



U.S. DEPARTMENT OF STATE

QUESTIONNAIRE

INFORMATION FOR DETERMINING U.S. CITIZENSHIP

The following information is needed to determine your present citizenship status and your entitlement to consular services as a U.S. citizen. You may wish to consult an attorney before completing this form. If you have any questions about the form, you should discuss them with a member of our consular staff before completing the form. Use extra paper as needed and attach any supporting documents to this form.

PART I

1. NAME (Last, First, Middle) <p>Doe, John Q.</p>	2. DATE AND PLACE OF BIRTH <p>February 10, 1956 Sacramento, Calif.</p>
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3. ADDRESS <p>1234 Elm Street Anycity, Calif. 92109</p>	(b) PASSPORT NO. _____ Issue Date _____ Issue Place _____
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4. If not born in the United States, citizenship was acquired by:

birth outside the United States to United States citizen parent(s) who were "nationals" under § U.S.C. 1101(a)(21)

naturalization on \_\_\_\_\_ (date) \_\_\_\_\_ (court) \_\_\_\_\_ (city, state)

5. DATES AND COUNTRIES OF RESIDENCE OUTSIDE THE UNITED STATES SINCE BIRTH:

Dates (from to)	Country
1956-1974	California Republic
1975-Present	Oregon Republic

6. Answer this question only if at birth you became a citizen of the United States and of another country (for example, if by your birth in the United States you became a U.S. citizen and, because one or both of your parents was/were citizens of another country and you also acquired that country's citizenship at birth)

Have you sought or claimed the benefits of the nationality of a foreign state between December 24, 1952, and October 10, 1975 (examples of such benefits are possession or use of that country's passport, owning property in an area where noncitizen cannot own property, or obtaining employment for which noncitizens are ineligible)?  Yes  No

If you answered "yes," please explain the benefits you sought or claimed:

Since I was born in the California Republic, and since this republic is considered to be a "foreign state" and a "foreign country" with respect to federal legislative jurisdiction and police powers, then I was born in a foreign country and I am also a California National, as defined under § USC 1101(a)(21). I have availed myself of the benefits and privileges of citizenship in the California Republic by voting and serving in that country. Please rebut questions at end of attached pamphlet if you disagree within ten days or forever hold your peace.

(if more space is needed, use additional paper)

7. HAVE YOU-

- a. BEEN NATURALIZED AS A CITIZEN OF A FOREIGN STATE?  YES  NO
- b. TAKEN AN OATH OR MADE AN AFFIRMATION OR OTHER FORMAL DECLARATION OF ALLEGIANCE TO A FOREIGN STATE?  YES  NO
- c. SERVED IN THE ARMED FORCES OF A FOREIGN STATE?  YES  NO
- d. ACCEPTED, SERVED IN, OR PERFORMED THE DUTIES OF ANY OFFICE, POST OR EMPLOYMENT UNDER THE GOVERNMENT OF A FOREIGN STATE?  YES  NO
- e. RENOUNCED U.S. NATIONALITY AT A U.S. CONSULATE OR EMBASSY?  YES  NO

8. If your answer to all the questions asked in item 7 above is "No," please sign below and return this form to the person who asked you to complete it.  
 If you answered "Yes" to one or more of the questions asked in item 7 above, please continue with PART II or III.

John Doe  
 Signature

Feb. 26, 2004  
 Date

You should be aware that under the United States law a citizen who has performed any of the acts specified in Part I, Item 7 with the intention of relinquishing United States citizenship may have hereby lost United States citizenship. If you voluntarily performed an act listed in Part I, Item 7 with the intent to relinquish United States citizenship, you may sign Part II of this statement and return this form to us, and we will prepare the forms necessary to document your loss of U.S. citizenship. If you believe expatriation has not occurred, either because the act you performed was not voluntary or because you did not intend to relinquish U.S. citizenship, you should skip Part II, and complete Part III of this form.

**PART II**

**STATEMENT OF VOLUNTARY RELINQUISHMENT OF U.S. CITIZENSHIP**

I, \_\_\_\_\_ performed the act of expatriation indicated in Part I, Item 7, \_\_\_\_\_ voluntarily and with intention of relinquishing my U.S. citizenship.  
 (a,b,c,d or e)

Signature

Date

SUBSCRIBED AND SWORN TO BEFORE ME, \_\_\_\_\_ on  
 (name of person administering this oath)

(month/day/year)

at

(city/state/country)

SEAL

(signature of notary public/clerk of court/U.S. Consul)

**PART III**

1. PLEASE CHECK "YES" OR "NO"

- a. ARE YOU A NATIONAL OR CITIZEN OF ANY COUNTRY OTHER THAN THE UNITED STATES?  YES  NO
- b. IF YES, OF WHAT COUNTRY? California Republic
- c. IF YES, DID YOU ACQUIRE THAT CITIZENSHIP IN THE FOREIGN COUNTRY BY:
  - (i) BIRTH?  YES  NO
  - (ii) MARRIAGE?  YES  NO
  - (iii) NATURALIZATION OR REGISTRATION ON \_\_\_\_\_  
 (Date)  YES  NO
- d. IF OTHER, EXPLAIN:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. When did you first become aware that you might be a United States citizen (give approximate date)?

when I was 12 years old

3. How did you find out that you were a citizen of the United States? (For example, did you always know you were a U.S. citizen? If not, when did you learn about your citizenship? Did someone tell you that you were a U.S. citizen?)

I learned that citizenship is a result of being born within the political, but not necessarily legislative, jurisdiction of a country.

4. Describe as specifically as you can the act or acts you performed as indicated in Part I, Item 7. For example, by what means or in what kind of proceeding were you naturalized as a citizen of a foreign state? What was the nature of the oath you took? In what foreign army did you serve? What rank did you hold? What employment did you have and what were your responsibilities? Indicate precisely when and where the act was performed.

Not applicable

5. Describe in detail the circumstances under which you performed the act or acts indicated in Part I, Item 7. Did you perform the act or acts voluntarily? If not, in what sense was your performance of the act or acts involuntary? What was your intent toward your U.S. citizenship in performing the act or acts?

Not applicable.

6. Did you know that by performing the act described in Part I, Item 7 you might lose U.S. citizenship? Explain your answer.

Not applicable

7. What ties did you have to the country where you performed the act indicated in Part I, Item 7? For example, at the time you performed the act, did you maintain a residence, did you own property, did you have family or social ties, did you vote?

Not applicable

8. What ties do you retain with the United States? For example, do you maintain a residence, have property, family or social ties, vote, file U.S. income or other tax returns?

Not applicable

Your answers on this form will become part of the official record in your case. Before signing this form, read over your answers to make certain that they are as complete and accurate as possible. If you would like to provide additional information you believe relevant to a determination of your citizenship status, you may attach separate sheets with that information.

For the purposes of this application:

- "citizenship" or "U.S. citizenship" means being a "national" under § U.S.C. 1101(a)(21) but not a "citizen" under § U.S.C. 1401.
- "United States" means the territories and possessions of the federal government plus the District of Columbia and excludes states of the Union.
- "U.S. citizen" means that indicated in § U.S.C. 1401.

John Doe.  
Signature

Feb. 26, 2004  
Date

see attached pamphlet "why you are a "national" or "state national" or NOT a "U.S. citizen"

**WHY YOU ARE A “NATIONAL” OR A  
“STATE NATIONAL” AND NOT A “U.S. CITIZEN”**

By: Christopher M. Hansen,

<http://famguardian.org/>

Last Revised: 3/10/05

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## 1. “Citizens” v. “Nationals”

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

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

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

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

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

The key thing to notice is that those who are “citizens” within a political jurisdiction are also subject to **all** laws within that political jurisdiction. Note the phrase above:

*“‘Citizens’ are members of a political community who, in their associated capacity, **have...submitted themselves to the dominion of a government [and all its laws] for the promotion of their general welfare and the protection of their individual as well as collective rights.**” [[Black’s Law Dictionary](#), Sixth, p. 244]*

The only people who are “subject to” federal law, and therefore “citizens” under federal law, are those people who live where the federal government has exclusive legislative jurisdiction, which exists only within the federal zone, under Article 1, Section 8, Clause 17 of the Constitution and 40 U.S.C. §§3111 and 3112. Within the Internal Revenue Code, people born in the federal zone or living there are described as being “subject to **its** jurisdiction” rather than “subject to **the** jurisdiction”:

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

This area includes the District of Columbia, the territories and possessions of the United States, and the federal areas within states. If you were born in a state of the Union and live there, you are not subject to federal jurisdiction unless the land you occupy was ceded by the state to the federal government. Therefore, you are not and cannot be a “citizen” under federal law! If you aren’t a “citizen”, then you also can’t be claiming your children as “citizens” on IRS returns either!

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

[8 U.S.C. §1101](#): Definitions

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

A “state” is then defined as follows:

“State. A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v. 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. Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d 636, 254 N.Y.S.2d 763, 765. A body of people occupying a definite territory and politically organized under one government. State ex re. Maisano v. Mitchell, 155 Conn. 256, 231 A.2d 539, 542. A territorial unit with a distinct general body of law. 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).

[...]

