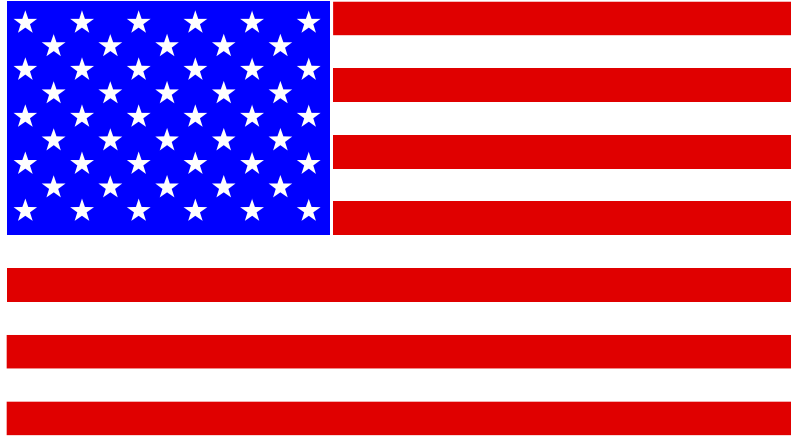


**WHY YOU ARE A “NATIONAL”,
“STATE NATIONAL”, AND CONSTITUTIONAL BUT
NOT STATUTORY CITIZEN**

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=Constitutional "Citizen"

=statutory "non-citizen national"

≠statutory "U.S. citizen"

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1. INTRODUCTION

1.1 Purpose

The purpose of this document is to establish with evidence the following facts:

1. That deception is often times caused by abuse, misuse, and purposeful misapplication of “words of art” and failing to distinguish the context in which such words are used on government forms and in legal proceedings.
2. That there are two different jurisdictions and contexts in which the word “citizen” can be applied: statutory v. constitutional.
3. That the government purposefully tries to deceive constitutional citizens into falsely identifying themselves through willful abuse of “words of art” into declaring themselves as statutory citizens on government forms and in legal pleadings. This causes a surrender of all constitutional rights and operates to their extreme detriment by creating lifetime indentured financial servitude and surety in relation to the government. This occurs because a statutory citizen maintains a domicile on federal territory, and the Bill of Rights does not apply on federal territory.

“Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to ‘guarantee to every state in this Union a republican form of government’ (art. 4, 4), by which we understand, according to the definition of Webster, ‘a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them.’ Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights.”
[Downes v. Bidwell, 182 U.S. 244 (1901)]

4. That once you falsely or improperly declare your status as that of statutory citizen, you are also declaring your domicile to be within the District of Columbia pursuant to 26 U.S.C. §7701(a)(39) and 26 U.S.C. §7408(d).
5. That 8 U.S.C. §1401 defines a statutory “citizen of the United States”, where “United States” means the federal zone and excludes states of the Union.
6. That the Fourteenth Amendment Section 1 defines a constitutional “citizen of the United States”, where “United States” means states of the Union and excludes the federal zone.
7. That the term “citizen of the United States” as used in the Fourteenth Amendment Section 1 of the constitution is NOT equivalent and mutually exclusive to the statutory “citizen of the United States” defined in 8 U.S.C. §1401. Another way of restating this is that you cannot simultaneously be a constitutional “citizen of the United States” (Fourteenth Amendment) and a statutory “citizen of the United States” (8 U.S.C. §1401).

*“The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states. No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens. Whether this proposition was sound or not had never been judicially decided.”*
[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

8. That the term “U.S. citizen” as used on federal and state forms means a statutory “citizen of the United States” as defined in 8 U.S.C. §1401.
9. That a human being born within and domiciled within a state of the Union and not within a federal territory or possession is:
 - 9.1. A Fourteenth Amendment section 1 constitutional “citizen of the United States”.

1 *"It is impossible to construe the words 'subject to the jurisdiction thereof,' in the opening sentence, as less*
2 *comprehensive than the words 'within its jurisdiction,' in the concluding sentence of the same section; or to*
3 *hold that persons 'within the jurisdiction' of one of the states of the Union are not 'subject to the jurisdiction*
4 *of the United States[***].'"*
5 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]*

6 9.2. Called either an "American citizen" or a "citizen of the United States **of America**" in the early enactments of
7 Congress. See 1 Stat. 477 and the following:

SEDM Exhibit #01.004
<http://sedm.org/Exhibits/ExhibitIndex.htm>

- 8 9.3. A "national" but not a "citizen" as defined in [8 U.S.C. §1101\(a\)\(21\)](#) and [8 U.S.C. §1452](#) in respect to the federal
9 government.
- 10 9.4. Not a "U.S. national" or "national of the United States***" as defined in [8 U.S.C. §1408](#) or [8 U.S.C.](#)
11 [§1101\(a\)\(22\)\(B\)](#).
- 12 9.5. Not a *statutory* "citizen of the United States***" pursuant to [8 U.S.C. §1401](#).
- 13 10. That a human being born within and domiciled within a state of the Union is a "nonresident alien" as defined in [26](#)
14 [U.S.C. §7701\(b\)\(1\)\(B\)](#) and a "foreign sovereign" and part of a "foreign state" with respect to the United States
15 Government.
- 16 11. That the federal government uses the exceptions to the Foreign Sovereign Immunities Act found in [28 U.S.C.](#)
17 [§1605\(a\)\(2\)](#) to turn "nonresident aliens" into "resident aliens" as defined in [26 U.S.C. §7701\(b\)\(1\)\(A\)](#) . It does this by
18 offering commercial benefits to persons outside its jurisdiction and thereby making them "residents".
- 19 12. That our government has a financial interest to deceive us about our true citizenship status in order to:
20 12.1. Encourage and expand the flow of unlawfully collected income tax revenues (commerce).
21 12.2. Expand its jurisdiction and control over the populace.
- 22 13. That the purpose of deliberate government deceptions about citizenship is to destroy the separation of powers between
23 the states and the federal government that is the foundation of the Constitution of the United States of America and to
24 destroy the protections of the Foreign Sovereign Immunities Act. It does this by:
25 13.1. Using "social insurance" as a form of commerce that makes Americans into "resident aliens" of the District of
26 Columbia, which is what "United States" is defined as in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) .
27 13.2. Misleading Americans into falsely declaring their status on government forms as that of a "U.S. citizen", and
28 thereby losing their status as a "foreign state" under the provisions of [28 U.S.C. §1603\(b\)\(3\)](#).
- 29 14. That if you are a concerned American, you cannot let this fraud continue and must act to remedy this situation
30 immediately by taking some of the actions indicated in section 1.3 later.

31 **1.2 Why the content of this pamphlet is important**

32 What you don't know about citizenship can definitely hurt you. There is nothing more important than knowing who you
33 are in relation to the government and being able to defend and explain it in a legal setting. The content of this pamphlet is
34 therefore VERY important. Some reasons:

- 35 1. Those domiciled on federal territory and who are therefore statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 are
36 presumed to be guilty and "taxpayers" until they prove themselves innocent and therefore a "nontaxpayer":

37 *"Unless the defendant can prove he is **not** a citizen of the United States, the IRS has the right to inquire and*
38 *determine a tax liability."*
39 *[U.S. v. Slater, 545 Fed. Supp. 179,182 (1982).]*

- 40 2. Those who are constitutional and not statutory citizens are not eligible for any kind of license, including a driver's
41 license. All licenses can be offered ONLY to those domiciled on federal territory not protected by the Constitution.
42 Below is an example and there are LOTS more where this one came from:

43 *State of Virginia*
44 *Title 46.2 - MOTOR VEHICLES.*
45 *Chapter 3 - Licensure of Drivers*

46 *§46.2-328.1. Licenses, permits and special identification cards to be issued only to United States citizens, legal*
47 *permanent resident aliens, or holders of valid unexpired nonimmigrant visas; exceptions; renewal, duplication,*
48 *or reissuance.*

1 A. Notwithstanding any other provision of this title, except as provided in subsection G of § 46.2-345, the
2 Department shall not issue an original license, permit, or special identification card to any applicant who has
3 not presented to the Department, with the application, valid documentary evidence that the applicant is either
4 (i) a citizen of the United States, (ii) a legal permanent resident of the United States, or (iii) a conditional
5 resident alien of the United States.
6

- 7 3. Those domiciled on federal territory and who are therefore statutory “U.S. citizens” pursuant to 8 U.S.C. §1401 have
8 no constitutional rights. Misunderstanding your citizenship can result in unknowingly surrendering all protections for
9 your Constitutional rights.

10 “Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and
11 uniform to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase
12 or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every
13 state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the
14 definition of Webster, 'a government in which the supreme power resides in the whole body of the people,
15 and is exercised by representatives elected by them.' Congress did not hesitate, in the original organization of
16 the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana,
17 Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of
18 government bearing a much greater analogy to a British Crown colony than a republican state of America,
19 and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by
20 the President. It was not until they had attained a certain population that power was given them to organize a
21 legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the
22 Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over
23 them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the
24 privilege of the writ of habeas corpus, as well as other privileges of the bill of rights.”
25 [Downes v. Bidwell, 182 U.S. 244 (1901)]

- 26 4. The following authorities require all those who are statutory “U.S. citizens” (8 U.S.C. §1401), statutory “U.S.
27 residents” (26 U.S.C. §7701(b)(1)(A)), and “U.S. persons” (26 U.S.C. §7701(a)(30)), all of whom have in common a
28 domicile on federal territory, to incriminate themselves on government forms in violation of the Fifth Amendment by
29 filling out disclosures documenting all their foreign bank accounts. If you don’t disclose your foreign bank account on
30 the Treasury Form TD F 90-22.1, then you can be penalized up to \$500,000 and spend time in prison! On the other
31 hand, if you can prove that you are not a statutory “U.S. person”, then you are not subject to this requirement:
32 4.1. 31 U.S.C. §5314: Records and reports on foreign financial agency transactions
33 http://www.law.cornell.edu/uscode/html/uscode31/usc_sec_31_00005314---000-.html
34 4.2. Treasury Form TD F 90-22.1: Report of Foreign Bank and Financial Accounts
35 <http://www.irs.gov/pub/irs-pdf/f90221.pdf>

36 1.3 Applying what you learn here to your circumstances

37 If, after reading this document, you decide that you want to do something positive with the information you read here to
38 improve your life and restore your sovereignty, the following options are available:

- 39 1. If you want to develop court-admissible evidence documenting your true citizenship status as a “state national” and not
40 a statutory “U.S. citizen”, see the following excellent free training course:

Developing Evidence of Citizenship and Sovereignty Course, Form #12.002
<http://sedm.org/Forms/FormIndex.htm>

- 41 2. If you want to obtain a USA passport as a “national” rather than a statutory “U.S. citizen”, see the following resources:

- 42 2.1. Applying for a passport as a “national”
43 <http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>
44 2.2. USA Passport Application Attachment, Form #06.007
45 <http://sedm.org/Forms/FormIndex.htm>

- 46 3. If you want to take an activism role in fighting this fraud, see:

<http://famguardian.org/Subjects/Activism/Activism.htm>

- 47 4. If you want to contact the government to correct all their records describing your citizenship and tax status in order to
48 remove all the false information about your status that you have submitted to them in the past, you may use the
49 following excellent form for this purpose:
50

Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001
<http://sedm.org/Forms/FormIndex.htm>

1 5. If want to discontinue participation in all federal benefit programs and thereby remove the commercial nexus that
2 makes you into a “resident alien” pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. §1605(a)(2), you can
3 use the following form:

Resignation of Compelled Social Security Trustee, Form #06.002
<http://sedm.org/Forms/FormIndex.htm>

4 6. If you want to learn more about citizenship and sovereignty, see:

Citizenship and Sovereignty, Form #12.001
<http://sedm.org/Forms/FormIndex.htm>

5 7. If you want to restore your sovereignty, you can use the following procedures:

6 7.1. *Sovereignty Forms and Instructions Manual*, Form #10.005:

7 <http://sedm.org/Forms/FormIndex.htm>

8 7.2. *Sovereignty Forms and Instructions Online*, Form #10.004:

9 <http://sedm.org/Forms/FormIndex.htm>

10 8. If you want to learn about other ways that the federal government has destroyed the separation of powers that is the
11 heart of the United States Constitution, see:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023
<http://sedm.org/Forms/FormIndex.htm>

12 9. If you want to make sure that the federal courts respect all the implications of this pamphlet and respect and protect the
13 separation of powers in all the government’s dealings with everyone, see:

What Happened to Justice?, Form #06.012
<http://sedm.org/Forms/FormIndex.htm>

14 **2. THE THREE DEFINITIONS OF “UNITED STATES”**

15 Most of us are completely unaware that the term “[United States](#)” has several distinct and separate legal meanings and that it
16 is up to us to know and understand these differences, to use them appropriately, and to clarify exactly which one we mean
17 whenever we sign any government or financial form (including voter registration, tax documents, etc). If we do not, we
18 could unknowingly, unwillingly and involuntarily be creating [false presumptions](#) that cause us to surrender our
19 Constitutional rights and our sovereignty. The fact is, most of us have unwittingly been doing just that for most, if not all,
20 of our lives. Much of this misunderstanding and legal ignorance has been deliberately “manufactured” by our corrupted
21 government in the public school system. It is a fact that our public dis-servants want docile sheep who are easy to govern,
22 not “high maintenance “ sovereigns capable of critical and independent thinking and who demand their rights. We have
23 become so casual in our use of the term “United States” that it is no longer understood, even within the legal profession,
24 that there are actually *three different* legal meanings to the term. In fact, the legal profession has contributed to this
25 confusion over this term by removing its definitions from all legal dictionaries currently in print that we have looked at.
26 See *Great IRS Hoax*, Form #11.302, Section 6.10.1 for details on this scam.

27 Most of us have grown up thinking the term “[United States](#)” indicates and includes all 50 states of the Union. This is true
28 in the context of the U.S. Constitution but it is not true in all contexts. As you will see, this is the third meaning assigned to
29 the term “United States” by the United States Supreme Court. But, usually when we (Joe six pack) use the term United
30 States we actually think we are saying the [united States](#), as we are generally thinking of the [several states](#) or the [union of](#)
31 [States](#). As you will learn in this section, the meaning of the term depends entirely on the context and when we are filling
32 out federal forms or speaking with the federal government, this is a very costly false presumption.

33 First, it should be noted that the term United States is a noun. In fact, it is the proper name and title “We the people...” gave
34 to the [corporate entity](#) (non-living thing) of the federal (central) government created by the Constitution. This in turn
35 describes where the “United States” federal corporation referenced in 28 U.S.C. §3002(15)(A) was to be housed as the Seat
36 of the Government - In the District of Columbia, not to exceed a ten mile square.

37 *Constitution*
38 *Article 1, Section 8, Clause 17*

39 *To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square)*
40 *as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of*
41 *the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of*

1 the State in which the Same shall be for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other
 2 needful Buildings;—And [underlines added]

3 Below is how the united States Supreme Court addressed the question of the meaning of the term “United States” (see
 4 Black’s Law Dictionary) in the famous case of *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945). The Court ruled that
 5 the term United States has three uses:

6 *“The term 'United States' may be used in any one of several senses. It may be merely the name of a sovereign
 7 occupying the position analogous to that of other sovereigns in the family of nations. It may designate the
 8 territory over which the sovereignty of the United States extends, or it may be the collective name of the states
 9 which are united by and under the Constitution.”*
 10 [*Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945)]

11 We will now break the above definition into it’s three contexts and show what each means.

12 **Table 1: Meanings assigned to "United States" by the U.S. Supreme Court in Hooven & Allison v. Evatt**

#	U.S. Supreme Court Definition of “United States” in Hooven	Context in which usually used	Referred to in this article as	Interpretation
1	“It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations.”	International law	“United States**”	“These <u>united States</u> ,” when traveling abroad, you come under the jurisdiction of the President through his agents in the U.S. State Department, where “U.S.” refers to the sovereign society. You are a “Citizen of the United States” like someone is a Citizen of France, or England. We identify this version of “United States” with a single asterisk after its name: “United States*” throughout this article.
2	“It may designate the territory over which the sovereignty of the United States extends, or”	Federal law Federal forms	“United States***”	“The United States (the District of Columbia, possessions and territories)”. Here Congress has exclusive legislative jurisdiction. In this sense, the term “United States” is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a “citizen of the United States.” This is the definition used in most “Acts of Congress” and federal statutes. We identify this version of “United States” with two asterisks after its name: “United States**” throughout this article. This definition is also synonymous with the “United States” corporation found in 28 U.S.C. §3002(15)(A).
3	“...as the collective name for the states which are united by and under the Constitution.”	Constitution of the United States	“United States****”	“The <u>several States</u> which is the <u>united States of America</u> .” Referring to the <u>50 sovereign States</u> , which are united under the <u>Constitution of the United States of America</u> . The federal areas within these states are not included in this definition because the <u>Congress does not</u> have exclusive legislative authority over any of the <u>50 sovereign States within the Union of States</u> . Rights are retained by the <u>States</u> in the 9th and 10th Amendments, and you are a “Citizen of these <u>united States</u> .” This is the definition used in the Constitution for the United States of America. We identify this version of “United States” with a three asterisks after its name: “United States***” throughout this article.

13 The U.S. Supreme Court helped to clarify which of the three definitions above is the one used in the U.S. Constitution,
 14 when it held the following. Note they are implying the THIRD definition above and not the other two:

15 *“The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L. ed. 332, in which this court held that, under
 16 that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies
 17 between citizens of different states, a citizen of the District of Columbia could not maintain an action in the
 18 circuit court of the United States. It was argued that the word 'state,' in that connection, was used simply to
 19 denote a distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word
 20 'state' in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is
 21 a state in the sense of that instrument. The result of that examination is a conviction that the members of the
 22 American confederacy only are the states contemplated in the Constitution, . . . and excludes from the term
 23 the signification attached to it by writers on the law of nations.' This case was followed in Barney v.
 24 Baltimore, 6 Wall. 280, 18 L. ed. 825, and quite recently in Hooe v. Jamieson, 166 U.S. 395, 41 L. ed. 1049,
 25 17 Sup. Ct. Rep. 596. The same rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat.
 26 91, 4 L. ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it
 27 was said that 'neither of them is a state in the sense in which that term is used in the Constitution.' In Scott v.
 28 Jones, 5 How. 343, 12 L. ed. 181, and in Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1,
 29 13 L. ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state
 30 in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not
 31 within the contemplation of Congress.”*

2 The Supreme Court further clarified that the Constitution implies the third definition above, which is the United States***
3 when they held the following. Notice that they say “not part of the United States within the meaning of the Constitution”
4 and that the word “the” implies only ONE rather than multiple meanings:

5 *"As the only judicial power vested in Congress is to create courts whose judges shall hold their offices during*
6 *good behavior, it necessarily follows that, if Congress authorizes the creation of courts and the appointment*
7 *of judges for limited time, it must act independently of the Constitution upon territory which is not part of*
8 *the United States within the meaning of the Constitution."*
9 [O'Donoghue v. United States, 289 U.S. 516, 53 S.Ct. 740 (1933)]

10 And finally, the U.S. Supreme Court has also held that the Constitution does not and cannot determine or limit the authority
11 of Congress over federal territory and that the ONLY portion of the Constitution that does in fact expressly refer to federal
12 territory and therefore the statutory “United States” is Article 1, Section 8, Clause 17. Notice they ruled that Puerto Rico is
13 NOT part of the “United States” within the meaning of the Constitution, just like they ruled in O’Donoghue above that
14 territory was no part of the “United States”:

15 *In passing upon the questions involved in this and kindred cases, we ought not to overlook the fact that, while*
16 *the Constitution was intended to establish a permanent form of government for the states which should elect*
17 *to take advantage of its conditions, and continue for an indefinite future, the vast possibilities of that future*
18 *could never have entered the minds of its framers. The states had but recently emerged from a war with one of*
19 *the most powerful nations of Europe, were disheartened by the failure of the confederacy, and were doubtful as*
20 *to the feasibility of a stronger union. Their territory was confined to a narrow strip of land on the Atlantic coast*
21 *from Canada to Florida, with a somewhat indefinite claim to territory beyond the Alleghenies, where their*
22 *sovereignty was disputed by tribes of hostile Indians supported, as was popularly believed, by the British, who*
23 *had never formally delivered possession [182 U.S. 244, 285] under the treaty of peace. The vast territory*
24 *beyond the Mississippi, which formerly had been claimed by France, since 1762 had belonged to Spain, still a*
25 *powerful nation and the owner of a great part of the Western Hemisphere. Under these circumstances it is little*
26 *wonder that the question of annexing these territories was not made a subject of debate. The difficulties of*
27 *bringing about a union of the states were so great, the objections to it seemed so formidable, that the whole*
28 *thought of the convention centered upon surmounting these obstacles. The question of territories was*
29 *dismissed with a single clause, apparently applicable only to the territories then existing, giving Congress the*
30 *power to govern and dispose of them.*

31 *Had the acquisition of other territories been contemplated as a possibility, could it have been foreseen that,*
32 *within little more than one hundred years, we were destined to acquire, not only the whole vast region between*
33 *the Atlantic and Pacific Oceans, but the Russian possessions in America and distant islands in the Pacific, it is*
34 *incredible that no provision should have been made for them, and the question whether the Constitution should*
35 *or should not extend to them have been definitely settled. If it be once conceded that we are at liberty to*
36 *acquire foreign territory, a presumption arises that our power with respect to such territories is the same*
37 *power which other nations have been accustomed to exercise with respect to territories acquired by them. If,*
38 *in limiting the power which Congress was to exercise within the United States[***], it was also intended to*
39 *limit it with regard to such territories as the people of the United States[***] should thereafter acquire, such*
40 *limitations should have been expressed. Instead of that, we find the Constitution speaking only to states,*
41 *except in the territorial clause, which is absolute in its terms, and suggestive of no limitations upon the power*
42 *of Congress in dealing with them. The states could only delegate to Congress such powers as they themselves*
43 *possessed, and as they had no power to acquire new territory they had none to delegate in that connection.*
44 *The logical inference from this is that if Congress had power to acquire new territory, which is conceded,*
45 *that power was not hampered by the constitutional provisions. If, upon the other hand, we assume [182 U.S.*
46 *244, 286] that the territorial clause of the Constitution was not intended to be restricted to such territory as*
47 *the United States then possessed, there is nothing in the Constitution to indicate that the power of Congress in*
48 *dealing with them was intended to be restricted by any of the other provisions.*

49 [. . .]

50 *If those possessions are inhabited by alien races, differing from us in religion, customs, laws, methods of*
51 *taxation, and modes of thought, the administration of government and justice, according to Anglo-Saxon*
52 *principles, may for a time be impossible; and the question at once arises whether large concessions ought not to*
53 *be made for a time, that ultimately our own theories may be carried out, and the blessings of a free government*
54 *under the Constitution extended to them. We decline to hold that there is anything in the Constitution to forbid*
55 *such action.*

56 **We are therefore of opinion that the island of Porto Rico is a territory appurtenant and**
57 **belonging to the United States, but not a part of the United States[***] within the**

1 revenue clauses of the Constitution; that the Foraker act is constitutional, so far as it imposes duties
2 upon imports from such island, and that the plaintiff cannot recover back the duties exacted in this case.
3 [*Downes v. Bidwell*, 182 U.S. 244 (1901)]

4 Another important distinction needs to be made. Definition 1 above refers to the country “United States*”, but this country
5 is not a “nation”, in the sense of international law. This very important point was made clear by the U.S. Supreme Court in
6 1794 in the case of *Chisholm v. Georgia*, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793), when it said:

7 *This is a case of uncommon magnitude. One of the parties to it is a State; certainly respectable, claiming to be*
8 *sovereign. The question to be determined is, whether this State, so respectable, and whose claim soars so*
9 *high, is amenable to the jurisdiction of the Supreme Court of the United States? This question, important in*
10 *itself, will depend on others, more important still; and, may, perhaps, be ultimately resolved into one, no less*
11 *radical than this 'do the people of the United States form a Nation?'*

12 *A cause so conspicuous and interesting, should be carefully and accurately viewed from every possible point of*
13 *sight. I shall examine it; 1st. By the principles of general jurisprudence. 2nd. By the laws and practice of*
14 *particular States and Kingdoms. From the law of nations little or no*
15 *illustration of this subject can be expected. By that law the*
16 *several States and Governments spread over our globe, are*
17 *considered as forming a society, not a NATION. It has only been by a*
18 *very few comprehensive minds, such as those of Elizabeth and the Fourth Henry, that this last great idea has*
19 *been even contemplated. 3rdly. and chiefly, I shall examine the important question before us, by the*
20 *Constitution of the United States, and the legitimate result of that valuable instrument.*
21 [*Chisholm v. Georgia*, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793)]

22 Black’s Law Dictionary further clarifies the distinction between a “nation” and a “society” by clarifying the differences
23 between a national government and a federal government, and keep in mind that our government is called “federal
24 government”:

25 **“NATIONAL GOVERNMENT.** *The government of a whole nation, as distinguished from that of a local or*
26 *territorial division of the nation, and also as distinguished from that of a league or confederation.*

27 *“A national government is a government of the people of a single state or nation, united as a community by*
28 *what is termed the “social compact,” and possessing complete and perfect supremacy over persons and things,*
29 *so far as they can be made the lawful objects of civil government. A federal government is distinguished from*
30 *a national government by its being the government of a community of independent and sovereign states,*
31 *united by compact.”* *Piqua Branch Bank v. Knoup*, 6 Ohio St. 393.”
32 [*Black’s Law Dictionary*, Revised Fourth Edition, 1968, p. 1176]
33

34 **“FEDERAL GOVERNMENT.** *The system of government administered in a state formed by the union or*
35 *confederation of several independent or quasi independent states; also the composite state so formed.*

36 *In strict usage, there is a distinction between a confederation and a federal government. The former term*
37 *denotes a league or permanent alliance between several states, each of which is fully sovereign and*
38 *independent, and each of which retains its full dignity, organization, and sovereignty, though yielding to the*
39 *central authority a controlling power for a few limited purposes, such as external and diplomatic relations.*
40 *In this case, the component states are the units, with respect to the confederation, and the central*
41 *government acts upon them, not upon the individual citizens. In a federal government, on the other hand, the*
42 *allied states form a union,-not, indeed, to such an extent as to destroy their separate organization or deprive*
43 *them of quasi sovereignty with respect to the administration of their purely local concerns, but so that the*
44 *central power is erected into a true state or nation, possessing sovereignty both external and internal,-while*
45 *the administration of national affairs is directed, and its effects felt, not by the separate states deliberating as*
46 *units, but by the people of all, in their collective capacity, as citizens of the nation. The distinction is*
47 *expressed, by the German writers, by the use of the two words “Staatenbund” and “Bundesstaat;” the former*
48 *denoting a league or confederation of states, and the latter a federal government, or state formed by means of a*
49 *league or confederation.”*
50 [*Black’s Law Dictionary*, Revised Fourth Edition, 1968, p. 740]

51 So the “United States*” the country is a “society” and a “sovereignty” but not a “nation” under the law of nations, by the
52 Supreme Court’s own admission. Because the Supreme Court has ruled on this matter, it is now incumbent upon each of us
53 to always remember it and to apply it in all of our dealings with the Federal Government. If not, we lose our individual
54 Sovereignty by default and the Federal Government assumes jurisdiction over us. So, while a sovereign Citizen will want

1 to be the third type of Citizen, which is a “Citizen of the United States***” and on occasion a “citizen of the United
2 States*”, he would never want to be the second, which is a “citizen of the United States**”. A human being who is a
3 “citizen” of the second is called a statutory “U.S. citizen” under [8 U.S.C. §1401](#), and he is treated in law as occupying a
4 place not protected by the Bill of Rights, which is the first ten amendments of the United States Constitution. Below is how
5 the U.S. Supreme Court, in a dissenting opinion, described this “other” United States, which we call the “federal zone”:

6 *“The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this
7 country substantially two national governments; one to be maintained under the Constitution, with all of its
8 restrictions; the other to be maintained by Congress outside the independently of that instrument, by
9 exercising such powers [of absolutism] as other nations of the earth are accustomed to.. I take leave to say
10 that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical
11 and mischievous change in our system of government will result. We will, in that event, pass from the era of
12 constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism. It
13 will be an evil day for American liberty if the theory of a government outside the supreme law of the land
14 finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full
15 authority to prevent all violation of the principles of the Constitution.”
16 [Downes v. Bidwell, [182 U.S. 244](#) (1901)]*

17 The second definition of “United States**” above is also a federal corporation. This corporation was formed in 1871. It is
18 described in [28 U.S.C. §3002](#)(15)(A):

19 [TITLE 28 > PART VI > CHAPTER 176 > SUBCHAPTER A > Sec. 3002.](#)
20 [TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE](#)
21 [PART VI - PARTICULAR PROCEEDINGS](#)
22 [CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE](#)
23 [SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS](#)

24 [Sec. 3002. Definitions](#)
25 (15) “United States” means -
26 (A) a Federal corporation;
27 (B) an agency, department, commission, board, or other entity of the United States; or
28 (C) an instrumentality of the United States.
29

30 The U.S. Supreme Court, in fact, has admitted that all governments are corporations when it said:

31 *“Corporations are also of all grades, and made for varied objects; all governments are corporations, created
32 by usage and common consent, or grants and charters which create a body politic for prescribed purposes;
33 but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise
34 of power, they are all governed by the same rules of law, as to the construction and the obligation of the
35 instrument by which the incorporation is made [the Constitution is the corporate charter]. One universal rule
36 of law protects persons and property. It is a fundamental principle of the common law of England, that the term
37 freemen of the kingdom, includes ‘all persons,’ ecclesiastical and temporal, incorporate, politique or natural; it
38 is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members
39 of corporations are on the same footing of protection as other persons, and their corporate property secured by
40 the same laws which protect that of individuals. 2 Inst. 46-7. ‘No man shall be taken,’ ‘no man shall be
41 disseised,’ without due process of law, is a principle taken from magna charta, infused into all our state
42 constitutions, and is made inviolable by the federal government, by the amendments to the constitution.”
43 [Proprietors of Charles River Bridge v. Proprietors of, [36 U.S. 420](#) (1837)]*

44 If we are acting as a federal “public official” or contractor, then we are representing the “United States** federal
45 corporation”. That corporation is a statutory “U.S. citizen” under [8 U.S.C. §1401](#) which is completely subject to all federal
46 law.

47 *“A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was
48 created, and of that state or country only.”*
49 [19 Corpus Juris Secundum Legal Encyclopedia, Corporations, §886]

50 [Federal Rule of Civil Procedure 17](#)(b) says that when we are representing that corporation as “officers” or “employees”, we
51 therefore become statutory “U.S. citizens” completely subject to federal territorial law:

52 [IV. PARTIES > Rule 17.](#)
53 [Rule 17. Parties Plaintiff and Defendant; Capacity](#)

54 (b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:

(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;

(2) for a corporation, by the law under which it was organized; and

(3) for all other parties, by the law of the state where the court is located, except that:

(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and

(B) 28 U.S.C. §§ 754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.

[[Federal Rule of Civil Procedure 17\(b\)](#)]

Yet on every government (any level) document we sign (e.g. Social Security, Marriage License, Voter Registration, Drivers License, BATF 4473, etc.) they either require you to be a "citizen of the United States" or they ask "are you a resident of Illinois?". They are in effect asking you to assume or presume the second definition, the "United States**", when you fill out the form, but they don't want to tell you this because then you would realize they are asking you to commit perjury on a government form under penalty of perjury. They in effect are asking you if you wish to act in the official capacity of a public employee of the federal corporation. The form you are filling out therefore is serving the dual capacity of a federal job application and an application for benefits. The reason this must be so, is that they are not allowed to pay "benefits" to private citizens and can only lawfully pay them to public employees. Any other approach makes the government into a thief. See the article below for details on this scam:

[Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes](#), Form #05.008
<http://sedm.org/Forms/FormIndex.htm>

If you accept the false and self-serving presumption of your public dis-servants, or you answer "Yes" to the question of whether you are a "citizen of the United States" or a "U.S. citizen" on a federal or state form, usually under penalty of perjury, then you have committed perjury under penalty of perjury and also voluntarily placed yourself under their exclusive/plenary legislative jurisdiction as a public official/"employee" and are therefore subject to Federal & State Codes and Regulations (Statutes). The Social Security Number they ask for on the form, in fact, is prima facie evidence that you are a federal employee, in fact. Look at the evidence for yourself, paying particular attention to sections 6.1, 6.2 and 6.6:

[Resignation of Compelled Social Security Trustee](#), Form #06.002
<http://sedm.org/Forms/FormIndex.htm>

Most laws passed by government are, in effect, law only for government. They are private law or contract law that act as the equivalent of a government employment agreement.

"The power to 'legislate generally upon' life, liberty, and property, as opposed to the 'power to provide modes of redress' against offensive state action, was 'repugnant' to the Constitution. Id., at 15. See also United States v. Reese, 92 U.S. 214, 218 (1876); United States v. Harris, 106 U.S. 629, 639 (1883); James v. Bowman, 190 U.S. 127, 139 (1903). Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States, 379 U.S. 241 (1964); United States v. Guest, 383 U.S. 745 (1966), their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."

[[City of Boerne v. Flores, Archbishop of San Antonio, 521 U.S. 507 \(1997\)](#)]

What the U.S. Supreme Court is saying above is that the government has no authority to tell you how to run your *private life*. This is contrary to the whole idea of the Internal Revenue Code, whose main purpose is to monitor and control *every aspect* of those who are subject to it. In fact, it has become the chief means for Congress to implement what we call "social engineering". Just by the deductions they offer, people who are not engaged in a "trade or business" and thus have no income tax liability are incentivized into all kinds of crazy behaviors in pursuit of reductions in a liability that they in fact do not even have. Therefore, the only reasonable thing to conclude is that Subtitle A of the Internal Revenue Code, which would "appear" to regulate the private conduct of *all* individuals in states of the Union, in fact only applies to "public officials" in the official conduct of their duties while present in the District of Columbia, which [4 U.S.C. §72](#) makes the "seat of government". The I.R.C. therefore essentially amounts to a part of the job responsibility and the "employment contract" of "public officials". This was also confirmed by the House of Representatives, who said that only those who take an oath of "public office" are subject to the requirements of the personal income tax. See:

We the People, as the Sovereigns, cannot lawfully become the proper subject to exclusive federal jurisdiction unless and until we surrender our sovereignty by signing a government employment agreement that can take many different forms: W-4, SS-5, 1040, etc.

California Civil Code
DIVISION 3. OBLIGATIONS
PART 2. CONTRACTS
TITLE 1. NATURE OF A CONTRACT
CHAPTER 3. CONSENT

1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.

[SOURCE:
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=01001-02000&file=1565-1590>]

The W-4 is a federal “election” form and you are the *only* voter. They are asking you if you want to elect yourself into “public office”, and if you say “yes”, then you got the job and a cage is reserved for you on the federal plantation:

“The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the regulator of private conduct, are not the same as the restrictions that it places upon the government in its capacity as employer. We have recognized this in many contexts, with respect to many different constitutional guarantees. Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. Kelley v. Johnson, 425 U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable cause, but in many circumstances government employees can. O’Connor v. Ortega, 480 U.S. 709, 723 (1987) (plurality opinion); id., at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for refusing to provide the government information that may incriminate them, but government employees can be dismissed when the incriminating information that they refuse to provide relates to the performance of their job. Gardner v. Broderick, [497 U.S. 62, 95] 392 U.S. 273, 277-278 (1968). With regard to freedom of speech in particular: Private citizens cannot be punished for speech of merely private concern, but government employees can be fired for that reason. Connick v. Myers, 461 U.S. 138, 147 (1983). Private citizens cannot be punished for partisan political activity, but federal and state employees can be dismissed and otherwise punished for that reason. Public Workers v. Mitchell, 330 U.S. 75, 101 (1947); Civil Service Comm’n v. Letter Carriers, 413 U.S. 548, 556 (1973); Broadrick v. Oklahoma, 413 U.S. 601, 616-617 (1973).”
[Rutan v. Republican Party of Illinois, 497 U.S. 62 (1990)]

By making you into a “public official” or “employee”, they are intentionally destroying the separation of powers that is the main purpose of the Constitution and which was put there to protect your rights.

“To the contrary, the Constitution divides authority between federal and state governments for the protection of individuals. State sovereignty is not just an end in itself: “Rather, federalism secures to citizens the liberties that derive from the diffusion of sovereign power.” Coleman v. Thompson, 501 U.S. 722, 759 (1991) (BLACKMUN, J., dissenting). “Just as the separation and independence of the coordinate branches of the Federal Government serve to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front.” Gregory v. [505 U.S. 144, 182] Ashcroft, 501 U.S., at 458. See The Federalist No. 51, p. 323. (C. Rossiter ed. 1961).”
[New York v. United States, 505 U.S. 144 (1992)]

They are causing you to voluntarily waive sovereign immunity under the Foreign Sovereign Immunities Act, [28 U.S.C. §1601-1611](#). [28 U.S.C. §1605\(a\)\(2\)](#) of the act says that those who conduct “commerce” within the legislative jurisdiction of the “United States” (federal zone), whether as public official or federal benefit recipient, surrender their sovereign immunity.

[TITLE 28 > PART IV > CHAPTER 97 > § 1605](#)
[§ 1605. General exceptions to the jurisdictional immunity of a foreign state](#)

(a) A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case—

(2) in which the action is based upon a commercial activity carried on in the United States by the foreign state; or upon an act performed in the United States in connection with a commercial [employment or federal benefit]

1 activity of the foreign state elsewhere; or upon an act outside the territory of the United States in connection
2 with a commercial activity of the foreign state elsewhere and that act causes a direct effect in the United States;

3 They are also destroying the separation of powers by fooling you into declaring yourself to be a statutory “U.S.** citizen”
4 under [8 U.S.C. §1401](#). [28 U.S.C. §1603\(b\)\(3\)](#) and [28 U.S.C. §1332\(e\)](#) specifically exclude such statutory “U.S. citizens”
5 from being foreign sovereigns who can file under statutory diversity of citizenship. This is also confirmed by the
6 Department of State Website:

7 “Section 1603(b) defines an “agency or instrumentality” of a foreign state as an entity (1) which is a separate
8 legal person, corporate or otherwise, and (2) which is an organ of a foreign state or political subdivision
9 thereof, or a majority of whose shares or other ownership interest is owned by a foreign state or political
10 subdivision thereof, and (3) which is neither a citizen of the a state of the United States as defined in Sec.
11 [1332\(e\)](#) nor created under the laws of any third country.”
12 [Department of State Website, http://travel.state.gov/law/info/judicial/judicial_693.html]

13 In effect, they kidnapped your legal identity and made you into a “resident alien federal employee” working in the “king’s
14 castle”, the District of Criminals, and changed your status from “foreign” to “domestic” by creating false presumptions
15 about citizenship and using the Social Security Number, W-4, and SS-5 forms to make you into a “subject citizen” and a
16 “public employee” with no constitutional rights.

17 The nature of most federal law as private/contract law is carefully explained below:

[Requirement for Consent](#), Form #05.003
<http://sedm.org/Forms/FormIndex.htm>

18 As you will soon read, the government uses various ways to mislead and trick us into their private/contract laws (outside
19 our Constitutional protections) and make you into the equivalent of their “employee”, and thereby commits a great fraud on
20 the American People. It is the purpose of this document to expose the most important aspect of that willful deception,
21 which is the citizenship trap.

22 **3. “STATUTORY” v. “CONSTITUTIONAL” CITIZENS**

23 Congress enjoys two species of legislative power, and each has its own “citizens”:

24 “It is clear that Congress, as a legislative body, exercise *two species of legislative power: the one, limited as to*
25 *its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District*
26 *of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these*
27 *authorities was the law in question passed?”*
28 [*Cohens v. Virginia*, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]

29 The above distinction is a product of what is called the separation of powers doctrine that is the heart of the United States
30 Constitution and which is thoroughly described in the document below:

[Government Conspiracy to Destroy the Separation of Powers](#), Form #05.023
<http://sedm.org/Forms/FormIndex.htm>

32 Based on the above and the foregoing section, there are TWO mutually exclusive and independent types of “citizens”:
33 Statutory v. Constitutional. The U.S. Supreme Court sternly warned Americans not to confuse the two jurisdictions when it
34 held the following:

35 “The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this
36 country substantially two national governments; one to be maintained under the Constitution, with all of its
37 restrictions; the other to be maintained by Congress outside the independently of that instrument, by
38 exercising such powers [of absolutism] as other nations of the earth are accustomed to.. I take leave to say
39 that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical
40 and mischievous change in our system of government will result. We will, in that event, pass from the era of
41 constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It
42 will be an evil day for American liberty if the theory of a government outside the supreme law of the land
43 finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full
44 authority to prevent all violation of the principles of the Constitution.”

[Downes v. Bidwell, 182 U.S. 244 (1901)]

Constitutional citizenship derives from and is dependent upon being a constitutional citizen within your state, which the U.S. Supreme Court also calls a state citizen. Statutory citizenship, however, does not derive from citizenship under the constitution of a state of the Union. The case below is talking about constitutional and not statutory citizenship:

"As the mind cannot conceive an army without the men to compose it, on the face of the Constitution the objection that it does not give power to provide for such men would seem to be too frivolous for further notice. It is said, however, that since under the Constitution as originally framed state citizenship was primary and United States citizenship but derivative and dependent thereon, therefore the power conferred upon Congress to raise armies was only coterminous with United States citizenship and could not be exerted so as to cause that citizenship to lose its dependent character and dominate state citizenship. But the proposition simply denies to Congress the power to raise armies which the Constitution gives. That power by the very terms of the Constitution, being delegated, is supreme. Article 6. In truth the contention simply assails the wisdom of the framers of the Constitution in conferring authority on Congress and in not retaining it as it was under the Confederation in the several states."
[Arver v. United States, 245 U.S. 366 (1918)]

Below are a few additional case cites that prove that those who are NOT citizens of a state of the Union such as those domiciled on federal territory in the District of Columbia, are Statutory and not Constitutional citizens:

"... citizens of the District of Columbia were not granted the privilege of litigating in the federal courts on the ground of diversity of citizenship. Possibly no better reason for this fact exists than such citizens were not thought of when the judiciary article [III] of the federal Constitution was drafted. ... citizens of the United States[*] ... were also not thought of; but in any event a citizen of the United States[*], who is not a citizen of any state, is not within the language of the [federal] Constitution.
[Pannill v. Roanoke, 252 F. 910, 914]

"There are, then, under our republican form of government, two classes of citizens, one of the United States[*] and one of the state. One class of citizenship may exist in a person, without the other, as in the case of a resident of the District of Columbia; but both classes usually exist in the same person."
[Gardina v. Board of Registrars, 160 Ala. 155]

Below is a table comparing the two contexts to make the differences perfectly clear. We will build on these distinctions throughout the remainder of this pamphlet.

