

No. 3314

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**UNITED STATES OF AMERICA  
and  
EL SALVADOR**

**Exchange of notes constituting an agreement relating to  
passport visa fees. San Salvador, 7 and 15 December  
1953**

*Official texts: English and Spanish.*

*Registered by the United States of America on 26 April 1956.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
SALVADOR**

**Échange de notes constituant un accord relatif aux droits  
de visa de passeports. San-Salvador, 7 et 15 décembre  
1953**

*Textes officiels anglais et espagnol.*

*Enregistré par les États-Unis d'Amérique le 26 avril 1956.*

No. 3314. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND EL SALVADOR RELATING TO PASS-PORT VISA FEES. SAN SALVADOR, 7 AND 15 DECEMBER 1953

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I

*The American Ambassador to the Salvadoran Minister of Foreign Affairs*

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA  
AMERICAN EMBASSY

No. 44

San Salvador, December 7, 1953

Excellency :

I have the honor to refer to Your Excellency's note no. A.855.D.94 of January 13, 1953,<sup>2</sup> concerning the reciprocal abolishment of visa fees and tourist and immigration charges for our respective nationals who travel to either Republic as tourists or as any other type of visitor or traveler in transit. I am pleased to inform Your Excellency that I am authorized to effect an agreement on the subject in the following terms :

The Government of the United States will not collect any visa fees or other charges in connection with the entry of eligible citizens of El Salvador visiting the United States (including the insular possessions) for a temporary period of stay and who are not "immigrants" as defined in Section 101 (a) (15) of the Immigration and Nationality Act of the United States;<sup>3</sup> namely,

"(A) (i) an ambassador, public minister, or career diplomatic or consular officer who has been accredited by a foreign government recognized *de jure* by the United States and who is accepted by the President or by the Secretary of State, and the members of the alien's immediate family;

(ii) upon a basis of reciprocity, other officials and employees who have been accredited by a foreign government recognized *de jure* by the United States, who are accepted by the Secretary of State, and the members of their immediate families; and

(iii) upon a basis of reciprocity, attendants, servants, personal employees, and members of their immediate families, of the officials and employees who have a nonimmigrant status under (i) and (ii) above;

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<sup>1</sup> Came into force on 14 January 1954, in accordance with the terms of the said notes.

<sup>2</sup> Not printed by the Department of State of the United States of America.

<sup>3</sup> United States of America : 66 Stat. 167; 8 U.S.C. § 1101 (a) 15.

(B) an alien (other than one coming for the purpose of study or of performing skilled or unskilled labor or as a representative of foreign press, radio, film, or other foreign information media coming to engage in such vocation) having a residence in a foreign country which he has no intention of abandoning and who is visiting the United States temporarily for business or temporarily for pleasure;

(C) an alien in immediate and continuous transit through the United States, or an alien who qualifies as a person entitled to pass in transit to and from the United Nations Headquarters District and foreign countries, under the provisions of paragraphs (3), (4), and (5) of section 11 of the Headquarters Agreement<sup>1</sup> with the United Nations (61 Stat. 758);<sup>2</sup>

(D) an alien crewman serving in good faith as such in any capacity required for normal operation and service on board a vessel (other than a fishing vessel having its home port or an operating base in the United States) or aircraft, who intends to land temporarily and solely in pursuit of his calling as a crewman and to depart from the United States with the vessel or aircraft on which he arrived or some other vessel or aircraft;

(E) an alien entitled to enter the United States under and in pursuance of the provisions of a treaty of commerce and navigation between the United States and the foreign state of which he is a national, and the spouse and children of any such alien if accompanying or following to join him: (1) solely to carry on substantial trade, principally between the United States and the foreign state of which he is a national; or (ii) solely to develop and direct the operations of an enterprise in which he is actively in the process of investing, a substantial amount of capital;

(F) an alien having a residence in a foreign country which he has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study at an established institution of learning or other recognized place of study in the United States, particularly designated by him and approved by the Attorney General after consultation with the Office of Education of the United States, which institution or place of study shall have agreed to report to the Attorney General the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn;

(G) (i) a designated principal resident representative of a foreign government recognized *de jure* by the United States, which foreign government is a member of an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organization Immunities Act (59 Stat. 669), accredited resident members of the staff of such representatives, and members of his or their immediate family;

(ii) other accredited representatives of such a foreign government to such international organizations, and the members of their immediate families;

<sup>1</sup> United Nations, *Treaty Series*, Vol. 11, p. 11.

<sup>2</sup> The following information is given by the Department of State of the United States of America (*Treaties and Other International Acts Series 2977*, p. 2, footnote 2): "The citation refers to a Joint Resolution approved Aug. 4, 1947 (Public Law 357; 22 U.S.C. § 287 note), authorizing the President to bring the Headquarters Agreement into effect, the full text of which is embodied therein."