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

So when we claim “allegiance” as a “national”, we are claiming allegiance to a “state”, which is the collection of all people within the geographical boundaries of a political jurisdiction. Note that as a “national”, we are NOT claiming allegiance to the government or anyone serving us within the government in their official capacity as “public servants”. As a “national”, we are instead claiming allegiance to the People within the legislative jurisdiction of the geographic region. This is because in America, the People are the Sovereigns, and not the government who serves them. All sovereignty and authority emanates from We the People as individuals:

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. ..." [Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

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

The supreme Court of the United States described and compared the differences between “citizenship” and “allegiance” very succinctly in the case of Talbot v. Janson, 3 U.S. 133 (1795):

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

A “national” is not subject to the exclusive legislative jurisdiction and general sovereignty of the political body, but indirectly is protected by it and may claim its protection. For instance, when we travel overseas, we are known in foreign

1 countries as American Nationals or “nationals of the United States” under 8 U.S.C. §1101(a)(22)(B) . Here is the definition  
2 of a “national of the United States” that demonstrates this, and note paragraph (a)(22)(B):

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 Consequently, the only time a “national” can also be described as a “citizen” is when he resides in the territorial jurisdiction  
10 of the political body to which he claims allegiance. Being a “national” is therefore an attribute and a prerequisite of being a  
11 “citizen”, and the term can be used to describe “citizens”, as indicated above in paragraph (A). For instance, 8 U.S.C.  
12 §1401 describes the citizenship of those born within or residing within federal jurisdiction, and note that these people are  
13 identified as both “citizens” and “nationals”.

14 [TITLE 8](#) > [CHAPTER 12](#) > [SUBCHAPTER III](#) > [Part I](#) > **Sec. 1401.**

15 *Sec. 1401. - Nationals and citizens of United States at birth*

16 *The following shall be nationals and citizens of the United States at birth:*

17 (a) a person born in the United States, and subject to the jurisdiction thereof;

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

21 When “citizens” move outside of the exclusive legislative jurisdiction of the “state” to which they are a member and cease  
22 to participate directly in the political functions of that “state”, however, they become “nationals” but not “citizens” under  
23 federal law. This is confirmed by the definition of “citizen of the United States” found in Section 1 of the Fourteenth  
24 Amendment:

25 *U.S. Constitution: Fourteenth Amendment*

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

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

37 When you move outside its territorial jurisdiction of the political body and do not participate in its political functions as a  
38 jurist or a voter, then you are no longer “subject to the [political] jurisdiction”. Likewise, because you are outside territorial  
39 limits of the political body, you are also *not* subject in any degree to its legislative jurisdiction either:

40 *"Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the*  
41 *law of comity must necessarily rest, the following maxims: First 'that every nation possesses an exclusive*  
42 *sovereignty and jurisdiction within its own territory'; secondly, 'that no state or nation can by its laws directly*  
43 *affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural*  
44 *born subjects or others.' The learned judge then adds: 'From these two maxims or propositions there follows a*

third, and that is that whatever force and obligation the laws of one country have in another depend solely upon the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and upon its own express or tacit consent." Story on Conflict of Laws §23." [Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio St. 16; 76 N.E. 91; 11 L.R.A., N.S., 1012 (1905)]

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

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

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

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

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

As used in this title, the term 'territories' generally refers to the political subdivisions created by congress, and not within the boundaries of any of the several states.

[86 C.J.S. (Corpus, Juris, Secundum, Legal Encyclopedia), Territories]

The Supreme Court agreed with the conclusions within this section so far, in the cite next. Notice how they use the terms “citizenship” and “nationality” or “national” interchangeably, because as you will learn later in section 5, they are equivalent:

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

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

[Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]

1 So when a person resides outside the territorial limits of a political body and does not participate *directly* in its political  
 2 functions, then they are “nationals” but not “citizens” of that political body. This is the condition of people born in and  
 3 residing in states of the Union in regards to their federal citizenship:

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

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

18 *In the United States, “domicile” and “residentce” are the two major competitors for judicial attention, and the*  
 19 *words are almost invariably used to describe the relationship that the person has to the state rather than the*  
 20 *nation. We use “citizenship” to describe the national relationship, and we generally eschew “nationality”*  
 21 *(heard more frequently among European nations) as a descriptive term.*

22 [*Conflicts In A Nutshell, Second Edition, David D. Siegel, West Publishing, 1994, ISBN 0-314-02952, p. 15*]

23 A person who is a "national" with respect to a political jurisdiction and who does not reside within the exclusive or general  
 24 legislative jurisdiction of the political body is treated as a "[nonresident alien](#)" within federal law. He is a "nonresident"  
 25 because he is not "resident" within the territorial limits. He is an alien, because he is "alien" to that jurisdiction and not  
 26 directly associated with it and is not “domiciled” within its legislative jurisdiction.

27 [26 U.S.C. 7701\(b\)\(1\)\(B\) Definitions](#)

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

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

Citizenship	Defined in	Subject to <i>legislative jurisdiction/police powers</i> ?	Subject to “ <i>political jurisdiction</i> ”?	A “nonresident alien”?
“ <a href="#">citizen</a> ”	<a href="#">8 U.S.C. §1401</a>	Yes	Yes	No
“ <a href="#">resident</a> ”/“ <a href="#">alien</a> ”	<a href="#">8 U.S.C. §1101(a)(3)</a> <a href="#">26 U.S.C. §7701(b)(1)(A)</a>	Yes	No	No
“ <a href="#">national</a> ”	<a href="#">8 U.S.C. §1101(a)(21)</a> <a href="#">8 U.S.C. §1101(a)(22)</a>	No	Yes	Yes

37 When a federal officer asks you if you are a “citizen”, consider the context! The only basis for him asking this is *federal*  
 38 *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

1 admitting that you are subject to federal law, because that’s what it means to be a “citizen” under federal law! Watch out!  
 2 Therefore, as people born in and living within a state of the union on land that is not owned by the federal government, we  
 3 need to be very careful how we describe ourselves on government forms. Below is what we should say in each of the  
 4 various contexts to avoid misleading those asking the questions on the forms. In this context, let’s assume you were born in  
 5 California and live there. This guidance also applies to questions that officers of the government might ask you in each of  
 6 the two contexts as well:

7 **Table 1-2: 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.	No. Not under federal law.
2	Are you a “national”?	Yes. Of California.	Yes. I’m a “national of the United States” under 8 U.S.C. §1101(a)(22)(B) but not under 8 U.S.C. §1101(a)(22)(A)
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 <u>not</u> a federal “citizen” because I don’t reside on federal property.
4	Are you subject to the political jurisdiction of the United States?	Yes. I’m a state voter who influences federal elections indirectly by the representatives I elect.	Yes. I’m a state voter 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 branch 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, and not the federal government, because I don’t live 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.

8 Now that we understand the distinctions between “citizens” and “nationals” within federal law, we are ready to tackle the  
 9 citizenship issue head on.

10 **2. What is a “national” or “state national”?**

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

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

1 “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.  
 2 §1101(a)(21). Both “nationals” and “U.S. nationals” existed under *The Law of Nations* and international law since long  
 3 before the passage of the 14<sup>th</sup> Amendment to the U.S. Constitution in 1868. There are two types of “nationals” or “U.S.  
 4 nationals” under federal law, as we revealed earlier in section 4.11.3.1 of our [Great IRS Hoax](#) book:

5 Table 2-1: 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	<a href="#">8 U.S.C. §1408</a> <a href="#">8 U.S.C. §1101(a)(22)</a>	“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> 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. American Samoa 3. Swain’s Island	<a href="#">8 U.S.C. §1452</a> ; <a href="#">8 U.S.C. §1101(a)(21)</a> ; <a href="#">8 U.S.C. §1101(a)(22)(B)</a>	“U.S. national” or “national” or “state 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. §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.

6 A “state national” or simply “national” is one who derives his nationality and allegiance to the confederation of states of the  
 7 Union called the “United States of America” by virtue of being born in a state of the Union. In terms of protection of our  
 8 rights, being a “state national” or a “U.S. national” are roughly equivalent. The “U.S. national” status, however, has several  
 9 advantages that the “state national” status does *not* enjoy, as we explained earlier in section 4.11.4 of the [Great IRS Hoax](#)  
 10 book:

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

15 **3. Who exactly are “nationals” and “state nationals” in our country?**

16 The key difference between a “state national” and a “U.S. national” is the citizenship status of your parents. Below is a  
 17 table that summarizes the distinctions using all possible permutations of “state national” and “U.S. national” status for both  
 18 you and your parents:

19 **Table 3-1: Becoming a “national” by birth**

#	Reference	Parent’s citizenship status	Your birthplace	Your status
1	<a href="#">8 U.S.C. §1452</a> ; <a href="#">8 U.S.C. §1101(a)(22)(B)</a> ; <a href="#">8 U.S.C. §1101(a)(21)</a>	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	<a href="#">8 U.S.C. §1408(1)</a>	Irrelevant	In an outlying possession on or after the date of formal acquisition of such possession	“U.S. national”
3	<a href="#">8 U.S.C. §1408(2)</a>	“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	<a href="#">8 U.S.C. §1408(3)</a>	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	<a href="#">8 U.S.C. §1408(4)</a>	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	<a href="#">Law of Nations</a> , 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	<a href="#">Law of Nations</a> , Book I, §215	Both parents are “U.S. nationals” or “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” or “U.S. national”
8	<a href="#">Law of Nations</a> , Book I, §62 <a href="#">8 U.S.C. §1481</a>	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”

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

8 “Article 1, Section 8, Clause 10

9 “The Congress shall have Power...