Table 2: Statutory v. Constitutional "Citizens" compared

#	Characteristic	"Statutory" citizen or resident	"Constitutional" citizen or resident
1	"citizen" defined in	8 U.S.C. §1401 26 CFR §1.1-1(c) 26 CFR §31.3121-1(e)	1. Fourteenth Amendment, Section 1 2. 8 U.S.C. §1101(a)(21) 3. 8 U.S.C. §1452
2	Domicile located in	Federal "State" (territory) as defined in 4 U.S.C. §110(d)	State of the Union, as used in the Constitution
3	A "U.S. person" as defined in 26 U.S.C. §7701(a)(30)	Yes	No
4	May lawfully be issued a "Social Security Number" or "Taxpayer Identification Number"?	Yes	No (see: Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number" , Form #04.205; http://sedm.org/Forms/FormIndex.htm)
5	"citizen" also called	1. "U.S. citizen" 2. "citizen of the United States**"	1. "national" but not a "citizen" 2. "non-citizen national" (see 8 U.S.C. §1452) 3. "American citizen" (see 1 Stat. 477) 4. "citizen of the United States <u>of America</u> " (see 1 Stat. 477) 5. "citizen of the United States***"

#	Characteristic	“Statutory” citizen or resident	“Constitutional” citizen or resident
6	“resident” (alien) defined in	8 U.S.C. §1101(a)(3) 26 U.S.C. §7701(b)(1)(A) 26 CFR §1.1441-1(c)(3)(i)	Not defined
7	Sovereign?	No (A “SUBJECT citizen”)	Yes
8	“Rights” protected by	Enactments of Congress (privileges, not rights)	The Constitution of the United States, Bill of Rights State Constitution
9	Rights protected by the United States Constitution?	No (NO rights. Only legislative “privileges”)	Yes
10	Rights protected by state Constitution?	No (NO rights. Only legislative “privileges”)	Yes
11	Rights are	Revocable at the whim of Congress by legislative enactment and constitute “privileges”	Inalienable
12	Rights are surrendered by	No rights to surrender.	1. Incorrectly declaring yourself to be a statutory “U.S. Citizen” 2. Accepting any government benefit and thereby waiving “sovereign immunity” pursuant to 28 U.S.C. §1605(a)(2)
13	Definition of “ United States ” upon which term “citizen of the United States” depends, from previous section	United States**	United States*** United States of America
14	Allegiance is to	The <i>government</i> of the United States (Your PAGAN false God)	The <i>people</i> in states of the Union (Your neighbors: Love your neighbor. Exodus 20:12-17; Gal. 5:14)
15	Relationship to “national” government	Domestic	Foreign (See “Sovereign=Foreign”: http://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm)
16	Tax status	“U.S. citizen”, as defined in 26 CFR §1.1-1(c)	“Nonresident alien” as defined in 26 U.S.C. §7701(b)(1)(B)
17	File which federal tax form	IRS Form 1040	IRS Form 1040NR
18	Protected by Foreign Sovereign Immunities Act as an instrumentality of a foreign state? (see 28 U.S.C. §1602 through 1611)	No	Yes
19	A “stateless person” in federal court? (See definition of “State” found in 28 U.S.C. §1332(e))	No	Yes (States of the Union are not “States” within the meaning of 28 U.S.C. §1332(e))
20	Can vote in state elections	As a “voter”	As an “elector” who very carefully fills out the voter registration (See: http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm)
21	Derives citizenship from state constitution?	No	Yes

#	Characteristic	“Statutory” citizen or resident	“Constitutional” citizen or resident
22	Allegiance directed at	Federal “State”, which is a federal corporation and the “government” that runs it	Constitutional “state”, which is all the sovereign people within a territory

1 We should point out that 18 U.S.C. §911 makes it a CRIME for a constitutional citizen to claim to be the statutory citizen
2 described in 8 U.S.C. §1401. People who begin as a “constitutional” citizen commonly commit this crime and unwittingly
3 in most cases transform themselves into a privileged “statutory” citizen by performing any one of the following unlawful
4 acts. These unlawful acts at least make them appear to be a legal “person” under federal law with an effective domicile in
5 the District of Columbia/federal zone and a “SUBJECT citizen”:

- 6 1. Opening up bank or financial accounts WITHOUT using the proper form, which is an AMENDED IRS Form W-
7 8BEN. If you don’t use this form or a derivative and invoke the protection of the law for your status as a nonresident
8 alien not engaged in a “trade or business”, the financial institution will falsely and prejudicially “presume” that you are
9 both a statutory “U.S. citizen” pursuant to [8 U.S.C. §1401](#) and a “U.S. person” pursuant to [26 U.S.C. §7701\(a\)\(30\)](#). To
10 prevent this problem, see the following article:

About IRS Form W-8BEN, Form #04.202
<http://sedm.org/Forms/FormIndex.htm>

- 11 2. Filing the WRONG tax form, the IRS Form 1040, rather than the correct 1040NR form. This constitutes an election to
12 become a “resident alien” engaged in a “trade or business”, pursuant to [26 U.S.C. §7701\(b\)\(4\)\(B\)](#) and [26 U.S.C.](#)
13 [§6013\(g\)](#) and (h). This can be prevented using the following form, for instance:

Federal Nonresident Nonstatutory Claim for Return of Funds Unlawfully Paid to the Government-Long, Form #15.001
<http://sedm.org/Forms/FormIndex.htm>

- 14 3. Applying for or accepting a government benefit, privilege, or license, such as Social Security, Medicare, or TANF.
15 This would require them to fill out an SSA Form SS-5. 20 CFR§422.104 requires that only those with a domicile on
16 federal territory and who are therefore statutory “U.S. citizens” or “U.S. permanent residents”, may apply for Social
17 Security. This causes a waiver of sovereign immunity under [28 U.S.C. §1605\(a\)\(2\)](#) and makes you into a “resident
18 alien” who is a “public officer” within the government granting the privilege or benefit. See:

Government Instituted Slavery Using Franchises, Form #05.030
<http://sedm.org/Forms/FormIndex.htm>

- 19 4. Filling out a federal or state government form incorrectly by describing yourself as a statutory “U.S. citizen” pursuant
20 to [8 U.S.C. §1401](#) rather than a “national but not a citizen” pursuant to [8 U.S.C. §1101\(a\)\(21\)](#) and [8 U.S.C. §1452](#).
21 This can be prevented by attaching the following form:

Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001
<http://sedm.org/Forms/FormIndex.htm>

- 22 5. Improperly declaring your citizenship status to a federal court or not declaring it at all. If you describe yourself as a
23 “citizen” or a “U.S. citizen” without further clarification, or if you don’t describe your citizenship at all in court
24 pleadings, then federal courts will self-servingly “presume” that you are a statutory rather than constitutional citizen
25 pursuant to [8 U.S.C. §1401](#) who has a domicile on federal territory. This is also confirmed by the following
26 authorities:

27 *“The term ‘citizen’, as used in the Judiciary Act with reference to the jurisdiction of the federal courts, is*
28 *substantially synonymous with the term ‘domicile’.* *Delaware, L. & W.R. Co. v. Petrowsky*, 2 Cir., 250 F. 554,
29 *557.”*
30 *[Earley v. Hershey Transit Co., 55 F.Supp. 981, D.C.PA. (1944)]*

31 *“Domicile and citizen are synonymous in federal courts, Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp.*
32 *981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d*
33 *678, 683.”*
34 *[Black’s Law Dictionary, Fourth Edition, p. 311]*

35 To prevent this problem, use the following attachment to all the filings in the court:

Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002
<http://sedm.org/Litigation/LitIndex.htm>

1 6. Accepting public office within the federal government. This causes you to act in a representative capacity representing
2 the federal corporation called the “United States” as defined in [28 U.S.C. §3002\(15\)\(A\)](#). Pursuant to [Federal Rule of](#)
3 [Civil Procedure 17\(b\)](#), you assume the same domicile and citizenship of the party you represent. All corporations are
4 “citizens” with a domicile where they were created, which is the District of Columbia in the case of the federal United
5 States.

6 *"A corporation is a citizen, [resident](#), or inhabitant of the state or country by or under the laws of which it was*
7 *created, and of that state or country only."*
8 *[19 Corpus Juris Secundum, Corporations, §886]*

9 7. Failing to rebut false information returns filed against you reflecting nonzero earnings, such as any of the following
10 forms:

11 7.1. [Correcting Erroneous IRS Form 1042's](#), Form #04.003. See:
12 <http://sedm.org/Forms/FormIndex.htm>

13 7.2. [Correcting Erroneous IRS Form 1098's](#), Form #04.004. See:
14 <http://sedm.org/Forms/FormIndex.htm>

15 7.3. [Correcting Erroneous IRS Form 1099's](#), Form #04.005. See:
16 <http://sedm.org/Forms/FormIndex.htm>

17 7.4. [Correcting Erroneous IRS Form W-2's](#), Form #04.006. See:
18 <http://sedm.org/Forms/FormIndex.htm>

19 All of the above information return forms connect you with the “trade or business” franchise pursuant to [26 U.S.C.](#)
20 [§6041\(a\)](#). A “trade or business” is defined in [26 U.S.C. §7701\(a\)\(26\)](#) as “the functions of a public office”. Engaging
21 in a “trade or business” makes you into a “resident alien” as defined in [26 U.S.C. §7701\(b\)\(1\)\(A\)](#). See older versions
22 of 26 CFR §301.7701-5 for proof at the link below:
23 <http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf>

24 You may wonder as we have how it is that Congress can make it a crime to falsely claim to be a statutory “U.S. citizen” in
25 18 U.S.C. §911.

26 [TITLE 18 > PART 1 > CHAPTER 43 > § 911](#)
27 [§ 911. Citizen of the United States](#)

28 *Whoever falsely and willfully represents himself to be a [citizen of the United States](#)[**] shall be fined under*
29 *this title or imprisoned not more than three years, or both.*

30 As you will learn in the next section, one becomes a “citizen” in a common law sense by being born or naturalized in a
31 country and exercising their First Amendment right of political association by voluntarily choosing a national and a
32 municipal domicile in that country. How can Congress criminalize the exercise of the First Amendment right to politically
33 associate with a “state” and thereby become a citizen? After all, the courts have routinely held that Congress cannot
34 criminalize the exercise of a right protected by the Constitution.

35 *"It is an unconstitutional deprivation of due process for the government to penalize a person merely because he*
36 *has exercised a protected statutory or constitutional right. [United States v. Goodwin](#), [457 U.S. 368](#), 372 , 102*
37 *S.Ct. 2485, 2488, 73 L.Ed.2d 74 (1982)."*
38 *[[People of Territory of Guam v. Fegurgur](#), 800 F.2d 1470 (9th Cir. 1986)]*

39 Even the U.S. Code recognizes the protected First Amendment right to *not* associate during the passport application
40 process. Being a statutory and not constitutional “citizen” is an example of type of membership, because domicile is civil
41 membership in a territorial community usually called a county, and you cannot be a “citizen” without a domicile:

42 [TITLE 22 > CHAPTER 38 > § 2721](#)
43 [§ 2721. Impermissible basis for denial of passports](#)

44 *A passport may not be denied issuance, revoked, restricted, or otherwise limited because of any speech, activity,*
45 *belief, [affiliation, or membership, within or outside the United States](#), which, if held or conducted within the*
46 *United States, would be protected by the first amendment to the Constitution of the United States.*

1 The answer to how Congress can criminalize the exercise of a First Amendment protected right of political association that
2 is the foundation of becoming a “citizen” therefore lies in the fact that the statutory “U.S. citizen” mentioned in 18 U.S.C.
3 §911 is not a constitutional citizen protected by the Constitution, but rather is:

- 4
- 5 1. Not a human being or a private person but a statutory creation of Congress. The ability to regulate private conduct,
6 according to the U.S. Supreme Court, is repugnant to the U.S. Constitution and therefore Congress can ONLY regulate
7 public conduct and the public offices and franchises that it creates.

8 *“The power to “legislate generally upon” life, liberty, and property, as opposed to the “power to provide modes*
9 *of redress” against offensive state action, was “repugnant” to the Constitution. Id., at 15. See also United States*
10 *v. Reese, 92 U.S. 214, 218 (1876); United States v. Harris, 106 U.S. 629, 639 (1883); James v. Bowman, 190*
11 *U.S. 127, 139 (1903). Although the specific holdings of these early cases might have been superseded or*
12 *modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States, 379 U.S. 241 (1964); United States v. Guest,*
13 *383 U.S. 745 (1966), their treatment of Congress’ §5 power as corrective or preventive, not definitional, has not*
14 *been questioned.”*
15 *[City of Boerne v. Flores, Archbishop of San Antonio, 521 U.S. 507 (1997)]*

- 16 2. A statutory franchise and a federal corporation created on federal territory and domiciled there. Notice the key
17 language **“Whenever the public and private acts of the government seem to commingle [in this case, through the**
18 **offering and enforcement of PRIVATE franchises to the public at large such as income taxes], a citizen or**
19 **corporate body must y supposition be substituted in its place...”** What they did was perform this substitution in the
20 franchise agreement itself BEFORE the controversy ever even reached the court such that this judicial doctrine could
21 be OVERTLY applied! They want to keep their secret weapon secret.

22 *See also Clearfield Trust Co. v. United States, 318 U.S. 363, 369 (1943) (“The United States does business on*
23 **business terms”) (quoting United States v. National Exchange Bank of Baltimore, 270 U.S. 527, 534 (1926));
24 *Perry v. United States, supra at 352 (1935) (“When the United States, with constitutional authority, makes*
25 **contracts [or franchises], it has rights and incurs responsibilities similar to those of individuals who are**
26 **parties to such instruments. There is no difference . . . except that the United States cannot be sued without**
27 **its consent”) (citation omitted); United States v. Bostwick, 94 U.S. 53, 66 (1877) (“The United States, when**
28 **they contract with their citizens, are controlled by the same laws that govern the citizen in that behalf”);
29 *Cooke v. United States, 91 U.S. 389, 398 (1875) (explaining that when the United States “comes down from*
30 **its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern**
31 **individuals there”).******

32 *See Jones, 1 Ct.Ct. at 85 (“Wherever the public and private acts of the*
33 **government seem to commingle, a citizen or corporate body must by**
34 **supposition be substituted in its place, and then the question be**
35 **determined whether the action will lie against the supposed defendant”);
36 *O’Neill v. United States, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, “[w]ere [the]*
37 *contracts exclusively between private parties, the party hurt by such governing action could not claim*
38 *compensation from the other party for the governing action”). The dissent ignores these statements (including*
39 *the statement from Jones, from which case Horowitz drew its reasoning literally verbatim), when it says, post at*
40 *931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as*
41 *a private party.*
42 *[United States v. Winstar Corp. 518 U.S. 839 (1996)]***

- 43 3. Property of the U.S. government. All franchises and statuses incurred under franchises are property of the government
44 grantor. The government has always had the right to criminalize abuses of its property.
45 4. A public office in the government like all other franchise statuses.
46 5. An officer of a corporation, which is “U.S. Inc.” and is described in 28 U.S.C. §3002(15)(A). All federal corporations
47 are “citizens”, and therefore a statutory “U.S. citizen” is really just the corporation that you are representing as a public
48 officer.

49 *“A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was*
50 *created, and of that state or country only.”*
51 *[19 Corpus Juris Secundum, Corporations, §886]*

52 Here is a HUGE clue about what they think a “U.S. citizen” really is in federal statutes. Look at the definition below, and
53 then consider that you CAN’T own a human being as property. That’s called slavery:

3 (a) **In General.**—

4 *In this subtitle, **a corporation, partnership, or association is deemed to be a citizen of the United States only if***
5 ***the controlling interest is owned by citizens of the United States.** However, if the corporation, partnership, or*
6 *association is operating a vessel in the coastwise trade, at least 75 percent of the interest must be owned by*
7 *citizens of the United States.*

8 Now look at what the U.S. Supreme Court said about “ownership” of human beings. You can’t “own” a human being as
9 chattel. The Thirteenth Amendment prohibits that. Therefore, the statutory “U.S. citizen” they are talking about above is
10 an instrumentality and public office within the United States. They can only tax, regulate, and legislate for PUBLIC objects
11 and public offices under Article 4, Section 3, Clause 2 of the United States Conduct. The ability to regulate PRIVATE
12 conduct of human beings has repeatedly been held by the U.S. Supreme Court to be “repugnant to the constitution” and
13 beyond the jurisdiction of Congress.

14 ***“It [the contract] is, in substance and effect, a contract for servitude, with no limitation but that of time;***
15 ***leaving the master to determine what the service should be, and the place where and the person to whom it***
16 ***should be rendered. Such a contract, it is scarcely necessary to say, is against the policy of our institutions***
17 ***and laws. If such a sale of service could be lawfully made for five years, it might, from the same reasons, for***
18 ***ten, and so for the term of one’s life. The door would thus be opened for a species of servitude inconsistent***
19 ***with the first and fundamental article of our declaration of rights, which, proprio vigore, not only abolished***
20 ***every vestige of slavery then existing in the commonwealth, but rendered every form of it thereafter legally***
21 ***impossible.** That article has always been regarded, not simply as the declaration of an abstract principle, but as*
22 *having the active force and conclusive authority of law.’ **Observing that one who voluntarily subjected himself***
23 ***to the laws of the state must find in them the rule of restraint as well as the rule of action, the court***
24 ***proceeded: ‘Under this contract the plaintiff had no claim for the labor of the servant for the term of five***
25 ***years, or for any term whatever. She was under no legal obligation to remain in his service. There was no***
26 ***time during which her service was due to the plaintiff, and during which she was kept from such service by***
27 ***the acts of the defendants.’***

28 [. . .]

29 *Under the contract of service it was at the volition of the master to entail service upon these appellants for an*
30 *indefinite period. So far as the record discloses, it was an accident that the vessel came back to San Francisco*
31 *when it did. By the shipping articles, the appellants could not quit the vessel until it returned to a port of the*
32 **296 United States, and such return depended absolutely upon the will of the master. **He had only to land at***
33 ***foreign ports, and keep the vessel away from the United States, in order to prevent the appellants from***
34 ***leaving his service.***

35 [. . .]

36 ***The supreme law of the land now declares that involuntary servitude, except as a punishment for crime, of***
37 ***which the party shall have been duly convicted, shall not exist any where within the United States.***
38 ***[Robertson v. Baldwin, 165 U.S. 275, 17 S.Ct. 326 (U.S. 1897)]***

39 Federal courts also frequently use the phrase “privileges and immunities of citizens of the United States”. Below is an
40 example:

41 ***“The privileges and immunities of citizens of the United States do not necessarily include all the rights***
42 ***protected by the first eight amendments to the Federal Constitution against the powers of the Federal***
43 ***Government.***

44 *The trial of a person accused as a criminal by a jury of only eight persons instead of twelve, and his subsequent*
45 *imprisonment after conviction do not abridge his privileges and immunities under the Constitution as a citizen*
46 *of the United States and do not deprive him of his liberty without due process of law.”*
47 *[Maxwell v. Dow, 176 U.S. 581 (1899)]*

48 Note that the “citizen of the United States**” described above is a statutory rather than constitutional citizen, which is why
49 the court admits that the rights of such a person are inferior to those possessed by a “citizen” within the meaning of the
50 United States Constitution. A constitutional but not statutory citizen is, in fact, NOT “privileged” in any way and none of
51 the rights guaranteed by the Constitution can truthfully be called “privileges” without violating the law. It is a tort and a
52 violation of due process, in fact, to convert rights protected by the Constitution and the common law into “privileges” or

1 franchises or “public rights” under statutory law without at least your consent, which anyone in their right mind should
2 NEVER give.

3 *"It has long been established that a State may not impose a penalty upon those who exercise a right guaranteed*
4 *by the Constitution." Frost & Frost Trucking Co. v. Railroad Comm'n of California, 271 U.S. 583.*
5 *"Constitutional rights would be of little value if they could be indirectly denied," Smith v. Allwright, 321 U.S.*
6 *649, 644, or manipulated out of existence [by converting them into statutory "privileges"/franchises],'*
7 *Gomillion v. Lightfoot, 364 U.S. 339, 345."*
8 *[Harman v. Forssenius, 380 U.S 528 at 540, 85 S.Ct. 1177, 1185 (1965)]*

9 It is furthermore proven in the following memorandum of law that civil statutory civil law pertains almost exclusively to
10 government officers and employers and cannot and does not pertain to human beings or private persons not engaged in
11 federal franchises/privileges:
12

Why Stutory Civil Law is Law for Government and Not Private Persons, Form #05.037
<http://sedm.org/Forms/FormIndex.htm>

13 Consequently, if a court refers to “privileges and immunities” in relation to you, chances are they are presuming, usually
14 FALSELY, that you are a statutory “U.S. citizen” and NOT a constitutional citizen. If you want to prevent them from
15 making such false presumptions, we recommend attaching the following forms at least to your initial complaint and/or
16 response in any action in court:
17

- 18 1. *Federal Pleading/Motion/Petition Attachment*, Litigation Tool #01.002
19 <http://sedm.org/Litigation/LitIndex.htm>
- 20 2. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
21 <http://sedm.org/Forms/FormIndex.htm>

22 If you would like to know more about the devious abuse of franchises to destroy your rights and break the chains of the
23 Constitution that bind your public servants and protect your rights, see:
24

Government Instituted Slavery Using Franchises, Form #05.030
<http://sedm.org/Forms/FormIndex.htm>

25 **4. “CITIZENS” v. “NATIONALS”**

26 Within federal law, two words are used to describe citizenship: “citizen” and “national”. There is a world of difference
27 between these two terms and it is extremely important to understand the distinctions before we proceed further. A “citizen”
28 is someone who was born somewhere within the country and who and maintains a domicile within a political jurisdiction,
29 who owes allegiance to the “sovereign” within that jurisdiction, and who participates in the functions of government by
30 voting and serving on jury duty.

31 ***citizen.** One who, under the [Constitution](#) and laws of the [United States](#)[***], or of a particular state, is a*
32 ***member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights.***
33 *All persons born or naturalized in the United States[***], and subject to the jurisdiction thereof, are citizens of*
34 *the United States[***] and of the state wherein they reside. [U.S. Const., 14th Amend.](#) See [Citizenship](#).*

35 ***"Citizens" are members of a political community who, in their associated capacity, have established or***
36 ***submitted themselves to the dominion of a government [by giving up their rights] for the promotion of their***
37 ***general welfare and the protection of their individual as well as collective rights.** [Herriott v. City of Seattle](#),*
38 *81 Wash.2d 48, 500 P.2d 101, 109.*

39 *The term may include or apply to children of alien parents from in United States[***], [Von Schwertner v.](#)*
40 *[Piper](#), D.C.Md., 23 F.2d 862, 863; [U.S. v. Minoru Yasui](#), D.C.Or., 48 F.Supp. 40, 54; children of American*
41 *citizens born outside United States, [Haaland v. Attorney General of United States](#), D.C.Md., 42 F.Supp. 13, 22;*
42 *[Indians](#), [United States v. Hester](#), C.C.A.Okl., 137 F.2d 145, 147; [National Banks](#), [American Surety Co. v. Bank](#)*
43 *[of California](#), C.C.A.Or., 133 F.2d 160, 162; nonresident who has qualified as administratrix of estate of*
44 *deceased resident, [Hunt v. Noll](#), C.C.A.Tenn., 112 F.2d 288, 289. However, neither the United States nor a*
45 *state is a citizen for purposes of diversity jurisdiction. [Jizemerjian v. Dept of Air Force](#), 457 F.Supp. 820. On*
46 *the other hand, municipalities and other local governments are deemed to be citizens. [Rieser v. District of](#)*

1 Columbia, 563 F.2d 462. A corporation is not a citizen for purposes of privileges and immunities clause of the
2 Fourteenth Amendment. D.D.B. Realty Corp. v. Merrill, 232 F.Supp. 629, 637.

3 Under diversity statute [28 U.S.C. §1332], which mirrors U.S. Const. Article III's diversity clause, a person is a
4 "citizen of a state" if he or she is a citizen of the United States[***] and a domiciliary of a state of the United
5 States[***]. Gibbons v. Udaras na Gaeltachta, D.C.N.Y., 549 F.Supp. 1094, 1116. "
6 [Black's Law Dictionary, Sixth Edition, p. 244]

7 The key thing to notice is that those who are "citizens" within a legislative jurisdiction are also subject to all civil laws
8 within that legislative jurisdiction. Note the phrase above:

9 "Citizens' are members of a political community who, in their associated capacity, have...submitted
10 themselves to the dominion of a government [and all its laws] for the promotion of their general welfare and
11 the protection of their individual as well as collective rights."
12 [Black's Law Dictionary, Sixth Edition, p. 244]

13 The only people who are "subject to" federal law, and therefore "citizens" under federal law, are those people who have
14 voluntarily chosen a domicile where the federal government has exclusive legislative/general jurisdiction, which exists
15 only within the federal zone, under Article 1, Section 8, Clause 17 of the Constitution and 40 U.S.C. §§3111 and 3112.
16 Within the Internal Revenue Code, people born in the federal zone or domiciled there are described as being "subject to its
17 jurisdiction" rather than "subject to the jurisdiction":

18 26 CFR §1.1-1 Income tax on individuals

19 (c) Who is a citizen.

20 Every person born or naturalized in the [federal] United States[*] and subject to *its* jurisdiction is a
21 citizen. For other rules governing the acquisition of citizenship, see chapters 1 and 2 of title III of the
22 Immigration and Nationality Act (8 U.S.C. §1401-1459). "
23 [26 CFR §1.1-1(c)]

24 This area includes the District of Columbia, the territories and possessions of the United States**, and the federal areas
25 within states, which are all "foreign" with respect to states of the Union for the purposes of federal legislative jurisdiction.
26 If you were born in a state of the Union and are domiciled there, you are not subject to federal jurisdiction unless the land
27 you maintain a domicile on was ceded by the state to the federal government. Therefore, you are not and cannot be a
28 "citizen" under federal law! If you aren't a "citizen", then you also can't be claiming your children as "citizens" on IRS
29 returns or applying for government numbers for them either!

30 A "national", on the other hand, is simply someone who claims allegiance to the political body formed within the
31 geographical boundaries and territory that define a "state".

32 8 U.S.C. §1101: Definitions

33 (a) As used in this chapter—

34 (21) The term "national" means a person owing permanent allegiance to a state.

35 A "state" is then defined as follows:

36 "State. A people permanently occupying a fixed territory bound together by common-law habits and custom
37 into one body politic exercising, through the medium of an organized government, independent sovereignty and
38 control over all persons and things within its boundaries, capable of making war and peace and of entering into
39 international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201
40 207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v.
41 Moralitis, C.C.A.Md., 136 F.2d 129, 130. In its largest sense, a "state" is a body politic or a society of men.
42 Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d 636, 254 N.Y.S.2d 763, 765. A body of people
43 occupying a definite territory and politically organized under one government. State ex re. Maisano v.
44 Mitchell, 155 Conn. 256, 231 A.2d 539, 542. A territorial unit with a distinct general body of law.
45 Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to
46 an individual government unit of such nation (e.g. California).

47 [...]

1 *The people of a state, in their collective capacity, considered as the party wronged by a criminal deed; the*
2 *public; as in the title of a cause, "The State vs. A.B."*
3 *[Black's Law Dictionary, Sixth Edition, p. 1407]*

4 So when we claim "allegiance" as a "national", we are claiming allegiance to a "state", which is the collection of all people
5 within the geographical boundaries of a political jurisdiction, who are the sovereigns within our system of government.
6 Note that as a "national", we are NOT claiming allegiance to the *government* or anyone serving us within the government in
7 their official capacity as "public servants". As a "national", we are instead claiming allegiance to the People within the
8 legislative jurisdiction of the geographic region. This is because in America, the People are the Sovereigns, and not the
9 government who serves them. All sovereignty and authority emanates from We the People as as human beings:

10 *"The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing.*
11 *They both describe the political body who, according to our republican institutions, form the sovereignty, and*
12 *who hold the power and conduct the government through their representatives. They are what we familiarly call*
13 *the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..."*
14 *[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]*

15 *"From the differences existing between feudal sovereignties and Government founded on compacts, it*
16 *necessarily follows that their respective prerogatives must differ. Sovereignty is the right to govern; a nation*
17 *or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally*
18 *ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the*
19 *Government; here, never in a single instance; our Governors are the agents of the people, and at most stand*
20 *in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their Princes*
21 *have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they partake in*
22 *the sovereignty otherwise, or in any other capacity, than as private citizens."*
23 *[Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.ed. 454, 457, 471, 472) (1794)]*

24 The Supreme Court of the United States** described and compared the differences between "citizenship" and "allegiance"
25 very succinctly in the case of Talbot v. Janson, 3 U.S. 133 (1795):

26 *"Yet, it is to be remembered, and that whether in its real origin, or in its artificial state, allegiance, as well as*
27 *fealty, rests upon lands, and it is due to persons. Not so, with respect to Citizenship, which has arisen from the*
28 *dissolution of the feudal system and is a substitute for allegiance, corresponding with the new order of things.*
29 *Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact;*
30 *allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial*
31 *tenure. Citizenship is the charter of equality; allegiance is a badge of inferiority. Citizenship is*
32 *constitutional; allegiance is personal. Citizenship is freedom; allegiance is servitude. Citizenship is*
33 *communicable; allegiance is repulsive. Citizenship may be relinquished; allegiance is perpetual. With such*
34 *essential differences, the doctrine of allegiance is inapplicable to a system of citizenship; which it can neither*
35 *serve to controul, nor to elucidate. And yet, even among the nations, in which the law of allegiance is the most*
36 *firmly established, the law most pertinaciously enforced, there are striking deviations that demonstrate the*
37 *invincible power of truth, and the homage, which, under every modification of government, must be paid to the*
38 *inherent rights of man.....The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath*
39 *of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign...."*
40 *[Talbot v. Janson, 3 U.S. 133 (1795)]*

41 A "national" is not subject to the exclusive *legislative civil jurisdiction* and general sovereignty of the political body, but
42 indirectly is protected by it and may claim its protection when abroad. For instance, when we travel overseas, we are
43 known in foreign countries as "American Nationals" or:

- 44 1. "nationals", or "state nationals", or "nationals of the United States*** of America" under 8 U.S.C. §1101(a)(21) if we
45 were born in and are domiciled in a state of the Union.
- 46 2. "nationals of the United States***" under 8 U.S.C. §1101(a)(22)(B) , if we were born in a federal possession, such as
47 American Samoa or Swain's Island.
- 48 3. "nationals but not citizens" under 8 U.S.C. §1452 if we fit either of the previous two statuses.

49 Here is the definition of a "national of the United States***" that demonstrates this, and note paragraph (a)(22)(B):

50 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)
51 [Sec. 1101. - Definitions](#)

52 (a) As used in this chapter—

1 (22) The term "national of the United States[**]" means

2 (A) a citizen of the United States[**], or

3 (B) a person who, though not a citizen of the United States[**], owes permanent [but not necessarily
4 exclusive] allegiance to the United States[***].

5 Consequently, the only time a "national" can also be described as a "citizen" is when he/she is domiciled within the
6 territorial and legislative jurisdiction of the political body to which he/she claims allegiance. Being a "national" is therefore
7 an attribute and a prerequisite of being a "citizen", and the term can be used to describe "citizens", as indicated above in
8 paragraph (A). For instance, [8 U.S.C. §1401](#) describes the citizenship of those born within or residing within federal
9 jurisdiction, and note that these people are identified as both "citizens" and "nationals".

10 [TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1401.](#)
11 [Sec. 1401. - Nationals and citizens of United States\[**\] at birth](#)

12 The following shall be nationals and citizens of the United States[**] at birth:

13 (a) a person born in the United States[**], and subject to the jurisdiction thereof;

14 (b) a person born in the United States[**] to a member of an Indian, Eskimo, Aleutian, or other aboriginal
15 tribe: Provided, That the granting of citizenship under this subsection shall not in any manner impair or
16 otherwise affect the right of such person to tribal or other property;

17 When "citizens" move their domicile outside of the exclusive legislative jurisdiction of the "state" to which they are a
18 member and cease to participate directly in the political functions of that "state", however, they become "nationals" but not
19 "citizens" under federal law. This is confirmed by the definition of "citizen of the United States[***]" found in Section 1
20 of the Fourteenth Amendment:

21 U.S. Constitution:
22 [Fourteenth Amendment](#)

23 Section. 1. All persons **born or naturalized in the United States[***] and subject to the jurisdiction thereof,**
24 **are citizens of the United States[***] and of the State wherein they reside.**

25 As you will learn later, the Supreme Court held in the case of *U.S. v. Wong Kim Ark*, [169 U.S. 649](#) (1898) that the term
26 "subject to **the** jurisdiction" means "subject to the **political jurisdiction**", which is very different from "subject to the
27 **legislative jurisdiction**". Note from the above that being a "citizen" has two prerequisites: "born within the [territorial]
28 jurisdiction" and "**subject to the [political but not legislative] jurisdiction**". The other noteworthy point to be made here is
29 that the term "citizen" as used above is *not* used in the context of federal statutes or federal law, and therefore does *not*
30 imply one is a "citizen" under federal law. The Constitution is what grants the authority to the federal government to write
31 federal statutes, but it is not a "federal statute". The term "citizen", in the context of the Constitution, simply refers to the
32 political community created by that Constitution, which in this case is the federation of united states*** called the "United
33 States***", and not the United States** government itself.

34 When you move your domicile outside the territorial jurisdiction of the political body and do not participate in its political
35 functions as a jurist or a voter, then you are no longer "subject to the [political] jurisdiction". Likewise, because you are
36 outside territorial limits of the political body, you are also *not* subject in any degree to its **legislative jurisdiction** either:

37 "*Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the*
38 *law of comity must necessarily rest, the following maxims: First 'that **every nation possesses an exclusive***
39 *sovereignty and jurisdiction within its own territory'; secondly, 'that no state or nation can by its laws directly*
40 *affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural*
41 *born subjects or others.' The learned judge then adds: 'From these two maxims or propositions there follows a*
42 *third, and that is that whatever force and obligation the laws of one country have in another depend solely upon*
43 *the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and*
44 *upon its own express or tacit consent.' Story on Conflict of Laws §23."*
45 [*Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)*]

1 The word “territory” above needs further illumination. States of the Union are NOT considered “territories” or “territory”
2 under federal law. This is confirmed by the Corpus Juris Secundum legal encyclopedia, which says on this subject the
3 following:

4 *Volume 86, Corpus Juris Secundum Legal Encyclopedia*
5 *Territories*
6 *§1. Definitions, Nature, and Distinctions*

7 ***The word 'territory,' when used to designate a political organization has a distinctive, fixed, and legal***
8 ***meaning under the political institutions of the United States[***], and does not necessarily include all the***
9 ***territorial possessions of the United States[**], but may include only the portions thereof which are***
10 ***organized and exercise governmental functions under act of congress."***

11 *While the term 'territory' is often loosely used, and has even been construed to include municipal subdivisions*
12 *of a territory, and 'territories of the' United States[**] is sometimes used to refer to the entire domain over*
13 *which the United States[**] exercises dominion, the word 'territory,' when used to designate a political*
14 *organization, has a distinctive, fixed, and legal meaning under the political institutions of the United States[**],*
15 *and the term 'territory' or 'territories' does not necessarily include only a portion or the portions thereof which*
16 *are organized and exercise government functions under acts of congress. The term 'territories' has been*
17 *defined to be political subdivisions of the outlying dominion of the United States[**], and in this sense the term*
18 *'territory' is not a description of a definite area of land but of a political unit governing and being governed as*
19 *such. The question whether a particular subdivision or entity is a territory is not determined by the particular*
20 *form of government with which it is, more or less temporarily, invested.*

21 ***'Territories' or 'territory' as including 'state' or 'states.' While the term 'territories of the' United States[**]***
22 ***may, under certain circumstances, include the states of the Union, as used in the federal Constitution and in***
23 ***ordinary acts of congress "territory" does not include a [foreign state](#).***

24 ***As used in this title, the term 'territories' generally refers to the political subdivisions created by congress,***
25 ***and not within the boundaries of any of the several states.***
26 ***[86 C.J.S. (Corpus, Juris, Secundum, Legal Encyclopedia), Territories]***

27 Notice that the above legal encyclopedia definition of “territory” refers to states of the Union as “foreign states”! A
28 “foreign state” is a state that is not subject to the legislative jurisdiction or laws of the state that wrote the statute in
29 question, which in this case is the federal government. The Supreme Court also agreed with the conclusions within this
30 section so far, in the cite next. Notice how they use the terms “citizenship” and “nationality” or “national” interchangeably,
31 because as you will learn later in section 9, they are equivalent:

32 *"The term 'dual nationality' needs exact appreciation. It refers to the fact that two States make equal claim to*
33 *the allegiance of an individual at the same time. Thus, one State may claim his allegiance because of his birth*
34 *within its territory, and the other because at the time of his birth in foreign territory his parents were its*
35 *nationals. The laws of the United States[**] purport to clothe persons with American citizenship by virtue of*
36 *both principles.'*

37 *"And after referring to the Fourteenth Amendment, U.S.C.A.Const., and the Act of February 10, 1855, R.S.*
38 *1993, 8 U.S.C.A. 6, the instructions continued: [307 U.S. 325, 345] 'It thus becomes important to note how far*
39 *these differing claims of American nationality are fairly operative with respect to persons living abroad [or in*
40 *states of the Union, which are ALSO foreign with respect to federal jurisdiction], whether they were born*
41 *abroad or were born in the United States[***] of alien parents and taken during minority to reside in the*
42 *territory of States to which the parents owed allegiance. **It is logical that, while the child remains or resides in***
43 ***territory of the foreign State [a state of the Union, in this case] claiming him as a national, the United***
44 ***States[**] should respect its claim to allegiance.*** *The important point to observe is that the doctrine of dual*
45 *allegiance ceases, in American contemplation, to be fully applicable after the child has reached adult years.*
46 *Thereafter two States may in fact claim him as a national. Those claims are not, however, regarded as of equal*
47 *merit, because one of the States may then justly assert that his relationship to itself as a national is, by reason of*
48 *circumstances that have arisen, inconsistent with, and reasonably superior to, any claim of allegiance asserted*
49 *by any other State. Ordinarily the State in which the individual retains his residence after attaining his majority*
50 *has the superior claim. The statutory law of the United States[**] affords some guidance but not all that could*
51 *be desired, because it fails to announce the circumstances when the child who resides abroad within the*
52 *territory of a State reasonably claiming his allegiance forfeits completely the right to perfect his inchoate right*
53 *to retain American citizenship."*
54 *[Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]*

55 So when a human being is domiciled outside the exclusive legislative jurisdiction or “general sovereignty” of a political
56 body and does not participate *directly* in its political functions, then they are “nationals” but not “citizens” of that political

1 body. This is the condition of people born in and domiciled within states of the Union in regards to their federal
 2 citizenship:

- 3 1. State citizens maintain a domicile that is outside the territorial and exclusive legislative jurisdiction of the federal
 4 government. They are not subject to the police powers of the federal government.
- 5 2. State citizens do not participate **directly** in the political functions of the federal government.
 - 6 2.1. They are *not* allowed to serve as jurists in federal court, because they don't reside in a federal area within their
 7 state. They can only serve as jurists in state courts. Federal district courts routinely violate this limitation by not
 8 ensuring that the people who serve on federal juries in federal courts come from federal areas. If they observed
 9 the law on this matter, they wouldn't have anyone left to serve on federal petit or grand juries! Therefore, they
 10 illegally use state DMV records to locate jurists and obfuscate the jury summons forms by asking if people are
 11 "U.S. citizens" without ever defining what it means!
 - 12 2.2. They do not participate directly in federal elections. There are no separate federal elections and separate voting
 13 days and voting precincts for federal elections. State citizens only participate in state elections, and elect
 14 *representatives* who go to Washington to "represent" their interests *indirectly*.

15 A prominent legal publisher, West Publishing, agrees with the findings in this section. Here is what they say in their
 16 publication entitled Conflicts In A Nutshell, Second Edition:

17 *In the United States[***], "domicile" and "residence" are the two major competitors for judicial attention,*
 18 *and the words are almost invariably used to describe the relationship that the person has to the state rather*
 19 *than the nation. We use "citizenship" to describe the national relationship, and we generally eschew*
 20 *"nationality" (heard more frequently among European nations) as a descriptive term.*
 21 [Conflicts In A Nutshell, Second Edition, David D. Siegel, West Publishing, 1994, ISBN 0-314-02952, p. 15]

22 A human being who is a "national" with respect to a political jurisdiction and who does not maintain a legal domicile within
 23 the exclusive legislative or "general" jurisdiction of the political body is treated as a "nonresident alien" within federal law.
 24 He is a "nonresident" because he is not "resident" within the territorial limits. He is an alien, because he is "alien" to that
 25 jurisdiction and not subject to its legislative jurisdiction.

26 26 U.S.C. §7701(b)(1)(B) Definitions

27 *An individual is a nonresident alien if such individual is neither a citizen of the United States[**] nor a resident*
 28 *of the United States[**] (within the meaning of subparagraph (A)).*

29 At the same time, such a human being is *not* an "alien" under federal law, because a "nonresident alien" is defined as a
 30 human being who is neither a "citizen nor a resident", and that is exactly what a "national but not citizen" is. Further
 31 confirmation of this conclusion is found in the definition of "resident" in 26 U.S.C. §7701(b)(1)(A), which defines a
 32 "resident" as an "alien". Since the definition of "nonresident alien" above excludes "residents", then it also excludes
 33 "aliens".

34 A picture is worth a thousand words. We'll now summarize the results of the preceding analysis to make it crystal clear for
 35 visually-minded readers:

36 **Table 3: Citizenship summary**

Citizenship	Defined in	Domicile in the federal zone?	Subject to <u>legislative jurisdiction</u> /police powers?	Subject to " <u>political jurisdiction</u> "?	A "nonresident alien"?
" <u>citizen</u> "	<u>8 U.S.C. §1401</u>	Yes	Yes	Yes	No
" <u>resident</u> "/" <u>alien</u> "	<u>8 U.S.C. §1101(a)(3)</u> <u>26 U.S.C. §7701(b)(1)(A)</u>	Yes	Yes	No	No
" <u>national</u> "	<u>8 U.S.C. §1101(a)(21)</u> <u>8 U.S.C. §1101(a)(22)</u>	No	No	Yes	Yes

37 The table below describes the affect that changes in domicile have on citizenship status in the case of both "foreign
 38 nationals" and "domestic nationals". A "domestic national" is anyone born anywhere within any one of the 50 states on
 39 nonfederal land or who was born in any territory or possession of the United States[**]. A "foreign national" is someone
 40 who was born anywhere outside of these areas. The jurisdiction mentioned in the right three columns is the "federal zone".

1 **Table 4: Affect of domicile on citizenship status**

Description	CONDITION		
	Domicile WITHIN the FEDERAL ZONE and located in FEDERAL ZONE	Domicile WITHIN the FEDERAL ZONE and temporarily located abroad in foreign country	Domicile WITHOUT the FEDERAL ZONE and located WITHOUT the FEDERAL ZONE
Location of domicile	“United States” per 26 U.S.C. §§7701(a)(9) and (a)(10) , 7701(a)(39) , 7408(d)	“United States” per 26 U.S.C. §§7701(a)(9) and (a)(10) , 7701(a)(39) , 7408(d)	Without the “United States” per 26 U.S.C. §§7701(a)(9) and (a)(10) , 7701(a)(39) , 7408(d)
Physical location	Federal territories, possessions, and the District of Columbia	Foreign nations ONLY (NOT states of the Union)	Foreign nations states of the Union Federal possessions
Tax Status	“U.S. Person” 26 U.S.C. §7701(a)(30)	“U.S. Person” 26 U.S.C. §7701(a)(30)	“Nonresident alien” 26 U.S.C. §7701(b)(1)(B)
Tax form(s) to file	IRS Form 1040	IRS Form 1040 plus 2555	IRS Form 1040NR: “alien individuals”, “nonresident alien individuals” <u>No filing requirement</u> : “non-citizen nationals”
Status if DOMESTIC national	Citizen 8 U.S.C. §1401 (Not required to file if physically present in the “United States” because no statute requires it)	Citizen abroad 26 U.S.C. §911 (Meets presence test)	“non-citizen National” 8 U.S.C. §1101(a)(21) 8 U.S.C. §1101(a)(22)(B) 8 U.S.C. §1408 8 U.S.C. §1452
Status if FOREIGN national	“Resident alien” 26 U.S.C. §7701(b)(1)(A)	“Resident alien abroad” 26 U.S.C. §911 (Meets presence test)	“Nonresident alien individual”: 26 CFR §1.1441-1(c)(3)(ii) “Alien”: 8 U.S.C. §1101(a)(3) “Alien individual”: 26 CFR §1.1441-1(c)(3)(i)

2 **NOTES:**

- 3 1. “United States” is defined as the “District of Columbia” and no part of any state of the Union within 26 U.S.C.
- 4 [§§7701\(a\)\(9\)](#) and [\(a\)\(10\)](#), [7701\(a\)\(39\)](#), and [7408\(d\)](#).
- 5 2. The “District of Columbia” is defined as a federal corporation but not a physical place, a “body politic”, or a de jure
- 6 “government” within the District of Columbia Act of 1871, 16 Stat. 419, 426, Sec. 34. See: *Corporatization and*
- 7 *Privatization of the Government*, Form #05.024; <http://sedm.org/Forms/FormIndex.htm>.
- 8 3. American nationals who are domiciled outside of federal jurisdiction, either in a state of the Union or a foreign
- 9 country, are “nationals” but not “citizens” under federal law. They also qualify as “nonresident aliens” under [26](#)
- 10 [U.S.C. §7701\(b\)\(1\)\(B\)](#). See sections 4.11.2 of the *Great IRS Hoax*, Form #11.302 for details.
- 11 4. Temporary domicile in the middle column on the right must meet the requirements of the “Presence test” documented
- 12 in IRS publications.
- 13 5. “FEDERAL ZONE”=District of Columbia and territories of the United States in the above table
- 14 6. The term “individual” as used on the IRS Form 1040 means an “alien” engaged in a “trade or business”. All
- 15 “taxpayers” are “aliens” engaged in a “trade or business”. This is confirmed by 26 CFR §1.1441-1(c)(3), 26 CFR
- 16 §1.1-1(a)(2)(ii), and [5 U.S.C. §552a\(a\)\(2\)](#). Statutory “U.S. citizens” as defined in [8 U.S.C. §1401](#) are not “individuals”
- 17 unless temporarily abroad pursuant to [26 U.S.C. §911](#) and subject to an income tax treaty with a foreign country. In
- 18 that capacity, statutory “U.S. citizens” interface to the I.R.C. as “aliens” rather than “U.S. citizens” through the tax
- 19 treaty.

20 **In summary:**

- 21 1. A “national” is defined in 8 U.S.C. §1101(a)(21) as a person who has allegiance to a “state”. The existence of that
- 22 allegiance provides legal evidence that a human being has exercised their First Amendment right to politically
- 23 associate themselves with a “state” in order to procure its protection. In return for said allegiance, the “national” is
- 24 entitled to the protection of the state. *Minor v. Happersett*, 88 U.S. 162 (1874).

2. The only thing you need in order to obtain a USA passport is “allegiance”. 22 U.S.C. §212. If the federal government is willing to issue you a passport, then they regard you as a “national”, because the only type of citizenship that carries with it exclusively allegiance is that of a “national”. 8 U.S.C. §1101(a)(21). See: <http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>
3. In the constitution, “nationals” are called “citizens”.
4. A “citizen” in the Constitution does not imply a legal domicile on the territory of the “state” to whom we claim allegiance, but under federal statutory law, both “citizens” and “residents” are persons who have a legal domicile on the territory of the state to which he claims allegiance.
5. In federal statutory law, all “citizens” are also “nationals” but not all nationals are “citizens”. For proof, see:
 - 5.1. 8 U.S.C. §1401 defines a “citizen and national of the United States”.
 - 5.2. 8 U.S.C. §1452 defines a “non-citizen national”.
6. Since being a “national” is a prerequisite to being a “citizen”, then “citizens” within a country are a subset of those who are “nationals”.
7. “subject to the jurisdiction” is found in Section 1 of the Fourteenth Amendment of the Constitution. The Constitution is a political document and the phrase “subject to **the** jurisdiction” means all of the following:
 - 7.1. Being a member of a political group. *Minor v. Happersett*, 88 U.S. 162 (1874)

*“There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. **He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.**”*

*“For convenience it has been found necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and 'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the government. **Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more.**”*

*“**To determine, then, who were citizens of the United States before the adoption of the amendment it is necessary to ascertain what persons originally associated themselves together to form the nation, and what were afterwards admitted to membership.**”*

[. . .]

*“**Whoever, then, was one of the people of either of these States when the Constitution of the United States was adopted, became ipso facto a citizen—a member of the nation created by its adoption. He was one of the persons associating together to form the nation, and was, consequently, one of its original citizens. As to this there has never been a doubt. Disputes have arisen as to whether or not certain persons or certain classes of persons were part of the people at the time, but never as to their citizenship if they were.**”*
 [Minor v. Happersett, 88 U.S. 162 (1874)]

- 7.2. Being subject to the **political jurisdiction** but not **legislative jurisdiction** of the state which we are a member of. *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898)

*“This section contemplates two sources of citizenship, and two sources only,—birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and **subject to the jurisdiction thereof.**' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their [plural, not singular, meaning states of the Union] **political jurisdiction**, and owing them [the state of the Union] direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired.”*
 [U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]

- 7.3. Being able to participate in the political affairs of the state by being able to elect its members as a voter or direct its activities as a jurist.

8. “subject to its jurisdiction” is found in federal statutes and regulations and it means all of the following:

- 1 8.1. Having a legal domicile within the exclusive jurisdiction of a “state”. Within federal law, this “state” means the
- 2 “United States” government and includes no part of any state of the Union.
- 3 8.2. Being subject to the **legislative** but not **political jurisdiction** of a “state”.
- 4 9. Political jurisdiction and political rights are the tools we use to directly run and influence the government as voters and
- 5 jurists.
- 6 10. Legislative jurisdiction, on the other hand, is how the government controls us using the laws it passes.

7 Now that we understand the distinctions between “citizens” and “nationals” within federal law, we are ready to tackle the

8 citizenship issue head on.

9 **5. TWO CLASSES AND THREE TYPES OF AMERICAN NATIONALS**

10 The government recognizes two distinct *classes* of citizenship in America:

- 11 1. State Citizenship
- 12 2. Federal citizenship.

