

[EXECUTIVE ORDER NO. 33, May 29, 1936]

CREATING THE DEPORTATION BOARD

WHEREAS, for the purpose of conducting investigations in the manner specified in section sixty-nine of the Administrative Code and recommending deportation of aliens in such cases as may require it, there has heretofore been constituted a board under Executive Order Numbered Four hundred ninety-four, as amended by Executive Order Numbered Four hundred ninety-four, as amended by Executive Orders Numbered Six hundred fifty-six and Seven hundred ninety-two; and

WHEREAS, in view of the changes brought about by the establishment of the Commonwealth Government, it becomes necessary and expedient to continue the functions of such board under rules and regulations consistent with the supervision and control of foreign affairs by the United States Government, as set forth in the Act of Congress of March twenty-fourth, nineteen hundred and thirty-four, and as embodied in Ordinance Numbered Two of the Constitution; and the President of the United States has delegated to the United States High Commissioner the duties and functions necessary to the exercise of such supervision and control;

Now, therefore, by virtue of the powers conferred upon me by the Constitution and the existing laws, I hereby name and appoint the Solicitor-General, the Provost Marshal General, the Insular Collector of Customs and the Chief of Police of the City of Manila, the first as chairman and the last three, or their authorized deputies, as members, of a board which is hereby constituted, to be known as the Deportation Board, with authority to take action on all complaints that certain persons in the Philippines are undesirable aliens, and conduct investigations thereunder in the manner prescribed in section sixty-nine of the Administrative Code, and thereafter to recommend the deportation of aliens in such cases as may require, all in accordance with, and in pursuance of, the following rules and regulations:

1. Every person complained against before the Deportation Board shall be informed of the charge or charges against him and shall be allowed not less than three days from notice thereof for the preparation of his defense. He shall have the right to be heard by himself or counsel, to produce witnesses in his own behalf and to cross-examine the opposing witnesses.
2. The proceedings before the Board shall be reduced to writing, and a full record of the proceedings shall be kept in all cases and shall include a statement of the findings and conclusions of the Board signed by the members thereof. A majority of the members shall constitute a quorum and a vote of three of them shall be necessary to arrive at a decision. Any dissent from the majority opinion shall also be reduced to writing and filed with the records of the proceedings.