(iii) an alien able to qualify under (i) or (ii) above except for the fact that the Government of which such alien is an accredited representative is not recognized *de jure* by the United States, or that the government of which he is an accredited representative is not a member of such international organization, and the members of his immediate family;

(iv) officers, or employees of such international organizations, and the members of their immediate families;

(v) attendants, servants, and personal employees of any such representative, officer or employee, and the members of the immediate families of such attendants, servants and personal employees;

(H) an alien having a residence in a foreign country which he has no intention of abandoning (i) who is of distinguished merit and ability and who is coming temporarily to the United States to perform temporary services of an exceptional nature requiring such merit and ability; or (ii) who is coming temporarily to the United States to perform other temporary services of labor, if unemployed persons capable of performing such service or labor cannot be found in this country; or (iii) who is coming temporarily to the United States as an industrial trainee;

(I) upon a basis of reciprocity, an alien who is a bona fide representative of foreign press, radio, film, or other foreign information media, who seeks to enter the United States solely to engage in such vocation, and the spouse and children of such a representative, if accompanying or following to join him."

It is understood that the Government of El Salvador or its representatives will not collect any visa fees or other charges in connection with the entry or departure of nonimmigrant citizens of the United States visiting El Salvador for a temporary period of stay.

I propose that the following additional clause be added to the above agreement :

The Government of the United States will authorize, on a reciprocal basis, the issuance of visas valid as described below to eligible nonimmigrant citizens of El Salvador :

1. Those persons described in paragraphs (B), (E), (F), and (I) of Section 101 (a) (15) of the Immigration and Nationality Act of the United States as quoted above may receive visas valid for an unlimited number of applications for admission at United States ports of entry during a maximum period of twenty-four months.

2. Those persons described in paragraphs (A) and (G) of Section 101 (a) (15) of the Immigration and Nationality Act may receive visas valid for an unlimited number of applications for admission during a maximum period of twelve months.

3. Those persons described in paragraph (C) of Section 101 (a) (15) of the Immigration and Nationality Act may receive visas valid for an unlimited number of applications for admission during a maximum period of twenty-four months, except that government officials, and persons entitled to pass in transit to and from the United Nations Headquarters District and foreign countries under the provisions of paragraphs (3), (4), and (5) of Section 11 of the Headquarters Agreement with the United Nations, may receive visas valid during a maximum period of twelve months.

4. Certain persons defined as “exchange visitors” in Section 201 of the United States Information and Education Act of 1948, as amended, <sup>(1)</sup> may receive visas valid for a single application for admission during a period of twelve months.

5. Seamen and airmen described in paragraph (D) of Section 101 (a) (15) of the Immigration and Nationality Act may receive visas valid for an unlimited number of applications for admission during a maximum period of twenty-four months, it being understood that the Government of El Salvador will admit seamen and airmen who are United States citizens on crew list visas without individual visas.

6. Those persons described in paragraph (H) of Section 101 (a) (15) of the Immigration and Nationality Act may receive visas valid for an unlimited number of applications for admission during the period of employment approved in the employer’s petition but not to exceed a maximum period of twelve months.

It is understood that the Government of El Salvador will authorize its consular or other officials to issue to nonimmigrant citizens of the United States visas valid for entering or leaving El Salvador for the same number of times and during the same period prescribed above for similar classes of nonimmigrant citizens of El Salvador.

I should be glad to receive from Your Excellency a confirmation of the above understanding concerning the reciprocal abolishment of visa fees and other charges assessed our respective nationals in entering or leaving either Republic. I shall also be pleased to receive Your Excellency’s confirmation or comments with reference to the proposed additional understanding concerning the validity of nonimmigrant visas. If Your Excellency is in agreement, this note and Your Excellency’s note concurring therein, will constitute an agreement on these matters between our two Governments, effective thirty days after this exchange of diplomatic notes.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

Michael J. McDERMOTT

His Excellency Roberto E. Canessa  
Minister of Foreign Affairs  
San Salvador

<sup>1</sup> United States of America : 62 Stat. 7; 22 U.S.C. § 1446.

lo considerará vigente entre nuestros dos países treinta días después de la fecha de la presente nota.

Válgome de esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

Roberto E. CANESSA  
Ministro de Relaciones Exteriores

Excmo. señor don Michael J. McDermott  
Embajador Extraordinario y Plenipotenciario  
de los Estados Unidos de América  
Presente

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

MINISTRY OF FOREIGN AFFAIRS  
REPUBLIC OF EL SALVADOR, C. A.  
DEPARTMENT OF INTERNATIONAL STUDIES  
NATIONAL PALACE

A-855-D-3233

San Salvador, December 15, 1953

Mr. Ambassador :

I had the honor to receive Your Excellency's courteous note No. 44, dated the 7th of this month, with respect to the reciprocal abolition of visa fees and tourist and immigration charges for nationals of El Salvador and the United States of America who travel to either of the two Republics as tourists or in any other capacity as visitors or travelers in transit, which note, in its pertinent part, reads as follows :

[*See note I*]

In reply I am pleased to inform Your Excellency that my Government concurs in the terms of this agreement and will therefore consider it to be in force between our two countries thirty days after the date of this note.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

Roberto E. CANESSA  
Minister of Foreign Affairs

His Excellency Michael J. McDermott  
Ambassador Extraordinary and Plenipotentiary  
of the United States of America  
City

<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.