13 A State Citizen, also called a de jure Citizen, is an man or woman whose inalienable natural rights are recognized, secured,

14 and protected by his/her state Constitution against state actions and against federal intrusion by the Constitution for the

15 United States of America.

16 There are three types of federal citizenship:

- 17 **1. Statutory “U.S.** national” or “non-citizen U.S.** national” (where “United States” or “U.S.” means the federal**
- 18 **United States)**
- 19 1.1. Defined in 8 U.S.C. §1408, 8 U.S.C. §1101(a)(22)(B), 8 U.S.C. §1452.
- 20 1.2. Born anywhere American Samoa or Swain’s Island.
- 21 1.3. May not participate politically in federal elections or as federal jurists.
- 22 1.4. Owes allegiance to the federal “United States**”.
- 23 **2. “state national” or “national of the United States***” (where “U.S.” or “United States” means only the union of**
- 24 **states)”**
- 25 2.1. Defined in 8 U.S.C. §1452, 8 U.S.C. §1101(a)(21)
- 26 2.2. Is *not* equivalent to a “national but not citizen of the United States by birth” identified in 8 U.S.C. §1408.
- 27 2.3. Called a “citizen of the United States” by the Supreme Court and in Section 1 of the Fourteenth Amendment.
- 28 2.4. Born anywhere in any one of the several states of the Union but *not* in a federal territory, possession, or the
- 29 District of Columbia.
- 30 2.5. Not subject to the “police power” of the federal government or most “acts of Congress”.
- 31 2.6. A citizen of the country called “United States” under the Law of Nations and under state law.
- 32 2.7. Owes allegiance to the “United States***” that comprise the several states of the Union.
- 33 2.8. May serve as a federal jurist or grand jurist involving only parties with his same citizenship and domicile status.
- 34 2.9. May vote in federal elections.
- 35 2.10. Status not defined directly anywhere in federal statutes in the case of persons born in states of the Union. People
- 36 born in one of the several states are mentioned indirectly in 8 U.S.C. §1101(a)(21).
- 37 **3. Statutory “U.S. citizen” or “citizen of the [federal] United States”**
- 38 3.1. A statutory privileged status defined and found in 8 U.S.C. §1401 and 8 U.S.C. §1101(a)(22)(A), in the
- 39 implementing regulations of the Internal Revenue Code at 26 CFR §1.1-1(c), and in most other federal statutes.
- 40 3.2. Born anywhere in America but domicile in the federal zone *only*. Must inhabit the District of Columbia and the
- 41 territories and possessions of the United States identified in Title 48 of the U.S. Code.
- 42 3.3. Subject to the “police power” of the federal government and all “acts of Congress”.
- 43 3.4. Treated as a citizen of the municipal government of the District of Columbia (see 26 U.S.C. §7701(a)(39))
- 44 3.5. Have no common law rights, because there is no federal common law. See *Jones v. Mayer*, 392 U.S. 409 (1798).
- 45 3.6. Also called “federal U.S. citizens” throughout this document.

46 Statutory “U.S. citizens” under 8 U.S.C. §1401 and 8 U.S.C. §1101(a)(22)(A) have civil rights under federal law that are

47 similar but inferior to the natural rights that state Citizens have in state courts. I say almost because civil rights are created

48 by Congress and can be taken away by Congress. “U.S. citizens” are privileged *subjects/servants* of Congress, under their

1 protection as a "resident" and "ward" of a federal State, a human being enfranchised to the federal government (the
2 incorporated United States defined in Article I, Section 8, Clause 17 of the Constitution). The individual Union states may
3 not deny to these persons any federal privileges or immunities that Congress has granted them within "acts of Congress" or
4 federal statutes. Federal citizens come under admiralty law (International Law) when litigating in federal courts. As such
5 they do not have inalienable common rights recognized, secured and protected in federal courts by the Constitutions of the
6 States, or of the Constitution for the United States of America, such as "allodial" (absolute) rights to property, the rights to
7 inheritance, the rights to work and contract, and the right to travel among others.

8 Another important element of citizenship is that artificial entities like corporations are citizens for the purposes of taxation
9 but cannot be citizens for any other purpose.

10 *"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was*
11 *created, and of that state or country only."*
12 *[19 Corpus Juris Secundum, Corporations, §886]*
13

14 *"A corporation is not a citizen within the meaning of that provision of the Constitution, which declares that the*
15 *citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States."*
16 *[Paul v. Virginia, 8 Wall (U.S.) 168, 19 L.Ed 357 (1868)]*

17 We have prepared a venn diagram showing all of the various types of citizens so that you can properly distinguish them.
18 The important thing to notice about this diagram is that there are multiple types of "citizens of the United States" and
19 "nationals of the United States" because there are multiple definitions of "United States" according to the Supreme Court,
20 as we showed earlier in section 1. Above the diagram is a table showing the three definitions of "United States" appearing
21 in the diagram from section 1 of the Great IRS Hoax, Form #11.302:

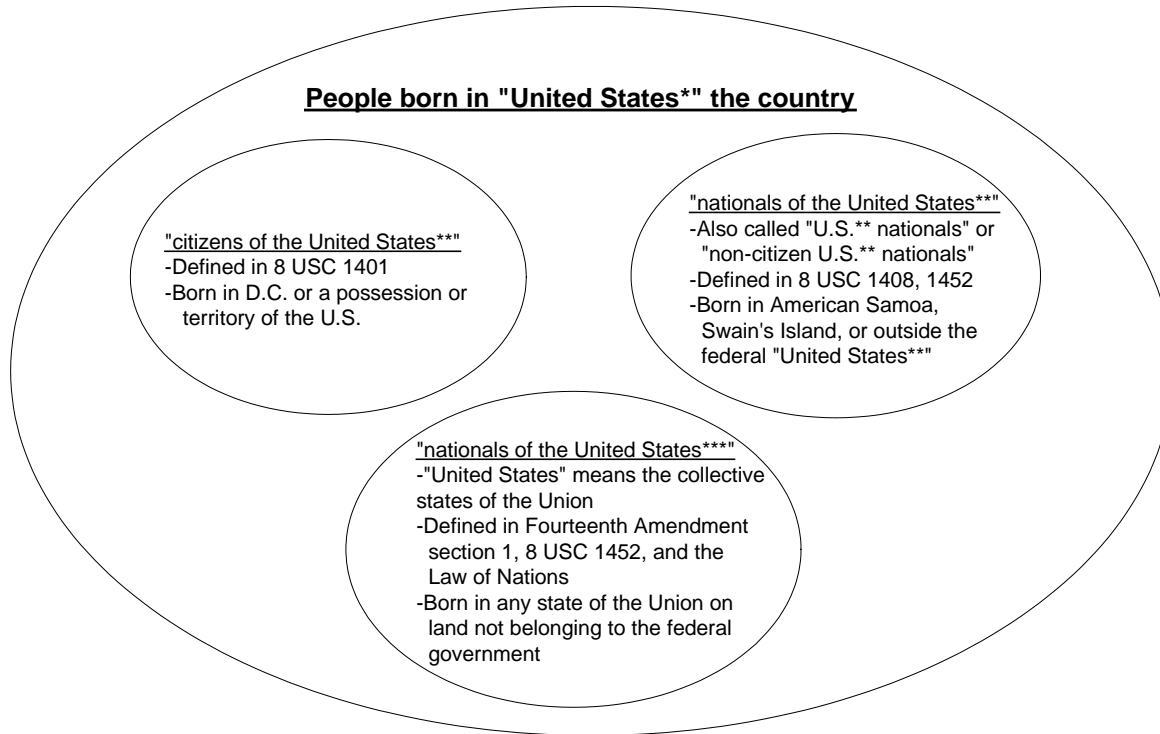
22

1 **Table 5: Terms used in the citizenship diagram**

<i>Term</i>	<i>Meaning</i>
United States*	The country “United States” in the family of nations throughout the world.
United States**	The “federal zone”.
United States***	Collective states of the Union mentioned throughout the Constitution.

2

3 **Figure 1: Citizenship diagram**



4

5 **6. WHAT IS A “NATIONAL” OR “STATE NATIONAL”?**

6 An important and often overlooked condition of citizenship is one where the individual is a state Citizen and *also* either a
 7 “U.S. national” or a “national” or a “state national” . These types of persons are referred to with any of the following
 8 synonymous names:

- 9
- 10 • “nationals but not citizens of the United States***” under [8 U.S.C. §1408](#)
 - 11 • “nationals, but not citizens, of the United States[***]” under [8 U.S.C. §1452](#) and [8 U.S.C. §1101\(a\)\(22\)\(B\)](#)
 - 12 • “nationals” under [8 U.S.C. §1101\(a\)\(21\)](#)
 - 13 • American Citizens
 - 14 • American Nationals
 - Nonresident Aliens (under the Internal Revenue Code, as defined in [26 U.S.C. §7701\(b\)\(1\)\(B\)](#)).

15 “U.S. nationals” are defined under [8 U.S.C. §1408](#) and [8 U.S.C. §1452](#). “nationals” are defined under [8 U.S.C.](#)
 16 [§1101\(a\)\(21\)](#). Both “nationals” and “U.S. nationals” existed under *The Law of Nations* and international law since long
 17 before the passage of the 14th Amendment to the U.S. Constitution in 1868. There are two types of “nationals” or “U.S.
 18 nationals” under federal law, as we revealed earlier in section 4.11.3.1 of our *Great IRS Hoax, Form #11.302* book:

19 **Table 6: Types of “nationals” under federal law**

#	Legal name	Where born	Defined in	Common name	Description
1	"nationals but not citizens of the United States[**] <u>at birth</u> "	1. American Samoa 2. Swain's Island	8 U.S.C. §1408 8 U.S.C. §1101(a)(22); 8 U.S.C. §1452	"U.S. national"	The U.S. Supreme Court and the Constitution call these people "citizens of the United States[***]". See section 4.11.3.8 of the <i>Great IRS Hoax</i> , Form #11.302 later for details. Used on the 1040NR form to describe people who file that form. Does not describe people who are not born in the federal United States[**].
2	"national, but not a citizen, of the United States[**]" or "national"	1. states of the Union 2. Foreign country to parents who were born in a state of the Union.	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1452	"national" or "state national" or "USA national"	The "national" or "state national" is not necessarily the same as the "U.S. national" above, because it includes people who born in states of the Union. It used to be called a "non-citizen national" in 8 U.S.C. §1452 but the Law Revision Counsel of the House of Representatives in 2003 renamed it so that it is improperly "assumed" to be equivalent to an 8 U.S.C. §1408 "U.S. national". Notice that this term does not mention 8 U.S.C. §1408 citizenship nor confine itself only to citizenship by birth in the federal zone. Therefore, it also includes people born in states of the Union.

1 A "state national" or simply "national" is one who derives his nationality and allegiance to the confederation of states of the
2 Union called the "United States[***] of America" by virtue of being born in a state of the Union. To avoid false
3 presumption, these people should carefully avoid associating their citizenship status with the term "United States**" or
4 "U.S.**", which means the "federal zone" within Acts of Congress.

5 ***Federal zone.** The area of land over which the United States** government exercises exclusive or general*
6 *jurisdiction under Article 1, Section 8, Clause 17 of the Constitution. This area includes the District of*
7 *Columbia and the territories and possessions of the United States**. For the purposes of this discussion, we do*
8 *not treat the territorial waters of the United States** as "federal land", but they too are under the exclusive*
9 *jurisdiction of the U.S. government as well."*

10 Therefore, instead of calling themselves "U.S. nationals", they call themselves either "nationals" or "state nationals" or
11 "USA nationals". By "USA" instead of "U.S.", we mean the states of the Union who are party to the Constitution and
12 exclude any part of the federal zone. In terms of protection of our rights, being a "state national" or a "U.S. national" are
13 roughly equivalent. The "U.S. national" status, however, has several advantages that the "state national" status does *not*
14 enjoy, as we explained earlier in section 4.11.4 of the *Great IRS Hoax*, Form #11.302 book:

- 15 1. May collect any Social Security benefits, because the Social Security Program Operations Manual (POM) section [GN](#)
16 [00303.001](#) states that only "U.S. citizens" and "U.S. nationals" can collect benefits.
- 17 2. May hold a U.S. security clearance, unlike "state nationals". See SECNAVINST 5510.30A, Appendix I.
- 18 3. May work for the federal government as a civil servant. See [5 CFR §338.101](#).

19 **7. WHO EXACTLY ARE "NATIONALS" AND "STATE NATIONALS" IN** 20 **OUR COUNTRY?**

21 The key difference between a "state national" and a "U.S. national" is the citizenship status of your parents. Below is a
22 table that summarizes the distinctions using all possible permutations of "state national" and "U.S. national" status for both
23 you and your parents:

24

1 **Table 7: Becoming a “national” by birth**

#	Reference	Parent’s citizenship status	Your birthplace	Your status
1	8 U.S.C. §1452 ; 8 U.S.C. §1101(a)(22)(B) ; 8 U.S.C. §1101(a)(21)	Either parent born in a state of the Union and neither ever resided in the federal United States**.	In a state of the Union.	“national” or “state national”
2	8 U.S.C. §1408(1)	Irrelevant	In an outlying possession on or after the date of formal acquisition of such possession	“U.S. national”
3	8 U.S.C. §1408(2)	“U.S. nationals” but not “U.S. citizens” who have resided anywhere in the federal United States** prior to your birth	Outside the federal “United States**”	“U.S. national”
4	8 U.S.C. §1408(3)	A person of unknown parentage found in an outlying possession of the United States** while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in such outlying possession	NA	“U.S. national”
5	8 U.S.C. §1408(4)	One parent is a “U.S. national” but not “U.S. citizen” and the other is an “alien”. The “U.S. national” parent has resided somewhere in the federal United States** prior to your birth	Outside the federal “United States**”	“U.S. national”
6	<i>Law of Nations</i> , Book I, §212	Both parents are “state nationals” and not “U.S. citizens” or “U.S. nationals”. Neither were either born in the federal zone nor did they reside there during their lifetime.	Inside a state of the union and not on federal property	“state national”
7	<i>Law of Nations</i> , Book I, §215	Both parents are “U.S. nationals”**. Neither were either born in the federal zone nor did they reside there during their lifetimes.	Outside the “United States**” the country	“U.S. national”
8	<i>Law of Nations</i> , Book I, §215	Both parents are “state nationals”. Neither were either born in the federal zone nor did they reside there during their lifetimes.	Outside the “United States**” the country	“state national”
9	<i>Law of Nations</i> , Book I, §62 8 U.S.C. §1481	You started out as a “U.S. citizen” under 8 U.S.C. §1401 and decided to abandon the “citizen” part and retain the “national part”, properly noticed the Secretary of State of your intentions, and obtained a revised passport reflecting your new status.	NA	“U.S. national”

2 Very significant is the fact that [8 U.S.C. §1408](#), confines itself exclusively to citizenship *by birth* inside the federal zone
3 and does *not* define *all* possible scenarios whereby a human being may be a “U.S. national”. For instance, it does *not*
4 define the condition where both parents are “U.S. nationals”, the birth occurred *outside* of the *federal* United States**, and
5 neither parent ever physically maintained a domicile inside the *federal* United States**. Under item 7 above, *The Law of*
6 *Nations*, Book I, Section 215, says this condition always results in the child having the same citizenship as his/her father.
7 The *Law of Nations* was one of the organic documents that the founding fathers used to write our original Constitution and
8 [Article 1](#), Section 8, Clause 10 of that Constitution MANDATES that it be obeyed.

9 *Constitution of the United States*
10 [Article 1](#), Section 8, Clause 10

11 “The Congress shall have Power...

12 “To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of
13 Nations;”

14 As you read this section below from *The Law of Nations* that proves item 7 in the above table, keep in mind that states of
15 the Union are considered “foreign countries” with respect to the federal government legislative jurisdiction and police
16 powers (see <http://famguardian.org/Publications/LawOfNations/vattel.htm>).

17 **§ 215. Children of citizens born in a foreign country.**

18 *It is asked whether the children born of citizens in a foreign country are citizens? The laws have decided this*
19 *question in several countries, and their regulations must be followed.(59) By the law of nature alone, children*
20 *follow the condition of their fathers, and enter into all their rights (§ 212); the place of birth produces no*
21 *change in this particular, and cannot, of itself, furnish any reason for taking from a child what nature has*
22 *given him; I say "of itself," for, civil or political laws may, for particular reasons, ordain otherwise. But I*

1 suppose that the father has not entirely quitted his country in order to settle elsewhere. If he has fixed his abode
2 in a foreign country, he is become a member of another society, at least as a perpetual inhabitant; and his
3 children will be members of it also.
4 [The Law of Nations, Vattel]

5 Here's a U.S. Supreme Court ruling confirming these conclusions:

6 "Under statute, child born outside United States[**] is not entitled to citizenship unless father has resided in
7 United States[**] before its birth."
8 [Weedin v. Chin Bow, 274 U.S. 657, 47 S.Ct. 772 (1927)]

9 There are very good legal reasons why [8 U.S.C. §1408](#) doesn't mention this case or condition. There is also a reason why
10 there is no federal statute anywhere that directly prescribes the citizenship status of persons based on birth within states of
11 the Union. The reasons are because lawyers in Congress:

- 12 1. Know that this is the criteria that most Americans born inside states of the Union will meet.
- 13 2. Know that these people are "sovereign". Even the U.S. Supreme Court said so:

14 "The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing.
15 They **both describe the political body who, according to our republican institutions, form the sovereignty, and**
16 **who hold the power** and conduct [run] the government through their representatives [servants]. They are what
17 we familiarly call the '**sovereign people**,' and every citizen is one of this people, and a constituent member of
18 this sovereignty. ..."
19 [Boyd v. State of Nebraska, [143 U.S. 135](#) (1892)]

- 20 3. Know that a "sovereign" is not and cannot be the subject of any law, and therefore cannot be mentioned in the law.

21 "...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country,
22 but they are sovereigns without subjects...with none to govern but themselves; the citizens of America are equal
23 as fellow citizens, and as joint tenants in the sovereignty."
24 [Chisholm v. Georgia, [2 Dall. \(U.S.\) 419](#), 454, 1 L.Ed. 440, 455 @DALL 1793 pp. 471-472]

25 "Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system,
26 while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the
27 people, by whom and for whom all government exists and acts."
28 [Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)]

29 "In common usage, the term 'person' does not include the sovereign, and statutes employing the word are
30 ordinarily construed to exclude it."
31 [Wilson v. Omaha Indian Tribe, [442 U.S. 653](#), 667 (1979)]

32 "Since in common usage the term 'person' does not include the sovereign, statutes employing that term are
33 ordinarily construed to exclude it."
34 [U.S. v. Cooper, [312 U.S. 600](#), 604, 61 SCt 742 (1941)]

35 "In common usage, the term 'person' does not include the sovereign and statutes employing it will ordinarily
36 not be construed to do so."
37 [U.S. v. United Mine Workers of America, [330 U.S. 258](#), 67 SCt677 (1947)]

- 38 4. Know that they cannot write a federal statute or act of Congress that prescribes any criteria for becoming a
39 "national" based on birth and perpetual residence outside of federal legislative jurisdiction and within a state of the
40 Union. That is why the circuit court held the following with respect to "U.S. nationals":

41 "Marquez-Almanzar seeks to avoid removal by arguing that he 3 can demonstrate that he owes "permanent
42 allegiance" to the United States and thus qualify as a U.S. national under section 101(a)(22)(B) of the
43 Immigration and Nationality Act ("INA"), 8 U.S.C. § 1101(a)(22)(B). That provision defines "national of the
44 United States" as "a person who, though not a citizen of the United States, owes permanent allegiance to the
45 United States." **We hold that § 1101(a)(22)(B) itself does not provide a means by which an individual can**
46 **become a U.S. national, and deny Marquez-Almanzar's petition accordingly.**"
47 [Jose Napoleon Marquez-Almanzar v. Immigration and Naturalization Service, Docket # 03-4395, 03-40027,
48 03-40497, August 8, 2005, <http://famguardian.org/TaxFreedom/CitesByTopic/USNational-034395p.pdf>]

1 5. Want to deceive most Americans to falsely believe or presume that they are “U.S. citizens” who are “subject to”
2 federal statutes and jurisdiction, so they interfere in the determination of their true status as “nationals” and “state
3 nationals”.

4 [8 U.S.C. §1452](#) is the authority for getting your status of being a “state national” formally recognized by the federal
5 government, and it applies to people born in states of the Union, but those who administer it in the Department of State, in
6 our experience, refuse to recognize its proper application because they don’t want to give the slaves the keys to their chains
7 so they can leave the federal plantation.

8 How can you be sure you are a “national” or “state national” if the authority for being so can’t lawfully be put in any
9 federal statute? There are lots of ways, but the easiest way is to consider that you as a human being who was born in a state
10 of the Union and outside the federal “United States***” can legally “expatriate” your citizenship. All you need in order to
11 do so is your original birth certificate and to follow the procedures prescribed in federal law which we explain in section
12 4.11.10 of our *Great IRS Hoax*, Form #11.302 book and 2.5.3.13 of our *Sovereignty Forms and Instructions Manual*, Form
13 #10.005. What exactly are you “expatriating”? The definition of expatriation clarifies this:

14 *“Expatriation is the voluntary renunciation or abandonment of nationality and allegiance.”*
15 *[Perkins v. Elg, [307 U.S. 325](#), 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]*

16 *“expatriation. The voluntary act of abandoning or renouncing one’s country, [nation] and becoming the citizen*
17 *or subject of another.*
18 *[Black’s Law Dictionary, Sixth Edition, p. 576]*

19 You can’t abandon your “nationality” unless you had it in the first place, so you must be a “national” or a “state national”!
20 Here is the clincher:

21 [8 U.S.C. §1101](#): Definitions

22 (a)(21) The term “national” means a person owing permanent allegiance to a state.

23 The term “state” above can mean a state of the Union or it can mean a confederation of states called the “United States***”.
24 The reason “state” is in lower case is because it refers in most cases to a foreign state, and all states of the Union are foreign
25 with respect to the federal government for the purposes of legislative jurisdiction for nearly all subject matters. All upper
26 case “States” in federal law refer to territories or possessions owned by the federal government under [4 U.S.C. §110\(d\)](#):

27 *“Foreign States: Nations outside of the United States***...Term may also refer to another state; i.e. a sister*
28 *state. The term ‘foreign nations’, ...should be construed to mean all nations and states other than that in which*
29 *the action is brought; and hence, one state of the Union is foreign to another, in that sense.”*
30 *[Black’s Law Dictionary, Sixth Edition, p. 648]*

31 Sneaky, huh? You’ll never hear especially a federal lawyer agree with you on this because it destroys their jurisdiction to
32 impose an income tax on you, but it’s true!

33 The rulings of the U.S. Supreme Court also reveal that “citizen of the United States***” and “nationality” are equivalent,
34 but only in the context of the Constitution and not any act of Congress. Look at the ruling below and notice how they use
35 “nationality” and “citizen of the United States***” interchangeably:

36 *“Whether it was also the rule at common law that the children of British subjects born abroad were themselves*
37 *British subjects-nationality being attributed to parentage instead of locality-has been variously determined. If*
38 *this were so, of course the statute of Edw. III. was declaratory, as was the subsequent legislation. But if not,*
39 *then such children were aliens, and the statute of 7 Anne and subsequent statutes must be regarded as in some*
40 *sort acts of naturalization. On the other hand, it seems to me that the rule, ‘Partus sequitur patrem,’ has always*
41 *applied to children of our citizens born abroad, and that the acts of congress on this subject are clearly*
42 *declaratory, passed out of abundant caution, to obviate misunderstandings which might arise from the*
43 *prevalence of the contrary rule elsewhere.*

44 *“Section 1993 of the Revised Statutes provides that children so born ‘are declared to be citizens of the United*
45 *States***; but the rights of citizenship shall not descend to children whose fathers never resided in the United*
46 *States***.’ Thus a limitation is prescribed on the passage of citizenship by descent beyond the second*
47 *generation if then surrendered by permanent nonresidence, and this limitation was contained in all the acts*
48 *from 1790 down. Section 2172 provides that such children shall ‘be considered as citizens thereof.’ “*

2 If after examining the charts above, you find that your present citizenship status does not meet your needs, you are perfectly
3 entitled to change it and the government can't stop you. We explain later in section 4.11.10 of our *Great IRS Hoax*, Form
4 #11.302 how to abandon any type of citizenship you may find undesirable in order to have the combination of rights and
5 "privileges" that suit your fancy. If you are currently a "state-only" citizen but want to become a "national" or a "state
6 national" so that you can qualify for Socialist Security Benefits or a military security clearance, then in most cases, the
7 federal government is more than willing to cooperate with you in becoming one under [8 U.S.C. §1452](#).

8 In the following subsections we have an outline of the legal constraints applying to persons who are "nationals" or "state
9 nationals" and who do not claim the status of "U.S. citizens" under federal statutes. The analysis that follows establishes
10 that for "state nationals", such persons may in some cases not be allowed to vote in elections without special efforts on
11 their part to maintain their status. They are also not allowed to serve on jury duty without special efforts on their part to
12 maintain their status. These special efforts involve clarifying our citizenship on any government forms we sign to describe
13 ourselves as:

- 14 • "nationals" or "state nationals" but not "citizens of the United States**" as defined in and [8 U.S.C. Section](#)
15 [1101\(a\)\(21\)](#) and 8 U.S.C. Section 1101(a)(22)(B).
- 16 • **Nationals** of the "United States**" *of America*" (just like our passport says) but not citizens of the *federal* "United
17 States**"

18 We said in section 4.12.3 of the *Great IRS Hoax*, Form #11.302 that all people born in states of the Union are technically
19 "nationals", or "state nationals" or "U.S.** nationals", that is: "nationals of the United States**" *of America*". One of the
20 three types of "nationals" under federal law is the "U.S. national", which is defined in [8 U.S.C. §1408](#) and depends a
21 different definition of "U.S." that means the federal zone instead of the country "United States**". We don't cite all of the
22 components of the definition for this type of "U.S. national" below, but only that part that describes Americans born inside
23 the 50 Union states on nonfederal land to parents who resided inside the federal zone *prior* to the birth of the child:

24 [8 U.S.C. Sec. 1408](#). - ***Nationals but not citizens of the United States**] at birth***

25 *Unless otherwise provided in section 1401 of this title, the following shall be nationals, but not citizens, of the*
26 *United States**] at birth:*

27 ...

28 *(2) A person born outside the United States**] and its outlying possessions of parents both of whom are*
29 *nationals, but not citizens, of the United States**], and have had a residence in the United States**], or one*
30 *of its outlying possessions prior to the birth of such person;*

31 The key word above is the term "United States**". This term is defined in 8 U.S.C. §1101(a)(38) as follows:

32 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)
33 [Sec. 1101. - Definitions](#)

34 *(a)(38) The term "United States**]", except as otherwise specifically herein provided, when used in a*
35 *geographical sense, means the continental United States**], Alaska, Hawaii, Puerto Rico, Guam, and the*
36 *Virgin Islands of the United States**].*

37 First of all, this definition leaves much to be desired, because it:

- 38 1. Doesn't tell us whether this is the only definition of "United States" that is applicable.
- 39 2. Gives us no clue as to how to determine whether the term "United States" is being used in a "geographical sense" as
40 described above or in some other undefined sense.

41 The definition also doesn't tell us which of the three definitions of "United States" is being referred to as defined by the
42 Supreme Court in *Hooven and Allison v. Evatt*, [324 U.S. 652](#) (1945) and as explained in section 4.8 of the *Great IRS Hoax*,
43 Form #11.302. Since we have to guess which one they mean, then the law is already vague and confusing, and possibly
44 even "void for vagueness" as we explain in section 5.11 of the *Great IRS Hoax*, Form #11.302. However, in the absence of

1 a clear and unambiguous definition, we must assume that the definition used implies *only* the territory of the federal
2 government situated within the federal zone as we explain in section 5.2.1 of the *Great IRS Hoax*, Form #11.302 and as the
3 Supreme Court revealed in *U.S. v. Spelar*, [338 U.S. 217](#) at 222 (1949).

4 The legal encyclopedia American Jurisprudence helps us define what is meant by “United States” in the context of
5 citizenship under *federal* (not state) law:

6 *3C Am Jur 2d §2689, Who is born in United States[**] and subject to United States[**] jurisdiction*
7
8 "A person is born *subject to the jurisdiction of the United States[**]*, for purposes of acquiring citizenship at
9 birth, if his or her birth occurs ***in territory over which the United States[**] is sovereign***, even though
10 another country provides all governmental services within the territory, and the territory is subsequently ceded
11 to the other country."
[American Jurisprudence Legal Encyclopedia 2d, Volume 3C, Section 2689]

12 The key word in the above definition is “territory” in relationship to the sovereignty word. The only places which are
13 “territories” of the United States[**] government are listed in [Title 48 of the United States\[**\] Code](#). The states of the
14 union are NOT territories!

15 *"Territory: A part of a country separated from the rest, and subject to a particular jurisdiction. Geographical*
16 *area under the jurisdiction of another country or sovereign power.*

17 *A portion of the United States[**] not within the limits of any state, which has not yet been admitted as a state*
18 *of the Union, but is organized with a separate legislature, and with executive and judicial powers appointed by*
19 *the President."*
20 *[Black's Law Dictionary, Sixth Edition, p. 1473]*

21 And the rulings of the Supreme Court confirm this:

22 *"A State does not owe its origin to the Government of the United States[**], in the highest or in any of its*
23 *branches. It was in existence before it. It derives its authority from the same pure and sacred source as itself:*
24 *The voluntary and deliberate choice of the people...A State is altogether exempt from the jurisdiction of the*
25 *Courts of the United States[**], or from any other exterior authority, unless in the special instances when the*
26 *general Government has power derived from the Constitution itself."*
27 *[Chisholm v. Georgia, 2 Dall. (U.S.) 419 (Dall.) (1794)]*
28

29 *"There is no such thing as a power of inherent sovereignty in the government of the United States[**] ... In*
30 *this country sovereignty resides in the people [living in the states of the Union, since the states created the*
31 *United States[**] government and they came before it], and Congress can exercise no power which they have*
32 *not, by their Constitution entrusted to it: All else is withheld."*
33 *[Julliard v. Greenman: 110 U.S. 421 (1884)]*

34 So what is really meant by “United States” for the three types of citizens found in federal statutes such as 8 U.S.C. §1401
35 and 8 U.S.C. §1408 and 8 U.S.C. §1452 is the “sovereignty of the United States**”, which exists in its fullest, most
36 exclusive, and most “general” form inside its “territories”, and in federal enclaves within the states, or more generally in
37 what we call the “federal zone” in this book. The ONLY place where the exclusive sovereignty of the United States**
38 exists in the context of *its* “territories” is under Article 1, Section 8, Clause 17 of the Constitution on federal land. In the
39 legal field, by the way, this type of exclusive jurisdiction is described as “plenary power”. Very few of us are born on
40 federal land under such circumstances, and therefore very few of us technically qualify as “citizens of the United States**”.
41 By the way, the federal government *does* have a very limited sovereignty or “authority” inside the states of the union, but it
42 does not exceed that of the states, nor is it absolute or unrestrained or exclusive like it is inside the “territories” of the
43 United States** listed in [Title 48 of the United States** Code](#).

44 Let's now see if we can confirm the above conclusions with the weasel words that the lawyers in Congress wrote into the
45 statutes with the willful intent to deceive common people like you. The key phrase in [8 U.S.C. §1101\(a\)\(38\)](#) above is “*the*
46 *continental United States***”. The definition of this term is hidden in the regulations as follows:

47 *[Code of Federal Regulations]*
48 *[Title 8, Volume 1]*
49 *[Revised as of January 1, 2002]*

1 From the U.S. Government Printing Office via GPO Access
2 [CITE: 8CFR215]
3 TITLE 8--ALIENS AND NATIONALITY CHAPTER 1--IMMIGRATION AND NATURALIZATION SERVICE,
4 DEPARTMENT OF JUSTICE
5 PART 215--CONTROLS OF ALIENS DEPARTING FROM THE UNITED STATES[**]

6
7 [Section 215.1: Definitions](#)

8
9 (f) The term continental United States[**] means the District of Columbia and the several [States](#), except Alaska
10 and Hawaii.

11 The term “States”, which is suspiciously capitalized and is then also defined elsewhere in Title 8 as follows:

12 [8 U.S.C. Sec. 1101\(a\)\(36\): State \[naturalization\]](#)

13 The term “State” **includes** the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United
14 States[**].

15 Do you see the sovereign Union states in the above definition? They aren’t there. Note that there are several entities listed
16 in the above definition of “State”, which collectively are called “several States”. But when Congress really wants to clearly
17 state the 50 Union states that are “foreign states” relative to them, they have no trouble at all, because here is another
18 definition of “State” found under an older version of Title 40 of the U.S. Code prior to 2005 which refers to easements on
19 Union state property by the federal government:

20 [TITLE 40 > CHAPTER 4 > Sec. 319c](#)
21 [Sec. 319c. - Definitions for easement provisions](#)

22 As used in sections [319](#) to [319c](#) of this title -

23 (a) The term “State” **means** the [States of the Union](#), the District of Columbia, the Commonwealth of Puerto
24 Rico, and the possessions of the United States[**].

25 The above section, after we found it in 2002 and documented it here, was REWRITTEN in 2005 and REMOVED from title
26 40 of the U.S. Code in order to cover up the distinctions we are trying to make here. Does that surprise you? In fact, this
27 kind of “word smithing” by covetous lawyers is at the heart of how the separation of powers between the state and federal
28 governments is being systematically destroyed, as documented below:

[Government Conspiracy to Destroy the Separation of Powers](#), Form #05.023

<http://sedm.org/Forms/FormIndex.htm>

29 Did you notice in the now repealed 40 U.S.C. §319c that they used the term “means” instead of “includes” and that they
30 said “States of the Union” instead of “several States”? You can tell they are playing word games and trying to hide their
31 limited jurisdiction whenever they throw in the word “includes” and do not use the word “Union” in their definition of
32 “State”. As a matter of fact, section 5.6.15 of the [Great IRS Hoax](#), Form #11.302 reveals that there is a big scandal
33 surrounding the use of the word “includes”. That word is abused as a way to illegally expand the jurisdiction of the federal
34 government beyond its clear Constitutional limits. The memorandum of law below thoroughly rebuts any lies or deception
35 the government is likely to throw at you regarding the word “includes” and you might want to read it:

[Meaning of the Words “Includes” and “Including”](#), Form #05.014

<http://sedm.org/Forms/FormIndex.htm>

36 Moving on, if we then substitute the definition of the term “State” from 8 U.S.C. §1101(a)(36) into the definition of
37 “continental United States[**]” in [8 CFR §215.1](#), we get:

38 8 CFR §215.1

39 The term continental United States[**] means the District of Columbia and the District of Columbia, Puerto
40 Rico, Guam, and the Virgin Islands of the United States[**], except Alaska and Hawaii.
41

1 We must then conclude that the “continental United States***” means essentially the federal areas within the real (not
2 statutorily defined) continental United States**. We must also conclude based on the above analysis that:

- 3 1. The term “continental United States***” is redundant and unnecessary within the definition of “United States**”
4 found in [8 U.S.C. §1101\(a\)\(38\)](#).
- 5 2. The use of the term “continental United States***” is introduced mainly to deceive and confuse the average
6 American about his true citizenship status as a “national” or a “state national” and not a “U.S. national”.

7 The above analysis also leaves us with one last nagging question: why do Alaska and Hawaii appear in the definition of
8 “United States***” in [8 U.S.C. §1101\(a\)\(38\)](#), since we showed that the *other* “States” mentioned as part of this *statutory*
9 “United States***” are federal “States”? If our hypothesis is correct that the “United States***” means “the federal zone”
10 within federal statutes and regulations and “the states of the Union” collectively within the Constitution, then the definition
11 from the regulation above can’t include any part of a Union state that is not a federal enclave. In the case of Alaska and
12 Hawaii, they were only recently admitted as Union states (1950’s). The legislative notes for Title 8 of the U.S. Code
13 (entitled “Aliens and Nationality”) reveal that the title is primarily derived from the Immigration and Nationality Act of
14 1940, which was written and codified BEFORE Alaska and Hawaii joined the Union. Before that, they were referred to as
15 the Territories of Alaska and Hawaii, which belonged to the “United States***” or simply “Alaska and Hawaii”. Note that [8](#)
16 [U.S.C. §1101\(a\)\(38\)](#) adds the phrase “*of* the United States***” after the names of these two former territories and groups
17 them *together* with other federal territories, which to us implies that they are referring to Alaska and Hawaii *when they were*
18 *territories* rather than Union states. At the time they were federal territories, then they were federal “States”. These
19 conclusions are confirmed by a rule of statutory construction known as “ejusdem generis”, which basically says that items
20 of the same class or general type *must* be grouped together. The other items that Alaska and Hawaii are grouped with are
21 federal territories in the list of enumerated items:

22 *“Ejusdem generis. Of the same kind, class, or nature. In the construction of laws, wills, and other instruments,*
23 *the “ejusdem generis rule” is, that where general words follow an enumeration of persons or things, by words*
24 *of a particular and specific meaning, such general words are not to be construed in their widest extent, but are*
25 *to be held as applying only to persons or things of the same general kind or class as those specifically*
26 *mentioned. U.S. v. LaBrecque, D.C. N.J., 419 F.Supp. 430, 432. The rule, however, does not necessarily*
27 *require that the general provision be limited in its scope to the identical things specifically named. Nor does it*
28 *apply when the context manifests a contrary intention.*

29 *Under “ejusdem generis” canon of statutory construction, where general words follow the enumeration of*
30 *particular classes of things, the general words will be construed as applying only to things of the same general*
31 *class as those enumerated. Campbell v. Board of Dental Examiners, 53 Cal.App.3d 283, 125 Cal.Rptr. 694,*
32 *696.”*
33 *[Black’s Law Dictionary, Sixth Edition, p. 517]*

34 Many freedom lovers allow themselves to be confused by the content of the Fourteenth Amendment so that they do not
35 believe the distinctions we are trying to make here about the differences in meaning of the term “United States” between
36 the Constitution and federal statutes. Here is what section 1 of that Amendment says:

37 [Fourteenth Amendment](#)

38 *“Section 1. All persons born or naturalized in the United States[***] and subject to the jurisdiction thereof,*
39 *are citizens of the United States[***] and of the State wherein they reside.”*

40 The Supreme Court clarifies exactly what the phrase “subject to the jurisdiction” above means. It means the “political
41 jurisdiction” of the United States** and NOT the “legislative jurisdiction”(!):

42 *“This section contemplates two sources of citizenship, and two sources only,-birth and naturalization. The*
43 *persons declared to be citizens are ‘all persons born or naturalized in the United States[***], and subject to the*
44 *jurisdiction thereof.’ The evident meaning of these last words is, not merely subject in some respect or degree*
45 *to the jurisdiction of the United States[**], but completely subject to their political jurisdiction, and*
46 *owing them direct and immediate allegiance. And the words relate to the time of birth in the one case, as they*
47 *do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of*
48 *the United States[***] at the time of birth cannot become so afterwards, except by being naturalized, either*
49 *individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by*
50 *which foreign territory is acquired.”*
51 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

1 “Political jurisdiction” is NOT the same as “legislative jurisdiction”. “Political jurisdiction” was defined by the Supreme
2 Court in *Minor v. Happersett*:

3 *“There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies*
4 *an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the*
5 *persons associated becomes a member of the nation formed by the association. He owes it allegiance and is*
6 *entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is*
7 *a compensation for the other; allegiance for protection and protection for allegiance.*

8 *“For convenience it has been found necessary to give a name to this membership. The object is to designate by*
9 *a title the person and the relation he bears to the nation. For this purpose the words ‘subject,’ ‘inhabitant,’ and*
10 *‘citizen’ have been used, and the choice between them is sometimes made to depend upon the form of the*
11 *government. Citizen is now more commonly employed, however, and as it has been considered better suited to*
12 *the description of one living under a republican government, it was adopted by nearly all of the States upon*
13 *their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the*
14 *Constitution of the United States[***]. **When used in this sense it [the word***
15 ***“citizen”] is understood as conveying the idea of membership***
16 ***of a nation, and nothing more.”***

17 *“To determine, then, who were citizens of the United States[***] before the adoption of the amendment it is*
18 *necessary to ascertain what persons originally associated themselves together to form the nation, and what*
19 *were afterwards admitted to membership.”*
20 *[Minor v. Happersett, 88 U.S. 162 (1874)]*

21 Notice how the Supreme court used the phrase “and nothing more”, as if to emphasize that citizenship doesn’t imply
22 legislative jurisdiction, but simply political membership. We described in detail the two political jurisdictions within our
23 country in section 4.7 of our *Great IRS Hoax*, Form #11.302 book. “Political jurisdiction” implies only the following:

- 24 1. Membership in a community (see *Minor v. Happersett*, [88 U.S. 162](#) (1874))
25 2. Right to vote.
26 3. Right to serve on jury duty.

27 “Legislative jurisdiction”, on the other hand, implies being “completely subject” and subservient to federal laws and all
28 “Acts of Congress”, which only people in the District of Columbia and the territories and possessions of the United
29 States[**] can be. You can be “completely subject to the political jurisdiction” of the United States** without being
30 subject in any degree to a specific “Act of Congress” or the Internal Revenue Code, for instance. The final nail is put in the
31 coffin on the subject of what “subject to **the** jurisdiction” means in the Fourteenth Amendment, when the Supreme Court
32 further said in the above case:

33 *“It is impossible to construe the words ‘subject to the jurisdiction thereof,’ in the opening sentence, as less*
34 *comprehensive than the words ‘within its jurisdiction,’ in the concluding sentence of the same section; or to*
35 *hold that persons ‘within the jurisdiction’ of one of the states of the Union are not ‘subject to the jurisdiction*
36 *of the United States[***].”*
37 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]*

38 So “subject to the jurisdiction” in the context of citizenship within the Fourteenth Amendment means “subject to the
39 **[political]** jurisdiction” of the United States*** and not legislative jurisdiction, and the Fourteenth Amendment definitely
40 includes people born in states of the Union. Another very interesting conclusion reveals itself from reading the following
41 excerpt from the above case:

42 *And Mr. Justice Miller, delivering the opinion of the court [legislating from the bench, in this case], in*
43 *analyzing the first clause, observed that “the phrase ‘subject to the jurisdiction thereof’ was intended to exclude*
44 *from its operation children of ministers, consuls, and citizens or subjects of foreign states, born within the*
45 *United States[***].”*
46 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

47 When we first read that, an intriguing question popped into our head:

1 Is "Heaven" or any religious group for that matter a "foreign state" with respect to the United States**
2 government and are we God's "ambassadors" and "ministers" of the Sovereign ("God") in that "foreign
3 state"?

4 Based on the way our deceitful and wicked public servants have been acting lately, we think so and here are the scriptures
5 to back it up!

6 "For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ"—
7 [[Philippians 3:20](#), Bible, NKJV]

8 "Now, therefore, you are no longer strangers and foreigners, but fellow citizens with the saints and members
9 of the household of God."
10 [[Ephesians 2:19](#), Bible, NKJV]

11 "These all died in faith, not having received the promises, but having seen them afar off were assured of them,
12 embraced them and confessed that they were strangers and pilgrims on the earth."
13 [[Hebrews 11:13](#), Bible, NKJV]

14 "Beloved, I beg you as sojourners and pilgrims, abstain from fleshly lusts which war against the soul..."
15 [[1 Peter 2:11](#), Bible, NKJV]

16 Furthermore, if you read section 5.2.11 of the Great IRS Hoax, Form #11.302, you will also find that the 50 Union states
17 are considered "foreign states" and "foreign countries" with respect to the U.S. government as far as Subtitle A income
18 taxes are concerned:

19 Foreign courts: "The courts of a foreign state or nation. In the United States[**], this term is frequently
20 applied to the courts of one of the states when their judgments or records are introduced in the courts of
21 another."
22 [[Black's Law Dictionary, Sixth Edition, p. 647](#)]

23 Foreign Laws: "The laws of a foreign country or sister state."
24 [[Black's Law Dictionary, Sixth Edition, p. 647](#)]

25 Another place you can look to find confirmation of our conclusions is the Department of State Foreign Affairs Manual,
26 section [7 FAM 1116.1-1](#), available on our website at:

[Dept. of State Foreign Affairs Manual, Volume 7, Section 1116.1](#)
<http://famguardian.org/TaxFreedom/Evidence/Citizenship/7FAM1100,1110,1111-DeptOfState.pdf>

27 and also available on the Dept. of State website at:

Dept of State
<http://foia.state.gov/REGS/Search.asp>

28 which says in pertinent part:

29 "d. Prior to January 13, 1941, there was no statutory definition of "the United States" for citizenship
30 purposes. Thus there were varying interpretations. Guidance should be sought from the Department (CA/OCS)
31 when such issues arise." [emphasis added]

32 If our own government hadn't defined the meaning of the term "United States" up until 1941, then do you think there might
33 have been some confusion over this and that this confusion was deliberate? Can you also see how the ruling in Wong Kim
34 Ark might have been somewhat ambiguous to the average American without a statutory (legal) reference for the terms it
35 was using? Once again, our government likes to confuse people about its jurisdiction in order to grab more of it. Here is
36 how Thomas Jefferson explained it:

37 "Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before
38 them, to throw an anchor ahead and grapple further hold for future advances of power. They are then in fact
39 the corps of sappers and miners, steadily working to undermine the independent rights of the States and to
40 consolidate all power in the hands of that government in which they have so important a freehold estate." –
41 [[Thomas Jefferson: Autobiography, 1821. ME 1:121](#)]

1 "We all know that permanent judges acquire an esprit de corps; that, being known, they are liable to be tempted
2 by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or
3 legislative; that it is better to leave a cause to the decision of cross and pile than to that of a judge biased to one
4 side; and that the opinion of twelve honest jurymen gives still a better hope of right than cross and pile does."
5 [Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]

6 "It is not enough that honest men are appointed judges. All know the influence of interest on the mind of
7 man, and how unconsciously his judgment is warped by that influence. To this bias add that of the esprit de
8 corps, of their peculiar maxim and creed that 'it is the office of a good judge to enlarge his jurisdiction,' and
9 the absence of responsibility, and how can we expect impartial decision between the General government, of
10 which they are themselves so eminent a part, and an individual state from which they have nothing to hope
11 or fear?"
12 [Thomas Jefferson: Autobiography, 1821. ME 1:121]

13 "At the establishment of our Constitutions, the judiciary bodies were supposed to be the most helpless and
14 harmless members of the government. Experience, however, soon showed in what way they were to become
15 the most dangerous; that the insufficiency of the means provided for their removal gave them a freehold and
16 irresponsibility in office; that their decisions, seeming to concern individual suitors only, pass silent and
17 unheeded by the public at large; that these decisions nevertheless become law by precedent, sapping by little
18 and little the foundations of the Constitution and working its change by construction before any one has
19 perceived that that invisible and helpless worm has been busily employed in consuming its substance. In truth,
20 man is not made to be trusted for life if secured against all liability to account."
21 [Thomas Jefferson to A. Coray, 1823. ME 15:486]

22 "I do not charge the judges with wilful and ill-intentioned error; but honest error must be arrested where its
23 toleration leads to public ruin. As for the safety of society, we commit honest maniacs to Bedlam; so judges
24 should be withdrawn from their bench whose erroneous biases are leading us to dissolution. It may, indeed,
25 injure them in fame or in fortune; but it saves the republic, which is the first and supreme law."
26 [Thomas Jefferson: Autobiography, 1821. ME 1:122]

27 "The original error [was in] establishing a judiciary independent of the nation, and which, from the citadel
28 of the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings
29 to its own will."
30 [Thomas Jefferson to John Wayles Eppes, 1807. FE 9:68]

31 "It is a misnomer to call a government republican in which a branch of the supreme power [the Federal
32 Judiciary] is independent of the nation."
33 [Thomas Jefferson to James Pleasants, 1821. FE 10:198]

34 "It is left... to the juries, if they think the permanent judges are under any bias whatever in any cause, to take
35 on themselves to judge the law as well as the fact. They never exercise this power but when they suspect
36 partiality in the judges; and by the exercise of this power they have been the firmest bulwarks of English
37 liberty."
38 [Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]

39 With respect to that last remark, keep in mind that NONE of the rulings of Supreme Court cases like *Wong Kim Ark* have
40 juries, so what do you think the judges are going to try to do?.. expand their power and enhance their retirement benefits,
41 duhhhh! Another portion of that same document found in [7 FAM 1116.2-1](#) says:

42 "a. Simply stated, "subject to the jurisdiction" [within the context of federal statutes but not within the
43 Fourteenth Amendment] of the United States[**] means subject to the laws of the United States[**]."
44 [emphasis added]

45 So what does "subject to the laws of the United States**" mean? It means subject to the exclusive/general/plenary
46 legislative jurisdiction of the national (not federal) government under Article 1, Section 8, Clause 17 of the Constitution,
47 which only occurs within the federal zone. We covered this earlier in section 4.10 of the *Great IRS Hoax*, Form #11.302
48 and again later throughout chapter 5 of that book. Here is how we explain the confusion created by 7 FAM 1116.2-1 above
49 in the note we attached to it inside the Acrobat file of it on our website:

50 This is a distortion. Wong Kim Ark also says: "To be 'completely subject' to the political jurisdiction of the
51 United States** is to be in no respect or degree subject to the political jurisdiction of any other government."

