

113TH CONGRESS
2D SESSION

S. RES. 402

Expressing the regret of the Senate for the passage of section 3 of the Expatriation Act of 1907 (34 Stat. 1228) that revoked the United States citizenship of women who married foreign nationals.

IN THE SENATE OF THE UNITED STATES

MARCH 27, 2014

Mr. FRANKEN (for himself and Mr. JOHNSON of Wisconsin) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing the regret of the Senate for the passage of section 3 of the Expatriation Act of 1907 (34 Stat. 1228) that revoked the United States citizenship of women who married foreign nationals.

Whereas throughout the history of the United States, women have made and continue to make invaluable contributions to society that strengthen the political, social, and economic fabric of the Nation and improve the lives of countless individuals;

Whereas women in the United States have been and continue to be leaders in promoting justice and equality during times of great difficulty for the Nation;

Whereas women in the United States have played a pivotal role in ensuring freedom and security in the United States;

Whereas section 3 of the Expatriation Act of 1907 (34 Stat. 1228) left thousands of women born in the United States, such as Elsie Knutson Moren from Minnesota and Theresa Rosella Schwan from Wisconsin, stateless and without a nationality after marrying a foreign national;

Whereas section 3 of the Expatriation Act of 1907 caused thousands of United States women, such as Lorella Martorana from Pennsylvania who lost her citizenship and was not able to vouch for her husband during his naturalization proceedings, and Lena Weide Demke from South Dakota who lost her citizenship and was almost deported during World War I, to have their loyalties questioned, face harassment, and be subject to deportation for various legal infractions;

Whereas section 3 of the Expatriation Act of 1907 affected numerous women, such as Florence Bain Gual, a New York City school teacher whose tenure was stripped after 15 years of teaching because she married a foreign national, causing them to face difficulties providing for their families because they lost, or were not able to gain, public employment after marrying a foreign national;

Whereas section 3 of the Expatriation Act of 1907 prevented women in the United States, such as Ethel MacKenzie from California who was unable to register to vote because she married a foreign national, from participating in the political process and casting ballots in various elections;

Whereas section 3 of the Expatriation Act of 1907 is similar to discriminatory State laws that criminalized or nullified marriages between individuals of different races;

Whereas the revocation of citizenship restricted the ability of numerous women in the United States to own houses and real estate;

Whereas an acknowledgment of the actions of the Senate that have contributed to discrimination against women will not erase the past, but will highlight the injustices of the national experience and help build a better, stronger, and more equal Nation; and

Whereas the Senate recognizes the importance of addressing the error of section 3 of the Expatriation Act of 1907 in order to educate the public and future generations regarding the impact of this law on women and to prevent a similar law from being enacted in the future: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) acknowledges that section 3 of the Expa-
3 triation Act of 1907 (34 Stat. 1228) is incompatible
4 with and antithetical to the core principle that all
5 persons, regardless of gender, race, religion, or eth-
6 nicity, are created equal;

7 (2) expresses sincere sympathy and regret to
8 the descendants of individuals whose citizenship was
9 revoked under section 3 of the Expatriation Act of
10 1907, who suffered injustice, humiliation, and in-
11 equality, and who were deprived of constitutional

1 protections accorded to all citizens of the United
2 States; and

3 (3) reaffirms the commitment to preserving civil
4 rights and constitutional protections for all people of
5 the United States.

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