

Comments and Communications

Passports

DELAYS and denials have been such common experiences in applications for passports and visas that any statement of policy should be of some help in a situation that seems as highly classified as an atomic bomb project. It was the judgment of the Executive Committee of the AAAS, at its meeting June 28-29, that the following statement, released by the Department of State on May 24, should be published in full for such enlightenment as it may provide readers of SCIENCE who are planning trips abroad.

The Department of State has been asked what authority the Secretary of State has in regard to the issuance of passports and what the Department's policy is in regard to the denial of passports.

The following information is provided in answer to these questions:

1. The Secretary of State has discretionary authority in the issuance of passports, both as a power inherent in the exercise of the Presidential authority to conduct foreign relations and as a matter of statutory law.

2. Various Secretaries of State have exercised the right to refuse passports or withdraw passports already issued. Various courts and attorneys general of the United States have rendered opinions in which the discretionary authority of the Secretary of State in the issuance of passports has been recognized. In an opinion of August 29, 1901, the Attorney General stated:

Substantial reasons exist for the use by Congress of the word "may" in connection with authority to issue passports. Circumstances are conceivable which would make it most inexpedient for the public interests for this country to grant a passport to a citizen of the United States. For example, if one of the criminal class, an avowed anarchist for instance, were to make such application, the public interests might require that his application be denied.

Without expressing any opinion as to whether a passport should be granted to Ng Faun, I advise you that it may, in your discretion, be granted or withheld.

In the case of Perkins versus Elg, 307 U. S. 325 (1939), the Supreme Court, after holding that the Secretary of State should be included in a decree declaring the plaintiff to be a natural-born citizen of the United States, had the following to say:

The decree in that sense would in no way interfere with the exercise of the Secretary's discretion with respect to the issue of a passport but would simply preclude the denial of a passport on the ground that Miss Elg had lost her American citizenship.

3. For many years the Department has refused passports to persons for many reasons. For example, passports are denied when evidence in the Department's files shows that the applicant for the passport is a fugitive from justice or mentally ill or likely to become a public charge abroad, etc.

4. For many years the Department has also refused passports to persons when it had in its files clear evidence that they had, on previous trips abroad, engaged in political activities in foreign countries.

5. The Department re-examined its policy respecting the issue of passports to Communists and persons be-

lieved to be Communists and subversives after both the judicial and legislative branches of the government had made certain findings concerning the Communist movement in the United States. The United States Court of Appeals for the Second Circuit, in upholding the conviction of the eleven leading Communists in New York, found that the conspiracy in which they were participants was a "clear and present danger to the United States." The Congress of the United States, in the Internal Security Act of 1950, made these findings: That there exists a world-wide Communist revolutionary movement, the purpose of which is by treachery, deceit, espionage, and sabotage to establish a Communist totalitarian dictatorship in countries throughout the world; that, due to the world-wide scope of the movement, the travel of Communist members, representatives, and agents from country to country is a prerequisite for the carrying on of activities to further the purpose of this revolutionary movement; and that individuals in the United States, by participating in this movement, in effect, repudiate their allegiance to the United States and transfer their allegiance to the foreign country which controls the Communist movement.

It was decided that, in view of the findings by the court and the Congress, it would be inappropriate and inconsistent for the Department to issue a passport to a person if information in its files *gave reason to believe* that he is knowingly a member of a Communist organization or that his conduct abroad is likely to be contrary to the best interests of the United States. This policy has been followed since February 1951 and, in view of the national emergency proclaimed by President Truman and the conditions existing in various areas of the world, it is believed that it should be closely adhered to.

6. A passport certifies to foreign governments not only the citizenship and identity of the bearer but requests them to permit him safely and freely to pass and, in case of need, to give all lawful aid and protection. Possession of the passport indicates the right of the bearer to receive the protection and good offices of American diplomatic and consular officers abroad. The right to receive the protection of this government is correlative with the obligation to give undivided allegiance to the United States. A person whose activities, either at home or abroad, promote the interests of a foreign country or a political faction therein to the detriment of the United States or of friendly foreign countries should not be the bearer of an American passport.

7. Passports are refused only on the basis of very clear and definite reports from the investigative and security offices of this Department and of other government departments and agencies and from foreign governments containing well-authenticated information concerning past and present activities and associations of the applicant. The decision not to issue a passport or to withdraw a passport already issued does not represent the judgment of the Passport Division alone but is reached after consultation by responsible officers of the Passport Division with security officers, and political and administrative officers of the Department. This group varies according to the area or areas in which the applicant desires to travel. The decision is therefore the decision of the Department.

