

No. 2102

**UNITED STATES OF AMERICA
and
SPAIN**

**Exchange of notes constituting an agreement relating to
passport visa requirements. Madrid, 21 January 1952**

Official texts: English and Spanish.

Registered by the United States of America on 12 February 1953.

**ÉTATS-UNIS D'AMÉRIQUE
et
ESPAGNE**

**Échange de notes constituant un accord relatif aux forma-
lités en matière de visas de passeport. Madrid, 21 jan-
vier 1952**

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 12 février 1953.

No. 2102. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND SPAIN RELATING TO PASSPORT VISA REQUIREMENTS. MADRID, 21 JANUARY 1952

I

The Spanish Ministry of Foreign Affairs to the American Embassy

[SPANISH TEXT — TEXTE ESPAGNOL]

[TRANSLATION² — TRADUCTION³]

MINISTERIO DE ASUNTOS EXTERIORES

MINISTRY OF FOREIGN AFFAIRS

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NOTA VERBAL

NOTE VERBALE

El Ministerio de Asuntos Exteriores saluda atentamente a la Embajada de los Estados Unidos de Norteamérica y tiene el honor de manifestar que se ha estudiado cuidadosamente su propuesta, referente a la simplificación de las formalidades sobre visados, contenidas en recientes comunicaciones cruzadas entre la Embajada y el Ministerio. En virtud de lo que antecede y de acuerdo con las instrucciones del Consejo de Ministros, el Ministerio de Asuntos Exteriores conviene con la Embajada de los Estados Unidos y por la presente Nota los siguientes extremos :

A partir del 21 de febrero de 1952 el Gobierno de los Estados Unidos otorgará a todo súbdito español admisible que se encuentre en posesión de pasaporte español válido, y que sea « no emigrante » bona fide, según las

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to state that careful study has been given to its proposal in reference to simplification of the formalities with respect to visas contained in recent communications exchanged between the Embassy and the Ministry. In virtue of the foregoing and in accordance with the instructions of the Council of Ministers, the Ministry of Foreign Affairs concurs with the Embassy of the United States and hereby calls attention to the following terms :

On and after February 21, 1952, the Government of the United States will grant to any admissible Spanish subject holding a valid Spanish passport who is a bona fide " nonimmigrant " under the provisions of the

¹ Came into force on 21 January 1952, by the exchange of the said notes, and, according to their terms, became operative on 21 February 1952.

² Translation by the Government of the United States of America.

³ Traduction du Gouvernement des États-Unis d'Amérique.

disposiciones de las Leyes de inmigración de los Estados Unidos, visado de pasaporte no inmigratorio *gratuito* y válido para un número ilimitado de solicitudes de admisión dentro de un período de doce (12) meses. En el caso de súbditos españoles considerados como visitantes temporales, a que se refieren las disposiciones de la sección tercera (2) de la Ley de Inmigración de 1924, en texto enmendado, los visados serán válidos por un número ilimitado de solicitudes de admisión de un período máximo de veinticuatro (24) meses, siempre y cuando los pasaportes conserven su validez durante el período de validez de los visados, y siempre y cuando el status de « no inmigrante » por el que ha sido otorgado el visado, sea observado por los interesados. En general, el pasaporte de un extranjero tiene que ser válido por lo menos sesenta (60) días después del plazo de permanencia en los Estados Unidos.

El período de validez de un visado se refiere tan sólo a aquel en que puede ser utilizado en conexión con una solicitud de admisión en un puerto de entrada en los Estados Unidos y sus posesiones, y no a la extensión de la permanencia en los Estados Unidos que pudiera ser otorgada al portador después de que es admitido. El período de cada estancia continuará como en el presente, siendo determinado por las Autoridades en el puerto de entrada.

Asímismo se entiende que a los funcionarios acreditados del Gobierno Español en posesión de un pasaporte diplomático u oficial español válido y que se dirijan a territorio norteamericano en misión oficial del Gobierno Español, les será otorgado el corres-

immigration laws of the United States, a *free* nonimmigrant passport visa valid for an unlimited number of applications for admission within a period of twelve (12) months. In the case of Spanish nationals considered as temporary visitors referred to by the provisions of Section three (2) of the Immigration Act of 1924, as amended, such visas shall be valid for an unlimited number of applications for admission over a maximum period of twenty-four (24) months, provided such passports remain valid during the period of validity of the visas, and provided the "nonimmigrant" status for which the visa has been granted is observed by the persons concerned. In general, a foreign passport must be valid at least sixty (60) days after the period of stay in the United States.

