Referring to section 38 of the last Tariff Act under which the President is empowered to restrict imports from those nations which erect undue barriers against United States goods, he said "it is contended by those who have studied the statutes that the President has authority under certain circumstances to prohibit by proclamation imports from Japan or any other country that is guilty of acts specified in the law. It is my present opinion that such a statute was not intended by Congress to grant to the President the authority to place an embargo upon the export of goods to any country. The Neutrality Act does grant such authority to the President in particular cases, but even then limits such authority to definitely described arms, ammunition and implements of war. This act would be entirely unnecessary if the President has/

-3-

has the authority, under any tariff act, to place a general embargo upon the export of everything under certain conditions. In other words, if the people of this country and their representatives in Congress desire to stop the shipment of scrap iron, for instance, to Japan, their purpose can only be carried on through an act of Congress. The question is: Do they desire such an act of Congress? Will the great peace societies of the country together with the charitable organisations and other organisations, place themselves on record as favoring such legislation, or will they oppose it? Their action in the matter will naturally have great weight with Congress."

4. I am sending a copy of this despatch to His Majesty's Ambassadors at Tokyo and Shanghai.

I have the honour to be,

with the highest respect,

My Lord,

Your Lordship's most obedient,

humble servant,

(SGD) V.A.L. MALLEY

H.M. Chargé d'Affaires.