52 If you are subject to a Union state government, then you CANNOT meet the criteria above. That is why a
53 "national" is defined in 8 U.S.C. §1101(a)(21) as "a person owing permanent allegiance to a [Union] state"
54 and why most natural persons are "nationals" rather than "U.S. citizens"

1 Let's now further explore what [7 FAM 1116.2-1](#) means when it says "subject to the laws of the United States**". In doing
2 so, we will draw on a very interesting article on our website entitled [Authorities on Jurisdiction of Federal Courts](#) found on
3 our website at:

[Authorities on Jurisdiction of Federal Courts](#)

<http://famguardian.org/Subjects/LegalGovRef/ChallJurisdiction/AuthoritiesArticle/AuthOnJurisdiction.htm>

4 We start with a cite from Title 18 that helps explain the jurisdiction of "the laws of the United States**":

5 [TITLE 18](#) > [PART III](#) > [CHAPTER 301](#) > *Sec. 4001.*
6 [Sec. 4001. - Limitation on detention; control of prisons](#)

7 *(a) No citizen shall be imprisoned or otherwise detained by the United States** except pursuant to an Act of*
8 *Congress.*

9 Building on this theme, we now add a corroborating citation from the [Federal Rules of Criminal Procedure, Rule 26, Notes](#)
10 [of Advisory Committee on Rules, paragraph 2](#), in the middle,

11 *"On the other hand since all Federal crimes are statutory [see [United States v. Hudson, 11 U.S. 32, 3 L.ed. 259](#)*
12 *[\(1812\)](#) and **all criminal prosecutions in the Federal courts are based on acts of Congress**, . . ." [emphasis*
13 *added]*

14 We emphasize the phrase "**Acts of Congress**" above. In order to define the jurisdiction of the Federal courts to conduct
15 criminal prosecutions and how they might apply "the laws of the United States**" in any given situation, one would have
16 to find out what the specific definition of "Act of Congress," is. We find such a definition in [Federal Rule of Criminal](#)
17 [Procedure 54\(c\)](#) prior to Dec. 2002, wherein "Act of Congress" was defined. Rule 54(c) stated:

18 *"Act of Congress" includes any act of Congress locally applicable to and in force in the District of Columbia, in*
19 *Puerto Rico, in a territory or in an insular possession."*

20 If you want to examine this rule for yourself, here is the link:

21 [http://www2.law.cornell.edu/cgi-bin/foioci.exe/frcrm/query=\[jump!3A!27district+court!27\]/doc/{@772}?](http://www2.law.cornell.edu/cgi-bin/foioci.exe/frcrm/query=[jump!3A!27district+court!27]/doc/{@772}?)

22 The \$64,000 question is:

23 *"ON WHICH OF THE FOUR LOCATIONS NAMED IN [former] RULE 54(c) OF THE FEDERAL RULES OF*
24 *CRIMINAL PROCEDURE IS THE UNITED STATES** DISTRICT COURT ASSERTING JURISDICTION*
25 *WHEN THE U.S. ATTORNEY HAULS YOUR ASS IN COURT ON AN INCOME TAX CRIME?"*

26 **Hint:** everyone knows what and where the District of Columbia is, and everyone knows where Puerto Rico is, and
27 territories and insular possessions are defined in [Title 48 United States** Code](#), happy hunting!

28 The Supreme Court says the same thing about this situation as well:

29 *"It is no longer open to question that the general government, unlike the states, [Hammer v. Dagenhart, 247](#)*
30 *[U.S. 251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, [Ann.Cas.1918E 724](#), possesses no inherent power in respect of the*
31 *internal affairs of the states; and emphatically not with regard to legislation."*
32 *[Carter v. Carter Coal Co., [298 U.S. 238](#), 56 S.Ct. 855 (1936)]*

33 Keep in mind that Title 8 of the U.S. Code, which establishes citizenship under federal law is federal "legislation". I guess
34 that means there is *nothing* in that title that can define or circumscribe our rights as people born within and domiciled
35 within a state of the Union, which is foreign to the federal government for the purposes of legislative jurisdiction. In fact,
36 that is exactly our status as a "national" defined in 8 U.S.C. §1101(a)(21). The term "national" is defined in Title 8, section
37 1101 but the rights of such a human being are not limited or circumscribed there because they can't be under the
38 Constitution. This, folks, is the essence of what it means to be truly "sovereign" with respect to the federal government,
39 which is that you aren't the subject of any federal law. Laws limit rights and take them away. Rights don't come from

1 laws, they come from God! America is “The land of the Kings”. Every one of you is a king or ruler over your public
2 servants, and THEY, not you, should be “rendering to Caesar”, just as the Bible says in Matt. 22:15:22:

3 *"The people of the state [not the federal government, but the state: IMPORTANT!], as the successors of its*
4 *former sovereign, are entitled to all the rights which formerly belonged to the king by his own prerogative."*
5 *[Lansing v. Smith, (1829) 4 Wendell 9, (NY)]*

6 *"It will be admitted on all hands that with the exception of the powers granted to the states and the federal*
7 *government, through the Constitutions, the people of the several states are unconditionally sovereign within*
8 *their respective states."*
9 *[Ohio L. Ins. & T. Co. v. Debolt, 16 How. 416, 14 L.Ed. 997]*

10 *"Sovereignty [that's you!] itself is, of course, not subject to law, for it is the author and source of law; but in*
11 *our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains*
12 *with the people, by whom and for whom all government exists and acts."*
13 *[Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)]*

14 “nationals” and “state nationals” are also further defined in [8 U.S.C. §1101](#) as follows:

15 [8 U.S.C. §1101 Definitions](#) [for the purposes of citizenship]

16 (a) As used in this chapter—

17 (21) The term "national" means a person owing permanent allegiance to a state.

18 (22) The term "national of the United States[**]" means:

19 (A) a citizen of the United States[**], or

20 (B) a person who, though not a citizen of the United States[**], owes permanent allegiance to the
21 United States[***].

22 Note the suspect word “permanent” in the above definition. Below is the definition of “permanent” from the same title
23 found in [8 U.S.C. §1101\(a\)\(31\)](#):

24 [8 U.S.C. §1101 Definitions](#) [for the purposes of citizenship]

25 (a) As used in this chapter—

26 (31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from
27 temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the
28 instance either of the United States[**] or of the individual, in accordance with law.

29 For those of you who are Christians, you realize that this life is very temporary and that nothing on this earth can be
30 permanent, and especially not your life:

31 *"In the sweat of your face you shall eat bread*
32 *Till you return to the ground,*
33 *For out of it you were taken;*
34 *For dust you are,*
35 *And to dust you shall return."*
36 *[God speaking to Adam and Eve, Gen. 3:19, Bible, NKJV]*

37 If we are going to be “dust”, then how can our intact living body have a permanent earthly place of abode? The Bible says
38 in Romans 6:23 that “the wages of sin is death”, and that Eve brought sin into the world and thereby cursed all her
39 successors so there is nothing more certain than death, which means there can be nothing physical that is permanent on
40 earth including our very short lives. The only thing permanent is our spirit and not our physical body, which will certainly
41 deteriorate and die. Therefore, there can be no such thing as “permanent allegiance” on our part to anything but God for
42 Christians, because exclusive allegiance to God is the only way to achieve immortality and eternal life. Exclusive
43 allegiance to anything but God is idolatry, in violation of the first four commandments of the ten commandments.

1 When we bring up the above kinds of issues, some of our readers have said that they don't even like being called
2 "nationals" as they are defined above, and we agree with them. However, it is a practical reality that you cannot get a
3 passport within our society without being either a "U.S. citizen" or a "national", because state governments simply won't
4 issue passports to those who are state nationals, which is what most of us are. That was not always true, but it is true now.
5 The compromise we make in this sort of dilemma is to clarify on our passport application that the term "U.S." as used on
6 our passport application means the "United States[***] of America" and not the federal United States** or the federal
7 corporation called the United States** government. Below, in fact, is a procedure we use to apply for a passport without
8 creating a false presumption that we are a "U.S. citizen" that worked for us:

How to Apply for a Passport as a "National"

<http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>

9 Sneaky, huh? This is a chess game using "words of art" conducted by greedy lawyers to steal your property and your
10 liberty, folks! Now we ask our esteemed readers:

11 *"After all the crazy circuitous logic and wild goose chasing that results from listening to the **propaganda** of the*
12 *government from its various branches on the definitions of 'U.S. citizenship' v. 'U.S. nationality', what should a*
13 *reasonable man conclude about the meanings of these terms? We only have two choices:*

- 14 1. 'United States**' as used in [8 U.S.C. §1101\(a\)\(38\)](#) means the federal zone and 'U.S. citizens' are
15 born in the federal zone under all federal statutes and "acts of Congress". This implies that most
16 Americans can only be 'U.S. nationals'
- 17 2. 'United States**' as used in [8 U.S.C. §1101\(a\)\(38\)](#) means the entire country and political
18 jurisdictions that are foreign to that of the federal government which are found in the states. This
19 implies that most Americans can only be 'U.S. citizens'."

20 We believe the answer is that our system of jurisprudence is based on "innocence until proven guilty". In this case, the fact
21 in question is: "Are you a U.S. citizen", and being "not guilty" means having our rights and sovereignty respected by our
22 deceitful government under these circumstances implies being a "national" or a "state national". Therefore, at best, we
23 should conclude that the above analysis is correct and clearly explains the foundations of what it means to be a "national"
24 or a "state national" and why most Americans fit that description. At the very worst, our analysis clearly establishes that
25 federal statutory and case law, at least insofar as "U.S. citizenship" is very vague and very ambiguous and needs further
26 definition. The Supreme Court has said that when laws are vague, then they are "void for vagueness", null, and
27 unenforceable. See the following cases for confirmation of this fact:

28 "A statute which either forbids or requires the doing of an act in terms so vague that men and women of
29 common intelligence must necessarily guess at its meaning and differ as to its application, violates the first
30 essential of due process of law."
31 [[Connally v. General Construction Co., 269 U.S. 385 \(1926\)](#)]

32

33 "It is a basic principle of due process that an enactment [[435 U.S. 982 , 986](#)] is void for vagueness if its
34 prohibitions are not clearly defined. Vague laws offend several important values. First, because we assume
35 that man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary
36 intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly. Vague laws
37 may trap the innocent by not providing fair warning. Second, if arbitrary and discriminatory enforcement is to
38 be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly
39 delegates basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis,
40 with the attendant dangers of arbitrary and discriminatory application."
41 [[Grayned v. City of Rockford, 408 U.S. 104, 108 \(1972\)](#), *emphasis added*]

42 We refer you to the following additional rulings of the U.S. Supreme Court on "void for vagueness" as additional
43 authorities:

- 44 • *Papachristou v. City of Jacksonville, [405 U.S. 156](#) (1972)*
45 • *Cline v. Frink Dairy Co., [274 U.S. 445, 47 S. Ct. 681](#) (1927)*
46 • *Sewell v. Georgia, [435 U.S. 982](#) (1978)*

47 Here is the way one of our readers describes the irrational propaganda and laws the government writes:

1 "If it doesn't make sense, it's probably because politics is involved!"

2 Our conclusions then to the matters at our disposal are the following based on the above reasonable analysis:

- 3 • The "United States***" defined in Section 1 of the Fourteenth Amendment means the states of the Union while
4 the "United States**" appearing in federal statutes in most cases, means the federal zone. For instance, the
5 definition of "United States**" relating to citizenship and found in 8 U.S.C. §1101(a)(38) means the federal zone,
6 as we prove in questions 77 through 82 of our Tax Deposition Questions located at:
7 <http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section 14.htm>.
- 8 • Most Americans, and especially those born in and living within states of the Union are "nationals" or "state
9 nationals" rather than "U.S. citizens" or "U.S. nationals" under all "acts of Congress" and federal statutes. The
10 Internal Revenue code is an "act of Congress" and a federal statute.
- 11 • Our government has deliberately tried to confuse and obfuscate the laws on citizenship to fool the average
12 American into incorrectly declaring that they are "U.S. citizens" in order to be subject to their laws and come
13 under their jurisdiction. See section 4.11.10 of our *Great IRS Hoax*, Form #11.302 book for complete details on
14 how they have done it.
- 15 • The courts have not lived up to their role in challenging unconstitutional exercises of power by the other branches
16 of government or in protecting our Constitutional rights. They are on the take like everyone else who works in the
17 federal government and have conspired with the other branches of government in illegally expanding federal
18 jurisdiction.
- 19 • Once the feds used this ruse with words to get Americans under their corrupted jurisdiction as statutory "U.S.
20 citizens" and presumed "taxpayers", our federal "servants" have then made themselves into the "masters" by
21 subjecting sovereign Citizens to their corrupted laws within the federal zone that can disregard the Constitution
22 because the Constitution doesn't apply in these areas. By so doing, they can illegally enforce their income tax
23 laws and abuse their powers to plunder the assets, property, labor, and lives of most Americans in the covetous
24 pursuit of money that the law and the Constitution did not otherwise entitle them to. This act to subvert the
25 operation of the Constitution amounts to an act of war and treason on the sovereignty of Americans and the
26 sovereign states that they are domiciled in, punishable under Article III, Clause 3 of the U.S. Constitution with
27 *death by execution*.

28 Old (and bad) habits die hard. Even if you don't want to believe any of the foregoing analysis or conclusions and you
29 consequently still stubbornly cling to the false notion that you are a "citizen of the United States***" instead of a "national"
30 or "state national" under "Acts of Congress", the fact remains that all "citizens of the United States***" are also defined in [8](#)
31 [U.S.C. §1401](#) to include "national" status. That means that being a privileged "citizen of the United States***" under federal
32 law is a *dual* citizenship status while being a "national" is only a single status (U.S. nationality derived from state birth and
33 citizenship):

34 [TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1401.](#)
35 [Sec. 1401. - Nationals and citizens of United States\[**\] at birth](#)

36 **The following shall be nationals and citizens of the United States[**] at birth:**

37 (a) a person born in the United States[**], and subject to the jurisdiction thereof;

38 [...]

39 The dual status is described in Black's Law Dictionary as follows:

40 **Dual citizenship.** *Citizenship in two different **countries**. Status of citizens of United States[***] who*
41 *reside within a state; i.e., person who are born or naturalized in the U.S. are citizens of the U.S. and the state*
42 *wherein they reside.*
43 *[Black's Law Dictionary, Sixth Edition, p. 498]*

1 You will learn in section 4.11.10 of *The Great IRS Hoax*, Form #11.302 that the term “citizenship” as used by the courts
2 means “nationality”, so dual citizenship means “dual nationality and allegiance”.¹ You see, even the law dictionary says
3 your state is a “country”, which means you are a national of that country according to 8 U.S.C. §1101(a)(21).

4 What can we do to correct our citizenship status and protect our liberties? Well, since you are *already* a “national” as a
5 dual national called a “citizen of the United States**”, you can abandon *half* of your dual citizenship and we will show you
6 how and why you should do this in section 4.11.9 of our *Great IRS Hoax*, Form #11.302 book. The door is still therefore
7 wide open for you to correct your status and liberate yourself from the government’s chains of slavery, and the law
8 authorizes you to do this. The government also can’t stop you from doing this, because here is how one court explained
9 legislation passed by Congress authorizing expatriation only *days* before the Fourteenth Amendment was ratified which is
10 still in force today:

11 *“Almost a century ago, Congress declared that “the right of expatriation [including expatriation from the*
12 *District of Columbia or “U.S. Inc”, the corporation] is a natural and inherent right of all people, indispensable*
13 *to the enjoyment of the rights of life, liberty, and the pursuit of happiness,” and decreed that “any declaration,*
14 *instruction, opinion, order, or decision of any officers of this government which denies, restricts, impairs, or*
15 *questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this*
16 *government.” 15 Stat. 223-224 (1868), R.S. § 1999, 8 U.S.C. § 800 (1940).² Although designed to apply*
17 *especially to the rights of immigrants to shed their foreign nationalities, that Act of Congress “is also broad*
18 *enough to cover, and does cover, the corresponding natural and inherent right of American citizens to*
19 *expatriate themselves.” Savorgnan v. United States, 1950, 338 U.S. 491, 498 note 11, 70 S. Ct. 292, 296, 94 L.*
20 *Ed. 287.³ The Supreme Court has held that the Citizenship Act of 1907 and the Nationality Act of 1940 “are to*
21 *be read in the light of the declaration of policy favoring freedom of expatriation which stands unrepealed.” Id.,*
22 *338 U.S. at pages 498-499, 70 S. Ct. at page 296. That same light, I think, illuminates 22 U.S.C.A. § 211a and 8*
23 *U.S.C.A. § 1185.”*
24 *[Walter Briehl v. John Foster Dulles, 248 F2d 561, 583 (1957)]*

25 You see, our politicians know that citizenship in any political jurisdiction can be regarded as an assault on our liberties, and
26 that sometimes we have to renounce it in order to protect those liberties, so they provided a lawful way to do exactly that.
27 Another reason they *have* to allow renouncement of whatever forms of citizenship we find objectionable is that if they
28 didn’t, they could no longer call citizenship “voluntary”, now could they? And if it isn’t voluntary, then the whole country
29 becomes one big TOTALITARIAN SLAVE CAMP and the Declaration of Independence goes into the toilet! Remember
30 what that Declaration said?

31 **That to secure these rights, Governments are instituted among Men, deriving their just**
32 **powers from the consent of the governed,** --That whenever any Form of Government
33 becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new
34 Government, laying its foundation on such principles and organizing its powers in such form, as to them shall
35 seem most likely to effect their Safety and Happiness.” [emphasis added]

36 How can you be “independent” and “sovereign” if you can’t even declare or determine your own citizenship status?
37 Citizenship must therefore be *voluntary* and *consensual* or the enforcement of all laws based on it becomes *unjust*, and we
38 made that point very clear in section 4.11.5 of the *Great IRS Hoax*, Form #11.302 when we talked about federal citizenship.
39 If you are a “U.S. citizen” and you have a *dual citizenship* as we just defined earlier using [8 U.S.C. §1401](#) above, then we
40 clearly establish in section 4.11.9 of the *Great IRS Hoax*, Form #11.302 book that the government *cannot* unilaterally sever
41 *any* aspect of your *dual* citizenship and that it is a *permanent contract* which *only you* [not the government] can revoke any
42 aspect of either by dying or by voluntary choice in a process initiated by you. Every aspect of your citizenship status *must*
43 *be voluntary* or it is *unjust* and if you want to eliminate or revoke the federal portion of your citizenship status *only* and
44 retain the “national” or “state citizen” status that you *already have* as a “U.S. citizen”, then the government cannot lawfully
45 stop you, and if they try to, your citizenship is no longer voluntary but *compelled*. Once it is compelled, your compliance
46 with federal law as a SOVERIEGN is no longer *voluntary or consensual*, but is based on duress, fraud, extortion, and
47 amounts to slavery in violation of the Thirteenth Amendment to the U.S Constitution! What are you waiting for and why
48 haven’t you corrected your citizenship status yet?

¹ See also *Perkins v. Elg*, 307 U.S. 325 (1939), which defines “expatriation” as the process of abandoning “nationality and allegiance”, not citizenship.
² See Carrington, Political Questions: The Judicial Check on the Executive, 42 Va.L.Rev. 175 (1956).
³ 9 Pet. 692, 34 U.S. 692, 699, 9 L. Ed. 276.

8. SUMMARY OF CONSTRAINTS APPLYING TO “NATIONAL” STATUS

So basically, if you owe allegiance to your state and are a “citizen” of that state, you are a “national” under federal law. But how does that affect one’s voting rights? Below is the answer for California:

CALIFORNIA CONSTITUTION
ARTICLE 2 VOTING, INITIATIVE AND REFERENDUM, AND RECALL

SEC. 2. A United States[**] citizen 18 years of age and resident in this State may vote.

The situation may be different for other states. If you are domiciled in a state other than California, you will need to check the laws of your specific home state in order to determine whether the prohibition against voting applies to “nationals” in your state. If authorities give you a bad time about trying to register to vote without being a federal “U.S. citizen”, then show them the Declaration of Independence, which says:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—“

Emphasize that it doesn’t say “endowed by their government” or “endowed by their federal citizenship” or “endowed by their registrar of voters”, but instead “endowed by their CREATOR”. The rights to life, liberty, and the pursuit of happiness certainly include suffrage and the right to own property. Suffrage is necessary in turn to protect personal property from encroachment by the government and socialistic fellow citizens. These are not “privileges” that result from federal citizenship. They are rights that result from birth! Thomas Jefferson said so:

“A free people [claim] their rights as derived from the laws of nature, and not as the gift of their chief magistrate.”
[Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134]

“Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath?”
[Thomas Jefferson: Notes on Virginia Q.XVIII, 1782. ME 2:227]

We will now analyze the constraints applying to “nationals” :

1. Right to vote:

- 1.1. “nationals” or “state nationals” can register to vote under laws in most states but must be careful how they describe their status on the voter registration application.
- 1.2. Some state voter registration forms have a formal affidavit by which signer swears, under penalties of perjury, that s/he is a “citizen of the United States**” or a “U.S.** citizen”.
- 1.3. Such completed affidavits become admissible evidence and conclusive proof that signer is a “citizen of the United States**” under federal statutes, which is not the same thing as a “national” or “state national”.

2. Right to serve on jury duty:

- 2.1. “nationals” or “state nationals” can serve on jury duty under most state laws. If your state gives you trouble by not allowing you to serve on jury duty as a “national”, you are admonished to litigate to regain their voting rights and change state law.
- 2.2. Some state jury summons forms have a section that allows persons to disqualify themselves from serving on jury duty if they do not claim to be “citizens of the United States**”. We should return the summons form with an affidavit claiming that we want to serve on jury duty and are “nationals” rather than “citizens” of the United States**. If they then disqualify us from serving on jury duty, we should litigate to regain our right to serve on juries.

3. The exercise of federal citizenship, including voting and serving on jury duty, is a statutory privilege which can be created, taxed, regulated and even revoked by Congress! Please reread section 4.3 of The Great IRS Hoax, Form #11.302 book about “Government instituted slavery using privileges” for clarification on what this means. In effect, the government, through operation of law, has transformed a right into a taxable privilege, .
4. The exercise of “national” Citizenship is an unalienable Right which Congress cannot tax, regulate or revoke under any circumstances.

1 5. Such a Right is guaranteed by the U.S. Constitution, which Congress cannot amend without the consent of three-
2 fourths of the Union States.

3 **9. HOW THE GOVERNMENT HAS DELIBERATELY OBFUSCATED THE** 4 **CITIZENSHIP ISSUE**

5 This section builds on the content of section 4.11.3.8 of the *Great IRS Hoax*, Form #11.302, where we talked about
6 definitions of U.S. citizenship terms. We state throughout this memorandum that the definitions of terms used are
7 *extremely* important, and that when the government wants to usurp additional jurisdiction beyond what the Constitution
8 authorizes, it starts by confusing and obfuscating the definition of key terms. The courts then use this confusion and
9 uncertainty to stretch their interpretation of legislation in order to expand government jurisdiction, in what amounts to
10 “judge-made law”. This in turn transforms our government of “laws” into a government of “men” in violation of the intent
11 of the Constitution (see *Marbury v. Madison*, 5 U.S. 137 (1803)). You will see in this section how this very process has
12 been accomplished with the citizenship issue. The purpose of this section is therefore to:

- 13 • Provide definitions of the key and more common terms used both by the Federal judiciary courts and the
14 Legislative branch in Title 8 so that you will no longer be deceived.
- 15 • Show you how the government and the legal profession have obfuscated key citizenship terms over the years to
16 expand their jurisdiction and control over Americans beyond what the Constitution authorizes.

17 The main prejudicial and usually invisible presumption that governments, courts and judges make which is most injurious
18 to your rights is the association between the words “citizen” and “citizenship” with the term “domicile”. Whenever either
19 you or the government uses the word “citizen”, they are making the following presumptions:

- 20 1. That you maintain a domicile within their civil legislative jurisdiction. This means that if you are in a federal court, for
21 instance, that you have a legal domicile on federal territory and not within the exclusive jurisdiction of any state of the
22 Union.
- 23 2. That you owe allegiance to them and are required as part of that allegiance to pay them “tribute” for the protection they
24 afford.
- 25 3. That you are qualified to participate in the affairs of the government as a voter or jurist, even though you may in fact
26 not participate at that time.

27 The following legal authorities conclusively establish that the terms “citizen”, “citizenship”, and “domicile” are
28 synonymous in federal courts. They validate all of the above conclusive presumptions that government employees, officer,
29 and judges habitually make when you appear before them or submit a government form to them, unless you specify or
30 explain otherwise. Government employees, officers, and judges just HATE to discuss or document these presumptions,
31 which is why authorities to prove their existence are so difficult to locate.

32 ***“Domicile and citizen are synonymous in federal courts.*** *Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp.*
33 *981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d*
34 *678, 683.”*
35 *[Black’s Law Dictionary, Fourth Edition, p. 311]*

36 *The terms “citizen” and “citizenship” are distinguishable from “resident” or “inhabitant.”* *Jeffcott v. Donovan,*
37 *C.C.A.Ariz., 135 F.2d 213, 214; and from “domicile,”* *Wheeler v. Burgess, 263 Ky. 693, 93 S.W.2d 351, 354;*
38 *First Carolinas Joint Stock Land Bank of Columbia v. New York Title & Mortgage Co., D.C.S.C., 59 F.2d 35j0,*
39 *351. **The words “citizen” and citizenship,” however, usually include the idea of domicile, Delaware,***
40 ***L.&W.R.Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557;*** *citizen inhabitant and resident often synonymous,*
41 *Jonesboro Trust Co. v. Nutt, 118 Ark. 368, 176 S.W. 322, 324; Edgewater Realty Co. v. Tennessee Coal, Iron &*
42 *Railroad Co., D.C.Md., 49 F.Supp. 807, 809; and citizenship and domicile are often synonymous. Messick v.*
43 *Southern Pa. Bus Co., D.C.Pa., 59 F.Supp. 799, 800.*
44 *[Black’s Law Dictionary, Fourth Edition, p. 310]*

45 *“Citizenship and domicile are substantially synonymous. Residency and inhabitanance are too often confused with*
46 *the terms and have not the same significance. Citizenship implies more than residence. It carries with it the*
47 *idea of identification with the state and a participation in its functions. As a citizen, one sustains social,*
48 *political, and moral obligation to the state and possesses social and political rights under the Constitution and*
49 *laws thereof. Harding v. Standard Oil Co. et al. (C.C.) 182 F. 421; Baldwin v. Franks, 120 U.S. 678, 7 S.Ct.*
50 *763, 32 L.Ed. 766; Scott v. Sandford, 19 How. 393, 476, 15 L.Ed. 691.”*

1 [Baker v. Keck, 13 F.Supp. 486 (1936)]

2 "The term 'citizen', as used in the Judiciary Act with reference to the jurisdiction of the federal courts, is
3 substantially synonymous with the term 'domicile'. [Delaware, L. & W.R. Co. v. Petrowsky, 2 Cir., 250 F. 554,](#)
4 [557.](#)"

5 [Earley v. Hershey Transit Co., 55 F.Supp. 981, D.C.PA. (1944)]

6 No person, may be compelled to choose a domicile or residence ANYWHERE. By implication, no one but you can
7 commit yourself to being a "citizen" or to accepting the responsibilities or liabilities that go with it.

8 "**The rights of the individual are not derived from governmental agencies**, either municipal, state or federal,
9 or even from the Constitution. They exist inherently in every man, by endowment of the Creator. and are merely
10 reaffirmed in the Constitution, and restricted only to the extent that they have been voluntarily surrendered by
11 **the citizenship to the agencies of government.** The people's rights are not derived from the government, but the
12 government's authority comes from the people.*946 The Constitution but states again these rights already
13 existing, and when legislative encroachment by the nation, state, or municipality invade these original and
14 permanent rights, it is the duty of the courts to so declare, and to afford the necessary relief. The fewer
15 restrictions that surround the individual liberties of the citizen, except those for the preservation of the public
16 health, safety, and morals, the more contented the people and the more successful the democracy."
17 [City of Dallas v Mitchell, 245 S.W. 944 (1922)]

18 "Citizenship" and "residence", as has often been declared by the courts, are not convertible terms. ... "The
19 better opinion seems to be that a citizen of the United States is, under the amendment [14th], prima facie a
20 citizen of the state wherein he resides, cannot arbitrarily be excluded therefrom by such state, but that **he does**
21 **not become a citizen of the state against his will, and contrary to his purpose and intention to retain an**
22 **already acquired citizenship elsewhere.** **The amendment [14th] is a restraint on the power of the state, but**
23 **not on the right of the person to choose and maintain his citizenship or domicile**."
24 [Sharon v. Hill, 26 F. 337 (1885)]

25 Since "citizen", "citizenship", and "domicile" are all synonymous, then you can only be a "citizen" in ONE place at a time.
26 This is because you can only have a "domicile" in one place at a time.

27 "**domicile.** A person's legal home. That place where a man has his true, fixed, and **permanent home** and
28 principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith,
29 206 Pa.Super. 310m 213 A.2d 94. Generally, physical presence within a state and **the intention** to make it
30 one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the
31 place to which he **intends to** return even though he may actually reside elsewhere. A person may have more
32 than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the**
33 **actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may**
34 **exercise the privilege of voting and other legal rights and privileges.**"
35 [Black's Law Dictionary, Sixth Edition, p. 485]

36 The implications of this revelation are significant. It means that in relation to the state and federal governments and their
37 mutually exclusive territorial jurisdictions, you can only be a statutory "citizen" of one of the two jurisdictions at a time.
38 Whichever one you choose to be a "citizen" of, you become a "national but not a citizen" in relation to the other. You can
39 therefore be subject to the civil laws of only one of the two jurisdictions at a time. Whichever one of the two jurisdictions
40 you choose your domicile within becomes your main source of protection.

41 Choice of domicile is an act of political affiliation protected by the First Amendment prohibition against compelled
42 association:

43 Just as there is freedom to speak, to associate, and to believe, so also there is freedom not to speak, associate,
44 or believe "**The right to speak and the right to refrain from speaking [on a government tax return, and in**
45 **violation of the Fifth Amendment when coerced, for instance] are complementary components of the broader**
46 **concept of 'individual freedom of mind.'**" [Wooley v. Maynard, \[430 U.S. 703\] \(1977\).](#) Freedom of conscience
47 dictates that no individual may be forced to espouse ideological causes with which he disagrees:

48 "[A]t the heart of the [First Amendment](#) is the notion that the individual should be free to believe as he will, and
49 that in a free society one's beliefs should be shaped by his mind and by his conscience rather than coerced by
50 the State [through illegal enforcement of the revenue laws]." [Abood v. Detroit Board of Education \[431 U.S.](#)
51 [209\] \(1977\)](#)

52 **Freedom from compelled association is a vital component of freedom of expression.** Indeed, freedom from
53 compelled association illustrates the significance of the liberty or personal autonomy model of the [First](#)

1 Amendment. As a general constitutional principle, it is for the individual and not for the state to choose
2 one's associations and to define the persona which he holds out to the world.
3 [First Amendment Law, Barron-Dienes, West Publishing, ISBN 0-314-22677-X, pp. 266-267]

4 Beyond the above authorities, we then tried to locate credible legal authorities that explain the distinctions between the
5 constitutional context and the statutory context for the term “United States”. The basic deception results from the
6 following:

- 7 1. **The differences in meaning of the term “United States” between the U.S. Constitution and federal statutes.** The
8 term “United States***” in the Constitution means “United States” *the country*, while in federal statutes, the term
9 “United States***” means the *federal zone*.
- 10 2. **Differences between citizenship definitions found in Title 8, the Aliens and Nationality Code, and those found in**
11 **Title 26, the Internal Revenue Code.** The term “nonresident alien” as used in Title 26, for instance, does *not* appear
12 anywhere in Title 8 but is the equivalent of the term “national” found in 8 U.S.C. §1101(a)(22).
- 13 3. **Differences between statutory citizenship definitions and the language of the courts.** The language of the courts is
14 *independent* from the statutory definition so that it is difficult to correlate the term the courts are using and the related
15 statutory definition. We will include in this section separate definitions for the statutes and the courts to make these
16 distinctions clear in your mind.

17 We will start off by showing that no authoritative definition of the term “citizen of the United States***” existed before the
18 Fourteenth Amendment was ratified in 1868. This was revealed in the Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21
19 L.Ed. 394 (1873):

20 *“The 1st clause of the 14th article was primarily intended to confer citizenship of the United States[***] and*
21 *citizenship of the states, and it recognizes the distinction between citizenship of a state and citizenship of the*
22 *United States[***] by those definitions.*

23 *“The 1st section of the 14th article, to which our attention is more specifically invited, opens with a definition of*
24 *citizenship—not only citizenship of the United States[***], but citizenship of the states. No such definition was*
25 *previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had*
26 *been the occasion of much discussion in the courts, by the executive departments and in the public journals.*
27 *It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a*
28 *citizen of one of the state comprising the Union. Those, therefore, who had been born and resided always in*
29 *the District of Columbia or in the territories, though within the United States[***], were not citizens.”*

30 [...]

31 *“To remove this difficulty primarily, and to establish a clear and comprehensive definition of citizenship*
32 *which should declare what should constitute citizenship of the United States[***] and also citizenship of a*
33 *state, the 1st clause of the 1st section [of the Fourteenth Amendment] was framed:*

34 *‘All persons born or naturalized in the United States[***] and subject to the jurisdiction thereof are citizens of*
35 *the United States[***] and of the state wherein they reside.’*

36 *“The first observation we have to make on this clause is that it puts at rest both the questions which we stated to*
37 *have been the subject of differences of opinion. It declares that persons may be citizens of the United*
38 *States[***] without regard to their citizenship of a particular state, and it overturns the Dred Scott decision by*
39 *making all persons born within the United States[***] and subject to its jurisdiction citizens of the United*
40 *States[***]. That its main purpose was to establish the citizenship of the negro can admit of no doubt. The*
41 *phrase ‘subject to its jurisdiction’ was intended to exclude from its operation children of ministers, consuls and*
42 *citizens or subjects of foreign states born within the United States[***].”*

43 *“The next observation is more important in view of the arguments of counsel in the present case. It is that the*
44 *distinction between citizenship of the United States[***] and citizenship of a state is clearly recognized and*
45 *established. Not only may a man be a citizen of the United States[***] without being a citizen of a state, but*
46 *an important element is necessary to convert the former into the latter. He must reside within the state to*
47 *make him a citizen of it but it is only necessary that he should be born or naturalized in the United*
48 *States[***] to be a citizen of the Union.*

49 *It is quite clear, then, that there is a citizenship of the United States[***], and a citizenship of a state, which are*
50 *distinct from each other and which depend upon different characteristics or circumstances of the individual.”*
51 [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

1 A careful reading of *Boyd v. Nebraska*, 143 U.S. 135 (1892) helps clarify the true meaning of the term “citizen of the
2 United States***” in the context of the U.S. Constitution and the rulings of the U.S. Supreme Court. It shows that a
3 “citizen of the United States***” is indeed a “national” in the context of federal statutes only:

4 *“Mr. Justice Story, in his Commentaries on the Constitution, says: ‘Every citizen of a state is ipso facto a*
5 *citizen of the [143 U.S. 135, 159] United States[***].’ Section 1693. And this is the view expressed by Mr.*
6 *Rawle in his work on the Constitution. Chapter 9, pp. 85, 86. Mr. Justice CURTIS, in Dred Scott v. Sandford, 19*
7 *How. 393, 576, expressed the opinion that under the constitution of the United States[***] ‘every free person,*
8 *born on the soil of a state, who is a citizen of that state by force of its constitution or laws, is also a citizen of*
9 *the United States[***].’ And Mr. Justice SWAYNE, in The Slaughter-House Cases, 16 Wall. 36, 126, declared*
10 *that ‘a citizen of a state is ipso facto a citizen of the United States[***].’ But in Dred Scott v. Sandford, 19*
11 *How. 393, 404, Mr. Chief Justice TENNEY, delivering the opinion of the court, said: ‘The words ‘people of the*
12 *United States[***]’ and ‘citizens,’ are synonymous terms, and mean the same thing. They both describe the*
13 *political body who, according to our republican institutions, form the sovereignty, and who hold the power and*
14 *conduct the government through their representatives. They are what we familiarly call the ‘sovereign people,’*
15 *and every citizen is one of this people, and a constituent member of this sovereignty. ... In discussing this*
16 *question, we must not confound the rights of citizenship which a state may confer within its own limits and*
17 *the rights of citizenship as a member of the Union. It does not by any means follow, because he has all the*
18 *rights and privileges of a citizen of a state, that he must be a citizen of the United States[***]. He may have all*
19 *of the rights and privileges of the citizen of a state, and yet not be entitled to the rights and privileges of a*
20 *citizen in any other state; for, previous to the adoption of the constitution of the United States[***], every state*
21 *had the undoubted right to confer on whomsoever it pleased the character of citizen, and to endow him with all*
22 *its rights. But this character, of course, was confined to the boundaries of the state, and gave him no rights or*
23 *privileges in other states beyond those secured to him by the laws of nations and the comity of states. Nor have*
24 *the several states surrendered the power of conferring these rights and privileges by adopting the constitution*
25 *of the United States[***]. Each state may still confer them upon an alien, or any one it thinks proper, or upon*
26 *any class or description of persons; yet he would not be a citizen in the sense in [143 U.S. 135, 160] which*
27 *that word is used in the constitution of the United States[***], nor entitled to sue as such in one of its courts,*
28 *nor to the privileges and immunities of a citizen in the other states. The rights which he would acquire would be*
29 *restricted to the state which gave them. The constitution has conferred on congress the right to establish a*
30 *uniform rule of naturalization, and this right is evidently exclusive, and has always been held by this court to be*
31 *so. Consequently no state, since the adoption of the constitution, can, by naturalizing an alien, invest him with*
32 *the rights and privileges secured to a citizen of a state under the federal government, although, so far as the*
33 *state alone was concerned, he would undoubtedly be entitled to the rights of a citizen, and clothed with all the*
34 *rights and immunities which the constitution and laws of the state attached to that character.’ “*
35 *[Boyd v. Nebraska, 143 U.S. 135 (1892)]*

36 Notice above that the term “citizen of the United States***” and “rights of citizenship as a member of the Union” are
37 described synonymously. Therefore, a “citizen of the United States***” under the Fourteenth Amendment, section 1 and a
38 “national” under 8 U.S.C. §1101(a)(21), and 8 U.S.C. §1452 are synonymous. As you will see in the following cite, people
39 who were born in a state of the Union always were “citizens of the United States***” by the definition of the U.S. Supreme
40 Court, which made them “nationals of the United States*** of America” under federal statutes. What the Fourteenth
41 Amendment did was extend the privileges and immunities of “nationals” (defined under federal statutes) to people of races
42 other than white. The cite below helps confirm this:

43 *“The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited,*
44 *opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the*
45 *states. No such definition was previously found in the Constitution, nor had any attempt been made to define*
46 *it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments*
47 *and in the public journals. It had been said by eminent judges that no man was a citizen of the United*
48 *States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had*
49 *been born and resided always in the District of Columbia or in the territories, though within the United*
50 *States[*], were not citizens. Whether this proposition was sound or not had never been judicially decided.”*
51 *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

52 We explained in section 4.1.1.3.6 of the *Great IRS Hoax*, Form #11.302 that the federal courts and especially the Supreme
53 Court have done their best to confuse citizenship terms and the citizenship issue so that most Americans would be unable to
54 distinguish between “national” and “U.S. citizen” status found in federal statutes. This deliberate confusion has then been
55 exploited by collusion of the Executive Branch, who have used their immigration and naturalization forms and publication
56 and their ignorant clerk employees to deceive the average American into thinking they are “U.S. citizens” in the context of
57 federal statutes. Based on our careful reading of various citizenship cases mainly from the U.S. Supreme Court, Title 8 of
58 the U.S. Code, Title 26 of the U.S. Code, as well as Black’s Law Dictionary, Sixth Edition, below are some citizenship
59 terms commonly used by the court and their correct and unambiguous meaning in relation to the statutes found in Title 8,
60 which is the Aliens and Nationality Code:

1 **Table 8: Citizenship terms**

#	Term	Context	Meaning	Authorities	Notes
1	"nation"	Everywhere	In the context of the United States*** of America, a state of the union. The federal government and all of its possessions and territories are <i>not</i> collectively a "nation". The "country" called the "United States*" is a "nation", but our federal government and its territories and possessions are <i>not</i> collectively a "nation".	<ol style="list-style-type: none"> 1. <i>Chisholm v. Georgia</i>, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793) 2. Black's Law Dictionary, revised Fourth Edition, 1968, p. 1176 under "National Government". 3. <i>Hooven and Allison Co. v. Evatt</i>, 324 U.S. 652 (1945). 	The "United States*** of America" is a "federation" and not a "nation". Consequently, our government is called a "federal government" rather than a "national government". See section 4.6 of <i>Great IRS Hoax</i> , Form #11.302 for further explanation.
2	"national" or "non-citizen National"	Everywhere	"national" is a person born abroad, or in one of the 50 union states and not in the federal zone or an outlying possession or territory of the United States**. All "nationals" owe their permanent allegiance to the "United States***" under 8 U.S.C. §1101(a)(22)(B). Usually, either one or both of their parents are also "Nationals".	<ol style="list-style-type: none"> 1. 8 U.S.C. §1408. 2. 8 U.S.C. §1101(a)(22)(B). 3. 8 U.S.C. §1452. 4. 8 U.S.C. §1101(a)(22). 5. 3C Am Jur 2d §2732-2752: Noncitizen nationality 	We could find no mention of the term "U.S. national" by the Supreme Court. We were told that this term was first introduced into federal statutes in the 1930's.
3	"naturalization"	Everywhere	The process of conferring nationality and " national " status <i>only</i> , but not "U.S. citizen" status.	<ol style="list-style-type: none"> 1. 8 U.S.C. §1101(a)(23): "The term "naturalization" means the conferring of nationality [NOT "citizenship" or "U.S. citizenship", but "nationality", which means "national"] of a state [of the union] upon a person after birth, by any means whatsoever." 2. Black's Law Dictionary, Sixth Edition, page 1063 under "naturalization". 	The U.S. Citizenship and Immigration Services (USCIS) is responsible for naturalization in the United States*** of America. Their "Application for naturalization", Form N-400, only uses the term "U.S. citizen" and <i>never</i> mentions "national". On this form, the term "U.S. citizen" must therefore mean "national" in the context of this form based on the definition of "naturalization", but you can't tell because the form doesn't refer to a definition of what "U.S. citizen" means.
4	"expatriation"	Everywhere	"The voluntary renunciation or abandonment of nationality [not "U.S. citizenship" or "citizen of the United States***" status] and allegiance."	<ol style="list-style-type: none"> 1. <i>Perkins v. Elg</i>, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939) 2. 8 U.S.C. §1401. 3. 8 U.S.C. §1101(a)(22). 	Renouncing one's statutory "citizen of the United States**" status and reverting to a "national" is not "expatriation", because both "citizens of the United States**" and "nationals but not citizens" are "nationals of the United States**" under 8 U.S.C. §1401 and 8 U.S.C. §1101(a)(22).
5	"citizenship"	Everywhere	Persons with a legal domicile within the jurisdiction of a sovereign and who were born SOMEWHERE within the country, although not necessarily within that specific jurisdiction..	<ol style="list-style-type: none"> 1. <i>Perkins v. Elg</i>, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939) 2. 8 U.S.C.A. §1401, Notes. See note 1 below. 3. <i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873) 4. 3C Am Jur 2d §2732-2752: Noncitizen nationality 	<i>Perkins v. Elg</i> , 307 U.S. 325 (1939) says: " To cause a loss of citizenship in the absence of treaty or statute having that effect, there must be a voluntary action and such action cannot be attributed to an infant whose removal to another country is beyond his control and who during minority is incapable of a binding choice. By the Act of July 27, 1868, Congress declared that 'the right of expatriation is a natural and inherent right of all people'. Expatriation is the voluntary renunciation or abandonment of nationality and allegiance. " This implies that "loss of citizenship" and "expatriation", which is "loss of nationality" are equivalent. <i>Slaughter-House Cases</i> , 83 U.S. 36 (1873) says: "The next observation is more important in view