The period of validity of a visa refers solely to that period in which it can be used in connection with an application for admission at a port of entry into the United States and its possessions, and not to the length of any stay in the United States that may be granted to the bearer after he is admitted. The period of each stay shall be as at present, being determined by the Authorities at the port of entry.

It is furthermore understood that accredited officials of the Spanish Government holding a valid Spanish diplomatic or official passport who enter United States territory on an official mission for the Spanish Government shall be granted the free visa in question

pondiente visado gratis y válido para doce (12) meses y por un número ilimitado de solicitudes de entrada durante el período de validez de los visados con tal de que, naturalmente, mantengan su status oficial.

El Gobierno Español a partir del 21 de febrero de 1952 suprime la exigencia de visados, pero no la exigencia de pasaportes, en favor de los ciudadanos norteamericanos que entren en España y sus Colonias y deseen permanecer en ella en estancia temporal.

Se entiende que la simple presentación por un ciudadano norteamericano de un pasaporte válido otorgado por las Autoridades competentes del Gobierno de los Estados Unidos, será suficiente como exigencia documental para la entrada, salida y para la autorización de permanecer en el territorio español durante un período de tiempo no superior a seis (6) meses, salvo que, antes de que expire dicho plazo, el ciudadano norteamericano haya obtenido un permiso adecuado de las Autoridades españolas para permanecer en su territorio durante un período de tiempo superior, de acuerdo con las Leyes vigentes.

Asímismo se entiende que a los funcionarios acreditados del Gobierno de Estados Unidos en posesión de un pasaporte diplomático u oficial norteamericano válido, y que se dirigen a territorio español en misión oficial del Gobierno de los Estados Unidos, les será otorgado el correspondiente visado gratis y válido para doce (12) meses y por un número ilimitado de solicitudes de entrada y salida durante el período de validez de los visados con tal de que, naturalmente, mantengan su status oficial.

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valid for twelve (12) months and for an unlimited number of applications for entry during the period of validity of such visas, provided, of course, that they maintain their official status.

Beginning February 21, 1952, the Spanish Government is dispensing with the visa requirement, but not the passport requirement for United States citizens entering Spain and its Colonies and desiring to remain therein for a temporary stay.

It is understood that simple presentation by an American citizen of a valid passport issued by the proper authorities of the Government of the United States, shall be sufficient as a documentary requirement for entry, exit and for authorization to remain in Spanish territory for a period of time not to exceed six (6) months, unless, before the expiration of the said period, the American citizen has obtained a suitable permit from the Spanish Authorities to remain in Spanish territory for a greater period of time, in accordance with the laws in force.

It is likewise understood that accredited officials of the Government of the United States holding a valid United States diplomatic or official passport who enter Spanish territory on an official mission for the Government of the United States shall be granted the free visa in question valid for twelve (12) months and for an unlimited number of applications for entry and departure during the period of validity of such visas, provided, of course, that they maintain their official status.

La supresión de las exigencias de visados para ciudadanos norteamericanos que viajen a territorio español no es óbice para que las autoridades fronterizas españolas aprecien su admisibilidad, ni les exime de la necesidad de someterse a las Leyes y Reglamentos vigentes, referentes a su entrada, residencia, empleo y ocupación como extranjeros, y los ciudadanos norteamericanos que no satisficieren ante las Autoridades españolas estar en regla con las disposiciones de las Leyes y Reglamentos vigentes en España y sus Colonias, pueden ser objeto de expulsión.

A los súbditos norteamericanos con intención de dirigirse a territorio español, *se les recomendará* que se pongan al corriente de las disposiciones de las Leyes y Reglamentos de Inmigración vigentes en España y sus Colonias que se proponen visitar.

El Ministerio de Asuntos Exteriores se complace en llegar a este acuerdo que contribuye en gran medida a estrechar las relaciones hispano-norteamericanas en beneficio de ambos países.

