

Expatriation Act

CHAP. CCXLIX *An Act concerning the Rights of American Citizens in foreign States.*

July 27, 1868

Rights of America Citizens in Foreign states Preamble

Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, Preamble liberty, and the pursuit of happiness; and whereas in the recognition of this principle, this government has freely received emigrants from all nations, and invested them with the rights of citizenship; and whereas it is claimed that such American citizens, with their descendents, are subjects of foreign states, owing allegiance to the governments thereof, and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed; Therefore,

Right of expatriation declared

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any declaration, instruction, opinion, order, or decision of any officers of this government which denies, restricts, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government.

Protection to naturalized citizens in foreign states

Sec. 2. *And be it further enacted,* That all naturalized citizens of the United States, while in foreign states, shall be entitled to, and shall receive from this government, the same protection of persons and property that is accorded to native-born citizens in like situations and circum-stances.

Release of citizens imprisoned by foreign governments to be demanded

Sec. 3. *And be it further enacted,* That whenever it shall be made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of the government the reasons for such imprisonment, and if it appears to be wrongful and in violation of the rights of American Citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, it shall be the duty of the President to use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate such release, and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress.

Facts to be Communicated To Congress

Approved, July 27, 1868.

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