

MARTHA A. CALVERT

MARCH 6, 1958.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1249]

The Committee on the Judiciary, to whom was referred the bill (S. 1249) for the relief of Martha A. Calvert, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to enable a former citizen of the United States to regain her United States citizenship, which was lost by voting in a foreign political election.

GENERAL INFORMATION

The beneficiary of the bill is a 56-year-old native of the United States and citizen of Great Britain, who last entered the United States on December 22, 1953, for permanent residence. On June 1, 1938, the beneficiary married a British subject and member of the British Foreign Service. Following her marriage, the beneficiary traveled with her husband abroad, and the couple made their home in England. The beneficiary's husband died on September 5, 1953. The record discloses that the beneficiary lost her United States citizenship on October 25, 1951, when she voted in a political election held in Great Britain. The beneficiary states that she was unaware that she had lost her United States citizenship by voting in a foreign election and learned of its loss some time later when asked at the American consulate if she had ever voted abroad.

A letter, with attached memorandum, dated June 17, 1957, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the case, reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 17, 1957.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 1249) for the relief of Martha A. Calvert, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Washington, D. C., office of this Service, which has custody of those files.

The bill would provide that the beneficiary, who lost United States citizenship by voting in a political election in a foreign state, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oath prescribed by section 337 of the foregoing act. The bill would also provide that, from and after naturalization in accordance with its provisions, the beneficiary shall have the same citizenship status as that which existed immediately prior to its loss.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MARTHA A. CALVERT,
BENEFICIARY OF S. 1249

The beneficiary was born on November 4, 1901, in Pittsboro, N. C. She graduated from Womens College, Greensboro, N. C. She married Albert Spencer Calvert on June 1, 1938, at Raleigh, N. C. He died on September 5, 1953, in Salisbury, England. Mr. Calvert was a British subject and a member of the British Foreign Service. Following her marriage to Mr. Calvert, the beneficiary was issued a British passport as a national of Great Britain and traveled with Mr. Calvert abroad. They made their home in Salisbury, England. The beneficiary voted in the British political elections held in England in 1951.

The beneficiary was admitted to the United States on December 22, 1953, for permanent residence. She resides at 2311 Beechridge Road, Raleigh, N. C. Mrs. Calvert receives a pension of approximately \$1,000 a year from the British Government. She also has an income of \$1,000 a year from investments in England. Her assets consist of approximately \$47,000 invested in British stocks and bonds. The beneficiary's parents, who were citizens of the United States, are deceased. She has three sisters, who are citizens of the United States and reside in this country.

The Passport Office of the Department of State submitted to the chairman of the Senate Committee on the Judiciary the following report dated August 27, 1957, relating to the beneficiary:

DEPARTMENT OF STATE,
Washington, August 27, 1957.

Re S. 1249, for the relief of Martha A. Calvert

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
United States Senate.

DEAR SENATOR EASTLAND: The Department refers to your letter of August 14, 1957, and our reply of August 19, 1957, on S. 1249, for the relief of Martha A. Calvert.

The files of the Passport Office show that Martha Adeline Calvert was born at Pittsboro, N. C., on November 4, 1901. On June 1, 1938, she was married to a British subject who was a member of the British Foreign Service. Mrs. Calvert resided with her husband at the various posts where he was stationed, both in the United States and abroad. Her husband died on September 5, 1953.

Mrs. Calvert lost United States citizenship on October 25, 1951, when she voted in a political election held in Great Britain on that date. A certificate of the loss of the nationality of the United States was approved in the Department on March 23, 1956. There is no evidence that Mrs. Calvert voted under circumstances amounting to duress. Nevertheless, if Mrs. Calvert has returned to the United States and intends to reside in this country, the Department perceives no objection to the enactment of S. 1249.

Sincerely yours,

JOHN S. HIGHLAND II,
Acting Assistant Secretary for Congressional Relations
(For the Secretary of State).

Senator Samuel J. Ervin, Jr., the author of the bill, submitted the following information in support of the bill:

To Whom It May Concern:

I wish to regain my American citizenship, which I automatically lost when I voted in the British general election of 1951 with my husband, who was at that time the British consul general at Tunis.

After my husband's death, I returned to the United States to live with my people.

MARTHA A. CALVERT.

RALEIGH, N. C., December 4, 1956.

BECKY BARNHILL,

Care of Senator Sam J. Ervin, Jr.,
Senate Office Building, Washington, D. C.

DEAR BECKY: Thank you so much for your letter. I am sorry that I failed to give you my address, but, having Margaret with me and enjoying the visit so much, I just forgot it.

In the course of the visit, I am sorry that I may have given you the impression that I was aware of losing my citizenship at the time of voting. Indeed, I did not discover it until after my husband's

death, when I was asked at the American consulate general in Liverpool if I had ever voted abroad. When we were talking at your house, I do remember saying that, since it was done, there was at least some satisfaction that my vote was cast for Winston Churchill. What baffles me is that I was told very clearly at the consulate general in Liverpool that it would be a very straightforward matter which could be attended to with little or no delay. If it is not too much to ask of Senator Ervin, I should like very much to have it done. I hope the Department of Immigration and Naturalization will accept the grounds I mentioned, instead of having to introduce a private bill.

I do appreciate so much what you have done.

Yours sincerely,

PATSY CALVERT
(Martha A. Calvert).

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1249) should be enacted.

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