#	Term	Context	Meaning	Authorities	Notes
					<p>of the arguments of counsel in the present case. It is that the distinction between citizenship of the United States^{***} and citizenship of a state is clearly recognized and established [by the Fourteenth Amendment]. Not only may a man be a citizen of the United States^{***} without being a citizen of a state, but an important element is necessary to convert the former into the latter. <u>He must reside within the state to make him a citizen of it but it is not necessary that he should be born or naturalized in the [country] United States^{***} to be a citizen of the Union.</u></p> <p>“It is quite clear, then, that there is a citizenship [nationality] of the United States^{***}, and a citizenship [nationality] of a state, which are distinct from each other and which depend upon different characteristics or circumstances of the individual.”</p>
6	“citizen” used <i>alone</i> and without the term “U.S. ^{***} ” in front or “of the United States ^{***} ” after it	<ol style="list-style-type: none"> 1. U.S.^{***} Constitution 2. U.S.^{**} Supreme Court rulings 	A “national of the United States ^{***} ” in the context of federal statutes or a “citizen of the United States ^{***} ” in the context of the Constitution or state statutes unless specifically identified otherwise.	<ol style="list-style-type: none"> 1. See <i>Minor v. Happersett</i>, 88 U.S. 162 (1874): <u>Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States^{***}. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more.</u> [<i>Minor v. Happersett</i>, 88 U.S. 162 (1874)] 2. See also <i>Boyd v. Nebraska</i>, 143 U.S. 135 (1892), which says: <i>“The words ‘people of the United States^{***}’ and ‘citizens,’ are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the ‘sovereign people,’ and every citizen is one of this people, and a constituent member of this sovereignty. ...”</i> [<i>Boyd v. State of Nebraska</i>, 143 U.S. 135 (1892)] 	<ol style="list-style-type: none"> 1. To figure this out, you have to look up federal court cases that use the terms “expatriation” and “naturalization” along with the term “citizen” and use the context to prove the meaning to yourself. 2. In 26 CFR § 1.1-1, the term “citizen” as used means “U.S. citizen” rather than “national”. The opposite is true of Title 8 of the U.S.C. and most federal court rulings. This is because of the definition of “United States^{***}” within Subtitle A of the Internal Revenue Code, which means the <i>federal zone only</i>.
7	“citizen” used <i>alone</i> and without the term “U.S. ^{***} ” in front or “of the United States ^{***} ” after it	State statutes	Person with a legal domicile within the exclusive jurisdiction of a state of the Union who is NOT a “citizen” under federal statutory law.	<i>Law of Nations</i> , Vattel, Section 212.	Because states are “nations” under the law of nations and have police powers and exclusive legislative jurisdiction within their borders, then virtually all of their legislation is directed toward their own citizens exclusively. See section 4.9 of the <i>Great IRS Hoax</i> , Form #11.302 earlier for further details on “police powers”.
8	“citizen” used <i>alone</i>	Federal statutes	Not defined anywhere in Title 8. Persons	1. Defined in 26 CFR §31.3121(e)-1. See Note 2.	This term is <i>never defined</i> anywhere in Title 8 but

#	Term	Context	Meaning	Authorities	Notes
	and without the term “U.S.**” in front or “of the United States***” after it	including Title 26, the Internal Revenue Code and Title 8, Aliens and Nationality	with a legal domicile within the jurisdiction of a sovereign and who were born SOMEWHERE within the country, although not necessarily within that specific jurisdiction..		it is defined in 26 CFR §31.3121(e)-1. You will see it most often on government passport applications, voter registration, and applications for naturalization. These forms <u>also</u> don’t define the meaning of the term nor do they equate it to either “national” or “citizen of the United States***”. The person filling out the form therefore <u>must</u> define it himself on the form to eliminate the ambiguity or be presumed incorrectly to be a “citizen of the United States***” under section 1 of the 14 th Amendment.
9	“United States citizenship”	Everywhere	The status of being a “national”. Note that the term “U.S. citizen” looks similar but not identical and is <u>not</u> the same as this term, and this is especially true on federal forms.	See “citizenship”.	Same as “citizenship”.
10	“citizens of the United States”	Everywhere	A collection of people who are “nationals” and who in most cases are not a “citizen of the United States***” or a “U.S.** citizen” under “acts of Congress” or federal statutes unless at some point after becoming “nationals”, they incorrectly declared their status to be a “citizen of the United States***” under 8 U.S.C. §1401 or changed their domicile to federal territory.	See “citizenship”.	Note that the definition of “citizen of the United States” and “citizens of the United States” are different.
11	“citizen of the United States”	Federal statutes	Persons with a legal domicile on federal territory that is no part of the exclusive jurisdiction of any state of the Union. Born SOMEWHERE within the country, although not necessarily within that specific jurisdiction.	<ol style="list-style-type: none"> 8 U.S.C.A. §1401. 3C AmJur.2d §2689 (“U.S. citizen”). 26 CFR §31.3121(e)-1. United States v. Wong Kim Ark, 169 U.S. 649; 18 S.Ct. 456; 42 L.Ed. 890 (1898) Cunard S.S. Co. v. Mellon, 262 U.S. 100, 43 S.Ct. 504 (1923) 	Term “United States***” in federal statutes is defined as federal zone so a “citizen of the United States***” is a citizen of the federal zone only. According to the U.S. Supreme Court in the <i>Slaughter-House Cases</i> , 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873), this term was <u>not</u> defined before the ratification of the Fourteenth Amendment in 1868. Section 1 of the 14 th Amendment established the circumstances under which a person was a “citizen of the United States***”. Note that the terms “citizens of the United States” and “citizen of the United States” are nowhere made equivalent in Title 8, and we define “citizens of the United States” above differently.
12	“citizen of the United States”	State statutes U.S. Supreme Court Constitution	Person who maintains a legal domicile within the exclusive jurisdiction of a state of the Union. A “national” and a “non-citizen national” as defined in 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452.	<ol style="list-style-type: none"> 8 U.S.C. §1101(a)(21). 8 U.S.C. §1101(a)(22)(B) <i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873) 3C Am Jur 2d §2732-2752: Noncitizen nationality 	8 U.S.C.A. §1401 notes indicates: “ <i>The basis of citizenship in the United States[**] is the English doctrine under which <u>nationality</u> meant birth within allegiance to the king.</i> ”
13	“citizen of the Union”	Everywhere	A “national of the United States***” or a “national”	<ol style="list-style-type: none"> <i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873) 	“ <i>Slaughter-House Cases</i> , 83 U.S. 36 (1873) says: “The next observation is more important in view of the arguments of counsel in the present case. It is that the distinction between citizenship of the United States[***] and citizenship of a state is

#	Term	Context	Meaning	Authorities	Notes
					clearly recognized and established [by the Fourteenth Amendment]. Not only may a man be a citizen of the United States[***] without being a citizen of a state, but an important element is necessary to convert the former into the latter. <u>He must reside within the state to make him a citizen of it but it is not necessary that he should be born or naturalized in the [country] United States[***] to be a citizen of the Union.</u>
14	“U.S. citizen”	Title 26: Internal Revenue Code (which is a federal statute or “act of Congress)	Not defined anywhere in Title 8 that we could find. Defined in 26 CFR §31.3121(e)-1, and there it means a person with a domicile on federal territory that is not part of the exclusive jurisdiction of any state of the Union.	1. Defined in 26 CFR §31.3121(e)-1. See Note 2.	This term is <i>never defined</i> anywhere in Title 8 but it is defined in 26 CFR §31.3121(e)-1. You will see it most often on government passport applications, voter registration, and applications for naturalization. These forms <i>also</i> don’t define the meaning of the term nor do they equate it to either “national” or “citizen of the United States**”. The person filling out the form therefore <i>must</i> define it himself on the form to eliminate the ambiguity or be presumed incorrectly to be a “citizen of the United States***” under section 1 of the 14 th Amendment.

NOTES FROM THE ABOVE TABLE:

1. 8 U.S.C.A. §1401 under “Notes”, says the following:

“The right of citizenship, as distinguished from alienage, is a national right or condition, and it pertains to the confederated sovereignty, the United States[**], and not to the individual states. *Lynch v. Clarke, N.Y.1844, 1 Sandf.Ch. 583*”

“By ‘citizen of the state’ is meant a citizen of the United States[**] whose domicile is in such state. *Prowd v. Gore, 1922, 207 P. 490, 57 Cal.App. 458*”

“One who becomes citizen of United States[**] by reason of birth retains it, even though by law of another country he is also citizen of it.”

“The basis of citizenship in the United States[**] is the English doctrine under which **nationality** meant birth within allegiance to the king.”

2. 26 CFR §31.3121(e)-1 defines “U.S. citizen” as follows:

[26 CFR 31.3121\(e\)-1 State, United States\[**\], and citizen.](#)

(b)...The term ‘citizen of the United States[**]’ includes a citizen of the Commonwealth of Puerto Rico or the Virgin Islands, and, effective January 1, 1961, a citizen of Guam or American Samoa.

1 We put the term “U.S. citizen” last in the above table because we would now like to expand upon it. We surveyed the
2 election laws of all 50 states to determine which states require persons to be either “U.S. citizens” or “citizen of the United
3 States” in order to vote. The results of our study are found on our website below at:

4 <http://famguardian.org/Subjects/LawAndGovt/Citizenship/PoliticalRightsvCitizenshipByState.htm>

5 If you look through all the state statutes on voting above, you will find that only California, Indiana, Texas, Virginia, and
6 Wisconsin require you to be either a “U.S. citizen” or a “United States citizen” in order to vote, and *none* of these five
7 states even define in their election code what these terms mean! 26 other states require you to be a “citizen of the United
8 States” and don’t define that term in their election code either! This means that a total of 31 of the 50 states positively
9 require some type of citizenship related to the term “United States” in order to be eligible to vote and none of them define
10 which of the three “United States” they mean. Because none of the state election laws define the term, then the legal
11 dictionary definition applies. We looked in Black’s Law Dictionary, Sixth Edition and found no definition for either “U.S.
12 citizen” or “citizen of the United States”. Therefore, we must rely *only* on the common definition rather than any legal
13 definition. We then looked for “U.S. citizen” or “citizen of the United States” in Webster’s Dictionary and they weren’t
14 defined there either. Then we looked for the term “citizen” and found the following interesting definition in Webster’s:

15 *“citizen. 1: an inhabitant of a city or town; esp: one entitled to the rights and privileges of a freeman. 2 a: a*
16 *member of a state b: a native or naturalized person who owes allegiance to a government and is entitled to*
17 *protection from it 3: a civilian as distinguished from a specialized servant of the state—citizenry*

18 *syn CITIZEN, SUBJECT, NATIONAL mean a person owing allegiance to*
19 *and entitled to the protection of a sovereign state. CITIZEN is preferred*
20 *for one owing allegiance to a state in which sovereign power is retained*
21 *by the people and sharing in the political rights of those people;*
22 *SUBJECT implies allegiance to a personal sovereign such as a monarch;*
23 *NATIONAL designates one who may claim the protection of a state and*
24 *applies esp. to one living or traveling outside that state.”*

25 [*Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, p. 243*]

26 Note in the above that the key to being a citizen under definition (b) is the requirement for allegiance. The only federal
27 citizenship status that uses the term “allegiance” is that of a “national” as defined in 8 U.S.C. §1101(a)(21) and 8 U.S.C.
28 §1101(a)(22)(B) respectively. Consequently, we are *forced* to conclude that the generic term “citizen” and the statutory
29 definition of “national” in 8 U.S.C. §1101(a)(22) are equivalent.

30 We also looked up the term “citizen” in Black’s Law Dictionary, Sixth Edition and found the following:

31 *“citizen. One who, under the [Constitution](#) and laws of the [United States](#)[***], or of a particular state, is a*
32 *member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights.*
33 *All persons born or naturalized in the United States[***], and subject to the jurisdiction thereof, are citizens of*
34 *the United States[***] and of the state wherein they reside. [U.S. Const., 14th Amend.](#) See [Citizenship](#).*

35 *“Citizens” are members of a political community who, in their associated capacity, have established or*
36 *submitted themselves to the dominion of a government for the promotion of their general welfare and the*
37 *protection of their individual as well as collective rights. [Herriott v. City of Seattle](#), 81 Wash.2d 48, 500 P.2d*
38 *101, 109.*

39 *The term may include or apply to children of alien parents from in United States[***], [Von Schwerdtner v.](#)*
40 *[Piper](#), D.C.Md., 23 F.2d 862, 863; [U.S. v. Minoru Yasui](#), D.C.Or., 48 F.Supp. 40, 54; children of American*
41 *citizens born outside United States, [Haaland v. Attorney General of United States](#), D.C.Md., 42 F.Supp. 13, 22;*
42 *Indians, [United States v. Hester](#), C.C.A.Okl., 137 F.2d 145, 147; [National Banks, American Surety Co. v. Bank](#)*
43 *of California, C.C.A.Or., 133 F.2d 160, 162; nonresident who has qualified as administratrix of estate of*
44 *deceased resident, [Hunt v. Noll](#), C.C.A.Tenn., 112 F.2d 288, 289. However, neither the United States[**] nor a*
45 *state is a citizen for purposes of diversity jurisdiction. [Jizemerjian v. Dept of Air Force](#), 457 F.Supp. 820. On*
46 *the other hand, municipalities and other local governments are deemed to be citizens. [Rieser v. District of](#)*
47 *Columbia, 563 F.2d 462. A corporation is not a citizen for purposes of privileges and immunities clause of the*
48 *Fourteenth Amendment. [D.D.B. Realty Corp. v. Merrill](#), 232 F.Supp. 629, 637.*

1 Under diversity statute [28 U.S.C. §1332], which mirrors U.S. Const. Article III's diversity clause, a person is a
2 "citizen of a state" if he or she is a citizen of the United States[***] and a domiciliary of a state of the United
3 States[***]. *Gibbons v. Udaras na Gaeltachta*, D.C.N.Y., 549 F.Supp. 1094, 1116.
4 [Black's Law Dictionary, Sixth Edition, p. 244]

5 So the key requirement to be a "citizen" is to "owe allegiance" to a political community according to Black's Law
6 Dictionary. Under 26 U.S.C. §1101(a)(21) and 26 U.S.C. §1101(a)(22)(B), one can "owe allegiance" to the "United
7 States***" as a political community *only* by being a "national" *without* being a "U.S.** citizen" or a "citizen of the United
8 States***" as defined in 8 U.S.C. §1401. Therefore, we must conclude once again, that "citizen of the United States**"
9 status under federal statutes, is a political *privilege* that few people are born into and most acquire by mistake or fraud or
10 both. Most of us are "nationals" by birth and we *volunteer* to become "citizens of the United States***" under 8 U.S.C.
11 §1401 by lying at worst or committing a mistake at best when we fill out government forms. That process of
12 misrepresenting our citizenship status is how we "volunteer" to become "U.S. citizens" subject to federal statutes, and of
13 course our covetous government is more than willing to overlook the mistake because that is how they manufacture
14 "taxpayers" and make people "subject" to their corrupt laws. Remember, however, what the term "subject" means from
15 Webster's above under the definition of the term "citizen":

16 "SUBJECT implies allegiance to a personal [earthly] sovereign such as a *monarch*:"
17 [Webster's Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, p. 243]

18 Therefore, to be "subject" to the federal government's legislation and statutes and "Acts of Congress" is to be *subservient*
19 to them, which means that you voluntarily gave up your sovereignty and recognized that they have now become your
20 "monarch" and you are their "servant". You have turned the Natural Order and hierarchy of sovereignty described in
21 section 4.1 of the *Great IRS Hoax*, Form #11.302 upside down and made yourself into a *voluntary slave*, which violates of
22 the Thirteenth Amendment if your consent in so doing was not fully informed and the government didn't apprise you of the
23 rights that you were voluntarily giving up by becoming a "citizen of the United States***".

24 "Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with
25 sufficient awareness of the relevant circumstances and likely consequences."
26 [Brady v. U.S., 397 U.S. 742 (1970)]
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10. CITIZENSHIP, DOMICILE, AND TAX STATUS OPTIONS SUMMARY

Pictures really are worth a THOUSAND words. There is no better place we know of to use a picture to describe relationship than in the context of citizenship, domicile, and residency. Below are tables summarizing citizenship status v. Tax status. After that, we show a graphical diagram that makes the relationships perfectly clear. Finally, after the graphical diagram, we present a text summary for all the legal rules that govern transitioning between the various citizenship and domicile conditions described. If you want a terse handout for convenient use at depositions and to attach to government forms which contains the information in this section, see:

<p><i>Citizenship, Domicile, and Tax Status Options</i>, Form #10.003 http://sedm.org/Forms/FormIndex.htm</p>

9 **10.1 Citizenship Status v. Tax Status**

1 **Table 9: “Citizenship status” vs. “Income tax status”**

#	Citizenship status	Place of birth	Domicile	Accepting tax treaty benefits?	Defined in	Tax Status under 26 U.S.C./Internal Revenue Code			
						“Citizen” (defined in 26 CFR 1.1-1)	“Resident alien” (defined in 26 U.S.C. §7701(b)(1)(A), 26 CFR §1.1441-1(c)(3)(i) and 26 CFR §1.1-1(a)(2)(ii))	“Nonresident alien INDIVIDUAL” (defined in 26 CFR §1.1441-1(c)(3))	“Nonresident alien NON-individual” (defined in 26 U.S.C. §7701(b)(1)(B))
1	“U.S. citizen” or “Statutory U.S. citizen”	Anywhere in America	District of Columbia, Puerto Rico, Guam, Virgin Islands	NA	8 U.S.C. §1401; 8 U.S.C. §1101(a)(22)(A)	Yes (only pay income tax abroad with IRS Forms 1040/2555. See Cook v. Tait, 265 U.S. 47 (1924))	No	No	No
2	“U.S. national”	Anywhere in America	American Samoa; Swain’s Island; or abroad to U.S. national parents under 8 U.S.C. §1408(2)	NA	8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1408; 8 U.S.C. §1452	No (see 26 U.S.C. §7701(b)(1)(B))	No	Yes (see IRS Form 1040NR for proof)	No
3.1	“national” or “state national” or “Constitutional but not statutory citizen”	Anywhere in America	State of the Union	NA (ACTA agreement)	8 U.S.C. §1101(a)(21); 8 U.S.C. §1452; 14 th Amend., Sect. 1 8 U.S.C. §1101(a)(3)	No	No	No	Yes
3.2	“national” or “state national” or “Constitutional but not statutory citizen”	Anywhere in America	Foreign country	Yes	8 U.S.C. §1101(a)(21); 8 U.S.C. §1452; 14 th Amend., Sect. 1 8 U.S.C. §1101(a)(3)	No	No	Yes	No
3.3	“national” or “state national” or “Constitutional but not statutory citizen”	Anywhere in America	Foreign country	No	8 U.S.C. §1101(a)(21); 8 U.S.C. §1452; 14 th Amend., Sect. 1 8 U.S.C. §1101(a)(3)	No	No	No	Yes
4.1	“alien” or “Foreign national”	Foreign country	Puerto Rico, Guam, Virgin Islands, American Samoa, Commonwealth of Northern Mariana Islands	NA	8 U.S.C. §1101(a)(3)	No	Yes	No	No
4.2	“alien” or “Foreign national”	Foreign country	State of the Union	Yes	8 U.S.C. §1101(a)(3)	No	No	Yes	No
4.3	“alien” or “Foreign national”	Foreign country	State of the Union	No	8 U.S.C. §1101(a)(3)	No	No	No	Yes
4.4	“alien” or “Foreign national”	Foreign country	Foreign country	Yes	8 U.S.C. §1101(a)(3)	No	No	Yes	No
4.5	“alien” or “Foreign national”	Foreign country	Foreign country	No	8 U.S.C. §1101(a)(3)	No	No	No	Yes

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1 **NOTES:**

- 2 1. A nonresident alien individual who has made an election under 26 U.S.C. §6013(g) and (h) to be treated as a resident alien is treated as a “nonresident alien” for the
3 purposes of withholding under I.R.C. Subtitle C but retains their status as a “resident alien” under I.R.C. Subtitle A. See 26 CFR §1.1441-1(c)(3)(ii).
4 2. What turns a “nonresident alien NON-individual” into a “nonresident alien individual” is:
5 2.1. Being an alien and NOT a “national” AND
6 2.2. Meets one or more of the following two criteria found in 26 CFR §1.1441-1(c)(3)(ii):
7 2.2.1. Residence/domicile in a foreign country under the residence article of an income tax treaty and 26 CFR §301.7701(b)-7(a)(1).
8 2.2.2. Residence/domicile as an alien in Puerto Rico, Guam, the Commonwealth of Northern Mariana Islands, the U.S. Virgin Islands, or American Samoa as
9 determined under 26 CFR §301.7701(b)-1(d).
10 3. If you were born in a state of the Union and maintain a domicile there, then you are described in item 3.1 of the table.
11 4. All “taxpayers” are aliens or “nonresident aliens”. You cannot be a “citizen” and a taxpayer at same time. The definition of “individual” found in 26 CFR §1.1441-
12 1(c)(3) does NOT include “citizens”. The only occasion where a “citizen” can also be an “individual” is when they are abroad under 26 U.S.C. §911 and interface
13 to the I.R.C. under a tax treaty with a foreign country as an alien pursuant to 26 CFR §301.7701(b)-7(a)(1)

14 *And when he had come into the house, Jesus anticipated him, saying, "What do you think, Simon? From whom do the kings [governments] of the earth [lawfully] take*
15 *customs or taxes, from their sons [citizens and subjects] or from strangers [aliens], which are synonymous with "residents" in the tax code, and exclude "citizens"?"*

16 *Peter said to Him, "From strangers [aliens]/"residents" ONLY. See 26 CFR §1.1-1(a)(2)(ii) and 26 CFR §301.6109-1(d)(3)."*

17 *Jesus said to him, "Then the sons [citizens" of the Republic, who are all sovereign "nationals" and "nonresident aliens" under federal law] are free [sovereign over*
18 *their own person and labor. e.g. SOVEREIGN IMMUNITY]. "*
19 *[Matt. 17:24-27, Bible, NKJV]*

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10.2 Effect of Domicile on Citizenship Status

Table 10: Affect of domicile on citizenship status

Description	CONDITION		
	Domicile WITHIN the FEDERAL ZONE and located in FEDERAL ZONE	Domicile WITHIN the FEDERAL ZONE and temporarily located abroad in foreign country	Domicile WITHOUT the FEDERAL ZONE and located WITHOUT the FEDERAL ZONE
Location of domicile	“United States” per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39) , 7408(d)	“United States” per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39) , 7408(d)	Without the “United States” per 26 U.S.C. §§7701(a)(9) and (a)(10), 7701(a)(39) , 7408(d)
Physical location	Federal territories, possessions, and the District of Columbia	Foreign nations ONLY (NOT states of the Union)	Foreign nations states of the Union Federal possessions
Tax Status	“U.S. Person” 26 U.S.C. §7701(a)(30)	“U.S. Person” 26 U.S.C. §7701(a)(30)	“Nonresident alien” 26 U.S.C. §7701(b)(1)(B)
Tax form(s) to file	IRS Form 1040	IRS Form 1040 plus 2555	IRS Form 1040NR: “alien individuals”, “nonresident alien individuals” <u>No filing requirement</u> : “non-citizen nationals”
Status if DOMESTIC national	Citizen 8 U.S.C. §1401 (Not required to file if physically present in the “United States” because no statute requires it)	Citizen abroad 26 U.S.C. §911 (Meets presence test)	“non-citizen National” 8 U.S.C. §1101(a)(21) 8 U.S.C. §1101(a)(22)(B) 8 U.S.C. §1408 8 U.S.C. §1452
Status if FOREIGN national	“Resident alien” 26 U.S.C. §7701(b)(1)(A)	“Resident alien abroad” 26 U.S.C. §911 (Meets presence test)	“Nonresident alien individual”: 26 CFR §1.1441-1(c)(3)(ii) “Alien”: 8 U.S.C. §1101(a)(3) “Alien individual”: 26 CFR §1.1441-1(c)(3)(i)

NOTES:

1. “United States” is defined as the “District of Columbia” and no part of any state of the Union within [26 U.S.C. §§7701\(a\)\(9\)](#) and (a)(10), [7701\(a\)\(39\)](#), and [7408\(d\)](#).
2. The “District of Columbia” is defined as a federal corporation but not a physical place, a “body politic”, or a de jure “government” within the District of Columbia Act of 1871, 16 Stat. 419, 426, Sec. 34. See: *Corporatization and Privatization of the Government*, Form #05.024; <http://sedm.org/Forms/FormIndex.htm>.
3. American nationals who are domiciled outside of federal jurisdiction, either in a state of the Union or a foreign country, are “nationals” but not “citizens” under federal law. They also qualify as “nonresident aliens” under [26 U.S.C. §7701\(b\)\(1\)\(B\)](#). See sections 4.11.2 of the *Great IRS Hoax*, Form #11.302 for details.
4. Temporary domicile in the middle column on the right must meet the requirements of the “Presence test” documented in IRS publications.
5. “FEDERAL ZONE”=District of Columbia and territories of the United States in the above table
6. The term “individual” as used on the IRS Form 1040 means an “alien” engaged in a “trade or business”. All “taxpayers” are “aliens” engaged in a “trade or business”. This is confirmed by [26 CFR §1.1441-1\(c\)\(3\)](#), [26 CFR §1.1-1\(a\)\(2\)\(ii\)](#), and [5 U.S.C. §552a\(a\)\(2\)](#). Statutory “U.S. citizens” as defined in [8 U.S.C. §1401](#) are not “individuals” unless temporarily abroad pursuant to [26 U.S.C. §911](#) and subject to an income tax treaty with a foreign country. In that capacity, statutory “U.S. citizens” interface to the I.R.C. as “aliens” rather than “U.S. citizens” through the tax treaty.

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10.3 Meaning of Geographical “Words of Art”

Because the states of the Union and the federal government are “foreign” to each other for the purposes of legislative jurisdiction, then it also follows that the definitions of terms in the context of all state and federal statutes must be consistent with this fact. The table below was extracted from the *Great IRS Hoax*, Form #11.302, Section 4.9 if you would like to investigate further, and it clearly shows the restrictions placed upon definitions of terms within the various contexts that they are used within state and federal law:

Table 11: Meaning of geographical “words of art”

Law	Federal constitution	Federal statutes	Federal regulations	State constitutions	State statutes	State regulations
Author	Union States/ ”We The People”	Federal Government		“We The People”	State Government	
“state”	Foreign country	Union state	Union state	Other Union state or federal government	Other Union state or federal government	Other Union state or federal government
“State”	Union state	Federal state	Federal state	Union state	Union state	Union state
“in this State” or “in the State” ⁴	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
“State” ⁵ (State Revenue and taxation code only)	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
“several States”	Union states collectively ⁶	Federal “States” collectively	Federal “States” collectively	Federal “States” collectively	Federal “States” collectively	Federal “States” collectively
“United States”	states of the Union collectively	Federal United States**	Federal United States**	United States* the country	Federal United States**	Federal United States**

NOTES:

1. The term “Federal state” or “Federal ‘States’” as used above means a federal territory as defined in 4 U.S.C. §110(d) and EXCLUDES states of the Union.
2. The term “Union state” means a “State” mentioned in the United States Constitution, and this term EXCLUDES and is mutually exclusive to a federal “State”.
3. If you would like to investigate the various “words of art” that lawyers in the federal government use to deceive you, we recommend the following:
 - 3.1. *Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: <http://famguardian.org/TaxFreedom/FormsInstr-Cites.htm>
 - 3.2. *Great IRS Hoax*, Form #11.302, sections 3.9.1 through 3.9.1.28.

⁴ See California Revenue and Taxation Code, section 6017 at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&group=06001-07000&file=6001-6024>

⁵ See California Revenue and Taxation Code, section 17018 at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&group=17001-18000&file=17001-17039.1>

⁶ See, for instance, U.S. Constitution Article IV, Section 2.

10.4 Citizenship and Domicile Options and Relationships

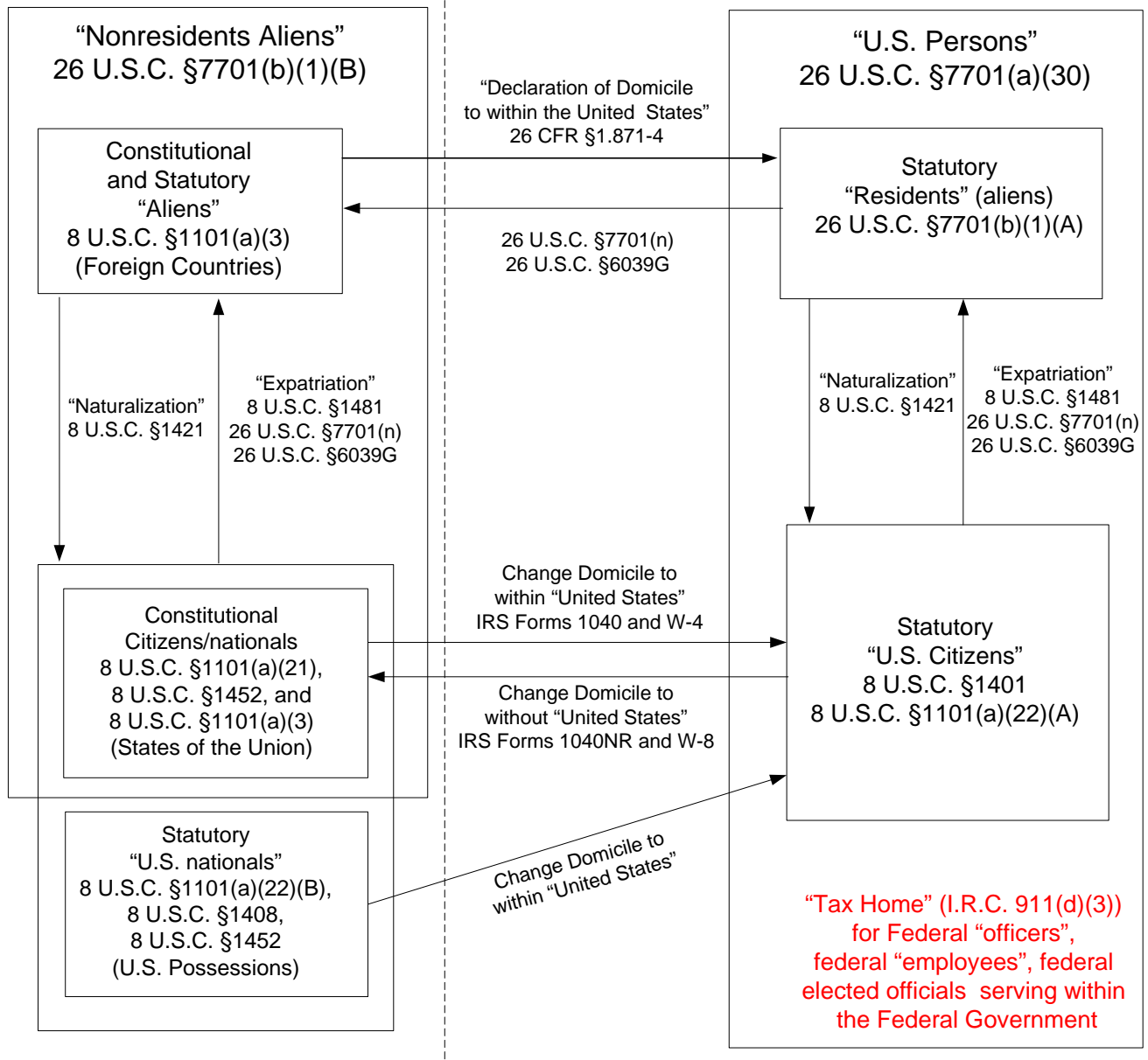
Figure 2: Citizenship and domicile options and relationships

NONRESIDENTS

Domiciled within
States of the Union OR
Foreign Countries
Without the "United States"

INHABITANTS

Domiciled within Federal
Territory within the
"United States"
(e.g. District of Columbia)



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10.5 Statutory Rules for Converting Between Various Domicile and Citizenship Options Under Federal Law

The rules depicted above are also described in text form using the list below, if you would like to investigate the above diagram further:

1. **“Aliens” or “alien individuals”**: Those born in a foreign country and not within any state of the Union or within any federal territory.
 - 1.1. “Alien” is defined in 8 U.S.C. §1101(a)(3) as a person who is neither a citizen nor a national.
 - 1.2. “Alien individual” is defined in 26 CFR §1.1441-1(c)(3)(i).
 - 1.3. An alien is defined in 8 U.S.C. §1101(a)(3) as a person who is neither a statutory “U.S. citizen” per 8 U.S.C. §1401 nor a “national of the United States” per 8 U.S.C. §1101(a)(22)..
 - 1.4. An alien with no domicile in the “United States” is presumed to be a “nonresident alien” pursuant to 26 CFR §1.871-4(b).
2. **“Residents” or “resident aliens”**: An “alien” or “alien individual” with a legal domicile on federal territory.
 - 2.1. “Resident aliens” are defined in 26 U.S.C. §7701(b)(1)(A).
 - 2.2. A “resident alien” is an alien as defined in 8 U.S.C. §1101(a)(3) who has a legal domicile on federal territory that is no part of the exclusive jurisdiction of any state of the Union.
 - 2.3. An “alien” becomes a “resident alien” by filing IRS Form 1078 pursuant to 26 CFR §1.871-4(c)(ii) and thereby electing to have a domicile on federal territory.
3. **“Nonresident aliens”**: Those with no domicile on federal territory and who are born either in a foreign country, a state of the Union, or within the federal zone.
 - 3.1. Defined in 26 U.S.C. §7701(b)(1)(B).
 - 3.2. Also called a “nonresident”, “stateless person”, or “transient foreigner”.
 - 3.3. A “nonresident alien” is defined as a person who is neither a statutory “citizen” pursuant to 26 CFR §1.1-1(c) nor a statutory “resident” pursuant to 26 U.S.C. §7701(b)(1)(A).
 - 3.4. A person who is a “non-citizen national” pursuant to 8 U.S.C. §1452 and either 8 U.S.C. §1101(a)(21) or 8 U.S.C. §1101(a)(22)(B) is a “nonresident alien”.
4. **“Nonresident alien individuals”**: Those who are aliens and who do not have a domicile on federal territory.
 - 4.1. Defined in 26 CFR §1.1441-1(c)(3)(ii).
 - 4.2. Are a subset of all “aliens” as defined in 8 U.S.C. §1101(a)(3).
 - 4.3. Status is indicated in block 3 of the IRS Form W-8BEN under the term “Individual”.
 - 4.4. Excludes “non-citizen nationals as defined in 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452.
 - 4.5. Excludes those born within the exclusive jurisdiction of states of the Union who are therefore “non-citizen nationals” under federal law.
5. **Convertibility between “aliens”, “resident aliens”, and “nonresident aliens”, and “nonresident alien individuals”**:
 - 5.1. A “nonresident alien” is not the legal equivalent of an “alien” in law.
 - 5.2. IRS Form W-8BEN, block 3 has no block to check for those who are “nonresident aliens” but not “nonresident alien individuals”. Thus, the submitter of this form who is a “nonresident alien” and a non-citizen national but not a “nonresident alien individual” is effectively compelled to make an illegal and fraudulent election to become an alien and an “individual” if they do not add a block for “transient foreigner” or “Union State Citizen” to the form. See section 5.3 of the following:

About IRS Form W-8BEN, Form #04.202
<http://sedm.org/Forms/FormIndex.htm>
 - 5.3. 26 U.S.C. §6013(g) and (h) and 26 U.S.C. §7701(b)(4)(B) authorize a “nonresident alien” who is married to a statutory “U.S. citizen” as defined in 26 CFR §1.1-1(c) to make an “election” to become a “resident alien”.
 - 5.4. It is unlawful for an unmarried “non-citizen national” pursuant to 8 U.S.C. §1452 and either 8 U.S.C. §1101(a)(21) or 8 U.S.C. §1101(a)(22)(B) to become a “resident alien”. This can only happen by either fraud or mistake.
 - 5.5. An alien may overcome the presumption that he is a “nonresident alien” and change his status to that of a “resident alien” by filing IRS Form 1078 pursuant to 26 CFR §1.871-4(c)(ii) while he is in the “United States”.
 - 5.6. The term “residence” can only lawfully be used to describe the domicile of an “alien”. Nowhere is this term used to describe the domicile of a “non-citizen national” or a “nonresident alien”. See 26 CFR §1.871-2.
 - 5.7. The only way a statutory “alien” under 8 U.S.C. §1101(a)(3) can become both a “non-citizen national” and a “nonresident alien” at the same time is to be naturalized pursuant to 8 U.S.C. §1421 and to have a domicile in either a U.S. possession or a state of the Union.
6. **Sources of confusion on these issues:**

- 1 6.1. One can be a “nonresident alien” pursuant to 26 U.S.C. §7701(b)(1)(B) *without* being an “individual” or a
 2 “nonresident alien individual”. An example would be a human being born within the exclusive jurisdiction of a
 3 state of the Union who is therefore a “non-citizen national” or “state national” pursuant to 8 U.S.C. §1101(a)(21)
 4 and 8 U.S.C. §1452 who does not participate in Social Security or use a Taxpayer Identification Number.
 5 6.2. The term “United States” is defined in the Internal Revenue Code at 26 U.S.C. §7701(a)(9) and (a)(10).
 6 6.3. The term “United States” for the purposes of citizenship is defined in 8 U.S.C. §1101(a)(38).
 7 6.4. Any “U.S. Person” as defined in 26 U.S.C. §7701(a)(30) who is not found in the “United States” (District of
 8 Columbia pursuant to 26 U.S.C. §7701(a)(9) and (a)(10)) shall be treated as having an effective domicile within
 9 the District of Columbia pursuant to 26 U.S.C. §7701(a)(39) and 26 U.S.C. §7408(d).
 10 6.5. The term “United States” is equivalent for the purposes of statutory “citizens” pursuant to 26 CFR §1.1-1(c) and
 11 “citizens” as used in the Internal Revenue Code. See 26 CFR §1.1-1(c).
 12 6.6. The term “United States” as used in the Constitution of the United States is NOT equivalent to the statutory
 13 definition of the term used in:
 14 6.6.1. 26 U.S.C. §7701(a)(9) and (a)(10).
 15 6.6.2. 8 U.S.C. §1101(a)(38).
 16 The “United States” as used in the Constitution means the states of the Union and excludes federal territory, while
 17 the term “United States” as used in federal statutory law means federal territory and excludes states of the Union.
 18 6.7. A constitutional “citizen of the United States” as mentioned in the Fourteenth Amendment is NOT equivalent to a
 19 statutory “citizen and national of the United States” as used in 8 U.S.C. §1401. See:
 20

Why You are a “national”, “state national”, and Constitutional but not Statutory Citizen , Form #05.006 http://sedm.org/Forms/FormIndex.htm
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 21 6.8. In the case of jurisdiction over aliens only, the term “United States” implies all 50 states and the federal zone, and
 22 is not restricted only to the federal zone. See:
 23 6.8.1. *Nonresident Alien Position*, Form #05.020
 24 <http://sedm.org/Forms/FormIndex.htm>
 25 6.8.2. [Kleindienst v. Mandel, 408 U.S. 753 \(1972\)](#)

In accord with ancient principles of the international law of nation-states, the Court in The Chinese Exclusion Case, 130 U.S. 581, 609 (1889), and in Fong Yue Ting v. United States, 149 U.S. 698 (1893), held broadly, as the Government describes it, Brief for Appellants 20, that the power to exclude aliens is "inherent in sovereignty, necessary for maintaining normal international relations and defending the country against foreign encroachments and dangers - a power to be exercised exclusively by the political branches of government" Since that time, the Court's general reaffirmations of this principle have [408 U.S. 753, 766] been legion. 6 The Court without exception has sustained Congress' "plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden." Boutilier v. Immigration and Naturalization Service, 387 U.S. 118, 123 (1967). "[O]ver no conceivable subject is the legislative power of Congress more complete than it is over" the admission of aliens. Oceanic Navigation Co. v. Stranahan, 214 U.S. 320, 339 (1909). [Kleindienst v. Mandel, 408 U.S. 753 (1972)]

37 6.8.3. [Chae Chan Ping v. U.S., 130 U.S. 581 \(1889\)](#)

While under our constitution and form of government the great mass of local matters is controlled by local authorities, the United States, in their relation to foreign countries and their subjects or citizens, are one nation, invested with powers which belong to independent nations, the exercise of which can be invoked for the maintenance of its absolute independence and security throughout its entire territory. The powers to declare war, make treaties, suppress insurrection, repel invasion, regulate foreign commerce, secure republican governments to the states, and admit subjects of other nations to citizenship, are all sovereign powers, restricted in their exercise only by the constitution itself and considerations of public policy and justice which control, more or less, the conduct of all civilized nations. As said by this court in the case of Cohens v. Virginia, 6 Wheat. 264, 413, speaking by the same great chief justice: "That the United States form, for many, and for most important purposes, a single nation, has not yet been denied. In war, we are one people. In making peace, we are one people. In all commercial regulations, we are one and the same people. In many other respects, the American people are one; and the government which is alone capable of controlling and managing their interests in all these respects is the government of the Union. It is their government, and in that character they have no other. America has chosen to [130 U.S. 581, 605] be in many respects, and to many purposes, a nation; and for all these purposes her government is complete; to all these objects, it is competent. The people have declared that in the exercise of all powers given for these objects it is supreme. It can, then, in effecting these objects, legitimately control all individuals or governments within the American territory."

[...]

1 "The power of exclusion of foreigners being an incident of sovereignty belonging to the government of the
2 United States as a part of those sovereign powers delegated by the constitution, the right to its exercise at any
3 time when, in the judgment of the government, the interests of the country require it, cannot be granted away or
4 restrained on behalf of any one. The powers of government are delegated in trust to the United States, and are
5 incapable of transfer to any other parties. They cannot be abandoned or surrendered. Nor can their exercise
6 be hampered, when needed for the public good, by any considerations of private interest. The exercise of
7 these public trusts is not the subject of barter or contract."
8 [*Chae Chan Ping v. U.S.*, 130 U.S. 581 (1889)]

9 **10.6 Effect of Federal Franchises and Offices Upon Your Citizenship and Standing in Court**

10 Another important element of citizenship is that artificial entities like corporations are statutory but not Constitutional
11 citizens in the context of civil litigation.

12 "A corporation is a citizen, *resident*, or inhabitant of the state or country by or under the laws of which it was
13 created, and of that state or country only."
14 [19 Corpus Juris Secundum, Corporations, §886]
15

16 "A corporation is not a citizen within the meaning of that provision of the Constitution, which declares that the
17 citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States."
18 [*Paul v. Virginia*, 8 Wall (U.S.) 168, 19 L.Ed 357 (1868)]

19 Likewise, all governments are "corporations" as well.

20 "*Corporations are also of all grades, and made for varied objects; all governments are corporations, created*
21 *by usage and common consent, or grants and charters which create a body politic for prescribed purposes;*
22 *but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise*
23 *of power, they are all governed by the same rules of law, as to the construction and the obligation of the*
24 *instrument by which the incorporation is made. One universal rule of law protects persons and property. It is*
25 *a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all*
26 *persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2*
27 *Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same*
28 *footing of protection as other persons, and their corporate property secured by the same laws which protect*
29 *that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law,*
30 *is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the*
31 *federal government, by the amendments to the constitution."*
32 [*Proprietors of Charles River Bridge v. Proprietors of Warren Bridge*, 36 U.S. 420 (1837)]
33

34 TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
35 PART VI - PARTICULAR PROCEEDINGS
36 CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE
37 SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS
38 Sec. 3002. Definitions

39 (15) "*United States*" means -
40 (A) a Federal corporation;
41 (B) an agency, department, commission, board, or other entity of the United States; or
42 (C) an instrumentality of the United States.
43

44 "A federal corporation operating within a state is considered a domestic corporation rather than a foreign
45 corporation. The United States government is a foreign corporation with respect to a state."
46 [19 Corpus Juris Secundum, Corporations, §883]

47 Those who are acting in a representative capacity on behalf of the national government as "public officers" therefore
48 assume the same status as their employer pursuant to Federal Rule of Civil Procedure 17(b). To wit:

49 [IV. PARTIES > Rule 17.](#)
50 [Rule 17. Parties Plaintiff and Defendant; Capacity](#)

51 (b) Capacity to Sue or be Sued.

52 Capacity to sue or be sued is determined as follows:
53 (1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;

1 (2) for a corporation [the “United States”, in this case, or its officers on official duty representing the
2 corporation], by the law under which it was organized [municipal laws of the District of Columbia]; and
3 (3) for all other parties, by the law of the state where the court is located, except that:
4 (A) a partnership or other unincorporated association with no such capacity under that state’s law may sue
5 or be sued in its common name to enforce a substantive right existing under the United States Constitution
6 or laws; and
7 (B) 28 U.S.C. §§ 754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue
8 or be sued in a United States court.

9 [Federal Rule of Civil Procedure 17(b)]

10 Persons acting in the capacity as “public officers” of the national government are therefore acting as “officers of a
11 corporation” as described in 26 U.S.C. §6671(b) and 26 U.S.C. §7343 and become “persons” within the meaning of federal
12 statutory law.

13 TITLE 26 > Subtitle F > CHAPTER 68 > Subchapter B > PART I > § 6671
14 § 6671. Rules for application of assessable penalties

15 (b) Person defined

16 The term “person”, as used in this subchapter, includes an officer or employee of a corporation, or a member
17 or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in
18 respect of which the violation occurs.
19

20 TITLE 26 > Subtitle F > CHAPTER 75 > Subchapter D > § 7343
21 §7343. Definition of term “person”

22 The term “person” as used in this chapter includes an officer or employee of a corporation, or a member or
23 employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in
24 respect of which the violation occurs.

25 Because all corporations are “citizens”, then “public officers” also take on the character of “U.S. citizens” in the capacity of
26 their official duties, regardless of what they are as private individuals. It is also interesting to note that IRS correspondence
27 very conspicuously warns the recipient right underneath the return address the following, confirming that they are
28 corresponding with a “public officer” and not a private individual:

29 “Penalty for private use §300.”

30 Note that all “taxpayers” are “public officers” of the national government, and they are referred to in the Internal Revenue
31 Code as “effectively connected with a trade or business”. The term “trade or business” is defined as “the functions of a
32 public office”:

33 26 U.S.C. Sec. 7701(a)(26)

34 “The term ‘trade or business’ includes the performance of the functions of a public office.”