[Iniciales]

Madrid, 21 de enero de 1952

[SELLO]

A la Embajada de los Estados Unidos de América

Elimination of the requirement of visas for American citizens traveling into Spanish territory shall be no obstacle to Spanish frontier authorities passing on their admissibility, nor shall it exempt them from the necessity of submitting to the Laws and Regulations in force, with reference to their entry, residence, employment and occupation as foreigners, and such American citizens as do not satisfy the Spanish Authorities that they are in order as regards the Laws and Regulations in force in Spain and its Colonies, may be the subject of expulsion.

American nationals intending to enter Spanish territory *will be advised* to bring themselves up to date on the provisions of the Immigration Laws and Regulations in force in Spain and its Colonies which they propose to visit.

The Ministry of Foreign Affairs is happy to reach this agreement which contributes in great measure to improve Spanish-United States relations to the benefit of both countries.

[Initials]

Madrid, January 21, 1952

[SEAL]

To the Embassy of the United States of America

II

The American Embassy to the Spanish Ministry of Foreign Affairs

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

NOTE VERBALE

No. 757

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to state that it has given careful consideration to the proposals of the Ministry concerning a reduction in visa formalities contained in recent communications between the Embassy and the Ministry. By authority of, and pursuant to, instructions from the Department of State, the Embassy hereby reaches an agreement with the Foreign Ministry, by virtue of the Foreign Ministry's Note of today's date, upon the following points :

Effective February 21, 1952, visa requirements, but not passport requirements, for American citizens entering Spain and its colonies who desire to remain therein for a temporary period of time are waived.

It is understood that the simple presentation by American citizens of valid passports issued by the competent authorities of the Government of the United States will satisfy all documentary requirements for entry and departure and for authorization to remain in Spanish territory for a period of time not to exceed six months, unless, before the expiration of such period, said American citizens have obtained an appropriate permit from the authorities of the Government of Spain to remain lawfully in the territory for a longer period of stay.

It is further understood that accredited officials of the Government of the United States who are in possession of valid American diplomatic or official passports, and who are proceeding to Spanish territory on official business of the Government of the United States, will be granted appropriate gratis visas valid for twelve (12) months and for unlimited numbers of applications for entry and exit during the period of validity of the visas, provided, of course, that they maintain their official status.

The suppression of visa requirements for American citizens who travel in Spanish territory will not prevent Spanish frontier authorities from determining their admissibility, nor will it relieve them from the necessity of complying with the laws and regulations in force concerning the entry, residence, and employment or occupation of foreigners, and American citizens who are unable to satisfy the competent Spanish authorities that they comply with laws and regulations in force in Spain and its possessions, may be subject to exclusion therefrom.

American citizens intending to proceed to Spanish territory will be advised to acquaint themselves fully with the requirements of the immigration laws and regulations of the territory which they propose to visit.

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The Government of the United States will, effective February 21, 1952, grant to eligible Spanish citizens who are in possession of valid Spanish passports, and who are bona fide nonimmigrants within the meaning of the immigration laws of the United States, gratis nonimmigrant passport visas which may be valid for unlimited numbers of applications for admission within a period of twelve (12) months; and, in the cases of such Spanish citizens who qualify as temporary visitors under the provisions of Section 3 (2), Immigration Act of 1924, as amended, the visas may be valid for unlimited numbers of applications for admission within a maximum period of twenty-four (24) months, provided the passports of the bearers remain valid during the period of validity of the visas, and provided the nonimmigrant status for which the visas are granted is maintained by the recipients. In general, the passport of an alien must be valid for at least sixty days beyond the period of the alien's contemplated stay in the United States.

At the same time, it is understood that accredited officials of the Spanish Government who are in possession of valid diplomatic or official Spanish passports and who are proceeding to territory of the United States on an official mission of the Spanish Government will be granted appropriate gratis visas valid for twelve (12) months and for unlimited numbers of applications for entry during the period of the validity of the visas, provided, of course, that they maintain their official status.

The period of validity of a visa relates only to the period within which it may be used in connection with an application for admission at a port of entry into the United States and its possessions, and not to the length of stay in the United States which may be permitted the bearer after he is admitted. The period of each stay will, as at present, continue to be determined by the authorities at the port of entry.

The Embassy is pleased to bring to a conclusion this agreement which typifies the strengthening of Spanish-American relations and which will work to the mutual advantage of both countries.

Madrid, January 21, 1952

S. G.