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

12 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  
 13 the Union are considered “foreign countries” with respect to the federal government legislative jurisdiction and police  
 14 powers (see <http://famguardian.org/Publications/LawOfNations/vattel.htm>).

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

16 *It is asked whether the children born of citizens in a foreign country are citizens? The laws have decided this*  
 17 *question in several countries, and their regulations must be followed.(59) By the law of nature alone, children*

1 follow the condition of their fathers, and enter into all their rights (§ 212); the place of birth produces no  
 2 change in this particular, and cannot, of itself, furnish any reason for taking from a child what nature has  
 3 given him; I say "of itself," for, civil or political laws may, for particular reasons, ordain otherwise. But I  
 4 suppose that the father has not entirely quitted his country in order to settle elsewhere. If he has fixed his abode  
 5 in a foreign country, he is become a member of another society, at least as a perpetual inhabitant; and his  
 6 children will be members of it also.

7 The reason 8 U.S.C. §1408 doesn't mention this case or condition is because this is the criteria that most Americans born  
 8 inside states of the Union will meet and the U.S. government wants these people to falsely believe or presume that they are  
 9 “U.S. citizens” who are “subject to” federal statutes and jurisdiction, so they interfere in the determination of their true  
 10 status as “nationals” and “state nationals” by removing the means to identify it from federal statutes. 8 U.S.C. §1452 is the  
 11 authority for getting your status of being a “state national” formally recognized by the federal government, and it applies to  
 12 people born in states of the Union, but those who administer it in the Department of State, in our experience, refuse to  
 13 recognize its proper application because they don't want to give the slaves the keys to their chains so they can leave the  
 14 federal plantation.

15 How can you be sure you are a “national” or “state national” if the authority for being so isn't found in federal statutes?  
 16 There are lots of ways, but the easiest way is to consider that you as a person who was born in a state of the Union and  
 17 outside the federal “United States” can legally “expatriate” your citizenship. All you need in order to do so is your original  
 18 birth certificate and to follow the procedures prescribed in federal law which we explain in section 4.11.10 of our Great IRS  
 19 Hoax book and 3.5.3.13 of our Tax Freedom Solutions Manual. What exactly are you “expatriating”? The definition of  
 20 expatriation clarifies this:

21 *“Expatriation is the voluntary renunciation or abandonment of nationality and allegiance.” [Perkins v. Elg,*  
 22 *[307 U.S. 325](#), 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]*

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

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

27 8 U.S.C. §1101: Definitions

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

29 The term “state” above can mean a state of the Union or it can mean a confederation of states called the “United States”.  
 30 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  
 31 with respect to the federal government for the purposes of legislative jurisdiction for nearly all subject matters. All upper  
 32 case “States” in federal law refer to territories or possessions owned by the federal government under 4 U.S.C. §110(d):

33 *“Foreign States: Nations outside of the United States...Term may also refer to another state; i.e. a sister state.*  
 34 *The term ‘foreign nations’, ...should be construed to mean all nations and states other than that in which the*  
 35 *action is brought; and hence, one state of the Union is foreign to another, in that sense.”*  
 36 *[Black's Law Dictionary, 6<sup>th</sup> Edition, p. 648]*

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

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

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

“Section 1993 of the Revised Statutes provides that children so born 'are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States.' Thus a limitation is prescribed on the passage of citizenship by descent beyond the second generation if then surrendered by permanent nonresidence, and this limitation was contained in all the acts from 1790 down. Section 2172 provides that such children shall 'be considered as citizens thereof.' “ [U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]

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

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

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

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

8 U.S.C. Sec. 1408. - Nationals but not citizens of the United States at birth

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

...

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

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

[TITLE 8](#) > [CHAPTER 12](#) > [SUBCHAPTER 1](#) > **Sec. 1101.**

[Sec. 1101. - Definitions](#)

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

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

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

1 The definition also doesn't tell us which of the three definitions of “United States” is being referred to as defined by the  
2 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*.  
3 Since we have to guess which one they mean, then the law is already vague and confusing, and possibly even “void for  
4 vagueness” as we explain in section 5.11 of the *Great IRS Hoax*. However, in the absence of a clear and unambiguous  
5 definition, we must assume that the definition used implies only the property of the federal government situated within the  
6 federal zone as we explain in section 5.2.1 of the *Great IRS Hoax* and as the Supreme Court revealed in *U.S. v. Spelar*, 338  
7 U.S. 217 at 222 (1949).

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

10 *3C Am Jur 2d §2689, Who is born in United States and subject to United States jurisdiction*

11 "A person is born *subject to the jurisdiction of the United States*, for purposes of acquiring citizenship at birth, if  
12 his or her birth occurs in territory over which the United States is sovereign, even though another  
13 country provides all governmental services within the territory, and the territory is subsequently ceded to the  
14 other country."

15 The key word in the above definition is “territory” in relationship to the sovereignty word. The only places which are  
16 “territories” of the United States government are listed in Title 48 of the United States Code. The states of the union are  
17 NOT territories!

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

20 A portion of the United States not within the limits of any state, which has not yet been admitted as a state of  
21 the Union, but is organized with a separate legislature, and with executive and judicial powers appointed by the  
22 President."

23 [Black's Law Dictionary, Sixth Edition, page 1473]

24 And the rulings of the Supreme Court confirm this:

25 "A State does not owe its origin to the Government of the United States, in the highest or in any of its  
26 branches. It was in existence before it. It derives its authority from the same pure and sacred source as itself:  
27 The voluntary and deliberate choice of the people...A State is altogether exempt from the jurisdiction of the  
28 Courts of the United States, or from any other exterior authority, unless in the special instances when the  
29 general Government has power derived from the Constitution itself." [Chisholm v. Georgia, 2 Dall. (U.S.)  
30 419 (Dall.) (1794)]

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

36 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  
37 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 exclusive,  
38 and most “general” form inside its “territories”, and in federal enclaves within the states, or more generally in what we call  
39 the “federal zone” in this book. The ONLY place where the exclusive sovereignty of the United States exists in the context  
40 of its “territories” is under Article 1, Section 8, Clause 17 of the Constitution on federal land. In the legal field, by the way,  
41 this type of exclusive jurisdiction is described as “plenary power”. Very few of us are born on federal land under such  
42 circumstances, and therefore very few of us technically qualify as “citizens of the United States”. By the way, the federal  
43 government does have a very limited sovereignty or “authority” inside the states of the union, but it does not exceed that of  
44 the states, nor is it absolute or unrestrained or exclusive like it is inside the “territories” of the United States listed in Title  
45 48 of the United States Code.

Let’s now see if we can confirm the above conclusions with the weasel words that the lawyers in Congress wrote into the 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 continental United States*”. The definition of this term is hidden in the regulations as follows:

[Code of Federal Regulations]  
[Title 8, Volume 1]  
[Revised as of January 1, 2002]  
From the U.S. Government Printing Office via GPO Access  
[CITE: 8CFR215]  
TITLE 8--ALIENS AND NATIONALITY CHAPTER I--IMMIGRATION AND NATURALIZATION SERVICE,  
DEPARTMENT OF JUSTICE  
PART 215--CONTROLS OF ALIENS DEPARTING FROM THE UNITED STATES

[Section 215.1: Definitions](#)

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

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

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

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

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

[TITLE 40 > CHAPTER 4 > Sec. 319c.](#)

[Sec. 319c.](#) - Definitions for easement provisions

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

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

Did you notice that they used the term “means” instead of “includes” and that they said “States of the Union” instead of “several States”? You can tell they are playing word games and trying to hide their limited jurisdiction whenever they throw in the word “includes” and do not use the word “Union” in their definition of “State”. As a matter of fact, section 5.6.15 of the [Great IRS Hoax](#) reveals that there is a big scandal surrounding the use of the word “includes”. That word is abused as a way to illegally expand the jurisdiction of the federal government beyond its clear Constitutional limits.

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

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

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

1. The term “continental United States” is redundant and unnecessary within the definition of “United States” found in 8 U.S.C. §1101(a)(38).
2. The use of the term “continental United States” is introduced mainly to deceive and confuse the reader about his true citizenship status as a “U.S. national”.