35 For details on this scam, see:

- 36 1. Proof That There is a “Straw Man”, Form #05.042
37 <http://sedm.org/Forms/FormIndex.htm>
- 38 2. Why Your Government is Either a Thief or You are a “Public Officer” for Income Tax Purposes, Form #05.008
39 <http://sedm.org/Forms/FormIndex.htm>
- 40 3. The “Trade or Business” Scam, Form #05.001
41 <http://sedm.org/Forms/FormIndex.htm>
- 42 4. Who are “Taxpayers” and Who Needs a “Taxpayer Identification Number”?, Form #05.013
43 <http://sedm.org/Forms/FormIndex.htm>

44 The U.S. Supreme Court has also said it is “repugnant to the constitution” for the government to regulate private conduct.
45 The only way you can lawfully become subject to the government’s jurisdiction or the tax laws is to engage in “public
46 conduct” as a “public officer” of the national government.

1 "The power to "legislate generally upon" life, liberty, and property, as opposed to the "power to provide modes
2 of redress" against offensive state action, was "repugnant" to the Constitution. *Id.*, at 15. See also *United States*
3 *v. Reese*, 92 U.S. 214, 218 (1876); *United States v. Harris*, 106 U.S. 629, 639 (1883); *James v. Bowman*, 190
4 U.S. 127, 139 (1903). Although the specific holdings of these early cases might have been superseded or
5 modified, see, e.g., *Heart of Atlanta Motel, Inc. v. United States*, 379 U.S. 241 (1964); *United States v. Guest*,
6 383 U.S. 745 (1966), their treatment of Congress' §5 power as corrective or preventive, not definitional, has not
7 been questioned."
8 [*City of Boerne v. Flores, Archbishop of San Antonio*, 521 U.S. 507 (1997)]

9 Note also that ordinary "employees" are NOT "public officers":

10 *Treatise on the Law of Public Offices and Officers*
11 *Book 1: Of the Office and the Officer: How Officer Chosen and Qualified*
12 *Chapter I: Definitions and Divisions*

13 §2 *How Office Differs from Employment.*-A public office differs in material particulars from a public
14 employment, for, as was said by Chief Justice MARSHALL, "although an office is an employment, it does not
15 follow that every employment is an office. A man may certainly be employed under a contract, express or
16 implied, to perform a service without becoming an officer."

17 "We apprehend that the term 'office,'" said the judges of the supreme court of Maine, "implies a delegation of a
18 portion of the sovereign power to, and the possession of it by, the person filling the office; and the exercise of
19 such power within legal limits constitutes the correct discharge of the duties of such office. The power thus
20 delegated and possessed may be a portion belonging sometimes to one of the three great departments and
21 sometimes to another; still it is a legal power which may be rightfully exercised, and in its effects it will bind the
22 rights of others and be subject to revision and correction only according to the standing laws of the state. An
23 employment merely has none of these distinguishing features. A public agent acts only on behalf of his
24 principal, the public, whose sanction is generally considered as necessary to give the acts performed the
25 authority and power of a public act or law. And if the act be such as not to require subsequent sanction, still it
26 is only a species of service performed under the public authority and for the public good, but not in the
27 exercise of any standing laws which are considered as roles of action and guardians of rights."

28 "The officer is distinguished from the employee," says Judge COOLEY, "in the greater importance, dignity and
29 independence of his position; in being required to take an official oath, and perhaps to give an official bond; in
30 the liability to be called to account as a public offender for misfeasance or non-feasance in office, and usually,
31 though not necessarily, in the tenure of his position. In particular cases, other distinctions will appear which
32 are not general."
33 [*A Treatise on the Law of Public Offices and Officers, Floyd Russell Mechem, 1890, pp. 3-4, §2;*
34 *SOURCE: <http://books.google.com/books?id=g-I9AAAAIAAJ&printsec=titlepage>*]

35 The ruse described in this section of making corporations into "citizens" and those who work for them into "public
36 officers" of the government and "taxpayers" started just after the Civil War. Congress has always been limited to taxing
37 things that it creates, which means it has never been able to tax anything but federal and not state corporations. The
38 Supreme Court has confirmed, for instance, that the income tax is and always has been a franchise or privilege tax upon
39 profit of federal corporations.

40 "Excises are taxes laid upon the manufacture, sale or consumption of commodities within the country,
41 upon licenses to pursue certain occupations and upon corporate privileges..the requirement to pay such
42 taxes involves the exercise of [220 U.S. 107, 152] privileges, and the element of absolute and unavoidable
43 demand is lacking..

44 ...It is therefore well settled by the decisions of this court that when the sovereign authority has exercised the
45 right to tax a legitimate subject of taxation as an exercise of a franchise or privilege, it is no objection that the
46 measure of taxation is found in the income produced in part from property which of itself considered is
47 nontaxable...

48 Conceding the power of Congress to tax the business activities of private corporations.. the tax must be
49 measured by some standard..."
50 [*Flint v. Stone Tracy Co., 220 U.S. 107 (1911)*]

51
52 "The Sixteenth Amendment declares that Congress shall have power to levy and collect taxes on income, "from
53 [271 U.S. 174] whatever source derived," without apportionment among the several states and without regard
54 to any census or enumeration. It was not the purpose or effect of that amendment to bring any new subject
55 within the taxing power. Congress already had power to tax all incomes. But taxes on incomes from some
56 sources had been held to be "direct taxes" within the meaning of the constitutional requirement as to
57 apportionment. Art. 1, § 2, cl. 3, § 9, cl. 4; *Pollock v. Farmers' Loan & Trust Co.*, 158 U.S. 601. The

1 Amendment relieved from that requirement, and obliterated the distinction in that respect between taxes on
2 income that are direct taxes and those that are not, and so put on the same basis all incomes "from whatever
3 source derived." *Brushaber v. Union P. R. Co.*, 240 U.S. 1, 17. "Income" has been taken to mean the same
4 thing as used in the Corporation Excise Tax Act of 1909, in the Sixteenth Amendment, and in the various
5 revenue acts subsequently passed. *Southern Pacific Co. v. Lowe*, 247 U.S. 330, 335; *Merchants' L. & T. Co.*
6 *v. Smietanka*, 255 U.S. 509, 219. After full consideration, this Court declared that income may be defined as
7 gain derived from capital, from labor, or from both combined, including profit gained through sale or
8 conversion of capital. *Stratton's Independence v. Howbert*, 231 U.S. 399, 415; *Doyle v. Mitchell Brothers*
9 *Co.*, 247 U.S. 179, 185; *Eisner v. Macomber*, 252 U.S. 189, 207. And that definition has been adhered to and
10 applied repeatedly. See, e.g., *Merchants' L. & T. Co. v. Smietanka*, supra; 518; *Goodrich v. Edwards*, 255 U.S.
11 527, 535; *United States v. Phellis*, 257 U.S. 156, 169; *Miles v. Safe Deposit Co.*, 259 U.S. 247, 252-253; *United*
12 *States v. Supplee-Biddle Co.*, 265 U.S. 189, 194; *Irwin v. Gavit*, 268 U.S. 161, 167; *Edwards v. Cuba Railroad*,
13 268 U.S. 628, 633. In determining what constitutes income, substance rather than form is to be given
14 controlling weight. *Eisner v. Macomber*, supra, 206. [271 U.S. 175]"
15 [*Bowers v. Kerbaugh-Empire Co.*, 271 U.S. 170, 174, (1926)]

16
17 "As repeatedly pointed out by this court, the Corporation Tax Law of 1909. imposed an excise or privilege tax,
18 and not in any sense, a tax upon property or upon income merely as income. It was enacted in view of the
19 decision of *Pollock v. Farmer's Loan & T. Co.*, 157 U.S. 429, 29 L. Ed. 759, 15 Sup. St. Rep. 673, 158 U.S. 601,
20 39 L. Ed. 1108, 15 Sup. Ct. Rep. 912, which held the income tax provisions of a previous law to be
21 unconstitutional because amounting in effect to a direct tax upon property within the meaning of the
22 Constitution, and because not apportioned in the manner required by that instrument."
23 [*U.S. v. Whiteridge*, 231 U.S. 144, 34 S. Sup. Ct. 24 (1913)]

24 To create and expand a national income tax, the federal government therefore had to make the municipal government of the
25 District of Columbia into a federal corporation in 1871 and then impose an income tax upon the officers of the corporation
26 ("public officers") by making all of their earnings from the office into "profit" and "gross income" subject to excise tax
27 upon the franchise they participate in. Below is the history of this transformation. You can find more in Great IRS Hoax,
28 Form #11.302 Chapter 6:

29 1. The first American Income Tax was passed in 1862. See:

12 Stat. 432.

<http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=012/llsl012.db&recNum=463>

30 2. The License Tax Cases was heard in 1866 by the Supreme Court, in which the Supreme Court said that Congress could
31 not license a trade or business in a state in order to tax it, referring to the civil war tax enacted in 1862. See:

License Tax Cases, 72 U.S. 462 (1866)

<http://caselaw.lp.findlaw.com/scripts/getcase.pl?navby=cas&court=us&vol=72&page=462>

32 3. The Fourteenth Amendment was ratified in 1868. This makes corporations "citizens".

33 4. The civil war income tax was repealed in 1871. See:

4.1. 17 Stat. 401

4.2. *Great IRS Hoax*, Form #11.302, Section 6.5.20.

36 5. Congress incorporated the District of Columbia in 1871. The incorporation of the District of Columbia was done to
37 expand the income tax by taxing the government's own "public officers" as a federal corporation. See the following:

19 Stat. 419

<http://famguardian.org/Subjects/Taxes/16Amend/SpecialLaw/DCCorpStatuesAtLarge.pdf>

38 If you would like to know more about how franchises such as a "public office" affect your effective citizenship and
39 standing in court, see:

Government Instituted Slavery Using Franchises, Form #05.030

<http://sedm.org/Forms/FormIndex.htm>

10.7 Federal Statutory Citizenship Statuses Diagram

Figure 3: Federal Statutory Citizenship Statuses Diagram

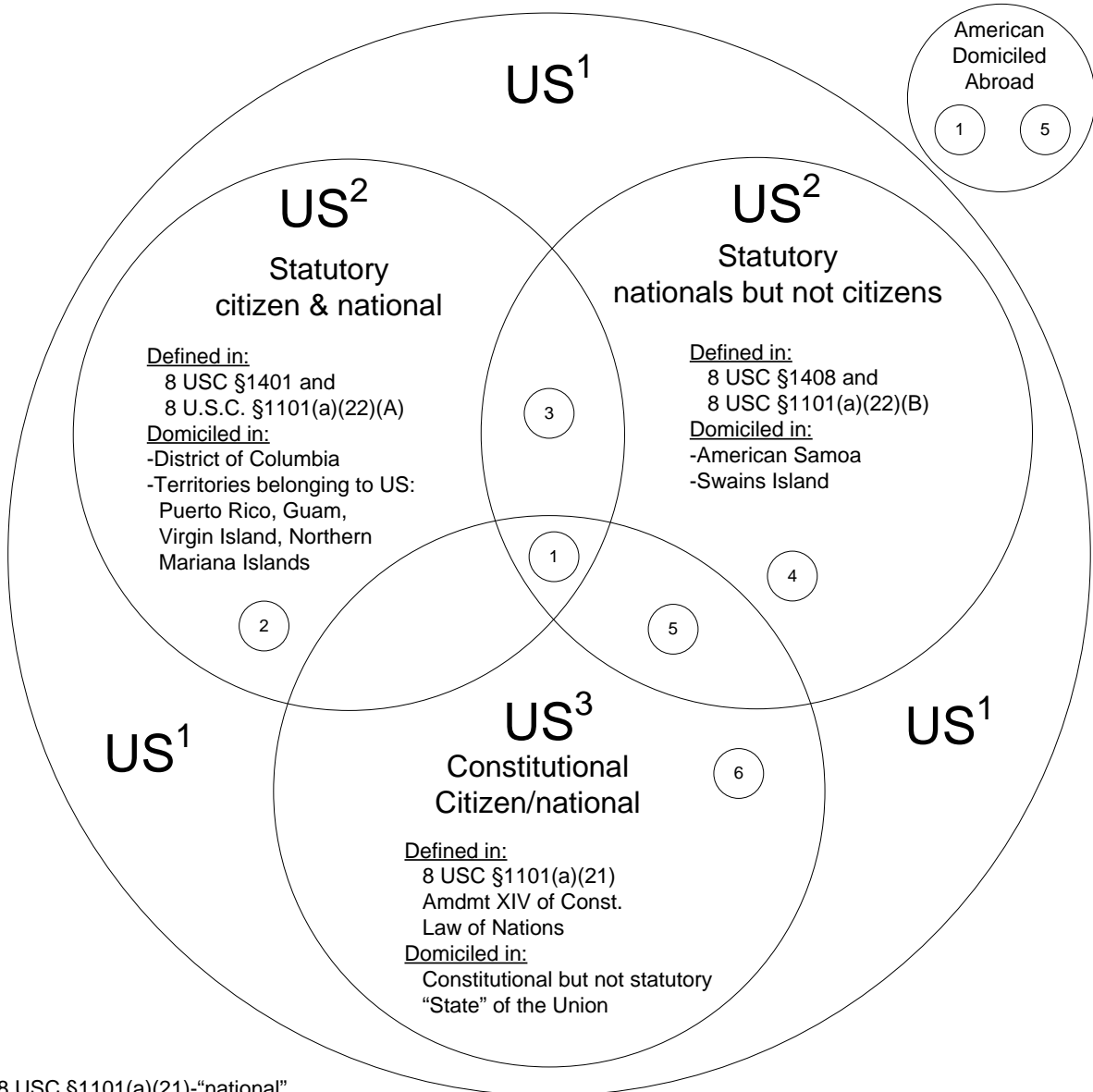
FEDERAL STATUTORY CITIZENSHIP STATUSES

"The term 'United States' may be used in any one of several senses. 1) It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations. 2) It may designate the territory over which the sovereignty of the United States extends, or 3) it may be the collective name of the states which are united by and under the Constitution." [Numbering Added] [Hooven & Allison Co. v. Evatt, 324 U.S. 652, (1945)]

US¹ - Context used in matters describing our sovereign country within the family of nations.

US² - Context used to designate the territory over which the Federal Government is sovereign.

US³ - Context used regarding the sovereign states of the Union united by and under the Constitution.



- ① 8 USC §1101(a)(21)-"national"
- ② 8 USC §1401-"citizen & national of the United States²ⁿ"
- ③ 8 USC §1101(a)(22)-"national of the United States²ⁿ"
- ④ 8 USC §1408-"national of the United States² at birth"
- ⑤ 8 USC §1452-"non-citizen national"
- ⑥ 8 USC §1101(a)(3)-"alien"

① and ⑤ Describe those born within and domiciled within states of the Union.

Rev. 9/16/09

11. HOW TO DESCRIBE YOUR CITIZENSHIP ON GOVERNMENT FORMS AND CORRESPONDENCE

This section provides some pointers on how to describe your citizenship status on government forms in order to avoid being confused with a someone who has a domicile on federal territory and therefore no Constitutional rights. Below is a summary of how we recommend protecting yourself from the prejudicial presumptions of others about your citizenship status:

1. To undo the damage you have done over the years to your status by incorrectly describing your status, send in the following form and submit according to the instructions provided:

Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001
<http://sedm.org/Forms/FormIndex.htm>

2. Quit using Taxpayer Identifying Numbers. 20 CFR §422.104 says that only statutory “U.S. citizens” and “permanent residents” can lawfully apply for Social Security Numbers, both of which share in common a domicile on federal territory such as statutory “U.S. citizens” and “residents” (aliens), can lawfully use such a number. 26 CFR §301.6109-1(b) also indicates that “U.S. persons”, meaning persons with a domicile on federal territory, are required to furnish such a number if they file tax forms. “Foreign persons” are also mentioned in 26 CFR §301.6109-1(b), but these parties also elect to have an effective domicile on federal territory and thereby become “persons” by engaging in federal franchises. See:

2.1. *Who are “Taxpayers” and Who Needs a “Taxpayer Identification Number”?*, Form #05.013
<http://sedm.org/Forms/FormIndex.htm>

2.2. *Why It is Illegal for Me to Request or Use a “Taxpayer Identification Number”*, Form #04.205-attach this form to every government form that asks for a Social Security Number or Taxpayer Identification Number. Write in the SSN/TIN Box (NONE: See attached form #04.205).
<http://sedm.org/Forms/FormIndex.htm>

2.3. *Resignation of Compelled Social Security Trustee*, Form #06.002-use this form to quit Social Security lawfully.
<http://sedm.org/Forms/FormIndex.htm>

3. If you are completing any kind of government form or application to any kind of financial institution other than a tax form and you are asked for your citizenship status, TIN, or Social Security Number, attach the following form and prepare according to the instructions provided:

Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001
<http://sedm.org/Forms/FormIndex.htm>

4. If you are completing and submitting a government tax form, attach the following form and prepare according to the instructions provided:

Tax Form Attachment, Form #04.201
<http://sedm.org/Forms/FormIndex.htm>

5. If you are submitting a voter registration, attach the following form and prepare according to the instructions provided:

Voter Registration Attachment, Form #06.003
<http://sedm.org/Forms/FormIndex.htm>

6. If you are applying for a USA passport, attach the following form and prepare according to the instructions provided:

USA Passport Application Attachment, Form #06.007
<http://sedm.org/Forms/FormIndex.htm>

7. If you are submitting a complaint, response, pleading, or motion to a federal court, you should attach the following form:

Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002
<http://sedm.org/Litigation/LitIndex.htm>

8. Use as many of the free forms as you can from the page below. They are very well thought out to avoid traps set by the predators who run our government:

SEDM Forms Page
<http://sedm.org/Forms/FormIndex.htm>

9. When engaging in correspondence with anyone in the government, legal, or financial profession about your status that occurs on other than a standard government form, use the following guidelines:

9.1. In the return address for the correspondence, place the phrase “(NOT A DOMICILE OR RESIDENCE)”.

- 1 9.2. Entirely avoid the use of the words “citizen”, “citizenship”, “resident”, “inhabitant”. Instead, prefer the term
2 “non-citizen national”, and “transient foreigner”.
- 3 9.3. Never describe yourself as an “individual”. 5 U.S.C. §552a(a)(2) says that this entity is a government employee
4 who is a statutory “U.S. citizen” or “resident” (alien). Instead, refer to yourself as a “transient foreigner” and a
5 “nonresident”. Some forms such as IRS form W-8BEN have no block for “transient foreigner” or “nonresident”,
6 in which case modify the form to add that option. See the following for details:

About IRS Form W-8BEN, Form #04.202
<http://sedm.org/Forms/FormIndex.htm>

- 7 9.4. Entirely avoid the use of the phrase “United States”, because it has so many different and mutually exclusive
8 meanings in the U.S. code and state law. Instead, replace this phrase with the name of the state you either are
9 physically present within or with “USA” and then define that “USA” includes the states of the Union and all
10 federal territory. For instance, you could say “Citizen of California Republic” and then put an asterisk next to it
11 and at the bottom of the page explain the asterisk as follows:

12 * NOT a citizen of the STATE of California, which is a corporate extension of the federal government, but
13 instead a sovereign Citizen of the California Republic

14 California Revenue and Taxation Code, section 6017 defines “State of” as follows:

15 “6017. ‘In this State’ or ‘in the State’ means within the exterior limits of the State of California and
16 includes all territory within these limits owned by or ceded to the United States of America.”

- 17 9.5. Never use the word “residence”, “permanent address”, or “domicile” in connection with either the term “United
18 States”, or the name of the state you are in.
- 19 9.6. If someone else refers to you improperly, vociferously correct them so that they are prevented from making
20 presumptions that would injure your rights.
- 21 9.7. Avoid words that are undefined in statutes that relate to citizenship. Always use words that are statutorily defined
22 and if you can’t find the definition, define it yourself on the form or correspondence you are sending. Use of
23 undefined words encourages false presumptions that will eventually injure your rights and give judges and
24 administrators discretion that they undoubtedly will abuse to their benefit. There isn’t even a common definition
25 of “citizen of the United States” or “U.S. citizen” in the standard dictionary, then the definition of “U.S. citizen”
26 in all the state statutes and on all government forms is up to us! Therefore, once again, whenever you fill out any
27 kind of form that specifies either “U.S. citizen” or “citizen of the United States”, you should be very careful to
28 clarify that it means “national” under 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452 or you will be “presumed” to be
29 a federal citizen and a “citizen of the United States**” under 8 U.S.C. §1401, and this is one of the biggest
30 injuries to your rights that you could ever inflict. Watch out folks! Here is the definition we recommend that you
31 use on any government form that uses these terms that makes the meaning perfectly clear and unambiguous:

32 “U.S.*** citizen” or “citizen of the United States***”: A “National” defined in either 8 U.S.C. §1101(a)(21)
33 or 8 U.S.C. §1101(a)(22)(B) and 8 U.S.C. §1452 who owes their permanent allegiance to the confederation of
34 states called the “United States”. Someone who was not born in the federal “United States” as defined in 8
35 U.S.C. §1101(a)(38) and who is NOT a “citizen of the United States” under 8 U.S.C. §1401.

- 36 9.8. Refer them to this pamphlet if they have questions and tell them to do their homework.

37 For further information about the subjects in this section, see:

Developing Evidence of Citizenship and Sovereignty Course, Form #12.002
<http://sedm.org/Forms/FormIndex.htm>

38 **12. ANSWERING QUESTIONS FROM THE GOVERNMENT ABOUT YOUR** 39 **CITIZENSHIP SO AS TO PROTECT YOUR SOVEREIGN STATUS**

40 When a federal officer asks you if you are a “citizen”, consider the context! The only basis for him asking this is federal
41 law, because he isn’t bound by state law. If you tell him you are a “citizen” or a “U.S. citizen”, then indirectly, you are
42 admitting that you are subject to federal law, because that’s what it means to be a “citizen” under federal law! Watch out!

1 Therefore, as people born in and domiciled within a state of the Union on land that is not federal territory, we need to be
2 very careful how we describe ourselves on government forms. Below is what we should say in each of the various contexts
3 to avoid misleading those asking the questions on the forms. In this context, let's assume you were born in California and
4 are domiciled there. This guidance also applies to questions that officers of the government might ask you in each of the
5 two contexts as well:

6

1 **Table 12: Describing your citizenship and status on government forms**

#	Question on form	Context	
		State officer or form	Federal officer or form
1	Are you a “citizen”?	Yes. Of California, but not the “State of California”.	No. Not under federal law.
2	Are you a “national”?	Yes. Of California, but not the “State of California”.	Yes. I’m a “national of the United States[***] of America” under 8 U.S.C. §1101(a)(21)
3	Are you a “U.S. citizen”	No. I’m a California “citizen” or simply a “national”	No. I’m a California citizen or simply a “national”. I am <i>not</i> a federal “citizen” because I don’t maintain a domicile on federal territory.
4	Are you subject to the political jurisdiction of the United States[**]?	Yes. I’m a state elector who influences federal elections indirectly by the representatives I elect.	Yes. I’m a state elector who influences federal elections indirectly by the representatives I elect.
5	Are you subject to the legislative jurisdiction of the United States[**]?	No. I am only subject to the legislative jurisdiction of California but not the “State of California”. The “State of” California is a corporate subdivision of the federal government that only has jurisdiction in federal areas within the state.	No. I am only subject to the laws and police powers of California but not the State of California, and not the federal government, because I don’t maintain a domicile on federal territory subject to “its” jurisdiction.
6	Are you a “citizen of the United States[***]” under the Fourteenth Amendment?	Yes, but under federal law, I'm a "national". Being a "citizen" under state law doesn't make me subject to federal legislative jurisdiction and police powers. That status qualifies me to vote in any state election, but doesn't make me subject to federal law.	Yes, but under federal law, I'm a "national". Being a "citizen" under state law doesn't make me subject to federal legislative jurisdiction and police powers. That status qualifies me to vote in any state election, but doesn't make me subject to federal law.

2 Below is a sample interchange from a deposition held by a U.S. attorney against a sui juris litigant who knows his rights
3 and his citizenship status. The subject is the domicile and citizenship of the litigant. This dialog helps to demonstrate how
4 to keep the discussion focused on the correct issues and to avoid getting too complicated. If you are expecting to be called
5 into a deposition by a U.S. attorney, we strongly suggest rehearsing the dialog below so that you know it inside and out:

6 Questions 1: Please raise your right hand so you can take the required oath.

7 Answer 1: I’m not allowed to swear an oath as a Christian. Jesus forbid the taking of oaths in Matt. 5:33-37. The courts
8 have said that I can substitute an affirmation for an oath, and that I can freely prescribe whatever I want to go
9 into the affirmation.

[8:222] Affirmation: A witness may testify by affirmation rather than under oath. An affirmation ‘is simply a solemn undertaking to tell the truth.’ [See FRE 603, Acv. Comm. Notes (1972); FRCP 43(d); and Ferguson v. Commissioner of Internal Revenue (5th Cir. 1991) 921 F2d 488, 489—affirmation is any form or statement acknowledging ‘the necessity for telling the truth’

14 [. . .]

[8:224] ‘Magic words’ not required: A person who objects to taking an ‘oath’ may pledge to tell the truth by any ‘form or statement which impresses upon the mind and conscience of a witness the necessity for telling the truth.’ [See FRE 603, Adv. Comm. Notes (1972)—‘no special verbal formula is required’; United States v. Looper (4th Cir. 1969), 419 F2d 1405, 1407; United States v. Ward (9th Cir. 1992) 989 F2d 1015, 1019] [Rutter Group, Federal Civil Trials and Evidence, 2005, pp. 8C-1 to 8C-2]

21 Questions 2: Please provide or say your chosen affirmation

22 Answer 2: Here is my affirmation:

23 “I promise to tell the truth, the whole truth, and nothing but the truth. Do not interrupt me at any point in this
24 deposition or conveniently destroy or omit the exhibits I submit for inclusion in the record because you will
25 cause me to commit subornation of perjury in violation of [18 U.S.C. §1622](#) and be guilty of witness tampering

1 in violation of [18 U.S.C. §1512](#). This deposition constitutes religious and political beliefs and speech that are
2 NOT factual and not admissible as evidence pursuant to Federal Rule of Evidence 610 if any portion of it is
3 redacted or removed from evidence or not allowed to be examined or heard in its entirety by the jury or judge.
4 It is ONLY true if the entire thing can be admitted and talked about and shown to the jury or fact finder at any
5 trial that uses it.

6 Non-acceptance of this affirmation or refusal to admit all evidence submitted during this deposition into the
7 record by the court shall constitute:

- 8 1. Breach of contract (this contract).
- 9 2. Compelled association with a foreign tribunal in violation of the First Amendment and in disrespect of the
10 choice of citizenship and domicile of the deponent.
- 11 3. Evidence of unlawful duress upon the deponent.
- 12 4. Violation of this Copyright/User/Shrink wrap license agreement applying to all materials submitted or
13 obtained herein.

14 The statements, testimony, and evidence herein provided impose a license agreement against all who use it.
15 The deposer and the government, by using any portion of this deposition as evidence in a civil proceeding,, also
16 agree to grant witness immunity to the deponent in the case of any future criminal proceeding which might use
17 it pursuant to [18 U.S.C. §6002](#).

18 Any threats of retaliation or court sanctions or punishment because of this Affirmation shall also constitute
19 corruptly threatening and tampering with a witness in violation of [18 U.S.C. §1512](#).

20 This affirmation is an extension of my right to contract guaranteed under [Article 1](#), Section 10 of the United
21 States Constitution and may not be interfered with by any court of the United States.

22 I am appearing here today as a fiduciary, foreign ambassador, minister of a foreign state, and a foreign
23 government, God's government on earth. The ONLY civil laws which apply to this entire proceeding are the
24 laws of my domicile, being God's Kingdom and the Holy Bible New King James Version, pursuant to
25 [Fed.Rule.Civ.Proc. 17\(b\)](#) and [Fed.Rule.Civ.Proc. 44.1](#). The Declaration of Independence says that all just
26 powers of government derive from the consent of the governed, and the ONLY laws that I consent to are those
27 found in the Holy Bible. Domicile is the method of describing the laws that a person voluntarily consents to,
28 and the Bible forbids me to consent to the jurisdiction of any laws other than those found in the Holy Bible.
29

30 Questions 3: Where do you live

31 Answer 3: In my body.

32
33 Question 4: Where does your body sleep at night?

34 Answer 4: In a bed.

35
36 Question 5: Where is the bed geographically located?

37 Answer 5: On the territory of my Sovereign, who is God. The Bible says that God owns all the Heavens and the Earth,
38 which leaves nothing for Caesar to rule. See Gen. 1:1, Psalms 89:11-13, Isaiah 45:12, Deut. 10:14. You're
39 trying to create a false presumption that I have allegiance to you and must follow your laws because I live on
40 your territory. It's not your territory. God is YOUR landlord, and if my God doesn't exist, then the
41 government doesn't exist either because they are both religions and figments of people's imagination. You
42 can't say that God doesn't exist without violating the First Amendment and disestablishing my religion and
43 establishing your own substitute civil religion called "government". What you really mean to ask is what is
44 my domicile because that is the origin of all of your civil jurisdiction over me, now isn't it?
45

46 Questions 6: Where is your domicile?

47 Answer 6: My domicile establishes to whom I owe exclusive allegiance, and that allegiance is exclusively to God, who is
48 my ONLY King, Lawgiver, and Judge. Isaiah 33:22. The Bible forbids me to have allegiance to anyone but
49 God or to nominate a King or Ruler to whom I owe allegiance or obedience. See 1 Sam. 8:4-8 and 1 Sam. 12.
50 Consequently, the only place I can have a domicile is in God's Kingdom on Earth, and since God owns all the
51 earth, I'm a citizen of Heaven and not any man-made government, which the Bible confirms in Phil. 3:20.
52 You're trying to recruit me to commit idolatry by placing a civil ruler above my allegiance to God, which is
53 the worst sin of all documented in the Bible and violates the first four commandments of the Ten
54 Commandments. The Bible also says that I am a pilgrim and stranger and sojourner on earth who cannot be

1 conformed to the earth, and therefore cannot have a domicile within any man-made government, but only
2 God's government. Hebrews 11:13, 1 Pet. 2:1, Romans 12:2.

3
4 Questions 7: Are you a "U.S. citizen"?

5 Answer 7: Which of the three "United States" do you mean? The U.S. Supreme Court identified three distinct definitions
6 of "United States" in [Hooven & Allison Co. v. Evatt, 324 U.S. 652 \(1945\)](#)? If there are three different
7 "United States", then it follows that there are three different types of "U.S. citizens", now doesn't it?

8
9 Questions 8: You don't know which one of the three are most commonly used on government forms?

10 Answer 8: That's not the point here. You are the moving party and you have the burden of proof. You are the one who
11 must define exactly what you mean so that I can give you an *unambiguous* answer that is consistent with
12 prevailing law. I'm not going to do your job for you, and I'm not going to encourage injurious presumptions
13 about what you mean by the audience who will undoubtedly read this deposition. Presumption is a biblical
14 sin. See Numbers 15:30, New King James version. I won't sit here and help you manufacture presumptions
15 about my status that will prejudice my God given rights.

16
17 Questions 9: Are you a "resident" of the United States?

18 Answer 9: A "resident" is an alien with a domicile within your territory. I don't have a domicile within any man-made
19 government so I'm not a "resident" ANYWHERE. I am not an "alien" in relation to you because I was born
20 here. That makes me a "national" pursuant to [8 U.S.C. §1101\(a\)\(21\)](#) but not a statutory "citizen" as defined in
21 [8 U.S.C. §1401](#). All statutory citizens are persons born somewhere in the United States and who have a
22 domicile on federal territory, and I'm NOT a statutory "citizen".

23
24 Questions 10: What kind of "citizen" are you?

25 Answer 10: I'm not a "citizen" or "resident" or "inhabitant" of any man-made government, and what all those statuses
26 have in common is domicile within the jurisdiction of the state or forum. I already told you I'm a citizen of
27 God's Kingdom and not Earth because that is what the Bible requires me to be as a Christian. Being a
28 "citizen" implies a domicile within the jurisdiction of the government having general jurisdiction over the
29 country or state of my birth. I can only be a "citizen" of one place at a time because I can only have a
30 domicile in one place at a time. A human being without a domicile in the place that he is physically located is
31 a transient foreigner, a stranger, and a stateless person in relation to the government of that place. That is
32 what I am. I can't delegate any of my God-given sovereignty to you or nominate you as my protector by
33 selecting a domicile within your jurisdiction because the Bible says I can't conduct commerce with any
34 government and can't nominate a king or protector over or above me. Rev. 18:4, 1 Sam. 8:4-8 and 1 Sam. 12.
35 The Bible forbids oaths, including perjury oaths, which means I'm not allowed to participate in any of your
36 franchises or excise taxes, submit any of your forms, or sign any contracts with you that would cause a
37 surrender of the sovereignty God gave me as his fiduciary and "public officer". See Matt. 5:33-37. I also
38 can't serve as your "public officer", which is what all of your franchises do to me, because no man can serve
39 two masters. Luke 16:13. I have no delegated authority from the sovereign I represent here today, being God,
40 to act as your agent, fiduciary, or public officer, all of which is what a "taxpayer" is.

41 *"You were bought at a price; **do not become slaves of men** [and remember that
42 government is made up of men]."*
43 *[1 Cor. 7:23, Bible, NKJV]*

44 *"We ought to obey God rather than men."*
45 *[Acts 5:27-29, Bible, NKJV]*

46
47 Questions 11: Who issued your passport?

48 Answer 11: The "United States *of America*" issued my passport, not the "United States". The Articles of Confederation
49 identify the United States of America as the confederation of states of the Union, not the government that was
50 created to serve them called the "United States". See United States v. Curtiss-Wright Export Corporation, 299
51 U.S. 304 (1936). The only thing you need to get a passport is allegiance to "United States" pursuant to [22](#)
52 [U.S.C. §212](#). The "United States" they mean in that statute isn't defined and it could have one of three
53 different meanings. Since the specific meaning is not identified, I define "allegiance to the United States" as
54 being allegiance to the people in the states of the Union and NOT the pagan government that serves them in

1 the District of Criminals. No provision within the U.S. Code says that I have to be a statutory “U.S. citizen”
2 pursuant to [8 U.S.C. §1401](#) in order to obtain a passport or that possession of a passport infers or implies that I
3 am a statutory “U.S. citizen”. A passport is not proof of citizenship, but only proof of **allegiance**. The only
4 citizenship status that carries with it exclusively allegiance is that of a “national” but not a “citizen” pursuant
5 to [8 U.S.C. §1101\(a\)\(21\)](#) and [8 U.S.C. §1452](#). That and **only** that is what I am as far as citizenship. There is
6 no basis to imply or infer anything more than that about my citizenship.

7 *“...the only means by which an American can lawfully leave the country or return to it - absent a Presidentially
8 granted exception - is with a passport... As a travel control document, **a passport is both proof of identity and
9 proof of allegiance to the United States.** Even under a travel control statute, however, a passport remains in a
10 sense a document by which the Government vouches for the bearer and for his conduct.”*
11 *[Haig vs Agee, [453 U.S. 280](#) (1981)]*

12
13 **Questions 12:** Are you the “citizen of the United States” described in section 1 of the Fourteenth Amendment?

14 **Answer 12:** The term “United States” as used in the Constitution signifies the states of the Union and excludes federal
15 territories and possessions.

16 *“The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L. ed. 332, in which this court held that, under
17 that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies
18 between citizens of different states, a citizen of the District of Columbia could not maintain an action in the
19 circuit court of the United States. It was argued that the word 'state,' in that connection, was used simply to
20 denote a distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word
21 'state' in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is
22 a state in the sense of that instrument. **The result of that examination is a conviction that the members of the
23 American confederacy only are the states contemplated in the Constitution, . . . and excludes from the term
24 the signification attached to it by writers on the law of nations.'** This case was followed in [Barney v.
25 Baltimore, 6 Wall. 280, 18 L. ed. 825, and quite recently in Hooe v. Jamieson, 166 U.S. 395, 41 L. ed. 1049,
26 17 Sup. Ct. Rep. 596. The same rule was applied to citizens of territories in \[New Orleans v. Winter, 1 Wheat.
27 91, 4 L. ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it
28 was said that 'neither of them is a state in the sense in which that term is used in the Constitution.'\]\(#\) In \[Scott v.
29 Jones, 5 How. 343, 12 L. ed. 181, and in Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1,
30 13 L. ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state
31 in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not
32 within the contemplation of Congress.”\]\(#\)](#)*
33 *[Downes v. Bidwell, [182 U.S. 244](#) (1901)]*

34 Therefore, the term “citizen of the United States” as used in section 1 of the Fourteenth Amendment implies a
35 citizen of one of the 50 states of the Union who was NOT born within or domiciled within any federal
36 territory or possession.

37 *“The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited,
38 opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the
39 states. No such definition was previously found in the Constitution, nor had any attempt been made to define
40 it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments
41 and in the public journals. **It had been said by eminent judges that no man was a citizen of the United
42 States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had
43 been born and resided always in the District of Columbia or in the territories, though within the United
44 States[*], were not citizens.”***
45 *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

46
47 *“**It is impossible** to construe the words 'subject to the jurisdiction thereof,' in the opening sentence [pf the
48 Fourteenth Amendment Section 1], as less comprehensive than the words 'within its jurisdiction,' in the
49 concluding sentence of the same section; or to hold that persons 'within the jurisdiction' of one of the states of
50 the Union are not 'subject to the jurisdiction of the United States[***].’”*
51 *[U.S. v. Wong Kim Ark, [169 U.S. 649](#), 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]*

52 A constitutional citizen, which is what you are describing, is not a statutory “U.S. citizen” pursuant to 8
53 U.S.C. §1401 and may not describe himself as a “citizen” of any kind on any federal form. If I have ever
54 done that, I was in error and you should disregard any evidence in your possession that I might have done
55 such a thing because now I know that it was wrong.

1 **13. ARGUING OR EXPLAINING YOUR CITIZENSHIP IN LITIGATION**
2 **AGAINST THE GOVERNMENT**

3 A very common misconception about citizenship employed by IRS and Dept. of Justice Attorneys in the course of litigation
4 is the following false statement:

5 *“Constitutional citizens born within states of the Union and domiciled there are statutory “citizens of the*
6 *United States” pursuant to 8 U.S.C. §1401, the Internal Revenue Code at 26 CFR §1.1-1(c), 26 U.S.C. §911.”*

7 The reasons why the above is false are explained elsewhere in this document. An example of such false statements is found
8 in the Dept. of Justice Criminal Tax Manual, Section 40.05[7]:

9 *40.05[7] Defendant Not A “Person” or “Citizen”; District Court Lacks Jurisdiction Over Non-Persons and*
10 *State Citizens*

11 *40.05[7][a] Generally*

12 *Another popular protester argument is the contention that the protester is not subject to federal law because he*
13 *or she is not a citizen of the United States, but a citizen of a particular “sovereign” state. This argument seems*
14 *to be based on an erroneous interpretation of 26 U.S.C. §3121(e)(2), which states in part: “The term ‘United*
15 *States’ when used in a geographical sense includes the Commonwealth of Puerto Rico, the Virgin Islands,*
16 *Guam, and American Samoa.” The “not a citizen” assertion directly contradicts the Fourteenth Amendment,*
17 *which states “all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are*
18 *citizens of the United States and of the state wherein they reside.” The argument has been rejected time and*
19 *again by the courts. See United States v. Cooper, 170 F.3d 691, 691(7th Cir. 1999) (imposed sanctions on tax*
20 *protester defendant making “frivolous squared” argument that only residents of Washington, D.C. and other*
21 *federal enclaves are citizens of United States and subject to federal tax laws); United States v. Mundt, 29 F.3d*
22 *233, 237 (6th Cir. 1994) (rejected “patently frivolous” argument that defendant was not a resident of any*
23 *“federal zone” and therefore not subject to federal income tax laws); United States v. Hilgeford, 7 F.3d 1340,*
24 *1342 (7th Cir. 1993) (rejected “shop worn” argument that defendant is a citizen of the “Indiana State Republic”*
25 *and therefore an alien beyond the jurisdictional reach of the federal courts); United States v. Gerads, 999 F.2d*
26 *1255, 1256-57 (8th Cir. 1993) (imposed \$1500 sanction for frivolous appeal based on argument that defendants*
27 *were not citizens of the United States but instead “Free Citizens of the Republic of Minnesota” not subject to*
28 *taxation); United States v. Silevan, 985 F.2d 962, 970 (8th Cir. 1993) (rejected as “plainly frivolous”*
29 *defendant’s argument that he is not a “federal citizen”); United States v. Jagim, 978 F.2d 1032, 1036 (9th Cir.*
30 *1992) (rejected “imaginative” argument that defendant cannot be punished under the tax laws of the United*
31 *States because he is a citizen of the “Republic” of Idaho currently claiming “asylum” in the “Republic” of*
32 *Colorado) United States v. Masat, 948 F.2d 923, 934 (5th Cir. 1991); United States v. Sloan, 939 F.2d 499,*
33 *500-01 (7th Cir. 1991) (“strange argument” that defendant is not subject to jurisdiction of the laws of the*
34 *United States because he is a “freeborn natural individual” citizen of the State of Indiana rejected); United*
35 *States v. Price, 798 F.2d 111, 113 (5th Cir. 1986) (citizens of the State of Texas are subject to the provisions of*
36 *the Internal Revenue Code).*

37 [SOURCE: [http://www.usdoj.gov/tax/readingroom/2001ctm/40ctax.htm#40.05\[7\]](http://www.usdoj.gov/tax/readingroom/2001ctm/40ctax.htm#40.05[7])]

38 Notice the self-serving and devious “word or art” games and “word tricks” played by the Dept. of Injustice in the above:

- 39 1. They deliberately don’t show you the WHOLE definition in 26 U.S.C. §3121(e), which would open up a HUGE can of
40 worms that they could never explain in a way that is consistent with everything that people know other than the way it
41 is explained here.
42 2. They FALSELY and PREJUDICIALLY “presume” that there is no separation of powers between federal territory and
43 states of the Union, which is a violation of your rights and Treason punishable by death. The separation of powers is
44 the very foundation of the Constitution, in fact. See:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023
<http://sedm.org/Forms/FormIndex.htm>

- 45 3. They deliberately refuse to recognize that the context in which the term “United States” is used determines its meaning.
46 4. They deliberately refuse to recognize that there are THREE definitions of the term “United States” according to the
47 U.S. Supreme Court in section 2 earlier.
48 5. They deliberately refuse to reconcile *which* of the three mutually exclusive and distinct definitions of “United States”
49 applies in each separate context and WHY they apply based on the statutes they seek to enforce.
50 6. They deliberately refuse to recognize or admit that the term “United States” as used in the Constitution includes states
51 of the Union and excludes federal territory.

1 7. They deliberately refuse to apply the rules of statutory construction to determine what is “included” within the
2 definition of “United States” found in 26 U.S.C. §3121(e)(2). They don’t want to admit that the definition is ALL
3 inclusive and limiting, because then they couldn’t collect any tax, even though it is.

4 [TITLE 26 > Subtitle C > CHAPTER 21 > Subchapter C > § 3121](#)
5 [§ 3121. Definitions](#)

6 (e) State, United States, and citizen

7 For purposes of this chapter—

8 (1) State

9 The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands,
10 Guam, and American Samoa. [WHERE are the states of the Union?]

11 (2) United States

12 The term “United States” when used in a geographical sense includes the Commonwealth of Puerto Rico, the
13 Virgin Islands, Guam, and American Samoa. [WHERE are the states of the Union?]

14
15 “When a statute includes an explicit definition, we must follow that definition, even if it varies from that
16 term’s ordinary meaning. *Meese v. Keene*, 481 U.S. 465, 484-485 (1987) (“It is axiomatic that the statutory

17 definition of the term excludes unstated meanings of that term”); *Colautti v. Franklin*, 439 U.S. at 392-393, n.

18 10 (“As a rule, `a definition which declares what a term "means" . . . excludes any meaning that is not stated”);

19 *Western Union Telegraph Co. v. Lenroot*, 323 U.S. 490, 502 (1945) ; *Fox v. Standard Oil Co. of N.J.*, 294 U.S.

20 87, 95-96 (1935) (*Cardozo, J.*); see also 2A N. Singer, *Sutherland on Statutes and Statutory Construction* §

21 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read “as a whole,” post at

22 998 [530 U.S. 943] (*THOMAS, J.*, dissenting), leads the reader to a definition. That definition does not include

23 the Attorney General’s restriction -- “the child up to the head.” Its words, “substantial portion,” indicate the

24 contrary.”

25 [*Stenberg v. Carhart*, 530 U.S. 914 (2000)]

26 “It is axiomatic that the statutory definition of the term excludes unstated meanings of that term. *Colautti v.*

27 *Franklin*, 439 U.S. 379, 392, and n. 10 (1979). Congress’ use of the term “propaganda” in this statute, as indeed

28 in other legislation, has no pejorative connotation. As judges, it is our duty to [481 U.S. 485] construe

29 legislation as it is written, not as it might be read by a layman, or as it might be understood by someone who

30 has not even read it.”

31 [*Meese v. Keene*, 481 U.S. 465, 484 (1987)]

32 “As a rule, `a definition which declares what a term "means" . . . excludes any meaning that is not stated”

33 [*Colautti v. Franklin*, 439 U.S. 379 (1979), n. 10]

34 Therefore, if you are going to argue citizenship in federal court, we STRONGLY suggest the following lessons learned by
35 reading the DOJ Criminal Tax Manual article above:

- 36 1. Include all the language contained in the following in your pleadings:
- 37 [Rules of Presumption and Statutory Interpretation, Litigation Tool #01.006](http://sedm.org/Litigation/LitIndex.htm)
<http://sedm.org/Litigation/LitIndex.htm>
- 38 2. If someone from the government asks you whether you are a “citizen of the United States” or a “U.S. citizen”:
- 39 2.1. Cite the three definitions of the “United States” explained by the Supreme Court and then ask them to identify
- 40 which of the three definitions of “U.S.” they mean in the 2 earlier. Tell them they can choose ONLY one of the
- 41 definitions.
- 42 2.1.1. The COUNTRY “United States*”.
- 43 2.1.2. Federal territory and no part of any state of the Union “United States**”
- 44 2.1.3. States of the Union and no part of federal territory “United States***”
- 45 2.2. Ask them WHICH of the three types of statutory citizenship do they mean in Title 8 of the U.S. Code and tell
- 46 them they can only choose ONE:
- 47 2.2.1. 8 U.S.C. §1401 statutory “citizen of the United States*” . Born in and domiciled on a federal territory and
- possession and NOT a state of the Union.