8. Any applicant who has been refused a passport has every right and is given every opportunity to request

further consideration of his case and may present any evidence or information which he may wish to have considered. The particularity with which he may be informed of the contents of the reports in the Department's file depends, of course, upon the source and classification of such reports but it is usually possible to inform him in a general way of the nature of the evidence and the information upon which he has been refused a passport. Any new evidence or information which the applicant may submit is referred to the officers who first examined the case for evaluation and expression of opinion as to whether a passport may be issued. The Department cannot violate the confidential character of passport files by making public any information contained therein.

9. The Secretary of State has the authority to establish any administrative procedures respecting passports which he may deem appropriate. These procedures are under constant review and a continuing effort is made to see that they are fair and efficient. There is a board in the Passport Division for questions of loss of nationality. The consultations between officers of the Passport Division and officers of other divisions of the Department and with the Foreign Service abroad, in effect, constitute in a given case a most fair and comprehensive board of review action in the denial of a passport in the interests of the United States.

An Improved Lyophilizer¹

THE lyophilization of bacterial cultures is a common laboratory practice. The apparatus, however, is often inefficient, fragile, and costly. We have tried several designs and have finally developed a type that is highly efficient, very sturdy, and inexpensive (Fig. 1).

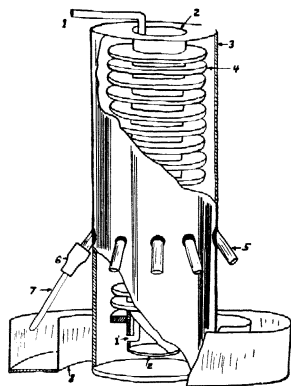


FIG. 1.

In essence, it is a metal Dewar flask with 24 nipples (5), $\frac{1}{2}'' \times 2''$, welded to the sides for the attachment of culture-drying vials. A steel pipe (2), $23'' \times 3''$, was welded in the center of a $24'' \times 7\frac{1}{2}''$ tank. Before the pipe was attached, metal fins $\frac{1}{4}'' \times 1\frac{1}{2}''$ were welded to the inside of the tank. The vacuum exhaust pipe (1), $\frac{1}{2}'' \times 23''$, which was attached to the inside of the condenser pipe (2), acts as a second trap, removing any moisture before it reaches the vacuum pump.

¹ Published with approval of the director, Wyoming Agricultural Experiment Station, as Journal Paper No. 17.

It is important that all joints be welded and not brazed, if all leaks are to be eliminated. If brass parts are used throughout, brazing is permissible.

Ethyl alcohol or a 50% ethylene glycol-water mixture is used as a carrier in the condenser chamber (2) with a dry-ice refrigerant. The doughnut-shaped pan (8), a separate unit $22''$ OD by $12''$ ID, is constructed to conform to the tank shape (3). The pan (8) is then filled with ethylene glycol. The glass culture tubes (7) are connected to the metal nipples (5) by means of heavy rubber vacuum tubing (6).

The dimensions given are not critical but have been found satisfactory. Efficiency of this design lies in the great condenser surface and the short distance from condenser to culture tubes.

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Sterilization of Pyrogen-Free Injections in Fenwal Bottles

STEAM under pressure is usually employed to sterilize material for injection not injured by moisture and the temperature required. But when applied to material in Fenwal bottles¹ or containers not hermetically sealed, this process is unsatisfactory. There is a source of contamination that has been neglected.

At the beginning of sterilization, the temperature of the material is raised by the heat conducted through the container wall to 100° C. As a result, the air and water vapor inside the container increase in pressure and blow off continuously through the vent in the cap. No obvious drawback is seen here. During the change of temperature from 100° C to 120° C the steam pressure outside increases and remains greater than that of the gas mixture inside the container. Consequently, the steam outside will continuously enter the container and condense therein. For example, if a 1000-cc Fenwal bottle is used and 3 or 4 min are needed for the temperature to rise from 100° C to 120° C the total heat required will be 20,000 calories. The heat conducted through the wall² is at most 1000 calories. The greater amount of heat, therefore, must come from the condensation of steam, which is calculated to be at least 35 g. It is this amount of condensate that may spoil the material destined for injection.

To avoid contamination of the pyrogen-free solutions in Fenwal bottles during sterilization the following three processes are recommended:

Method I. Use the autoclave with the author's device (SCIENCE, 113, 488 [1951]). Heat the solutions by free-flowing steam to a temperature of 100° C within

¹ Supplied by the Macalaster Bicknell Company, Cambridge, Mass.

² Calculated from the equation $H = \frac{kA(t_1 - t_2)}{d}$, where H = heat transmitted per sec, k = heat conductivity of glass = 0.0020, A = area = 400 cm², $t_1 - t_2$ = temperature difference, d = thickness = 0.2 cm.