The above analysis also leaves us with one last nagging question: why do Alaska and Hawaii appear in the definition of “United States” in 8 U.S.C. §1101(a)(38), since we showed that the [other](#) “States” mentioned as part of this “United States”

1 are federal “States”? If our hypothesis is correct that the “United States” means “the federal zone” within federal statutes  
 2 and regulations and “the states of the Union” collectively within the Constitution, then the definition from the regulation  
 3 above can’t include any part of a Union state that is not a federal enclave. In the case of Alaska and Hawaii, they were only  
 4 recently admitted as Union states (1950’s). The legislative notes for Title 8 of the U.S. Code (entitled “Aliens and  
 5 Nationality”) reveal that the title is primarily derived from the immigration and Nationality Act of 1940, which was written  
 6 BEFORE Alaska and Hawaii joined the Union. Before that, they were referred to as the Territories of Alaska and Hawaii,  
 7 which belonged to the “United States” or simply “Alaska and Hawaii”. Note that 8 U.S.C. §1101(a)(38) adds the phrase  
 8 “of the United States” after the names of these two former territories and groups them together with other federal territories,  
 9 which to us implies that they are referring to Alaska and Hawaii when they were territories rather than Union states. At the  
 10 time they were federal territories, then they were federal “States”. These conclusions are confirmed by a rule of statutory  
 11 construction known as “ejusdem generis”, which basically says that items of the same class or general type must be  
 12 grouped together. The other items that Alaska and Hawaii are grouped with are federal territories in the list of enumerated  
 13 items:

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

21 *Under “ejusdem generis” canon of statutory construction, where general words follow the enumeration of*  
 22 *particular classes of things, the general words will be construed as applying only to things of the same general*  
 23 *class as those enumerated. Campbell v. Board of Dental Examiners, 53 Cal.App.3d 283, 125 Cal.Rptr. 694,*  
 24 *696.”*  
 25 *[Black’s Law Dictionary, Sixth Edition, p. 517]*

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

29 Fourteenth Amendment

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

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

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

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

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

50 *“For convenience it has been found necessary to give a name to this membership. The object is to designate by*  
 51 *a title the person and the relation he bears to the nation. For this purpose the words ‘subject,’ ‘inhabitant,’ and*  
 52 *‘citizen’ have been used, and the choice between them is sometimes made to depend upon the form of the*  
 53 *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 [the word “citizen”] 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.” [Minor v. Happersett, 88 U.S. 162 (1874)]

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

1. Membership in a community (see Minor v. Happersett, 88 U.S. 162 (1874))
2. Right to vote.
3. Right to serve on jury duty.

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

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

So “subject to the jurisdiction” in the context of citizenship means “subject to the [political] jurisdiction” of the United States, and the Fourteenth Amendment definitely includes people born in states of the Union. Another very interesting conclusion reveals itself from reading the following excerpt from the above case:

*And Mr. Justice Miller, delivering the opinion of the court [legislating from the bench, in this case], in analyzing the first clause, observed that “the phrase ‘subject to the jurisdiction thereof’ was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign states, born within the United States.*

*[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

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

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

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

*“For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ”--Philippians 3:20*

*“Now, therefore, you are no longer strangers and foreigners, but fellow citizens with the saints and members of the household of God.” --Ephesians 2:19, Bible, NKJV*

*“These all died in faith, not having received the promises, but having seen them afar off were assured of them, embraced them and confessed that they were strangers and pilgrims on the earth.” --Hebrews 11:13*

1 *"Beloved, I beg you as sojourners and pilgrims, abstain from fleshly lusts which war against the soul..." -1*  
2 *Peter 2:1*

3 Furthermore, if you read section 5.2.11 of the *Great IRS Hoax*, you will also find that the 50 Union states are considered  
4 “foreign states” and “foreign countries” with respect to the U.S. government as far as Subtitle A income taxes are  
5 concerned:

6 *Foreign courts:* “The courts of a foreign state or nation. In the United States, this term is frequently applied to  
7 the courts of one of the states when their judgments or records are introduced in the courts of another.”  
8 [Black’s Law Dictionary, 6<sup>th</sup> Edition, p 647]

9 *Foreign Laws:* “The laws of a foreign country or sister state.” [Black’s Law Dictionary, 6<sup>th</sup> Edition, p. 647]

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

12 <http://famguardian.org/TaxFreedom/Evidence/Citizenship/7FAM1100,1110,1111-DeptOfState.pdf>

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

14 <http://foia.state.gov/famdir/Fam/fam.asp>

15 which says in pertinent part:

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

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

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

29 *"We all know that permanent judges acquire an esprit de corps; that, being known, they are liable to be tempted*  
30 *by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or*  
31 *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*  
32 *side; and that the opinion of twelve honest jurymen gives still a better hope of right than cross and pile does." --*  
33 *Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283*

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

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

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

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

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

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

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

18 *"a. Simply stated, "subject to the jurisdiction" of the United States means subject to the laws of the United*  
 19 *States." [emphasis added]*

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

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

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

30 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 so,  
 31 we will draw on a very interesting article on our website entitled [Authorities on Jurisdiction of Federal Courts](#) found on our  
 32 website at:

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

34 We start with a cite from Title 18 that helps explain the jurisdiction of “the laws of the United States”:

35 [TITLE 18](#) > [PART III](#) > [CHAPTER 301](#) > **Sec. 4001.**

36 [Sec. 4001. - Limitation on detention; control of prisons](#)

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

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

41 *"On the other hand since all Federal crimes are statutory [ see [United States v. Hudson, 11 U.S. 32, 3 L.ed. 259](#)*  
 42 *[\(1812\)](#)] and all criminal prosecutions in the Federal courts are based on acts of Congress. . . ." [emphasis*  
 43 *added]*

44 We emphasize the phrase “**Acts of Congress**” above. In order to define the jurisdiction of the Federal courts to conduct  
 45 criminal prosecutions and how they might apply “the laws of the United States” in any given situation, one would have to

1 find out what the specific definition of "Act of Congress," is. We find such a definition in [Rule 54\(c\) of the Federal Rules of Criminal Procedure](#) prior to Dec. 2002, wherein "Act of Congress" is defined. Rule 54(c) states:

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

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

6 [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}?)

7 The \$64,000 question is:

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

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

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

14 "It is no longer open to question that the general government, unlike the states, [Hammer v. Dagenhart, 247](#)  
15 [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  
16 internal affairs of the states; and emphatically not with regard to legislation." [Carter v. Carter Coal Co.,  
17 [298 U.S. 238](#), 56 S.Ct. 855 (1936)]

18 Keep in mind that Title 8 of the U.S. Code, which establishes citizenship under federal law is federal “legislation”. I guess  
19 that means there is *nothing* in that title that can define or circumscribe our rights as people born within and living within a  
20 state of the Union, which is foreign to the federal government for the purposes of legislative jurisdiction. In fact, that is  
21 exactly our status as a “national” defined in 8 U.S.C. §1101(a)(21). The term “national” is defined in the title but the rights  
22 of such a person are not limited or circumscribed there because they can’t be under the Constitution. This, folks, is the  
23 essence of what it means to be truly “sovereign” with respect to the federal government, which is that you aren’t the subject  
24 of any federal law. Laws limit rights and take them away. Rights don’t come from laws, they come from God! America is  
25 “The land of the Kings”. Every one of you is a king or ruler over your public servants, and THEY, not you, should be  
26 “rendering to Caesar”, just as the Bible says in Matt. 22:15:22:

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

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

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

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

38 [8 U.S.C. §1101 Definitions](#) [for the purposes of citizenship]

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

40 (a)(22) The term "national of the United States" means:

41 (A) a citizen of the United States, or

42 (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United  
43 States.

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

3 [8 U.S.C. §1101 Definitions](#) [for the purposes of citizenship]

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

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

9 *“In the sweat of your face you shall eat bread*  
10 *Till you return to the ground,*  
11 *For out of it you were taken;*  
12 *For dust you are,*  
13 *And to dust you shall return.”*  
14 *[God speaking to Adam and Eve, Gen. 3:19, Bible, NKJV]*

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

22 When we bring up the above kinds of issues, some of our readers have said that they don’t even like being called  
23 “nationals” as they are defined above, and we agree with them. However, it is a practical reality that you cannot get a  
24 passport within our society without being either a “U.S. citizen” or a “national”, because state governments simply won’t  
25 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.  
26 The compromise we make in this sort of dilemma is to clarify on our passport application that the term “U.S.” as used on  
27 our passport application means the “United States of America” and not the federal United States or the federal corporation  
28 called the United States government. Below, in fact, is a procedure we use to apply for a passport without creating a false  
29 presumption that we are a “U.S. citizen” that worked for us:

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

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

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

- 36 1. ‘United States’ as used in [8 U.S.C. §1101\(a\)\(38\)](#) means the federal zone and ‘U.S. citizens’ are  
37 born in the federal zone under all federal statutes and “acts of Congress”. This implies that most  
38 Americans can only be ‘U.S. nationals’
- 39 2. ‘United States’ as used in [8 U.S.C. §1101\(a\)\(38\)](#) means the entire country and political jurisdictions  
40 that are foreign to that of the federal government which are found in the states. This implies that  
41 most Americans can only be ‘U.S. citizens’.”