2.2.2. 8 U.S.C. §1408 and 8 U.S.C. §1101(a)(22)(B) statutory “national of the United States***”. Born in and domiciled in American Samoa or Swain’s Island.

2.2.3. 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452 “non-citizen national” of the “United States****”. Born in and domiciled in a state of the Union and no subject to federal legislative jurisdiction but only subject to political jurisdiction.

2.3. Hand them the following short form printed on double-sided paper and signed by you. Go to section 7 and point to the “national” status in diagram. Tell them you want this in the court record or administrative record and that they agree with it if they can’t prove it wrong with evidence.

Citizenship, Domicile, and Tax Status Options, Form #10.003
<http://sedm.org/Forms/FormIndex.htm>

If you want more details on how to field questions about your citizenship, fill out government forms describing your citizenship, or rebut arguments that you are wrong about your citizenship, we recommend sections 11 through 13 of the following:

Why You are a “national”, “state national”, and Constitutional but not Statutory Citizen, Form #05.006
<http://sedm.org/Forms/FormIndex.htm>

3. If your opponent won’t answer the above questions, then forcefully accuse him of engaging in TREASON by trying to destroy the separation of powers that is the foundation of the United States Constitution. Tell them you won’t help them engage in treason or undermine the main protection for your constitutional rights, which the Supreme Court said comes from the separation of powers. Then direct them at the following document that proves the existence of such TREASON.

Government Conspiracy to Destroy the Separation of Powers, Form #05.023
<http://sedm.org/Forms/FormIndex.htm>

4. Every time you discuss citizenship with a government representative, emphasize the three definitions of the “United States” explained by the Supreme Court and that respecting and properly applying these definitions consistently is how we respect and preserve the separation of powers. Those definitions appear in section 2 earlier.

5. Admit to being a constitutional “citizen of the United States***” but not a statutory “citizen of the United States***”. This will invalidate almost all the caselaw they cite and force them to expose their presumptions about WHICH “United States” they are trying to corn-hole you into.

6. Emphasize that the context in which the term “United States” is used determines WHICH of the three definitions applies and that there are two main contexts.

“It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?”
[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]

6.1. The Constitution: states of the Union and no part of federal territory. This is the “Federal government”

6.2. Federal statutory law: Community property of the states that includes federal territory and possession that is no party of any state of the Union. This is the “National government”.

7. Emphasize that you can only be a “citizen” in ONE of the TWO unique geographical places above at a time because you can only have a domicile in ONE of the two places at a time. Another way of saying this it that you can only have allegiance to ONE MASTER at a time and won’t serve two masters, and domicile is based on allegiance.

*“domicile. A person’s legal home. That place where a man has his true, fixed, and permanent home and principal establishment, and to which whenever he is absent he has the intention of returning. *Smith v. Smith*, 206 Pa.Super. 310m 213 A.2d 94. Generally, physical presence within a state and the intention to make it one’s home are the requisites of establishing a “domicile” therein. The permanent residence of a person or the place to which he intends to return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.”*
[Black’s Law Dictionary, Sixth Edition, p. 485]

“Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter. Of course,

1 the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most
2 obvious illustration being a tax on realty laid by the state in which the realty is located."
3 [Miller Brothers Co. v. Maryland, [347 U.S. 340](#) (1954)]

- 4 8. Emphasize that it is a violation of due process of law and an injury to your rights for anyone to PRESUME anything
5 about which definition of "United States" applies in a given context or which type of "citizen" you are.
6 EVERYTHING must be supported with evidence as we have done here.

7 (1) [8:4993] **Conclusive presumptions affecting protected interests:** A conclusive presumption may be
8 defeated where its application would impair a party's constitutionally-protected liberty or property interests. In
9 such cases, conclusive presumptions have been held to violate a party's due process and equal protection
10 rights. [Vlandis v. Kline (1973) [412 U.S. 441](#), 449, 93 S.Ct 2230, 2235; Cleveland Bed. of Ed. v. LaFleur
11 (1974) [414 US 632](#), 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that unmarried fathers are
12 unfit violates process]
13 [[Rutter Group Practice Guide-Federal Civil Trials and Evidence, paragraph 8:4993, page 8K-34](#)]

- 14 9. Emphasize that applying the CORRECT definition is THE MOST IMPORTANT JOB of the court, as admitted by the
15 U.S. Supreme Court, in order to maintain the separation of powers between the federal zone and the states of the
16 Union, and thereby protect your rights:

17 "The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this
18 country substantially two national governments; one to be maintained under the Constitution, with all of its
19 restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising
20 such powers [of absolutism] as other nations of the earth are accustomed to. I take leave to say that, if the
21 principles thus announced should ever receive the sanction of a majority of this court, a radical and
22 mischievous change in our system of government will result. We will, in that event, pass from the era of
23 constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It
24 will be an evil day for American liberty if the theory of a government outside the supreme law of the land
25 finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full
26 authority to prevent all violation of the principles of the Constitution."
27 [Downes v. Bidwell, [182 U.S. 244](#) (1901)]

- 28 10. Emphasize that anything your opponent does not rebut with evidence under penalty of perjury is admitted pursuant to
29 Federal Rule of Civil Procedure 8(b)(6) and then serve them with a Notice of Default on the court record of what they
30 have admitted to by their omission in denying.
31 11. Focus on WHICH "United States" is implied in the definitions within the statute being enforced.
32 12. Avoid words that are not used in statutes, such as "state citizen" or "sovereign citizen" or "natural born citizen", etc.
33 because they aren't defined and divert attention away from the core definitions themselves.
34 13. Rationally apply the rules of statutory construction so that your opponent can't use verbicide or word tricks to wiggle
35 out of the statutory definitions with the word "includes". See:

[Meaning of the Words "includes" and "including", Form #05.014](#)
<http://sedm.org/Forms/FormIndex.htm>

- 36 14. State that all the cases cited in the Criminal Tax Manual are inapposite, because:
37 14.1. You aren't arguing whether you are a "citizen of the United States", but whether you are a STATUTORY "citizen
38 of the United States".
39 14.2. They don't address the distinctions between the statutory and constitutional definitions nor do they consistently
40 apply the rules of statutory construction.
41 15. Emphasize that a refusal to stick with the legal definitions and include only what is expressly stated and not "presume"
42 or read anything into it that isn't there is an attempt to destroy the separation of powers and engage in a conspiracy
43 against your Constitutionally protected rights.

44 "Judicial verbicide is calculated to convert the Constitution into a worthless scrap of paper and to replace our
45 government of laws with a judicial oligarchy."
46 [Senator Sam Ervin, during Watergate hearing]
47

48 "When words lose their meaning, people will lose their liberty."
49 [Confucius, 500 B.C.]

50 If you would like a more thorough treatment of the subject covered in this section, we recommend section 5.1 of the
51 following:

14. QUESTIONS AND ANSWERS

14.1 Are those Born Abroad to American National Parents or those who Marry American Nationals still “non-citizen nationals”?

QUESTION:

A friend of mine was born in another country while her American parents were missionaries overseas. I have read some references on your website about children born to American parents being citizens, but that's all it says. Does anyone have any more specific cites to backup that statement? Specifically, here are the questions I have:

1. Is she considered "natural-born"? Or does this term even matter?
2. Is there a procedure she must follow to be considered an American and not run the risk of being deported when she sends in the *Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001?
3. I've noticed that at least some of the forms on your website contain statements that "I was born in one of the 50 union States", so what would be the proper wording? (Something like "I was born in another country to American parents"?)
4. Will she be able to fully gain/regain her Sovereignty as an American national, or is this hopeless for all people born in other countries?
5. Where does the INS, etc. really come into the picture? Should all of this only be done through her State's immigration laws, or how is it really supposed to work?
6. She is recently married to an American born in a union State. Would that help/change her status in any way? (Ignoring the whole marriage license issue which is a whole other can of worms.)

ANSWER:

Those born to American nationals while overseas become American nationals the same as those born within a state of the Union under the Fourteenth Amendment.

7 FAM 1131.6 Nature of Citizenship Acquired by Birth Abroad to U.S. Citizen Parents
7 FAM 1131.6-1 Status Generally
(TL:CON-68; 04-01-1998)

Persons born abroad who acquire U.S. citizenship at birth by statute generally have the same rights and are subject to the same obligations as citizens born in the United States who acquire citizenship pursuant to the 14th Amendment to the Constitution. One exception is that they may be subject to citizenship retention requirements.
[7 FAM 1131.6: Nature of Citizenship Acquired by Birth Abroad to U.S. Citizen Parents]

Now some answers to your specific questions:

1. A "natural born" American is one born anywhere in the American confederation, whether federal territory or a state of the Union. She is not "natural born" by that definition. The term doesn't matter. The only thing that matters is whether you are a constitutional or a statutory citizen, and which of the three definitions of "U.S." you claim citizenship within. The term "natural born" is not found anywhere in Title 8 of the U.S. Code or on any government form but it is found in the U.S. Constitution so its irrelevant.

"It has never been determined definitively by a court whether a person who acquired U.S. citizenship by birth abroad to U.S. citizens is a natural born citizen within the meaning of Article II of the Constitution and, therefore, eligible for the Presidency."
[7 FAM 1131.6-2: Eligibility for Presidency
SOURCE: <http://www.state.gov/documents/organization/86757.pdf>]

2. There are no special precautions to be taken by those who were born abroad to American parents because the *Legal Notice of Changed in Domicile/Citizenship and Divorce from the United States*, Form #10.001 does not cause

1 abandonment of one's nationality, but their domicile on federal territory and correcting all government records to
2 reflect that fact. Read the form and you will see that:

[Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States](http://sedm.org/Forms/FormIndex.htm), Form #10.001
<http://sedm.org/Forms/FormIndex.htm>

- 3 3. It is sufficient to say one is born in another country to American parents and who is therefore a non-citizen national
4 under 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452 and not a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 in order
5 to accurately describe their citizenship.
6 4. Those born to American parents are American nationals. American nationals include:
7 4.1. Those born anywhere in the American Union.
8 4.2. Those born overseas to American parents. A subset of these are describe in 8 U.S.C. §1408, but they only
9 include those in American Samoa and Swain's Island and NOT those born within a state of the Union.
10 4.3. Those who are lawfully naturalized pursuant to 8 U.S.C. §1421.
11 4.4. Those who start out as foreign nationals, marry an American national.
12 Since all the above are equal under American law, all can be sovereign and a non-citizen national. What makes them
13 sovereign is that they don't confuse themselves with statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 or statutory
14 "U.S. Nationals" pursuant to 8 U.S.C. §1101(a)(22)(b) and 8 U.S.C. §1408, and correct every form and information
15 system the government has that describes their citizenship status in order to clarify this fact.
16 5. There is no longer an Immigration and Naturalization Service (INS). INS was replaced by U.S. Citizenship and
17 Immigration Services (USCIS) when the Department of Homeland Security was formed with the Homeland Security
18 Act of 2002. USCIS officially absorbed INS on March 1, 2003. The USCIS comes in because those born abroad to
19 American Parents may be subject to what is called "retention requirements". Otherwise, their citizenship is identical to
20 those born within a state of the Union. For details, see:

21 *7 FAM 1131.7 Citizenship Retention Requirements*
22 *(TL:CON-68; 04-01-1998)*

23 *a. Persons who acquired U.S. citizenship by birth abroad were not required to take any affirmative action to*
24 *keep their citizenship until May 24, 1934, when a new law imposed retention requirements on persons born*
25 *abroad on or after that date to one U.S. citizen parent and one alien parent.*

26 *b. Retention requirements continued in effect until October 10, 1978, when section 301(b) INA was repealed.*
27 *Because the repeal was prospective in application, it did not benefit persons born on or after May 24, 1934, and*
28 *before October 10, 1952 (see 7 FAM 1133.5-13).*

29 *c. Persons born abroad on or after October 10, 1952, are not subject to any conditions beyond those that apply*
30 *to all citizens.*

31 *d. Persons whose citizenship ceased as a result of the operation of former section 301(b) were provided a*
32 *means of regaining citizenship in March 1995 by an amendment to section 324 INA. A more detailed discussion*
33 *of the retention requirements and remedies for failure to comply with them is provided in 7 FAM 1133.5.*
34 *[7 FAM 1131.7: Citizenship Retention Requirements]*

- 35 6. Marriage only affects nationality for a spouse if that spouse started out as an alien, which means a national of a
36 different country. Once they marry an American National, they can apply to be naturalized and thereby become a non-
37 citizen national. Details are found in:
38 6.1. 8 CFR §216.
39 6.2. Immigration and Nationality Act, Section 216
40 6.3. Immigration and Nationality Act, Section 320: Children born outside the United States and residing permanently
41 in the United States; conditions under which citizenship automatically acquired
42 6.4. USCIS Form I-751: Petition to Remove Conditions on Residence. See:
43 6.4.1. Form I-751: <http://www.uscis.gov/files/form/I-751.pdf>
44 6.4.2. Form I-751 Instructions: <http://www.uscis.gov/files/form/I-751instr.pdf>

45 For further details see:

[Dept. of State Foreign Affairs Manual](http://www.state.gov/m/a/dir/regs/fam/c22164.htm), Volume 7, Section 1130: Acquisition of U.S. Citizenship by Birth Abroad to U.S.
Citizen Parents
<http://www.state.gov/m/a/dir/regs/fam/c22164.htm>

1 **14.2 Am I a Statutory “U.S. citizen” if My Parents were in the Military and I was born Abroad?**

2 **QUESTION:**

3 I've been doing some research on this website. I was wanting to apply for a passport as a non-citizen national. Is this
4 possible if my father was in the U.S. Army abroad when I was born? My mom was also a school teacher (not sure if she
5 was a teacher when I was born). Does this make me into a statutory “U.S. Citizen” pursuant to 8 U.S.C. §1401?? Seems as
6 if it might. Can you elaborate on this subject?

7 **ANSWER:**

8 You should read this entire document at least once and then go back and find your status in the charts in section 10.1, Table
9 9. Then and only then should you be asking us questions. We aren't here to think for you, but to answer questions not
10 already explained in this document. The answer is that:

- 11 1. All those born anywhere in the country are "nationals" as described in 8 U.S.C. §1101(a)(21).
- 12 2. Those born anywhere in the world under American law take on the nationality (e.g. "national") of their parents, and in
13 particular their father at the time of birth. This is called "jus sanguinis" in legal jargon. Our system of citizenship is
14 patterned after the British system in which “nationality” means “birth within allegiance to the king”. The "king", in
15 this case is "We the People" and NONE of our elected or appointed politicians. Even if your parents were statutory
16 "U.S. citizens" at the time, they were also "nationals" pursuant to 8 U.S.C. §1401 because that is what it says in that
17 section.
- 18 3. Whether one is also a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 in addition to being a "national" is
19 determined by their domicile at any given time. Since their domicile can change and is elective, one can lose their
20 statutory "U.S. citizen" status pursuant to 8 U.S.C. §1401 and revert back to a "non-citizen national" pursuant to 8
21 U.S.C. §1101(a)(21) and 8 U.S.C. §1452 simply by changing their domicile or making a different "election" on
22 government forms describing their "domicile", "permanent address", or "residence".
- 23 4. Your parents were probably non-citizen nationals while abroad when you were born, regardless of what they "thought"
24 they were. One cannot be a statutory "U.S. citizen" without a domicile on federal territory and one cannot choose a
25 domicile or residence in a place that they have never physically been. Chances are, your parents were never physically
26 present on federal territory before you were born and therefore couldn't practically or legally have a domicile there.
- 27 5. Therefore, you can choose to be a "national" even if your parents were statutory "U.S. citizens" when you were born.
28 Read the above article and you will see.
- 29 6. If you would like to learn more about the affect of domicile upon one's citizenship status, see:

Why Domicile and Becoming a “Taxpayer” Require Your Consent
<http://famguardian.org/Subjects/Taxes/Remedies/DomicileBasisForTaxation.htm>

30 Between this document and the domicile article above, the truth should become very clear in your mind, especially after
31 you read some of the links at the beginning of the domicile article.

32 Please be patient with yourself and carefully study this document. The only reason to become impatient is because you
33 have no time to study, which is usually because of no self-discipline or an addiction to unhealthy habits and mental junk
34 food. As it says in the following document, quit watching mental junk food on TV, quit wasting time on unhealthy media
35 saturation, quit surfing porn (if you are), take your television to the dump, and sit down in the quiet and clear your mind and
36 read the word of God, and the extensive materials on this website, and your whole world view will change and you will
37 quickly see the truth. Use the document below to guide your studies:

Path to Freedom, Form #09.015
<http://sedm.org/Forms/Procs/PathToFreedom.pdf>

38 The above document is also on the opening page of our website at the top of the page in big letters "START HERE".

<http://famguardian.org>

1 There is admittedly a lot to learn, but before your mind can even begin to learn the real truth, you must undo all the damage
2 and lies you learned in the communist, government run propaganda academy that you picked up as you were growing up.
3 The truth is like the parable of the mustard seed in the Bible at Matt. 13:1-9. The seed can only grow if you prepare good
4 ground for it to germinate in. Like the gentle farmer, you must till the ground, fertilize, plant the seed, water, pull the
5 weeds, and carefully tend it and defend it as it grows. Parents must follow the same path with their growing and maturing
6 children.

7 **15. REBUTTED ARGUMENTS AGAINST THOSE WHO DISAGREE WITH** 8 **THIS PAMPHLET**

9 A few people have disagreed with our position on the ‘national’ and ‘state national’ citizenship status of persons born in
10 states of the Union. These people have sent us what at first glance might ‘appear’ to be contradictory information from
11 websites maintained by the federal government. We thank them for taking the time to do so and we will devote this section
12 to rebutting all of their incorrect views.

13 **15.1 Contradictions in Government publications**

14 Below are some of the arguments against our position on ‘state national’ citizenship that we have received and enumerated
15 to facilitate rebuttal. We have boldfaced the relevant portions to make the information easier to spot.

16 1. U.S. Supreme Court, *Miller v. Albright*, [523 U.S. 420](#) (1998), footnote #2:

17 *"2. Nationality and citizenship are not entirely synonymous; one can be a national of the United States[**] and*
18 *yet not a citizen. 8 U.S.C. § 1101(a)(22). The distinction has little practical impact today, however, for the only*
19 *remaining noncitizen nationals [only under federal law, not state law] are residents of American Samoa and*
20 *Swains Island. See T. Aleinikoff, D. Martin, & H. Motomura, *Immigration: Process and Policy* 974-975, n. 2*
21 *(3d ed. 1995). The provision that a child born abroad out of wedlock to a United States[**] citizen mother*
22 *gains her nationality has been interpreted to mean that the child gains her citizenship as well; thus, if the*
23 *mother is not just a United States[**] national, but also a United States[**] citizen, the child is a United*
24 *States[**] citizen. See 7 Gordon § 93.04[2][b], p. 93-42; id., § 93.04[2][d][viii], p. 93-49."*
25 *[Miller v. Albright, [523 U.S. 420](#) (1998)]*

26 2. Foreign Affairs Manual (FAM), Volume 7, Section 1111.3 published by the Dept. of States at
27 <http://foia.state.gov/REGS/Search.asp> says the following about nationals but not citizens of the United States**:

28 *c. Historically, Congress, through statutes, granted U.S. nationality, but not citizenship, to persons born or*
29 *inhabiting territory acquired by the United States[**] through conquest or treaty. At one time or other natives*
30 *and certain other residents of Puerto Rico, the U.S. Virgin Islands, the Philippines, Guam, and the Panama*
31 *Canal Zone were U.S. non-citizen nationals.*

32 *d. Under current law (the Immigration and Nationality Act of 1952, as amended through October 1994), only*
33 *persons born in American Samoa and the Swains Islands are U.S. nationals (Secs. 101(a)(29) and 308(1)*
34 *INA).*

35 *[Foreign Affairs Manual (FAM), Volume 7, Section 1111.3*
36 *SOURCE: <http://foia.state.gov/REGS/Search.asp>]*

37 3. The *Social Security Program Operations Manual System (POMS)* at <http://policy.ssa.gov/poms.nsf/poms> says the
38 following:

39 *RS 02001.003 "U.S. Nationals"*
40 *Most of the agreements refer to "U.S. nationals."*

41 *The term includes both U.S. citizens and persons who, though not citizens, owe permanent allegiance to the*
42 *United States[***]. As noted in RS 02640.005 D., the only persons who are nationals but not citizens are*
43 *American Samoans and natives of Swain's Island.*

44 *[Social Security Program Operations Manual System (POMS), Section RS 02001.003;*
45 *SOURCE: <http://policy.ssa.gov/poms.nsf/poms>]*

1 4. The USDA Food Stamp Service, website says at <http://www.fns.usda.gov/fsp/rules/Memo/Support/02/polimgt.htm>:

2 Non-citizens who qualify outright

3 *There are some immigrants who are immediately eligible for food stamps without having to meet other*
4 *immigrant requirements, as long as they meet the normal food stamp requirements:*

- 5 • *Non-citizen nationals (people born in American Samoa or Swain’s Island).*
- 6 • *American Indians born in Canada.*
- 7 • *Members (born outside the U.S.) of Indian tribes under Section 450b(e) of the Indian Self-*
- 8 *Determination and Education Assistance Act.*
- 9 • *Members of Hmong or Highland Laotian tribes that helped the U.S. military during the Vietnam era,*
- 10 *and who are legally living in the U.S., and their spouses or surviving spouses and dependent*
- 11 *children.*

12 [SOURCE: <http://www.fns.usda.gov/fsp/rules/Memo/Support/02/polimgt.htm>]

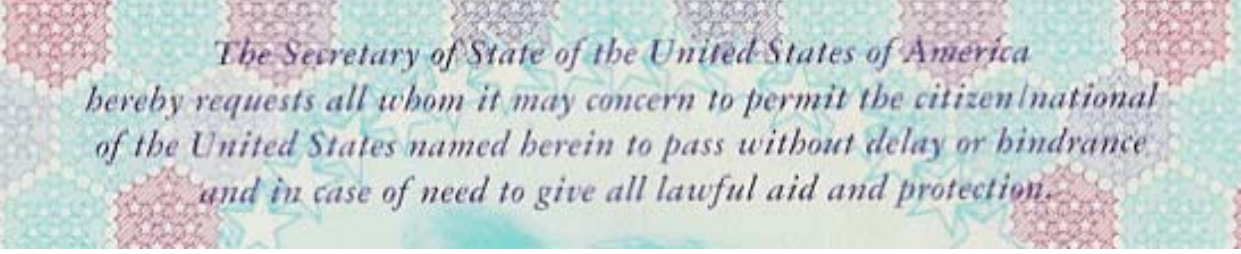
13 The defects that our detractors fail to realize about the above information are the following points:

- 14 1. The term “United States**” as used in [8 U.S.C. §1408](#) means the federal zone based on the definitions provided in [8](#)
- 15 [U.S.C. §1101\(a\)\(36\)](#), [8 U.S.C. §1101\(a\)\(38\)](#), and [8 CFR §215.1\(f\)](#). See our *Tax Deposition Questions*, section 14,
- 16 questions 77 through 82 at the following address for more details:
- 17 <http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section 14.htm>
- 18 2. All of the cites that our detractors quote come from federal statutes and “acts of Congress”. The federal government is
- 19 not authorized under our Constitution or under international law to prescribe the citizenship status of persons who
- 20 neither reside within nor were born within its territorial jurisdiction. The only thing that federal statutes can address
- 21 are the status of persons who either reside in, were born in, or resided in the past within the territorial jurisdiction of the
- 22 federal government. People born within states of the Union do not satisfy this requirement and their citizenship status
- 23 resulting from that birth is determined only under *state* and not *federal* law. State jurisdiction is foreign to federal
- 24 jurisdiction EXCEPT in federal areas within a state. The quote below confirms this, keeping in mind that Title 8 of the
- 25 U.S. Code qualifies as “legislation”:

26 *“While states are not sovereign in true sense of term but only quasi sovereign, yet in respect of all powers*
27 *reserved to them [under the Constitution] they are supreme and independent of federal government as that*
28 *government within its sphere is independent of the states.”*

29 *“It is no longer open to question that the general government, unlike the states, Hammer v. Dagenhart, 247*
30 [U.S. 251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, possesses no inherent power in respect of the
31 *internal affairs of the states; and emphatically not with regard to legislation.”*
32 [*Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)*]

- 33 3. The only thing you need in order to obtain a USA passport is “allegiance”. 22 U.S.C. §212. If the federal government
- 34 is willing to issue you a passport, then they regard you as a “national”, because the only type of citizenship that carries
- 35 with it exclusively allegiance is that of a “national”. 8 U.S.C. §1101(a)(21). See:
- 36 <http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>
- 37 4. USA passports indicate that you are a “citizen OR national”:



38 “citizen/national”= “citizen” OR “national”
39 “/”= “virgule”

- 40
- 41 5. The quotes of our detractors above recognize only *one* of the *four* different ways of becoming a “national but not
- 42 citizen of the United States**” described in [8 U.S.C. §1408](#). They also recognize only *one* of the *three* different
- 43 definitions of “United States” that a human being can be a “national” of, as revealed in *Hooven & Allison Co. v. Evatt*,

1 [324 U.S. 652](#) (1945). They also fail to recognize that an 8 U.S.C. §1452 “national but not citizen of the United
2 States**” is not necessarily the same as a “national but not citizen of the United States** at birth”.

- 3 6. Information derived from informal publications or advice of employees of federal agencies are *not* admissible in a
4 court of law as evidence upon which to base a good faith belief. The *only* basis for good-faith belief is a reading of the
5 actual statute or regulation that implements it. The reason for this is that employees of the government are frequently
6 wrong, and frequently not only say wrong things, but in many cases the people who said them had no lawful delegated
7 authority to say such things. See <http://famguardian.org/Subjects/Taxes/Articles/reliance.htm> for an excellent treatise
8 from an attorney on why this is.
- 9 7. People writing the contradictory information falsely “presume” that the term “citizen” in a general sense that most
10 Americans use is the same as the term “citizen” as used in the definition of “citizens and nationals of the United
11 States**” found in [8 U.S.C. §1401](#). In fact, we conclusively prove in section 5.2.14 of the *Great IRS Hoax*, Form
12 #11.302 that this is emphatically not the case. A “citizen” as used in the Internal Revenue Code and most federal
13 statutes means a “person” born or created in a territory or possession of the United States**, and *not* in a state of the
14 Union. Federal corporations, for instance, are created on federal territory and domiciled there. Americans born in
15 states of the Union are a different type of “citizen”, and we show in section 5.2.14 that these types of people are
16 “nationals” and not “citizens” or “U.S. citizens” in the context of any federal statute.

17 *“The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited,
18 opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the
19 states. No such definition was previously found in the Constitution, nor had any attempt been made to define
20 it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments
21 and in the public journals. **It had been said by eminent judges that no man was a citizen of the United
22 States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had
23 been born and resided always in the District of Columbia or in the territories, though within the United
24 States[*], were not citizens.** Whether this proposition was sound or not had never been judicially decided.”
25 [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

26 We therefore challenge those who make this unwarranted presumption to provide law and evidence proving us wrong
27 on this point. We request that you read section 4.11.10 of the *Great IRS Hoax*, Form #11.302 **before** you prepare your
28 rebuttal, because it clarifies several important definitions that you might otherwise be inclined to overlook that may
29 result in misunderstanding.

- 30 8. Whatever citizenship we enjoy we are entitled to abandon. This is our right, as declared both by the Congress and the
31 Supreme Court. See Revised Statutes, section 1999, page. 350, 1868 and section 4.11.9 of the *Great IRS Hoax*, Form
32 #11.302. “citizens **and** nationals of the United States**” as defined in 8 U.S.C. §1401 have two statuses: “citizen”
33 and “national”. We are entitled to abandon either of these two. If we abandon nationality, then we automatically lose
34 the “citizen” part, because nationality is where we obtain our allegiance. But if we abandon the “citizen” part, then we
35 still retain our nationality under [8 U.S.C. §1101\(a\)\(21\)](#). This is the approach we advocated in section 4.11.6.1 of the
36 *Great IRS Hoax*, Form #11.302. Because all citizenship must be consensual, then the government must respect our
37 ability to abandon those types of citizenship we find objectionable. Consequently, if either you or the government
38 believe that you are a “citizen and national of the United States**” under [8 U.S.C. §1401](#), then you are entitled by law
39 to abandon only the “citizen” portion and retain the “national” portion, and [8 U.S.C. §1452](#) tells you how to have that
40 choice recognized by the Department of State.

41 Item 2 above is important, because it establishes that the federal government has no authority to write law that prescribes
42 the citizenship status of persons born *outside* of federal territorial jurisdiction and *within* the states of the Union. The U.S.
43 Constitution in Article 1, Section 8, Clause 4 empowers Congress to write “an uniform Rule of Naturalization”, but
44 “naturalization” is only one of *two* ways of acquiring citizenship. Birth is the other way, and the states have exclusive
45 jurisdiction and legislative authority over the citizenship status of those people who acquire their federal citizenship by
46 virtue of birth within states of the Union. Here is what the Supreme Court said on this subject:

47 *“The power of naturalization, vested in congress by the constitution, is a power to confer citizenship, not a
48 power to take it away. ‘A naturalized citizen,’ said Chief Justice Marshall, ‘becomes a member of the society,
49 possessing all the rights of a native citizen, and standing, in the view of the constitution, on the footing of a
50 native. **The constitution does not authorize congress to enlarge or abridge those rights. The simple power of
51 the national legislature is to prescribe a uniform rule of naturalization, and the exercise of this power
52 exhausts it, so far as respects the individual.**”
53 [U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]*

1 "A naturalized citizen is indeed made a citizen under an act of Congress, but the act does not proceed to give,
2 to regulate, or to prescribe his capacities. He becomes a member of the society, possessing all the rights of a
3 native citizen, and standing, in the view of the constitution, on the footing of a native. The constitution does
4 not authorize Congress to enlarge or abridge those rights. The simple power of the national Legislature, is to
5 prescribe a uniform rule of naturalization, and the exercise of this power exhausts it, so far as respects the
6 individual. The constitution then takes him up, and, among other rights, extends to him the capacity of suing
7 in the Courts of the United States, precisely under the same circumstances under which a native might sue.
8 He is *828 distinguishable in nothing from a native citizen, except so far as the constitution makes the
9 distinction. The law makes none."
10 [*Osborn v. Bank of U.S., 22 U.S. 738 (1824)*]

11 The rules of comity prescribe whether or how this citizenship is recognized by the federal government, and by reading [8](#)
12 [U.S.C. §1408](#), it is evident that the federal government chose *not* to directly recognize within Title 8 of the U.S.C. the
13 citizenship status of persons born within states of the Union to parents neither of whom were "U.S. citizens" under [8 U.S.C.](#)
14 [§1401](#) and neither of whom "resided" inside the federal zone prior to the birth of the child. We suspect that this is because
15 not only does the Constitution not give them this authority, but more importantly because doing so would spill the beans on
16 the true citizenship of persons born in states of the Union and result in a mass exodus from the tax system by most
17 Americans.

18 As we said, there are four ways identified in [8 U.S.C. §1408](#) that a person may become a "national but not citizen of the
19 United States**" ***at birth***. We have highlighted the section that our detractors are ignoring, and which we quote frequently
20 on our treatment of the subject of citizenship.

21 [TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1408.](#)
22 [Sec. 1408. - Nationals but not citizens of the United States**\] at birth](#)

23 *Unless otherwise provided in section [1401](#) of this title, the following shall be nationals, but not citizens, of the*
24 *United States**] at birth:*

25 (1) *A person born in an outlying possession of the United States**] on or after the date of formal acquisition*
26 *of such possession;*

27
28 (2) *A person born outside the United States**] and its outlying possessions of parents both of whom are*
29 *nationals, but not citizens, of the United States**, and have had a residence[domicile] in the United*
30 *States**, or one of its outlying possessions prior to the birth of such person;*

31
32 (3) *A person of unknown parentage found in an outlying possession of the United States**] while under the*
33 *age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in such*
34 *outlying possession; and*

35
36 (4) *A person born outside the United States**] and its outlying possessions of parents one of whom is an alien,*
37 *and the other a national, but not a citizen, of the United States**] who, prior to the birth of such person, was*
38 *physically present in the United States**] or its outlying possessions for a period or periods totaling not less*
39 *than seven years in any continuous period of ten years -*

40 (A) *during which the national parent was not outside the United States**] or its outlying possessions for a*
41 *continuous period of more than one year, and*

42 (B) *at least five years of which were after attaining the age of fourteen years.*

43 *The proviso of section [1401](#)(g) of this title shall apply to the national parent under this paragraph in the same*
44 *manner as it applies to the citizen parent under that section*

45 Subsections (1), (3), and (4) above deal with persons who are born in outlying possessions of the United States**, and
46 Swain's Island and American Samoa would certainly be included within these subsections. These people would be the
47 people who are addressed by the information cited by our detractors from federal websites above. Subsection (2), however,
48 deals with persons who are born *outside* of the *federal* United States** (federal zone) to parents who are "nationals but not
49 citizens of the United States**" and who resided at one time in the *federal* United States**. Anyone born overseas to
50 American parents is a "non-citizen national" under this section and this status is one that is not recognized in any of the
51 cites provided by our detractors but is recognized by the law itself. Since states of the Union are outside the *federal* United
52 States** and outside the "United States**" used in Title 8, then parents born in states of the Union satisfy the requirement
53 for "national but not citizen of the United States**" status found in [8 U.S.C. §1408](#)(2).

54 One of the complaints we get from our readers is something like the following:

1 *"Let's assume you're right and that 8 U.S.C. §1408(2) prescribes the citizenship status of some persons born in*
2 *a state of the Union. The problem I have with that view is that 'United States[**]' means the federal zone in*
3 *that section, and subsection (2) requires that the parents must reside within the 'United States[**]' prior to the*
4 *birth of the child. This means they must have 'resided' in the federal zone before the child was born, and most*
5 *people don't satisfy that requirement."*

6 Let us explain why the above concern is unfounded. According to [8 U.S.C. §1408\(2\)](#), the parents must also reside in the
7 federal United States[**] prior to the birth of the child. We assert that most people born in states of the Union do in fact
8 meet this requirement and we will now explain why. They can meet this requirement by any one of the following ways:

- 9 1. Serving in the military or residing on a military base or occupied territory.
- 10 2. Filing an IRS Form 1040 (not a 1040NR, but a 1040). The federal 1040 form says "U.S. individual" at the top left. A
11 "U.S. individual" is defined in 26 CFR §1.1441-1(c)(3) as either an "alien" residing within the federal zone or a
12 "nonresident alien" with income from within the federal zone. Since "nonresident aliens" file the 1040NR form, the
13 only thing that a person who files a 1040 form can be is a "resident alien" as defined in 26 U.S.C. §7701(b) and 26
14 CFR §1.1-1(a)(2)(ii) or a "citizen" residing abroad who attaches a form 2555 to the 1040. See section 5.2.11 for
15 further details on this if you are curious. Consequently, being a "resident alien" qualifies you as a "resident". You are
16 not, in fact a resident because you didn't physically occupy the federal zone for the year covered by the tax return, but
17 if the government is going to treat you as a "resident" by accepting and processing your tax return, then they have an
18 obligation to treat either you or your parents as "residents" in all respects, including those related to citizenship. To do
19 otherwise would be inconsistent and hypocritical.
- 20 3. Spending time in a military hospital.
- 21 4. Visiting federal property or a federal reservation within a state routinely as a contractor working for the federal
22 government.
- 23 5. Working for the federal government on a military reservation or inside of a federal area.
- 24 6. Sleeping in a national park.
- 25 7. Spending time in a federal courthouse.

26 The reason why items 3 through 7 above satisfy the requirement to be a "resident" of the federal United States** is because
27 the term "resident" is nowhere defined in Title 8 of the U.S. Code, and because of the definition of "resident" in Black's
28 Law Dictionary:

29 *"Resident. Any person who occupies a dwelling within the State, has a present intent to remain within the State*
30 *for a period of time, and manifests the genuineness of that intent by establishing an ongoing physical*
31 *presence within the State together with indicia that his presence within the State is something other than*
32 *merely transitory in nature."*
33 *[Black's Law Dictionary, Sixth Edition, p. 1309]*

34 The key word in the above is "permanent", which is defined as it pertains to citizenship in 8 U.S.C. §1101(a)(31) below:

35 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101](#)
36 [Sec. 1101. - Definitions](#)

37 *(31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from*
38 *temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the*
39 *instance either of the United States[**] or of the individual, in accordance with law.*

40 Since Title 8 does not define the term "lasting" or "ongoing" or "transitory", we referred to the regular dictionary, which
41 says:

42 *"lasting: existing or continuing a long while: ENDURING."*
43 *[Webster's Ninth Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 675]*

44 *"ongoing: 1. being actually in process 2: continuously moving forward; GROWING"*
45 *[Webster's Ninth Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 825]*

46 *"transitory: 1: tending to pass away: not persistent 2: of brief duration: TEMPORARY syn see TRANSIENT."*
47 *[Webster's Ninth Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 825]*

1 No period of time is specified in order to meet the criteria for “permanent”, so even if we lived there a day or a few hours,
2 we were still there “permanently”. The Bible also says in Matt. 6:26-31 that we should not be anxious or presumptuous
3 about tomorrow and take each day as a new day. The last verse in that sequence says:

4 *“Therefore **do not worry about tomorrow**, for tomorrow will worry about its own trouble.”*
5 *[Matt. 6:31, Bible, NKJV]*

6 In fact, we are not allowed to be presumptuous at all, which means we aren’t allowed to assume or intend anything about
7 the future. Our future is in the hands of a sovereign Lord, and we exist by His good graces alone.

8 *“Come now, you who say, ‘Today or tomorrow we will go to such and such a city, spend a year there, buy and*
9 *sell, and make a profit’; whereas you do not know what will happen tomorrow. For what is your life? It is even*
10 *a vapor that appears for a little time and then vanishes away. Instead you ought to say, ‘If the Lord wills, we*
11 *shall live and do this or that.’ But now you boast in your arrogance. All such boasting is evil.”*
12 *[James 4:13-16, Bible, NKJV]*

13 *“But **the person who does anything presumptuously, whether he is native-born or a stranger, that one brings***
14 ***reproach on the Lord, and he shall be cut off from among his people.”***
15 *[Numbers 15:30, Bible, NKJV]*

16 Consequently, the Christian’s definition of “permanent” is anything that relates to what we intend for today only and does
17 not include anything that might happen starting tomorrow or at any time in the future beyond tomorrow. Being
18 presumptuous about the future is “boastful” and “evil”, according to the Bible! The future is uncertain and our lives are
19 definitely not “permanent” in God’s unlimited sense of eternity. Therefore, wherever we are is where we “intend” to
20 permanently reside as Christians.

21 Even if you don’t like the above analysis of why most Americans born in states of the Union are “nationals but not citizens
22 of the United States***” under [8 U.S.C. §1408](#)(2), we still explained above that you have the right to abandon only the
23 “citizen” portion and retain the “national” portion of any imputed dual citizenship status under 8 U.S.C. §1401. We also
24 show you how to have that choice formally recognized by the U.S. Department of State in section 2.5.3.13 of our
25 Sovereignty Forms and Instructions Manual, Form #10.005 under the authority of [8 U.S.C. §1452](#), and we know people
26 who have successfully employed this strategy, so it must be valid.

27 Furthermore, even if you don’t want to believe that any of the preceding discussion is valid, we also explained that the
28 federal government cannot directly prescribe the citizenship status of persons born within states of the Union under
29 international law. To illustrate this fact, consider the following extension of a popular metaphor:

30 *“If a tree fell in the forest, and Congress refused to pass a law recognizing that it fell and forced the agencies in*
31 *the executive branch to refuse to acknowledge that it fell because doing so would mean an end to income tax*
32 *revenues, then did it **really** fall?”*

33 The answer to the above questions is emphatically “yes”. We said that the rules of comity prevail in the case of the federal
34 government’s decision to recognize the citizenship status of those born in states of the Union, which are “foreign states” in
35 relation to federal government legislative jurisdiction. But what indeed is their status under federal law? [8 U.S.C.](#)
36 [§1101](#)(a)(21) defines a “national” as:

37 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)
38 [Sec. 1101. - Definitions](#)

39 (21) The term "national" means a person owing permanent allegiance to a state.

40 If you were born in a state of the Union, you are a “national of the United States***” (a national of the United States of
41 America) because the “state” that you have allegiance to is the confederation of states called the “United States***”. As
42 further confirmation of this fact, if “naturalization” is defined as the process of **conferring** “nationality” under [8 U.S.C.](#)
43 [§1101](#)(a)(23), and “expatriation” is defined as the process of **abandoning** “nationality and allegiance” by the Supreme
44 Court in *Perkins v. Elg*, 307 U.S. 325 (1939), then “nationality” is the key that determines citizenship status. What makes a
45 person a “national” is “allegiance” to a state. The only type of citizenship which carries with it the notion of “allegiance” is
46 that of “national”, as shown in [8 U.S.C. §1101](#)(a)(21) and 8 U.S.C. §1101(a)(22)(B). You will not find “allegiance”

1 mentioned anywhere in Title 8 in connection with those persons who claim to be “citizens and nationals of the United
2 States***” as defined in [8 U.S.C. §1401](#):

3 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)
4 [Sec. 1101. - Definitions](#)

- 5 (a) (22) The term "national of the United States[**]" means
- 6 (A) a citizen of the United States[**], or
- 7 (B) a person who, though not a citizen of the United States[**], owes permanent [but not necessarily exclusive]
8 allegiance to the United States[***].

9 People born in states of the Union can and most often do have allegiance to the confederation of states called the “United
10 States***” (or “United States of America”) just as readily as people who were born on federal property, and the federal
11 government under the rules of comity should be willing to recognize that allegiance *without* demanding that such persons
12 surrender their sovereignty, become tax slaves, and come under the exclusive jurisdiction of federal statutes by pretending
13 to be people who are domiciled in the federal zone. Not doing so would be an injury and oppression of their rights, and
14 would be a criminal conspiracy against rights, because remember, people who are domiciled inside the federal zone have no
15 rights, by the admission of the Supreme Court in *Downes v. Bidwell*, 182 U.S. 244 (1901):

16 [TITLE 18 > PART I > CHAPTER 13 > Sec. 241.](#)
17 [Sec. 241. - Conspiracy against rights](#)

18 *If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory,*
19 *Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to*
20 *him by the Constitution or laws of the United States[***], or because of his having so exercised the same; or*

21 *If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or*
22 *hinder his free exercise or enjoyment of any right or privilege so secured -*

23 *They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the*
24 *acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap,*
25 *aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be*
26 *fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death*

27 It would certainly constitute a conspiracy against rights to force or compel a person to give up their true citizenship status in
28 order to acquire any kind of citizenship recognition from a corrupted federal government. The following ruling by the
29 Supreme Court plainly agrees with these conclusions:

30 *“It would be a palpable incongruity to strike down an act of state legislation which, by words of express*
31 *divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by*
32 *which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable*
33 *privilege which the state threatens otherwise to withhold. **It is not necessary to challenge the proposition that,***
34 ***as a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as***
35 ***it sees fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is***
36 ***that it may not impose conditions which require the relinquishment of Constitutional rights. If the state may***
37 ***compel the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a***
38 ***surrender of all. It is inconceivable that guaranties embedded in the Constitution of the United States[***]***
39 ***may thus be manipulated out or existence.”***
40 *[Frost v. Railroad Commission, [271 U.S. 583](#); 46 S.Ct. 605 (1926)]*

41 **15.2 Legal Profession contradictions**

42 Larry Becraft, a famous patriot attorney, sent out the following email in March 2007 to his many followers relating to
43 citizenship which we would like to respond to that at first might appear to contradict this pamphlet but in fact does not:

44 *From: Larry Becraft*
45 *Sent: Thursday, March 15, 2007 7:50 PM*
46 *Subject: National of US*

47 *I know there are people erroneously claiming to be nationals of the United States and I just chanced across a*
48 *good definition of this term in the Iowa*
49

1 Regs:

2 Iowa Administrative Code

3 871-24.60 (96) Alien.

4 *** A national is defined as a person who lives in mandates or trust territories administered by the United
5 States and owes permanent allegiance to the United States. An alien is a person owing allegiance to another
6 country or government. ***

7
8
9
10 Our position on the above statement by Mr. Becraft is this:

- 11 1. We don't advocate that people using this website claim to be "nationals of the United States", but instead simply
12 "nationals" or "state nationals".
13 2. People should NOT be using the word "United States" in describing any aspect of themselves. This is clarified at:

[Developing Evidence of Citizenship and Sovereignty Course](#), Form #12.002

<http://sedm.org/Forms/FormIndex.htm>

- 14 3. People born in states of the Union and domiciled there are NOT:
15 3.1. Statutory "U.S. citizens" pursuant to [8 U.S.C. §1401](#).
16 3.2. "nationals of the United States at birth" or "U.S. nationals" pursuant to [8 U.S.C. §1408](#) or 8 U.S.C.
17 §1101(a)(22)(B).
18 4. Instead, people born in states of the Union and domiciled there are simply "nationals", which are defined in [8 U.S.C.](#)
19 [§1101](#)(a)(21). A "national" is defined as anyone having allegiance to a "state", which "state" is a state of the Union and
20 a "foreign state" because it is in lower case:
21 5. On occasion, we have referred to people born in states of the Union as "nationals of the United States **OF AMERICA**"
22 and then CAREFULLY clarified the term "United States of America" to exclude any part of the "United States" as
23 used in Title 8 of the U.S. code, to include ONLY states of the Union. However, to avoid this kind of confusion, it is
24 easier just to use the same terminology as that found in [26 U.S.C. §7701](#)(b)(1)(B) and [8 U.S.C. §1101](#)(a)(21):
25 "national" and to avoid any confusing uses of any of the following suffixes:
26 5.1. "United States"
27 5.2. "United States of America"
28 5.3. "USA"
29 6. To avoid confusion, its best:
30 6.1. To avoid the use of the term "citizen" in describing yourself, because that word also implies a legal "domicile"
31 within the legislative jurisdiction of the federal government, which is NOT true for persons domiciled in states of
32 the Union.
33 6.2. To simply refer to yourself as a " national", where the underline refers to the state of the Union you
34 were born in. This will avoid all association with the federal government.
35 6.3. When presented with a government form asking if you are a "U.S. citizen" should answer NO and then write next
36 to it " national". If the recipient of the form won't let you modify the form, then attach a statement
37 redefining the words on the form so that it is consistent with what appears here.