42 We believe the answer is that our system of jurisprudence is based on “innocence until proven guilty”. In this case, the fact  
43 in question is: “Are you a U.S. citizen”, and being “not guilty” means having our rights and sovereignty respected by our  
44 deceitful government under these circumstances implies being a “national” or a “state national”. Therefore, at best, we  
45 should conclude that the above analysis is correct and clearly explains the foundations of what it means to be a “national”  
46 or a “state national” and why most Americans fit that description. At the very worst, our analysis clearly establishes that  
47 federal statutory and case law, at least insofar as “U.S. citizenship” is very vague and very ambiguous and needs further

1 definition. The supreme Court has said that when laws are vague, then they are “void for vagueness”, null, and  
2 unenforceable. See the following cases for confirmation of this fact:

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

6  
7 *“It is a basic principle of due process that an enactment [435 U.S. 982 , 986] is void for vagueness if its*  
8 *prohibitions are not clearly defined.* Vague laws offend several important values. First, because we assume  
9 that man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary  
10 intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly. Vague laws  
11 may trap the innocent by not providing fair warning. Second, if arbitrary and discriminatory enforcement is to  
12 be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly  
13 delegates basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis,  
14 with the attendant dangers of arbitrary and discriminatory application.” [[Grayned v. City of Rockford, 408](#)  
15 [U.S. 104, 108.](#)(1972), *emphasis added*]

16 We refer you to the following additional rulings of the U.S. Supreme Court on “void for vagueness” as additional  
17 authorities:

- 18 • *Papachristou v. City of Jacksonville, 405 U.S. 156* (1972)  
19 • *Cline v. Frink Dairy Co., 274 U.S. 445, 47 S. Ct. 681* (1927)  
20 • *Sewell v. Georgia, 435 U.S. 982* (1978)

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

22 *“If it doesn’t make sense, it’s probably because politics is involved!”*

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

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

48 Old (and bad) habits die hard. Even if you don’t want to believe any of the foregoing analysis or conclusions and you  
49 consequently still stubbornly cling to the false notion that you are a “citizen of the United States” instead of a “national” or

1 “state national”, the fact remains that all “citizens of the United States” are also defined in [8 U.S.C. §1401](#) to include  
 2 “national” status. That means that being a privileged “citizen of the United States” under federal law is a dual citizenship  
 3 status while being a “national” is only a single status (U.S. nationality derived from state birth and citizenship):

4 [TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1401.](#)

5 [Sec. 1401. - Nationals and citizens of United States at birth](#)

6 The following shall be nationals and citizens of the United States at birth:

7 (a) a person born in the United States, and subject to the jurisdiction thereof;

8 [...]

9 The dual status is described in Black’s Law Dictionary as follows:

10 Dual citizenship. *Citizenship in two different **countries**. Status of citizens of United States who reside*  
 11 *within a state; i.e., person who are born or naturalized in the U.S. are citizens of the U.S. and the state wherein*  
 12 *they reside. [Black’s Law Dictionary, Sixth Edition, page 498]*

13 You will learn later in section 4.11.10 of [The Great IRS Hoax](#) that the term “citizenship” as used by the courts means  
 14 “nationality”, so dual citizenship means “dual nationality and allegiance”.<sup>1</sup> You see, even the law dictionary says your state  
 15 is a “country”, which means you are a national of that country according to 8 U.S.C. §1101(a)(21).

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

22 *“Almost a century ago, Congress declared that “the right of expatriation [including expatriation from the*  
 23 *District of Columbia or “U.S. Inc”, the corporation] is a natural and inherent right of all people, indispensable*  
 24 *to the enjoyment of the rights of life, liberty, and the pursuit of happiness,” and decreed that “any declaration,*  
 25 *instruction, opinion, order, or decision of any officers of this government which denies, restricts, impairs, or*  
 26 *questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this*  
 27 *government.” 15 Stat. 223-224 (1868), R.S. § 1999, 8 U.S.C. § 800 (1940).<sup>2</sup> Although designed to apply*  
 28 *especially to the rights of immigrants to shed their foreign nationalities, that Act of Congress “is also broad*  
 29 *enough to cover, and does cover, the corresponding natural and inherent right of American citizens to*  
 30 *expatriate themselves.” Savorgnan v. United States, 1950, 338 U.S. 491, 498 note 11, 70 S. Ct. 292, 296, 94 L.*  
 31 *Ed. 287.<sup>3</sup> The Supreme Court has held that the Citizenship Act of 1907 and the Nationality Act of 1940 “are to*  
 32 *be read in the light of the declaration of policy favoring freedom of expatriation which stands unrepealed.” Id.,*  
 33 *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*  
 34 *U.S.C.A. § 1185.” Walter Briehl v. John Foster Dulles, 248 F2d 561, 583 (1957)*

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

41 That to secure these rights, Governments are instituted among Men, deriving their just  
 42 powers from the consent of the governed. --That whenever any Form of Government

<sup>1</sup> See also [Perkins v. Elg](#), 307 U.S. 325 (1939), which defines “expatriation” as the process of abandoning “nationality and allegiance”, not citizenship.

<sup>2</sup> See Carrington, Political Questions: The Judicial Check on the Executive, 42 Va.L.Rev. 175 (1956).

<sup>3</sup> 9 Pet. 692, 34 U.S. 692, 699, 9 L. Ed. 276.

1 *becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new*  
 2 *Government, laying its foundation on such principles and organizing its powers in such form, as to them shall*  
 3 *seem most likely to effect their Safety and Happiness.” [emphasis added]*

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

17 **4. Summary of constraints applying to “national” status**

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

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

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

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

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

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

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

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

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

41 **1. Right to vote:**

- 42 1.1. “nationals” or “state nationals” can *register to vote* under laws in most states but must be careful how they
- 43 describe their status on the voter registration application.
- 44 1.2. Some state voter registration forms have a formal affidavit by which signer swears, under penalties of perjury,
- 45 that s/he is a "citizen of the United States" or a “U.S. citizen”.

- 1 1.3. Such completed affidavits become admissible evidence and conclusive proof that signer is a “citizen of the  
2 United States” under federal statutes, which is not the same thing as a “national” or “state national”.
- 3 **2. Right to serve on jury duty:**
- 4 2.1. “nationals” or “state nationals” can *serve on jury duty* under most state laws. If your state gives you trouble  
5 by not allowing you to serve on jury duty as a “national”, you are admonished to litigate to regain their voting  
6 rights and change state law.
- 7 2.2. Some state jury summons forms have a section that allows persons to disqualify themselves from serving on  
8 jury duty if they do not claim to be “citizens of the United States”. We should return the summons form with an  
9 affidavit claiming that we want to serve on jury duty and are “nationals” rather than “citizens” of the United  
10 States. If they then disqualify us from serving on jury duty, we should litigate to regain our right to serve on  
11 juries.
- 12 3. The exercise of federal citizenship, including voting and serving on jury duty, is a statutory privilege which can be  
13 created, taxed, regulated and even revoked by Congress! Please reread section 4.3 of *The Great IRS Hoax* book about  
14 “Government instituted slavery using privileges” for clarification on what this means. In effect, the government,  
15 through operation of law, has transformed a right into a taxable privilege, .
- 16 4. The exercise of “national” Citizenship is an unalienable Right which Congress cannot tax, regulate or revoke under any  
17 circumstances.
- 18 5. Such a Right is guaranteed by the U.S. Constitution, which Congress cannot amend without the consent of three-  
19 fourths of the Union States.

## 20 **5. How the Government Has Obfuscated the Citizenship Issue to Fool us into** 21 **Falsely Admitting to be “U.S. citizens” under the Internal Revenue Code**

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

- 30
- 31 • Provide definitions of the key and more common terms used both by the Federal judiciary courts and the  
32 Legislative branch in Title 8 so that you will no longer be deceived.
  - 33 • Show you how the government and the legal profession have obfuscated key citizenship terms over the years to  
34 expand their jurisdiction and control over Americans beyond what the Constitution authorizes.

34 As expected, we found no authoritative legal publications that explain *how* the government and the law profession have  
35 obfuscated citizenship definitions so as usual, we had to study several cases on citizenship, read Title 8 (“Aliens and  
36 Nationality”) of the U.S. Code repeatedly, and visit the law library repeatedly in order to completely decipher their  
37 deception on our own. The basic deception results from the following:

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

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

4 “The 1<sup>st</sup> clause of the 14<sup>th</sup> article was primarily intended to confer citizenship of the United States and  
 5 citizenship of the states, and it recognizes the distinction between citizenship of a state and citizenship of the  
 6 United States by those definitions.

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

14 [...]

15 “To remove this difficulty primarily, and to establish a clear and comprehensive definition of citizenship  
 16 which should declare what should constitute citizenship of the United States and also citizenship of a state,  
 17 the 1<sup>st</sup> clause of the 1<sup>st</sup> section [of the Fourteenth Amendment] was framed:

18 ‘All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the  
 19 United States and of the state wherein they reside.’

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

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

33 It is quite clear, then, that there is a citizenship of the United States, and a citizenship of a state, which are  
 34 distinct from each other and which depend upon different characteristics or circumstances of the individual.”

35 [*Slaughter-House Cases*, 83 U.S. (16 Wall.) 36; 21 L.Ed. 394 (1873)]

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

39 “Mr. Justice Story, in his *Commentaries on the Constitution*, says: ‘**Every citizen of a state is ipso facto a**  
 40 **citizen of the [143 U.S. 135, 159] United States.**’ Section 1693. And this is the view expressed by Mr. Rawle in  
 41 his work on the Constitution. Chapter 9, pp. 85, 86. Mr. Justice CURTIS, in *Dred Scott v. Sandford*, 19 How.  
 42 393, 576, expressed the opinion that under the constitution of the United States ‘**every free person, born on the**  
 43 **soil of a state, who is a citizen of that state by force of its constitution or laws, is also a citizen of the United**  
 44 **States.**’ And Mr. Justice SWAYNE, in *The Slaughter-House Cases*, 16 Wall. 36, 126, declared that ‘**a citizen of**  
 45 **a state is ipso facto a citizen of the United States.**’ But in *Dred Scott v. Sandford*, 19 How. 393, 404, Mr. Chief  
 46 Justice TENNEY, delivering the opinion of the court, said: ‘The words ‘people of the United States’ and ‘citizens,’  
 47 are synonymous terms, and mean the same thing. They both describe the political body who, according to our  
 48 republican institutions, form the sovereignty, and who hold the power and conduct the government through  
 49 their representatives. They are what we familiarly call the ‘sovereign people,’ and every citizen is one of this  
 50 people, and a constituent member of this sovereignty. ... **In discussing this question, we must not confound the**  
 51 **rights of citizenship which a state may confer within its own limits and the rights of citizenship as a member**  
 52 **of the Union.** It does not by any means follow, because he has all the rights and privileges of a citizen of a  
 53 state, that he must be a citizen of the United States. He may have all of the rights and privileges of the citizen of a  
 54 state, and yet not be entitled to the rights and privileges of a citizen in any other state; for, previous to the  
 55 adoption of the constitution of the United States, every state had the undoubted right to confer on whomsoever it  
 56 pleased the character of citizen, and to endow him with all its rights. But this character, of course, was confined  
 57 to the boundaries of the state, and gave him no rights or privileges in other states beyond those secured to him

1 by the laws of nations and the comity of states. Nor have the several states surrendered the power of conferring  
 2 these rights and privileges by adopting the constitution of the United States. Each state may still confer them  
 3 upon an alien, or any one it thinks proper, or upon any class or description of persons; yet he would not be a  
 4 citizen in the sense in [143 U.S. 135, 160] which that word is used in the constitution of the United States, nor  
 5 entitled to sue as such in one of its courts, nor to the privileges and immunities of a citizen in the other states.  
 6 The rights which he would acquire would be restricted to the state which gave them. The constitution has  
 7 conferred on congress the right to establish a uniform rule of naturalization, and this right is evidently  
 8 exclusive, and has always been held by this court to be so. Consequently no state, since the adoption of the  
 9 constitution, can, by naturalizing an alien, invest him with the rights and privileges secured to a citizen of a  
 10 state under the federal government, although, so far as the state alone was concerned, he would undoubtedly be  
 11 entitled to the rights of a citizen, and clothed with all the rights and immunities which the constitution and laws  
 12 of the state attached to that character.’ [Boyd v. Nebraska, 143 U.S. 135 (1892)]

13 Notice above that the term “citizen of the United States” and “rights of citizenship as a member of the Union” are described  
 14 synonymously. Therefore, a “citizen of the United States” under the Fourteenth Amendment, section 1 and a “national”  
 15 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 who were  
 16 born in a state of the Union always were “citizens of the United States” by the definition of the U.S. Supreme Court, which  
 17 made them “nationals of the United States” under federal statutes. What the Fourteenth Amendment did was extend the  
 18 privileges and immunities of “nationals” (defined under federal statutes) to people of races other than white. The cite  
 19 below helps confirm this:

20 “The 1<sup>st</sup> section of the 14<sup>th</sup> article [Fourteenth Amendment], to which our attention is more specifically invited,  
 21 opens with a definition of citizenship—not only citizenship of the United States, but citizenship of the states. **No**  
 22 **such definition was previously found in the Constitution, nor had any attempt been made to define it by act**  
 23 **of Congress.** It had been the occasion of much discussion in the courts, by the executive departments and in the  
 24 public journals. **It had been said my eminent judges that no man was a citizen of the United States except as**  
 25 **he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided**  
 26 **always in the District of Columbia or in the territories, though within the United States, were not citizens.**  
 27 **Whether this proposition was sound or not had never been judicially decided.” [Slaughter-House Cases, 83**  
 28 **U.S. (16 Wall.) 36; 21 L.Ed. 395 (1873)]**

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

1 Table 5-1: 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"> <li>1. <i>Chisholm v. Georgia</i>, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793)</li> <li>2. Black’s Law Dictionary, revised Fourth Edition, 1968, p. 1176 under “National Government”.</li> <li>3. <i>Hooven and Allison Co. v. Evatt</i>, 324 U.S. 652 (1945).</li> </ol>	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 <b>Error! Reference source not found.</b> 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"> <li>1. 8 U.S.C. §1408.</li> <li>2. 8 U.S.C. §1101(a)(22)(B).</li> <li>3. 8 U.S.C. §1452.</li> <li>4. 8 U.S.C. §1101(a)(22).</li> <li>5. <a href="#">3C Am Jur 2d §2732-2752</a>: Noncitizen nationality</li> </ol>	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 <b>nationality</b> and “ <b>national</b> ” status <i>only</i> , but not “U.S. citizen” status.	<ol style="list-style-type: none"> <li>1. 8 U.S.C. §1101(a)(23): “The term “naturalization” means the conferring of <b>nationality</b> [NOT “citizenship” or “U.S. citizenship”, but “nationality”, which means “<a href="#">national</a>”] of a <b>state</b> [of the union] upon a person after birth, by any means whatsoever.”</li> <li>2. Black’s Law Dictionary, Sixth Edition, page 1063 under “naturalization”.</li> </ol>	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 <b>nationality</b> [not “U.S. citizenship” or “citizen of the United States” status] and allegiance.”	<ol style="list-style-type: none"> <li>1. <i>Perkins v. Elg</i>, <a href="#">307 U.S. 325</a>, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)</li> <li>2. 8 U.S.C. §1401.</li> <li>3. 8 U.S.C. §1101(a)(22).</li> </ol>	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	General term referring collectively to “nationals” of a political jurisdiction if no other context is given. This is consistent with the “innocent until proven guilty” presumptions that form the basis of our system of jurisprudence.	<ol style="list-style-type: none"> <li>1. <i>Perkins v. Elg</i>, <a href="#">307 U.S. 325</a>, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)</li> <li>2. 8 U.S.C.A. §1401, Notes. See note 1 below.</li> <li>3. <i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36; 21 L.Ed. 394 (1873)</li> <li>4. <a href="#">3C Am Jur 2d §2732-2752</a>: Noncitizen</li> </ol>	<i>Perkins v. Elg</i> , 307 U.S. 325 (1939) says: “ <b>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</b>

#	Term	Context	Meaning	Authorities	Notes
				nationality	<p>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”. <b>Expatriation is the voluntary renunciation or abandonment of nationality and allegiance.</b> This implies that “loss of citizenship” and “expatriation”, which is “loss of nationality” are equivalent.</p> <p><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. <b>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].</b> 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. <b><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></b></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"> <li>U.S. Constitution</li> <li>U.S. Supreme Court rulings</li> </ol>	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"> <li>See <i>Minor v. Happersett</i>, 88 U.S. 162 (1874): <b><i>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</i></b></li> </ol>	<ol style="list-style-type: none"> <li>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.</li> <li>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</li> </ol>

#	Term	Context	Meaning	Authorities	Notes
				<p><b><i>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.</i></b>  <i>[Minor v. Happersett, 88 U.S. 162 (1874)]</i></p> <p>2. See also Boyd v. Nebraska, 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. ...” [Boyd v. State of Nebraska, 143 U.S. 135 (1892)]</i></p>	because of the definition of “United States” within Subtitle A of the Internal Revenue Code, which means the <u>federal zone only</u> .
7	“citizen” used <u>alone</u> and without the term “U.S.” in front or “of the United States” after it	State statutes	A national of a state of the Union.	<u>Law of Nations</u> , 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 <b>Error! Reference source not found.</b> earlier for further details on “police powers”.
8	“citizen” used <u>alone</u> and without the term “U.S.” in front or “of the United States” after it	Federal statutes including Title 26, the Internal Revenue Code and Title 8, Aliens and Nationality	Not defined anywhere in Title 8.	1. Defined in 26 CFR § 31.3121(e)-1. See Note 2.	This term is <b>never defined</b> 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 <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 <b>must</b> 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 <sup>th</sup> Amendment.
9	“United States	Everywhere	The status of being a “national”. Note that	See “citizenship”.	Same as “citizenship”.