38 Therefore, we agree with Larry Becraft, and what he says does NOT conflict with anything in this pamphlet. Our position
39 found in this pamphlet is also completely consistent with what he said above. By the way, Richard MacDonald uses the
40 same conventions on his website and in his diverse discussions of citizenship as we use:

<http://www.state-citizen.org/>

41 **16. RESOURCES FOR FURTHER STUDY AND REBUTTAL**

42 If you liked the content of this whitepaper, thousands of additional pages of research and evidence are available that
43 supports absolutely everything revealed here. You are encouraged to read and rebut the supporting research and evidence
44 found below:

- 45 1. [Treatise on American Citizenship](#), John Wise, 1906:
46 <http://famguardian.org/Publications/TreatiseOnCitizenship/citiztoc.htm>
47 2. [A Treatise on the Law of Domicil](#), M.W. Jacobs, 1887, Little Brown and Company:

Why You Are a "national", "state national", and Constitutional but not Statutory Citizen

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EXHIBIT: _____

- 1 HTML: <http://books.google.com/books?id=MFOvAAAAIAAJ&printsec=titlepage>
2 PDF: http://famguardian.org/Publications/TreatOnLawOfDomicile/A_Treatise_on_the_Law_of_Domicil_Nation.pdf
3 3. *Nonresident Alien Position*, Form #05.020. Describes the tax status of a “state national”, which is that of a
4 “nonresident alien”. Available at:
5 <http://sedm.org/Forms/FormIndex.htm>
6 4. *Why Domicile and Becoming a “Taxpayer” Require Your Consent*:
7 HTML: <http://famguardian.org/Subjects/Taxes/Articles/DomicileBasisForTaxation.htm>
8 PDF, Form #05.002: <http://sedm.org/Forms/MemLaw/Domicile.pdf>
9 5. *Tax Deposition Questions*, Form #03.016, Section 14: Citizenship:
10 <http://sedm.org/Forms/FormIndex.htm>
11 6. *Great IRS Hoax*, Form #11.302, Sections 4.11 through 4.11.13 on citizenship, available for free downloading at:
12 <http://sedm.org/Forms/FormIndex.htm>
13 7. *Legal Basis for the Term “Nonresident alien”*, Form #05.036
14 <http://sedm.org/Forms/FormIndex.htm>
15 8. *Sovereignty Forms and Instructions Online*, Form #10.004: Instructions, Step 3.13, entitled “IMPORTANT!: Correct
16 Government Records documenting your Citizenship status”, available at:
17 <http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm>
18 9. *Family Guardian Discussion Forums, forum called “‘national’ and ‘state national’ citizenship”* available at:
19 <http://famguardian.org/forums/index.php?showforum=6>
20 10. *How to Apply for a Passport as a “National”*, Form #09.007:
21 <http://sedm.org/Forms/FormIndex.htm>
22 11. *You’re Not a “citizen” under the Internal Revenue Code*:
23 <http://famguardian.org/Subjects/Taxes/Citizenship/NotACitizenUnderIRC.htm>
24 12. *You’re Not a “resident” under the Internal Revenue Code*:
25 <http://famguardian.org/Subjects/Taxes/Citizenship/Resident.htm>
26

27 We encourage your rebuttal and well-researched feedback on the issues discussed in this whitepaper. The truth is all we
28 seek and we are certainly not beyond modifying our position if you can support your rebuttal with authoritative facts and
29 legal research.

30
31 God bless you!

32 **17. QUESTIONS THAT READERS, GRAND JURORS, AND PETIT JURORS** 33 **SHOULD BE ASKING THE GOVERNMENT**

34 *“Test all things; hold fast what is good. Abstain from every form of evil.”*
35 *[1 Thess. 5:21-22, Bible, NKJV]*

36 Lastly, we will close this pamphlet with a list of questions aimed at those who still challenge our position on being a
37 “national” or “state national”. If you are going to lock horns with us or throw rocks, please start your rebuttal by answering
38 the following questions or your inquiry will be ignored. Remember Abraham Lincoln’s famous saying:

39 *“He has a right to criticize who has a heart to help.”*

40 If you are a Christian, please ensure that you consider and apply the following requirements of [God’s law](#) in all your
41 answers:

42 *“You shall have no other gods [including political rulers, governments, or earthly laws] before Me [or My*
43 *commandments].”*
44 *[Exodus 20:3, Bible, NKJV]*

45 *“Do you not know that friendship with the world is enmity with God? **Whoever therefore wants to be a friend***
46 ***[“citizen”, “resident”, “taxpayer”, “inhabitant”, or “subject” under a king or political ruler] of the world***
47 ***[or any man-made kingdom other than God’s Kingdom] makes himself an enemy of God.”***
48 *[James 4:4, Bible, NKJV]*

1 "Above all, **you must live as citizens of heaven [INSTEAD of citizens of earth. You can only be a citizen of**
2 **ONE place at a time because you can only have a domicile in one place at a time]**, conducting yourselves in a
3 manner worthy of the Good News about Christ. Then, whether I come and see you again or only hear about
4 you, I will know that you are standing together with one spirit and one purpose, fighting together for the faith,
5 which is the Good News."
6 [[Philippians 1:27](#), Bible, NLT]

7 "**Therefore, my brethren, you also have become dead to the law [man's law] through the body of Christ [by**
8 **shifting your legal domicile to the God's Kingdom]**, that you may be married to another [Christ]—to Him
9 who was raised from the dead, that we should bear fruit [as agents, fiduciaries, and trustees] to God. For when
10 we were in the flesh, the sinful passions which were aroused by the law were at work in our members to bear
11 fruit to death. But now we have been delivered from the law, having died to what we were held by, so that we
12 should serve in the newness of the Spirit [and newness of the law, God's law] and not in the oldness of the
13 letter."
14 [[Rom. 7:4-6](#), Bible, NKJV]

15 "**Do not walk in the statutes [PAGAN civil laws] of your fathers [the heathens], nor observe their**
16 **judgments, nor defile yourselves with their idols. I am the LORD your God: Walk in My statutes, keep My**
17 **judgments, and do them; hallow My Sabbaths, and they will be a sign between Me and you, that you may**
18 **know that I am the LORD your God.**"
19 [[Ezekial 20:10-20](#), Bible, NKJV]

20 "**You shall make no covenant with them [foreigners], nor with their [pagan government] gods [or judges].**
21 **They shall not dwell in your land [and you shall not dwell in theirs by becoming a "resident" in the process**
22 **of contracting with them], lest they make you sin against Me [God]. For if you serve their gods [under**
23 **contract or agreement or franchise]**, it will surely be a snare to you."
24 [[Exodus 23:32-33](#), Bible, NKJV]

25 17.1 Interrogatories

- 26 1. After this article was published starting in 2001, people began using it to apply for passports as a "non-citizen national"
27 using Dept. of State for DS-11. This included the authors. In 2006, the Dept. of State changed the DS-11 form to
28 recognize the existence of "non-citizen nationals"! They changed the perjury statement to add a reference to "non-
29 citizen national". To wit:

30 "I declare under penalty of perjury that I am a United States citizen (**or non-citizen national**) and have not,
31 since acquiring United States citizenship (**or U.S. nationality**), performed any of the acts listed under "Acts or
32 Conditions" on this application form (unless explanatory statement is attached). I declare under penalty of
33 perjury that the statements made on this application are true and correct."
34 [Dept. of State form DS-11;
35 SOURCE: <http://famguardian.org/TaxFreedom/Forms/Emancipation/DS-0011.pdf>]

36 Those who are "non-citizen nationals" can now simply check "NO" in answer to whether their parents are "U.S.
37 citizens" in Block 21 and sign the form and MUST be presumed to be a "non-citizen national" by the recipient of the
38 form in accordance with [8 U.S.C. §1452](#). This corroborating behavior of the government raises the following
39 questions:

- 40 1.1. Why would the Dept. of State form DS-011 change their passport application form to accommodate the research
41 in this pamphlet if we are wrong?
42 1.2. Why does the Dept. of State *continue* to approve passport applications that indicate that the application is a "non-
43 citizen national", including the DS-011 application of the author?

- 44 2. "Expatriation" is defined in *Perkins v. Elg*, 307 U.S. 325 (1939) as:

45 "Expatriation is the voluntary renunciation or abandonment of nationality and allegiance."
46 [*Perkins v. Elg*, [307 U.S. 325](#), 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]

47 How can you abandon your nationality as a "national" or "state national" with the Secretary of the State of the United
48 States** under 8 U.S.C. §1481 if you didn't have it to begin with?

- 49 3. Naturalization is defined in 8 U.S.C. §1101(a)(23) as:

50 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)
51 [Sec. 1101. - Definitions](#)

1 (a)(23) The term "naturalization" means the conferring of nationality [NOT "citizenship" or "U.S. citizenship",
2 but "nationality", which means "national"] of a state upon a person after birth, by any means whatsoever. "

3 How can you say a person isn't a "national" after they were naturalized, and if they are, what type of "national" do they
4 become? As a "national" born outside of federal jurisdiction and the "United States***", do they meet the requirements
5 of [8 U.S.C. §1452](#) and if not, why not?

- 6 4. The Supreme Court declared that the term "United States***" used in the Constitution is not a "nation", but a "society"
7 in *Chisholm v. Georgia*:

8 "By that law the several States and Governments spread over our globe, are considered as forming a society,
9 not a NATION. It has only been by a very few comprehensive minds, such as those of Elizabeth and the Fourth
10 Henry, that this last great idea has been even contemplated. 3rdly, and chiefly, I shall examine the important
11 question before us, by the Constitution of the United States[***], and the legitimate result of that valuable
12 instrument. "
13 [*Chisholm v. Georgia*, 2 *Dall. (U.S.) 419*, 1 L.Ed. 440 (1794)]

14 What exactly does it mean to be a "national of the United States***" within the meaning of the Constitution and not
15 federal law?

- 16 5. The early U.S. Congress in 1796 enacted a law found in the Statutes at Large at 1 Stat. 477 in which they referred to
17 people born within states of the Union simultaneously as both "American citizens" and "citizens of the United States of
18 America". This was shortly after the Constitution had been ratified that created the "United States". They deliberately
19 didn't use the phrase "citizens of the United States" that describes a statutory citizen found in [8 U.S.C. §1401](#). See:

1 Stat. 477, SEDM Exhibit #01.004 http://sedm.org/Exhibits/ExhibitIndex.htm
--

20 This is the same "United States of America" used in the Articles of Confederation that have never been repealed and
21 which the U.S. Supreme Court referred to as the collective states of the Union rather than the federal government
22 created by the Constitution.

23 As a result of the separation from Great Britain by the colonies, acting as a unit, the powers of external
24 sovereignty passed from the Crown not to the colonies severally, but to the colonies in their collective and
25 corporate capacity as the United States of America. Even before the Declaration, the colonies were a unit in
26 foreign affairs, acting through a common agency-namely, the Continental Congress, composed of delegates
27 from the thirteen colonies. That agency exercised the powers of war and peace, raised an army, created a
28 navy, and finally adopted the Declaration of Independence. Rulers come and go; governments end and forms of
29 government change; but sovereignty survives. A political society cannot endure [299 U.S. 304, 317] without a
30 supreme will somewhere. Sovereignty is never held in suspense. When, therefore, the external sovereignty of
31 Great Britain in respect of the colonies ceased, it immediately passed to the Union. See *Penhallow v. Doane*, 3
32 *Dall. 54, 80, 81, Fed.Cas. No. 10925.* That fact was given practical application almost at once. The treaty of
33 peace, made on September 3, 1783, was concluded between his Britannic Majesty and the 'United States of
34 America.' 8 Stat., *European Treaties*, 80.

35 The Union existed before the Constitution, which was ordained and established among other things to form 'a
36 more perfect Union.' Prior to that event, it is clear that the Union, declared by the Articles of Confederation to
37 be 'perpetual,' was the sole possessor of external sovereignty, and in the Union it remained without change
38 save in so far as the Constitution in express terms qualified its exercise. The Framers' Convention was called
39 and exerted its powers upon the irrefutable postulate that though the states were several their people in
40 respect of foreign affairs were one. Compare *The Chinese Exclusion Case*, [130 U.S. 581, 604](#), 606 S., 9 S.Ct.
41 623. In that convention, the entire absence of state power to deal with those affairs was thus forcefully stated by
42 Rufus King:
43 [*United States v. Curtiss-Wright Export Corporation*, 299 U.S. 304 (1936)]

44 Why can't I lawfully be the "citizen of the United States of America" described in this enactment and would this be a
45 constitutional citizen or a statutory citizen? If I can't, when was this type of citizenship outlawed?

- 46 6. If a "national" is defined in [8 U.S.C. §1101\(a\)\(21\)](#) simply as a person who owes "allegiance", then why can't a person
47 who is domiciled in a state of the Union have allegiance to the confederation of states called the "United States***",
48 which the Supreme Court said above was a "society" and not a "nation". And what would you call that "society", if it
49 wasn't a "nation"? We call that society a "federation" which is served by a "federal government". The Supreme Court

1 said in *Hooven and Allison v. Evatt* that there are three definitions of the term "United States" and one of those
2 definitions includes the following, which is what I claim to be a "national" of:

3 *"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the*
4 *family of nations."*
5 *[Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]*

6 7. How come I can't have allegiance to the "society" or "federation" called "United States*** of America" and define that
7 "society" as being the collective states of the Union, and exclude from that definition the municipal government of the
8 "United States***" in the District of Columbia? My allegiance is to the MASTER, which is the Sovereign People as
9 individuals domiciled within the states of the Union who are collectively called the "United States*** of America",
10 rather than their SERVANT, who is the municipal government of the District of Columbia called the "United
11 States***". By having this kind of allegiance to the people instead of their public servants, I am fulfilling the second
12 great commandment found in the Bible to love and protect my neighbor, aren't I?

13 7.1. Why would God want me as a Christian to have allegiance to a WORTHLESS thing called a government or its
14 agents, rather than to my fellow Sovereign Neighbor?

15 *"Behold, the nations [and governments and politicians of the nations] are as a drop in the bucket, and are*
16 *counted as the small dust on the scales."*
17 *[Isaiah 40:15, Bible, NKJV]*

18 *"All nations [and governments] before Him [God] are as nothing, and they are counted by Him less than*
19 *nothing and worthless."*
20 *[Isaiah 40:17, Bible, NKJV]*

21 *"He [God] brings the princes [and Presidents] to nothing; He makes the judges of the earth useless."*
22 *[Isaiah 40:23, Bible, NKJV]*

23 *"Indeed they [the governments and the men who make them up in relation to God] are all worthless; their*
24 *works are nothing; their molded images [and their bureaus and agencies and usurious "codes" that are not*
25 *law] are wind [and vanity] and confusion."
26 *[Isaiah 41:29, Bible, NKJV]**

27 *"Arise, O Lord,*
28 *Do not let man [or governments made up of men] prevail;*
29 *Let the nations be judged [and disciplined] in Your sight.*
30 *Put them in fear [with your wrath and the timeless principles of your perfect and Glorious Law], O Lord,*
31 *That the nations may know themselves to be but men."*
32 *[Psalms 9:19-20, Bible, NKJV]*

33 7.2. The SERVANT, which is the municipal government of the District of Columbia and the public SERVANTS who
34 make it up, cannot be greater than the MASTER, who is the Sovereign People it was created to SERVE in the
35 states of the Union . Any other kind of allegiance is treason to the Constitution and idolatry towards political
36 rulers, isn't it?

37 7.3. Isn't idolatry towards political rulers inconsistent with the Christian faith, which requires our EXCLUSIVE
38 allegiance to God?

39 *"Away with you , Satan! For it is written, 'You shall worship the Lord your God, and Him ONLY [NOT the*
40 *government!] you shall serve.'"*
41 *[Jesus in Matt. 4:10, Bible, NKJV]*

42 7.4. Remember, the Supreme Court said in *Hooven and Allison v. Evatt*, 324 U.S. 652 (1945) that there are THREE
43 definitions of the term "United States". The First Amendment to the United States*** Constitution guarantees
44 me a right of free speech. Doesn't that right BEGIN, not END, with me being able to define the precise meaning
45 of the words I use on government forms that ask about my citizenship so as to avoid leaving their meaning to
46 presumption or conjecture or some judge or bureaucrat? Isn't it a conflict of interest in violation of 18 U.S.C.
47 §208 for a judge or bureaucrat to be advising me on the meaning of words that describe my relationship to the
48 government, if telling the truth would reduce his retirement benefits or pay? And why would I want to trust or
49 believe any government form or publication that addressed citizenship issues to accurately portray the truth about
50 citizenship because of such a conflict of interest?

1 8. Why can't or won't the federal government recognize that very specific type of allegiance described in the preceding
2 question and characterize it as that of a "national but not citizen" as Title 8 of the United States** Code requires?
3 Could it be that the love of money and power and jurisdiction exceeds their love for justice and respect for the rule of
4 law in this country? The Supreme Court said the federal government MUST be willing to acknowledge this type of
5 allegiance when it said:

6 *"It is logical that, while the child remains or resides in territory of the foreign State [a state of the Union, in
7 this case] claiming him as a national, the United States[**] should respect its claim
8 to allegiance."*
9 *[Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]*

- 10 9. The federal government has exclusive legislative jurisdiction over the following issues:
11 9.1. "naturalization", under [Article 1](#), Section 8, Clause 4 of the U.S. Constitution.
12 9.2. The citizenship status of persons born in its own territories or possessions.

13 However, the federal government has *no* legislative power to determine citizenship by birth of persons born inside
14 states of the Union, because the Constitution does not confer upon them that legislative power. All the cases and
15 authorities that detractors of our position like to cite relate ONLY to the above subject matters, which are all governed
16 exclusively by federal law, and federal legislation does not apply within states of the Union for this subject matter
17 under the Constitution. Please therefore show us a case that involves a person born in state of the Union and *not* on a
18 territory or possession in which the person claimed to be a "national" and not a "citizen" under [8 U.S.C. §1101\(a\)\(21\)](#),
19 and show us where the court said they *weren't*. You absolutely won't find such a case, because it is not only an
20 impossibility, but an absurdity!

21 **17.2 Admissions**

22 These questions are provided for readers, Grand Jurors, and Petit Jurors to present to the government or anyone else who
23 would challenge the facts and law appearing in this pamphlet, most of whom work for the government or stand to gain
24 financially from perpetuating the fraud. If you find yourself in receipt of this pamphlet, you are demanded to answer the
25 questions within 10 days. Pursuant to [Federal Rule of Civil Procedure 8\(b\)\(6\)](#), failure to deny within 10 days constitutes an
26 admission to each question. Pursuant to [26 U.S.C. §6065](#), all of your answers must be signed under penalty of perjury. We
27 are not interested in agency policy, but only sources of reasonable belief identified in the pamphlet below:

Reasonable Belief About Income Tax Liability, Form #05.007
<http://sedm.org/Forms/FormIndex.htm>

28 Your answers will become evidence in future litigation, should that be necessary in order to protect the rights of the person
29 against whom you are attempting to unlawfully enforce federal law.

- 30 1. Admit that a "national" is statutorily defined as a person who owes allegiance to a "[state](#)":

31 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)
32 [Sec. 1101. - Definitions](#)

33 (21) *The term "national" means a person owing permanent allegiance to a state.*

34 YOUR ANSWER: _____

- 35 2. Admit that the "government", who are our "public servants" and "representatives" on the one hand, and the "[state](#)", on
36 the other hand, are two entirely different and mutually exclusive things under our Republican form of government:

37 *The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing.*
38 *They both describe the political body who, according to our republican institutions, form the sovereignty, and*
39 *who hold the power and conduct the government through their representatives. They are what we familiarly call*
40 *the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..."*
41 *[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]*

1
2
3 ***“State. A people permanently occupying a fixed territory bound together by common-law habits and custom***
4 ***into one body politic exercising, through the medium of an organized government, independent sovereignty and***
5 ***control over all persons and things within its boundaries, capable of making war and peace and of entering into***
6 ***international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201***
7 ***207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v.***
8 ***Moralitis, C.C.A.Md., 136 F.2d 129, 130. In its largest sense, a “state” is a body politic or a society of men.***
9 ***Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d 636, 254 N.Y.S.2d 763, 765. A body of people***
10 ***occupying a definite territory and politically organized under one government. State ex re. Maisano v.***
11 ***Mitchell, 155 Conn. 256, 231 A.2d 539, 542. A territorial unit with a distinct general body of law.***
12 ***Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to***
an individual government unit of such nation (e.g. California).

13 [...]

14 ***The people of a state, in their collective capacity, considered as the party wronged by a criminal deed; the***
15 ***public; as in the title of a cause, “The State vs. A.B.”***
16 ***[Black’s Law Dictionary, Sixth Edition, p. 1407]***

17 YOUR ANSWER: _____

18 3. Admit that the U.S. Supreme Court has identified three definitions of the term “[United States](#)”.

19 *“The term ‘United States’ may be used in any one of several senses. It may be merely the name of a sovereign*
20 *occupying the position analogous to that of other sovereigns in the family of nations. It may designate the*
21 *territory over which the sovereignty of the United States extends, or it may be the collective name of the states*
22 *which are united by and under the Constitution.”*
23 ***[Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]***

24 YOUR ANSWER (circle one): Admit/Deny

25 4. Admit that because there are three definitions of the term “[United States](#)”, then there must also be at least three distinct
26 and different types of “citizens of the United States”.

27 YOUR ANSWER (circle one): Admit/Deny

28 5. Admit that a person who is a “citizen of the United States” as that term is used in the Fourteenth Amendment to the U.S.
29 Constitution is NOT the same thing as a statutory “citizen and national of the United States” as defined in 8 U.S.C. §1401:

30 *“The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited,*
31 *opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the*
32 *states. No such definition was previously found in the Constitution, nor had any attempt been made to define*
33 *it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments*
34 *and in the public journals. It had been said by eminent judges that no man was a citizen of the United*
35 *States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had*
36 *been born and resided always in the District of Columbia or in the territories, though within the United*
37 *States[*], were not citizens. Whether this proposition was sound or not had never been judicially decided.”*
38 ***[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]***

39 *“The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L. ed. 332, in which this court held that, under*
40 *that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies*
41 *between citizens of different states, a citizen of the District of Columbia could not maintain an action in the*
42 *circuit court of the United States. It was argued that the word ‘state.’ in that connection, was used simply to*
43 *denote a distinct political society. ‘But,’ said the Chief Justice, ‘as the act of Congress obviously used the word*
44 *‘state’ in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is*
45 *a state in the sense of that instrument. The result of that examination is a conviction that the members of the*
46 *American confederacy only are the states contemplated in the Constitution, . . . and excludes from the term*
47 *the signification attached to it by writers on the law of nations.’ This case was followed in Barney v.*
48 *Baltimore, 6 Wall. 280, 18 L. ed. 825, and quite recently in Hooe v. Jamieson, 166 U.S. 395, 41 L. ed. 1049,*
49 *17 Sup. Ct. Rep. 596. The same rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat.*
50 *91, 4 L. ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it*
51 *was said that ‘neither of them is a state in the sense in which that term is used in the Constitution.’ In Scott v.*
52 *Jones, 5 How. 343, 12 L. ed. 181, and in Miners’ Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1,*
53 *13 L. ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state*

1 in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not
2 within the contemplation of Congress."
3 [*Downes v. Bidwell*, [182 U.S. 244](#) (1901)]

4 YOUR ANSWER (circle one): Admit/Deny

5 6. Admit that a statutory “citizen of the United States” as defined in [8 U.S.C. §1401](#) and a *constitutional* “citizen of the
6 United States” as defined in section 1 of the [Fourteenth Amendment](#) are mutually exclusive types of citizens and that a
7 person CANNOT be BOTH types of citizens at the same time.

8 YOUR ANSWER (circle one): Admit/Deny

9 7. Admit that a Constitutional “citizen of the United States” is defined as a “national” under [8 U.S.C. §1101](#)(a)(21) and a
10 “non-citizen national” under [8 U.S.C. §1452](#):

11 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)
12 [Sec. 1101. - Definitions](#)

13 (21) The term "national" means a person owing permanent allegiance to a state.

14
15 [TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part II > § 1452](#)
16 [§ 1452. Certificates of citizenship or U.S. non-citizen national status: procedure](#)

17 (a) Application to Attorney General for certificate of citizenship; proof; oath of allegiance

18 A person who claims to have derived United States citizenship through the naturalization of a parent or through
19 the naturalization or citizenship of a husband, or who is a citizen of the United States by virtue of the provisions
20 of section 1993 of the United States Revised Statutes, or of section 1993 of the United States Revised Statutes,
21 as amended by section 1 of the Act of May 24, 1934 ([48 Stat. 797](#)), or who is a citizen of the United States by
22 virtue of the provisions of subsection (c), (d), (e), (g), or (i) of section [201](#) of the Nationality Act of 1940, as
23 amended ([54 Stat. 1138](#)), or of the Act of May 7, 1934 ([48 Stat. 667](#)), or of paragraph (c), (d), (e), or (g) of
24 section [1401](#) of this title, or under the provisions of the Act of August 4, 1937 ([50 Stat. 558](#)), or under the
25 provisions of section 203 or 205 of the Nationality Act of 1940 ([54 Stat. 1139](#)), or under the provisions of
26 section [1403](#) of this title, may apply to the Attorney General for a certificate of citizenship. Upon proof to the
27 satisfaction of the Attorney General that the applicant is a citizen, and that the applicant's alleged citizenship
28 was derived as claimed, or acquired, as the case may be, and upon taking and subscribing before a member of
29 the Service within the United States to the oath of allegiance required by this chapter of an applicant for
30 naturalization, such individual shall be furnished by the Attorney General with a certificate of citizenship, but
31 only if such individual is at the time within the United States.

32 YOUR ANSWER (circle one): Admit/Deny

33 8. Admit that neither the “federal government” nor the “national government” have legislative jurisdiction within a state of
34 the Union, according to the U.S. Supreme Court.

35 “It is no longer open to question that **the general government, unlike the states**, *Hammer v. Dagenhart*, [247](#)
36 [U.S. 251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the**
37 **internal affairs of the states; and emphatically not with regard to legislation.**”
38 [*Carter v. Carter Coal Co.*, [298 U.S. 238](#), 56 S.Ct. 855 (1936)]

39 YOUR ANSWER (circle one): Admit/Deny

40 9. Admit that because neither the “federal government” nor the “national government” have legislative jurisdiction within a
41 state of the Union, then no statute or “legislation” that it might write can prescribe the status or condition, including the
42 citizenship status, of those born within the exclusive jurisdiction of a state of the Union.

43 “Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the
44 law of comity must necessarily rest, the following maxims: First ‘that **every nation possesses an exclusive**
45 **sovereignty and jurisdiction within its own territory**’; secondly, ‘that no state or nation can by its laws directly
46 **affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural**
47 **born subjects or others.**’ The learned judge then adds: ‘From these two maxims or propositions there follows a

1 *third, and that is that whatever force and obligation the laws of one country have in another depend solely upon*
2 *the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and*
3 *upon its own express or tacit consent." Story on Conflict of Laws §23."*
4 *[Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]*

5 YOUR ANSWER (circle one): Admit/Deny

6 10. Admit that the "national government" and the "federal government" legislate for two distinctly different and mutually
7 exclusive territorial jurisdictions.

8 *"It is clear that Congress as a legislative body, exercises two species of legislative power: the one, limited as to*
9 *its objects but extending all over the Union; the other, an absolute, exclusive legislative power over the District*
10 *of Columbia."*
11 *[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]*
12

13 **"NATIONAL GOVERNMENT.** *The government of a whole nation, as distinguished from that of a local or*
14 *territorial division of the nation, and also as distinguished from that of a league or confederation.*

15 *"A national government is a government of the people of a single state or nation, united as a community by*
16 *what is termed the "social compact," and possessing complete and perfect supremacy over persons and things,*
17 *so far as they can be made the lawful objects of civil government. A federal government is distinguished from*
18 *a national government by its being the government of a community of independent and sovereign states,*
19 *united by compact." Piqua Branch Bank v. Knoup, 6 Ohio St. 393."*
20 *[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 1176]*
21

22 **"FEDERAL GOVERNMENT.** *The system of government administered in a state formed by the union or*
23 *confederation of several independent or quasi independent states; also the composite state so formed.*

24 *In strict usage, there is a distinction between a confederation and a federal government. The former term*
25 *denotes a league or permanent alliance between several states, each of which is fully sovereign and*
26 *independent, and each of which retains its full dignity, organization, and sovereignty, though yielding to the*
27 *central authority a controlling power for a few limited purposes, such as external and diplomatic relations.*
28 *In this case, the component states are the units, with respect to the confederation, and the central*
29 *government acts upon them, not upon the individual citizens. In a federal government, on the other hand, the*
30 *allied states form a union,-not, indeed, to such an extent as to destroy their separate organization or deprive*
31 *them of quasi sovereignty with respect to the administration of their purely local concerns, but so that the*
32 *central power is erected into a true state or nation, possessing sovereignty both external and internal,-while*
33 *the administration of national affairs is directed, and its effects felt, not by the separate states deliberating as*
34 *units, but by the people of all, in their collective capacity, as citizens of the nation.* *The distinction is*
35 *expressed, by the German writers, by the use of the two words "Staatenbund" and "Bundesstaat;" the former*
36 *denoting a league or confederation of states, and the latter a federal government, or state formed by means of a*
37 *league or confederation.*
38 *[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 740]*

39 YOUR ANSWER (circle one): Admit/Deny

40 11. Admit that the "national government" legislates ONLY for federal territory, domiciliaries, and property and not for any
41 component of the states of the Union, and that it does so under the authority of Article 4, Section 3, Clause 2 of the
42 Constitution, and that the U.S. Supreme Court calls this jurisdiction the "national domain".

43 *"A person arbitrarily or forcibly held against his will for the purpose of compelling him to render personal*
44 *services in discharge of a debt is in a condition of peonage. It was not claimed in that case that peonage was*
45 *sanctioned by or could be maintained under the Constitution or laws either of Florida or Georgia. The*
46 *argument there on behalf of the accused was, in part, that the 13th Amendment was directed solely against the*
47 *states and their laws, and that its provisions could not be made applicable to individuals whose illegal conduct*
48 *was not authorized, permitted, or sanctioned by some act, resolution, order, regulation, or usage of the state.*
49 *That argument was rejected by every member of this court, and we all agreed that Congress had power, under*
50 *the 13th Amendment, not only to forbid the existence of peonage, but to make it an offense against the United*
51 *States for any person to hold, arrest, return, or cause to be held, arrested or returned, or who in any manner*
52 *aided in the arrest or return, of another person, to a condition of peonage. After quoting the above sentences*
53 *from the opinion in the Civil Rights Cases, Mr. Justice Brewer, speaking for the court, said: 'Other authorities*
54 *to the same effect might be cited. It is not open to doubt that Congress may enforce the 13th Amendment by*
55 *direct legislation, punishing the holding of a person in slavery or in involuntary servitude, except as a*
56 *punishment for crime. In the exercise of that power Congress has enacted these sections denouncing peonage,*
57 *and punishing one who holds another in that condition of involuntary servitude. *34 **This legislation is***

1 **not limited to the territories or other parts of the strictly national**
2 **domain, but is operative in the states and wherever the sovereignty of the**
3 **United States extends.**

4 *We entertain no doubt of the validity of this legislation, or of its applicability*
5 *to the case of any person holding another in a state of peonage, and this whether there be municipal ordinance*
6 *or state law sanctioning such holding. It operates directly on every citizen of the republic, wherever his*
7 *residence may be.'*

8 [*Hodges v. U.S., 203 U.S. 1, 27 S.Ct. 6 (U.S. 1906)*]

9 "It is contended that we should dismiss this action on the ground that the Attorney General has not been
10 granted power either to file or to maintain it. It is *27 not denied that Congress has given a very broad
11 authority to the Attorney General to institute and conduct litigation in order to establish and safeguard
12 government rights and properties.' The argument is that Congress has for a long period of years acted in such a
13 way as to manifest a clear policy to the effect that the states, not the Federal Government, have legal title to the
14 land under the three-mile belt. Although Congress has not expressly declared such a policy, we are asked to
15 imply it from certain conduct of Congress and other governmental agencies charged with responsibilities
16 concerning the national domain. And, in effect, we are urged to infer that Congress has by implication
17 amended its long-existing statutes which grant the Attorney General broad powers to institute and maintain
18 court proceedings in order to safeguard national interests.

19 An Act passed by Congress and signed by the President could, of course, limit the power previously granted the
20 Attorney General to prosecute claims for the Government. For Article IV, s 3, Cl. 2 of the Constitution vests in
21 Congress 'Power to dispose of and make all needful Rules and Regulations respecting the Territory or other
22 Property belonging to the United States.' We have said that the constitutional power of Congress in this
23 respect is without limitation. [United States v. City and County of San Francisco, 310 U.S. 16, 29, 30, 60 S.Ct.](#)
24 [749, 756, 757, 84 L.Ed. 1050.](#) Thus neither the courts nor the executive agencies, could proceed contrary to
25 an Act of Congress in this congressional area of national power.

26 [*U.S. v. State of Cal., 332 U.S. 19, 67 S.Ct. 1658 (U.S. 1947)*]

27 YOUR ANSWER (circle one): Admit/Deny

28 12. Admit that persons not domiciled on federal territory nor participating in federal franchises are NOT part of the
29 "national domain" or the "national government" as defined earlier.

30 YOUR ANSWER (circle one): Admit/Deny

31 13. Admit that any attempt to "presume" or wrongfully conclude that a person or his private property is part of the
32 "national domain" who in fact is not constitutes an act of eminent domain in which private property is being unlawfully
33 converted to a "public use" in criminal violation of [18 U.S.C. §654](#).

34 "Men are endowed by their Creator with certain unalienable rights, -life, liberty, and the pursuit of happiness;"
35 and to 'secure,' not grant or create, these rights, governments are instituted. That property [or income] which a
36 man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use
37 it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second,
38 that if he devotes it to a public use, he gives to the public a right to
39 control that use; and third, that whenever the public needs require, the public may take it upon
40 payment of due compensation."

41 [*Budd v. People of State of New York, 143 U.S. 517 (1892)*]

42 YOUR ANSWER (circle one): Admit/Deny

43 14. Admit that the distinctions between the "national government" and the "federal government" is a product of the
44 separation of powers doctrine, which was put there by the framers of the constitution for the express purpose of protecting
45 our rights and liberties.

46 "We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U.S.
47 Const., Art. I, 8. As James Madison wrote, "[t]he powers delegated by the proposed Constitution to the federal

⁷ 5 U.S.C. ss 291, 309, 5 U.S.C.A. ss 291, 309; [United States v. San Jacinto Tin Co., 125 U.S. 273, 279, 284, 8 S.Ct. 850, 854, 856, 31 L.Ed. 747](#); [Kern River Co. v. United States, 257 U.S. 147, 154, 155, 42 S.Ct. 60, 62, 63, 66 L.Ed. 175](#); [Sanitary District of Chicago v. United States, 266 U.S. 405, 425, 426, 45 S.Ct. 176, 178, 179, 69 L.Ed. 352](#); see also [In re Debs, 158 U.S. 564, 584, 15 S.Ct. 900, 906, 39 L.Ed. 1092](#); [United States v. State of Oregon, 295 U.S. 1, 24, 55 S.Ct. 610, 619, 79 L.Ed. 1267](#); [United States v. State of Wyoming, 323 U.S. 669, 65 S.Ct. 34, 89 L.Ed. 543](#); [331 U.S. 440, 67 S.Ct. 1319](#).

1 government are few and defined. Those which are to remain in the State governments are numerous and
2 indefinite." *The Federalist No. 45*, pp. 292-293 (C. Rossiter ed. 1961). **This constitutionally**
3 **mandated division of authority "was adopted by the Framers**
4 **to ensure protection of our fundamental liberties."** *Gregory v. Ashcroft*,
5 **501 U.S. 452, 458 (1991) (internal quotation marks omitted). "Just as the separation and independence of**
6 **the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in**
7 **any one branch, a healthy balance of power between the States and the Federal Government will reduce the**
8 **risk of tyranny and abuse from either front."** *Ibid.* "
9 [U.S. v. Lopez, [514 U.S. 549](#) (1995)]

10 YOUR ANSWER (circle one): Admit/Deny

11 15. Admit that those in the legal profession or the government who refuse to acknowledge all of the implications of the
12 separation of powers doctrine are engaged in a willful oppression of the rights and liberties of those persons in states of the
13 Union who are protected by it.

14 See: <http://famguardian.org/Subjects/LawAndGovt/Articles/SeparationOfPowersDoctrine.htm>

15 YOUR ANSWER (circle one): Admit/Deny

16 16. Admit that a judge or public servant who refuses to recognize all of the implications of the separation of powers
17 doctrine is a de facto usurper and tyrant who is acting as a private individual and not an officer of the government.

18 "**... the maxim that the King can do no wrong has no place in our system of government; yet it is also true, in**
19 **respect to the State itself, that whatever wrong is attempted in its name is imputable to its government and not**
20 **to the State, for, as it can speak and act only by law, whatever it does say and do must be lawful. That which**
21 **therefore is unlawful because made so by the supreme law, the Constitution of the United States, is not the**
22 **word or deed of the State, but is the mere wrong and trespass of those individual persons who falsely spread**
23 **and act in its name."**

24 "This distinction is essential to the idea of constitutional government. To deny it or blot it out obliterates the
25 line of demarcation that separates constitutional government from absolutism, free self- government based on
26 the sovereignty of the people from that despotism, whether of the one or the many, which enables the agent of
27 the state to declare and decree that he is the state; to say 'L'Etat, c'est moi.' **Of what avail are written**
28 **constitutions, whose bills of right, for the security of individual liberty, have been written too often with the**
29 **blood of martyrs shed upon the battle-field and the scaffold, if their limitations and restraints upon power**
30 **may be overpassed with impunity by the very agencies created and appointed to guard, defend, and enforce**
31 **them; and that, too, with the sacred authority of law, not only compelling obedience, but entitled to respect?**
32 **And how else can these principles of individual liberty and right be maintained, if, when violated, the judicial**
33 **tribunals are forbidden to visit penalties upon individual offenders, who are the instruments of wrong,**
34 **whenever they interpose the shield of the state? The doctrine is not to be tolerated.**
35 **The whole frame and scheme of the political institutions of**
36 **this country, state and federal, protest against it. Their**
37 **continued existence is not compatible with it. It is the doctrine**
38 **of absolutism, pure, simple, and naked, and of communism**
39 **which is its twin, the double progeny of the same evil birth."**
40 [[Poindexter v. Greenhow](#), 114 U.S. 270; 5 S.Ct. 903 (1885)]

41 YOUR ANSWER (circle one): Admit/Deny

42 17. Admit that a judge or public servant who refuses to recognize all of the implications of the separation of powers
43 doctrine upon his authority is violating his oath of office and acting not as a judge, but a private individual who has
44 surrendered judicial and sovereign immunity and agreed to accept personal responsibility for his usurpations.

45 "An officer who acts in violation of the Constitution ceases to represent the government."
46 [Brookfield Const. Co. v. Stewart, 284 F.Supp. 94]
47

1 "In another, not unrelated context, Chief Justice Marshall's exposition in *Cohens v. Virginia*, 6 Wheat, 264
2 (1821) TA \l "Cohens v. Virginia, 6 Wheat, 264 (1821)" \s "Cohens v. Virginia, 6 Wheat, 264 (1821)" \c 1 ,
3 could well have been the explanation of the Rule of Necessity; he wrote that a court "must take jurisdiction if it
4 should. The judiciary cannot, as the legislature may, avoid a measure because it approaches the confines of the
5 constitution. We cannot pass it by, because it is doubtful. With whatever doubts, with whatever difficulties, a
6 case may be attended, we must decide it, if it be brought before us. **We have no more right to decline the
7 exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be
8 treason to the constitution.** Questions may occur which we would gladly avoid; but we cannot avoid them." *Id.*,
9 at 404 (emphasis added)
10 [U.S. v. Will, 449 U.S. 200 (1980)]
11

12 "In such case the judge has lost his judicial function, has become a mere private person, and is liable as a
13 trespasser for damages resulting from his unauthorized acts."

14 "Judge's honesty of purpose and sincere belief that he was acting in discharge of his official duty was not
15 available as defense in action."

16 "Where there is no jurisdiction there is no judge; the proceeding is as nothing. Such has been the law from the
17 days of the Marshalsea, 10 Coke 68; also *Bradley v. Fisher*, 13 Wall 335,351."
18 [Manning v. Ketcham, 58 F.2d 948]

19 YOUR ANSWER (circle one): Admit/Deny

20 18. Admit that Subtitle A of the Internal Revenue Code only applies to ONE of the three definitions of "United States"
21 indicated above, in which the "United States" is defined as the District of Columbia pursuant to [26 U.S.C. §7701](#)(a)(9) and
22 (a)(10).

23 [TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.](#) [Internal Revenue Code]
24 [Sec. 7701. - Definitions](#)

25 (a)(9) United States

26 The term "United States" when used in a geographical sense includes only the [States](#) and the District of
27 Columbia.

28 (a)(10) State

29 The term "State" shall be construed to include the District of Columbia, where such construction is necessary to
30 carry out provisions of this title.

31 YOUR ANSWER (circle one): Admit/Deny

32 19. Admit that when a statutory definition of a word is provided, that definition supersedes and replaces, and NOT
33 enlarges, the common or ordinary meaning of the word.

34 "It is axiomatic that the statutory definition of the term excludes unstated meanings of that term. *Colbutti v.*
35 *Franklin*, 439 U.S. 379, 392, and n. 10 (1979). Congress' use of the term "propaganda" in this statute, as indeed
36 in other legislation, has no pejorative connotation. As judges, it is our duty to [481 U.S. 485] construe
37 legislation as it is written, not as it might be read by a layman, or as it might be understood by someone who
38 has not even read it."
39 [*Meese v. Keene*, 481 U.S. 465, 484 (1987)]

40 YOUR ANSWER: _____

41 20. Admit that the things or classes of things described in a statutory definition exclude all things not specifically identified
42 somewhere within the statute or other related sections of the Title:

43 "As a rule, `a definition which declares what a term "means" . . . excludes any meaning that is not stated"
44 [*Colautti v. Franklin*, 439 U.S. 379 (1979), n. 10]

45 "Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that the expression of one
46 thing is the exclusion of another. *Burgin v. Forbes*, 293 Ky. 456, 169 S.W.2d 321, 325; *Newblock v. Bowles*,
47 170 Okl. 487, 40 P.2d 1097, 1100. Mention of one thing implies exclusion of another. When certain persons or

1 things are specified in a law, contract, or will, an intention to exclude all others from its operation may be
2 inferred. Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects
3 of a certain provision, other exceptions or effects are excluded.”
4 [Black’s Law Dictionary, Sixth Edition, p. 581]

5 YOUR ANSWER: _____

6 21. Admit that no judge has the authority to enlarge or expand a definition to include things not explicitly stated in the
7 statute itself because judges are not part of the legislative branch of the government.

8 “In the interpretation of statutes levying taxes, it is the established rule not to extend their provisions by
9 implication beyond the clear import of the language used, or to enlarge their operations so as to embrace
10 matters not specifically pointed out. In case of doubt they are construed most strongly against the government
11 and in favor of the citizen.”
12 [Gould v. Gould, 245 U.S. 151 (1917)]

13 YOUR ANSWER: _____

14 22. Admit that a judge who extends the meaning of a term beyond that clearly stated in the statute itself is effectively
15 “legislating from the bench”, exceeding his or her delegated authority, and destroying the separation of powers which was
16 put there for the protection of our Constitutional rights.

17 “But, allowing the people to make constitutions and unmake them, allowing their representatives to make laws
18 and unmake them, and without our interference as to their principles or policy in doing it, yet, when
19 constitutions and laws are made and put in force by others, then the courts, as empowered by the State or the
20 Union, commence their functions and may decide on the rights which conflicting parties can legally set up
21 under them, rather than about their formation itself. Our power begins after theirs ends. Constitutions and
22 laws precede the judiciary, and we act only under and after them, and as to disputed rights beneath them,
23 rather than disputed points in making them. We speak what is the law, jus dicere, we speak or construe what
24 is the constitution, after both are made, but we make, or revise, or control neither.”
25 [Luther v. Borden, 48 U.S. 1 (1849)]

26 YOUR ANSWER: _____

27 23. Admit that the ordinary or common definition of a word appearing within a revenue statute may only be implied when
28 there is no governing statutory definition.

29 “When a statute includes an explicit definition, we must follow that definition, even if it varies from that
30 term’s ordinary meaning. Meese v. Keene, 481 U.S. 465, 484-485 (1987) (“It is axiomatic that the statutory
31 definition of the term excludes unstated meanings of that term”); Colautti v. Franklin, 439 U.S. at 392-393,
32 n. 10 (“As a rule, a definition which declares what a term “means” . . . excludes any meaning that is not
33 stated”); Western Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945); Fox v. Standard Oil Co. of
34 N.J., 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory
35 Construction § 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read “as a
36 whole,” post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition
37 does not include the Attorney General’s restriction -- “the child up to the head.” Its words, “substantial
38 portion,” indicate the contrary.”
39 [Stenberg v. Carhart, 530 U.S. 914 (2000)]

40 YOUR ANSWER: _____

41 24. Admit that when the word “include” is used within a statutory definition in its context of meaning “in addition to”, the
42 other things that it adds to must also be specified in another section of the statutes as well or the statute is void for
43 vagueness.

44 “When a statute includes an explicit definition, we must follow that definition, even if it varies from that
45 term’s ordinary meaning. Meese v. Keene, 481 U.S. 465, 484-485 (1987) (“It is axiomatic that the statutory
46 definition of the term excludes unstated meanings of that term”); Colautti v. Franklin, 439 U.S. at 392-393,
47 n. 10 (“As a rule, a definition which declares what a term “means” . . . excludes any meaning that is not
48 stated”); Western Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945); Fox v. Standard Oil Co. of
49 N.J., 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory
50 Construction § 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read “as a
51 whole [all sections considered TOGETHER],” post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the

1 *reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the*
2 *head." Its words, "substantial portion," indicate the contrary."*
3 *[Stenberg v. Carhart, 530 U.S. 914 (2000)]*

4 YOUR ANSWER: _____

5

6 **Affirmation:**

7 I declare under penalty of perjury as required under [26 U.S.C. §6065](#) that the answers provided by me to the foregoing
8 questions are true, correct, and complete to the best of my knowledge and ability, so help me God. I also declare that these
9 answers are completely consistent with each other and with my understanding of both the Constitution of the United States,
10 Internal Revenue Code, Treasury Regulations, the Internal Revenue Manual, and the rulings of the Supreme Court but not
11 necessarily lower federal courts.

12 Name (print): _____

13 Signature: _____

14 Date: _____

15 Witness name (print): _____

16 Witness Signature: _____

17 Witness Date: _____