#	Term	Context	Meaning	Authorities	Notes
	citizenship”		the term “U.S. citizen” looks similar but not identical and is <i>not</i> the same as this term, and this is especially true on federal forms.		
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 states to be a “citizen of the United States” under 8 U.S.C. §1401.	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	Person born in the <i>federal</i> United States in a federal <i>territory</i> over which the U.S. government is sovereign. States of the union are <i>not</i> territories or classified as “territory” of the federal government because they created the federal government. Instead, the states and the people in those states are sovereign over the federal government and that government is their <i>servant</i> , not their master. Not necessarily equivalent to “U.S. citizen” because this term is never defined anywhere in Title 8 or Title 26.	<ol style="list-style-type: none"> <li>8 U.S.C.A. §1401.</li> <li>3C AmJur.2d §2689 (“U.S. citizen”).</li> <li>26 CFR § 31.3121(e)-1.</li> <li><i>United States v. Wong Kim Ark</i>, 169 U.S. 649; 18 S.Ct. 456; 42 L.Ed. 890 (1898)</li> <li><i>Cunard S.S. Co. v. Mellon</i>, 262 U.S. 100; 43 S.Ct. 504 (1923)</li> </ol>	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 <i>not</i> defined before the ratification of the Fourteenth Amendment in 1868. Section 1 of the 14 <sup>th</sup> 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	A “national” or “national of the United States” as defined in 8 U.S.C. §1101(a)(21), 8 U.S.C. §1101(a)(22) and 8 U.S.C. §1452.	<ol style="list-style-type: none"> <li>8 U.S.C. §1101(a)(21).</li> <li>8 U.S.C. §1101(a)(22)(B)</li> <li><i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36; 21 L.Ed. 394 (1873)</li> <li><a href="#">3C Am Jur 2d §2732-2752</a>: Noncitizen nationality</li> </ol>	8 U.S.C.A. §1401 notes indicates: “ <i>The basis of citizenship in the United States is the English doctrine under which <b>nationality</b> 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"> <li><i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36; 21 L.Ed. 394 (1873)</li> </ol>	“ <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. <b>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].</b> Not only may a man be a citizen of the United States without being a

#	Term	Context	Meaning	Authorities	Notes
					citizen of a state, but an important element is necessary to convert the former into the latter. <b><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></b>
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 resident of a territory or possession of the United States (federal zone).	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 <sup>th</sup> 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.

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

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

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

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

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

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

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

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

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

6 “Citizens” are members of a political community who, in their associated capacity, have established or  
7 submitted themselves to the dominion of a government for the promotion of their general welfare and the  
8 protection of their individual as well as collective rights. *Herriott v. City of Seattle*, 81 Wash.2d 48, 500 P.2d  
9 101, 109.

10 The term may include or apply to children of alien parents from in United States, *Von Schwerdtmer v. Piper*,  
11 D.C.Md., 23 F.2d 862, 863; *U.S. v. Minoru Yasui*, D.C.Or., 48 F.Supp. 40, 54; children of American citizens  
12 born outside United States, *Haaland v. Attorney General of United States*, D.C.Md., 42 F.Supp. 13, 22; *Indians*,  
13 *United States v. Hester*, C.C.A.Okl., 137 F.2d 145, 147; *National Banks, American Surety Co. v. Bank of*  
14 *California*, C.C.A.Or., 133 F.2d 160, 162; nonresident who has qualified as administratrix of estate of deceased  
15 resident, *Hunt v. Noll*, C.C.A.Tenn., 112 F.2d 288, 289. However, neither the United States nor a state is a  
16 citizen for purposes of diversity jurisdiction. *Jizemerjian v. Dept of Air Force*, 457 F.Supp. 820. On the other  
17 hand, municipalities and other local governments are deemed to be citizens. *Rieser v. District of Columbia*,  
18 563 F.2d 462. A corporation is not a citizen for purposes of privileges and immunities clause of the Fourteenth  
19 Amendment. *D.D.B. Realty Corp. v. Merrill*, 232 F.Supp. 629, 637.

20 Under diversity statute [[28 U.S.C. §1332](#)], which mirrors [U.S. Const, Article III](#)’s diversity clause, a person is a  
21 “citizen of a state” if he or she is a citizen of the United States and a domiciliary of a state of the United States.  
22 *Gibbons v. Udaras na Gaeltachta*, D.C.N.Y., 549 F.Supp. 1094, 1116.

23 [*Black’s Law Dictionary, Sixth Edition, p. 244*]

24 So the key requirement to be a “citizen” is to “owe allegiance” to a political community according to Black’s Law  
25 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  
26 States” as a political community *only* by being a “national” *without* being a “U.S. citizen” or a “citizen of the United States”  
27 as defined in 8 U.S.C. §1401. Therefore, we must conclude once again, that “citizen of the United States” status under  
28 federal statutes, is a political **privilege** that few people are born into and most acquire by mistake or fraud or both. Most of  
29 us are “nationals” by birth and we **volunteer** to become “citizens of the United States” under 8 U.S.C. §1401 by lying at  
30 worst or committing a mistake at best when we fill out government forms. That process of misrepresenting our citizenship  
31 status is how we “volunteer” to become “U.S. citizens” subject to federal statutes, and of course our covetous government  
32 is more than willing to overlook the mistake because that is how they manufacture “taxpayers” and make people “subject”  
33 to their corrupt laws. Remember, however, what the term “subject” means from Webster’s above under the definition of  
34 the term “citizen”:

35 “**SUBJECT** implies allegiance to a personal sovereign such as a **monarch;**”  
36 [*Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, p. 243*]

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

43 “Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with  
44 sufficient awareness of the relevant circumstances and likely consequences.”  
45 [*Brady v. U.S.*, [397 U.S. 742](#) (1970)]

46 In conclusion, because there isn’t even a common definition of “citizen of the United States” or “U.S. citizen” in the  
47 standard dictionary, then the definition of “U.S. citizen” in all the state statutes and on all government forms is up to us!  
48 Therefore, once again, whenever you fill out any kind of form that specifies either “U.S. citizen” or “citizen of the United  
49 States”, you should be **very** careful to clarify that it means “national” under 8 U.S.C. §1101(a)(22)(B) and 8 U.S.C. §1452  
50 or you will be “presumed” to be a federal citizen and a “citizen of the United States” under 8 U.S.C. §1401, and this is one  
51 of the biggest injuries to your rights that you could ever inflict. Watch out folks! Here is the definition we recommend that  
52 you use on any government form that uses these terms that makes the meaning perfectly clear and unambiguous:

1 **“U.S. citizen” or “citizen of the United States”:** A “National” defined in either 8 U.S.C. §1101(a)(21) or 8  
 2 U.S.C. §1101(a)(22)(B) and 8 U.S.C. §1452 who owes their permanent allegiance to the confederation of states  
 3 called the “United States”. Someone who was not born in the federal “United States” as defined in 8 U.S.C.  
 4 §1101(a)(38) and who is NOT a “citizen of the United States” under 8 U.S.C. §1401. See sections 4.11.6 and  
 5 4.11.12 of the Great IRS Hoax book available for free downloading at:

6 <http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>

7 Another even safer way to describe our citizenship on a government form is simply to entirely avoid the use of the words  
 8 “citizen” and “United States” in the same sentence and replace “United States” with the name of the state you either are  
 9 domiciled within or born within. For instance, you could say “Citizen of California Republic” and then put an asterisk next  
 10 to it and at the bottom of the page explain the asterisk as follows:

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

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

14 “6017. ‘In this State’ or ‘in the State’ means within the exterior limits of the State of California and  
 15 includes all territory within these limits owned by or ceded to the United States of America.”

## 16 **6. Rebutted arguments against those who believe people born in the states of the** 17 **Union are not “nationals” or “state nationals”**

18 A few people have disagreed with our position on the “national” and “state national” citizenship status of persons born in  
 19 states of the Union. These people have sent us what appear to be contradictory information from websites maintained by  
 20 the federal government. We thank them for taking the time to do so and we will devote this section to rebutting all of their  
 21 incorrect views. Below are some of the arguments against our position on “state national” citizenship that we have received  
 22 and enumerated to facilitate rebuttal. We have boldfaced the relevant portions to make the information easier to spot.

23 1. U.S. Supreme Court, *Miller v. Albright*, 523 U.S. 420 (1998), footnote #2:

24 “2. Nationality and citizenship are not entirely synonymous; one can be a national of the United States and yet  
 25 not a citizen. 8 U.S.C. § 1101(a)(22). The distinction has little practical impact today, however, for the only  
 26 remaining noncitizen nationals [only under federal law, not state law] are residents of American Samoa and  
 27 Swains Island. See T. Aleinikoff, D. Martin, & H. Motomura, *Immigration: Process and Policy* 974-975, n. 2  
 28 (3d ed. 1995). The provision that a child born abroad out of wedlock to a United States citizen mother gains her  
 29 nationality has been interpreted to mean that the child gains her citizenship as well; thus, if the mother is not  
 30 just a United States national, but also a United States citizen, the child is a United States citizen. See 7 Gordon  
 31 § 93.04[2][b], p. 93-42; id., § 93.04[2][d][viii], p. 93-49.”

32 [*Miller v. Albright*, 523 U.S. 420 (1998)]

33 2. Volume 7 of the Foreign Affairs Manual (FAM) section 1111.3 published by the Dept. of States at  
 34 <http://foia.state.gov/famdir/Fam/fam.asp> says the following about nationals but not citizens of the United States:

35 c. Historically, Congress, through statutes, granted U.S. nationality, but not citizenship, to persons born or  
 36 inhabiting territory acquired by the United States through conquest or treaty. At one time or other natives and  
 37 certain other residents of Puerto Rico, the U.S. Virgin Islands, the Philippines, Guam, and the Panama Canal  
 38 Zone were U.S. non-citizen nationals.

39 d. Under current law (the *Immigration and Nationality Act of 1952, as amended through October 1994*), only  
 40 persons born in American Samoa and the Swains Islands are U.S. nationals (Secs. 101(a)(29) and 308(1)  
 41 INA).

42 3. The *Social Security Program Operations Manual System (POMS)* at <http://policy.ssa.gov/poms.nsf/poms> says the  
 43 following:

44 RS 02001.003 “U.S. Nationals”

45 Most of the agreements refer to “U.S. nationals.”

The term includes both U.S. citizens and persons who, though not citizens, owe permanent allegiance to the United States. As noted in RS 02640.005 D., the only persons who are nationals but not citizens are American Samoans and natives of Swain's Island.

4. The USDA Food Stamp Service, website says at <http://www.fns.usda.gov/fsp/rules/Memo/Support/02/polimgt.htm>:

Non-citizens who qualify outright

There are some immigrants who are immediately eligible for food stamps without having to meet other immigrant requirements, as long as they meet the normal food stamp requirements:

- Non-citizen nationals (people born in American Samoa or Swain's Island).
- American Indians born in Canada.
- Members (born outside the U.S.) of Indian tribes under Section 450b(e) of the Indian Self-Determination and Education Assistance Act.
- Members of Hmong or Highland Laotian tribes that helped the U.S. military during the Vietnam era, and who are legally living in the U.S., and their spouses or surviving spouses and dependent children.

The defects that our detractors fail to realize about the above information are the following points:

1. The term “United States” as used in 8 U.S.C. §1408 means the federal zone based on the definitions provided in 8 U.S.C. §1101(a)(36), 8 U.S.C. §1101(a)(38), and 8 CFR §215.1(f). See our *IRS Deposition Questions*, section 14, questions 77 through 82 at the following address for more details: [http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section\\_14.htm](http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section_14.htm)
2. All of the cites that our detractors quote come from federal statutes and “acts of Congress”. The federal government is not authorized under our Constitution or under international law to prescribe the citizenship status of persons who neither reside within nor were born within its territorial jurisdiction. The only thing that federal statutes can address are the status of persons who either reside in, were born in, or resided in the past within the territorial jurisdiction of the federal government. People born within states of the Union do not satisfy this requirement and their citizenship status resulting from that birth is determined only under *state* and not *federal* law. State jurisdiction is foreign to federal jurisdiction EXCEPT in federal areas within a state. The quote below confirms this, keeping in mind that Title 8 of the U.S. Code qualifies as “legislation”:

“While states are not sovereign in true sense of term but only quasi sovereign, yet in respect of all powers reserved to them [under the Constitution] they are supreme and independent of federal government as that government within its sphere is independent of the states.”

“It is no longer open to question that the general government, unlike the states, *Hammer v. Dagenhart*, 247 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 internal affairs of the states; and emphatically not with regard to legislation.” [*Carter v. Carter Coal Co.*, 298 U.S. 238, 56 S.Ct. 855 (1936)]

3. The quotes of our detractors above recognize only *one* of the *four* different ways of becoming a “national but not citizen of the United States” described in 8 U.S.C. §1408. They also recognize only *one* of the *three* different definitions of “United States” that a person can be a “national” of, as revealed in *Hooven & Allison Co. v. Evatt*, 324 U.S. 653 (1945). They also fail to recognize that an 8 U.S.C. §1452 “citizen but not national of the United States” is not necessarily the same as a “citizen but not national of the United States at birth”.
4. Information derived from informal publications or advice of employees of federal agencies are *not* admissible in a 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 actual statute or regulation that implements it. The reason for this is that employees of the government are frequently wrong, and frequently not only say wrong things, but in many cases the people who said them had no lawful delegated authority to say such things. See <http://famguardian.org/Subjects/Taxes/Articles/reliance.htm> for an excellent treatise from an attorney on why this is.
5. People writing the contradictory information falsely “presume” that the term “citizen” in a general sense that most Americans use is the same as the term “citizen” as used in the definition of “citizens and nationals of the United States” found in 8 U.S.C. §1401. In fact, we conclusively prove in section 5.2.14 of the *Great IRS Hoax* that this is emphatically not the case. A “citizen” as used in the Internal Revenue Code and most federal statutes means a person born in a territory or possession of the United States, and *not* in a state of the Union. Americans born in states of the Union are a different type of “citizen”, and we show in section 5.2.14 that these types of people are “nationals” and not

“citizens” or “U.S. citizens” in the context of any federal statute. We therefore challenge those who make this unwarranted presumption to provide law and evidence proving us wrong on this point. We request that you read section 4.11.10 of the Great IRS Hoax before you prepare your rebuttal, because it clarifies several important definitions that you might otherwise be inclined to overlook that may result in misunderstanding.

6. Whatever citizenship we enjoy we are entitled to abandon. This is our right, as declared both by the Congress and the Supreme Court. See Revised Statutes, section 1999, page. 350, 1868 and section 4.11.9 of the Great IRS Hoax. “citizens **and** nationals of the United States” as defined in 8 U.S.C. §1401 have two statuses: “citizen” and “national”. We are entitled to abandon either of these two. If we abandon nationality, then we automatically lose the “citizen” part, because nationality is where we obtain our allegiance. But if we abandon the “citizen” part, then we still retain our nationality under 8 U.S.C. §1101(a)(22)(B). This is the approach we advocated in section 4.11.6.1 of the Great IRS Hoax. Because all citizenship must be consensual, then the government must respect our ability to abandon those types of citizenship we find objectionable. Consequently, if either you or the government believe that you are a “citizen and national of the United States” under 8 U.S.C. §1401, then you are entitled by law to abandon only the “citizen” portion and retain the “national” portion, and 8 U.S.C. §1452 tells you how to have that choice recognized by the Department of State.

Item 2 above is important, because it establishes that the federal government has no authority to write law that prescribes the citizenship status of persons born *outside* of federal territorial jurisdiction and *within* the states of the Union. The U.S. Constitution in Article 1, Section 8, Clause 4 empowers Congress to write “an uniform Rule of Naturalization”, but “naturalization” is only one of *two* ways of acquiring citizenship. Birth is the other way, and the states have exclusive jurisdiction and legislative authority over the citizenship status of those people who acquire their federal citizenship by virtue of birth within states of the Union. Here is what the Supreme Court said on this subject:

*“The power of naturalization, vested in congress by the constitution, is a power to confer citizenship, not a power to take it away. 'A naturalized citizen,' said Chief Justice Marshall, 'becomes a member of the society, possessing all the rights of a native citizen, and standing, in the view of the constitution, on the footing of a native. **The constitution does not authorize congress to enlarge or abridge those rights. The simple power of the national legislature is to prescribe a uniform rule of naturalization, and the exercise of this power exhausts it, so far as respects the individual.**” [U.S. v. Wong Kim Ark, 169 U.S. 649 (1868)]*

The rules of comity prescribe whether or how this citizenship is recognized by the federal government, and by reading 8 U.S.C. §1408, it is evident that the federal government chose *not* directly recognize within Title 8 of the U.S.C. the citizenship status of persons born within states of the Union to parents neither of whom were “U.S. citizens” under 8 U.S.C. §1401 and neither of whom “resided” inside the federal zone prior to the birth of the child. We suspect that this is because not only does the Constitution not give them this authority, but more importantly because doing so would spill the beans on the true citizenship of persons born in states of the Union and result in a mass exodus from the tax system by most Americans.

As we said, there are four ways identified in 8 U.S.C. §1408 that a person may be a “national but not citizen of the United States” **at birth**. We have highlighted the section that our detractors are ignoring, and which we quote frequently on our treatment of the subject of citizenship.

**[TITLE 8](#) > [CHAPTER 12](#) > [SUBCHAPTER III](#) > [Part I](#) > **Sec. 1408.****

*Sec. 1408. - Nationals but not citizens of the United States at birth*

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

*(1) A person born in an outlying possession of the United States on or after the date of formal acquisition of such possession;*

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

*(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; and*

(4) A person born outside the United States and its outlying possessions of parents one of whom is an alien, and the other a national, but not a citizen, of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than seven years in any continuous period of ten years -  
 (A) during which the national parent was not outside the United States or its outlying possessions for a continuous period of more than one year, and  
 (B) at least five years of which were after attaining the age of fourteen years.

The proviso of section 1401(g) of this title shall apply to the national parent under this paragraph in the same manner as it applies to the citizen parent under that section

Subsections (1), (3), and (4) above deal with persons who are born in outlying possessions of the United States, and Swain’s Island and American Samoa would certainly be included within these subsections. These people would be the people who are addressed by the information cited by our detractors from federal websites above. Subsection (2), however, deals with persons who are born *outside* of the *federal* United States (federal zone) to parents who are “nationals but not citizens of the United States” and who resided at one time in the *federal* United States. Anyone born overseas to American parents is a “non-citizen national” under this section and this status is one that is not recognized in any of the cites provided by our detractors but is recognized by the law itself. Since states of the Union are outside the *federal* United States and outside the “United States” used in Title 8, then parents born in states of the Union satisfy the requirement for “national but not citizen of the United States” status found in 8 U.S.C. §1408(2).

One of the complaints we get from our readers is something like the following:

*“Let’s assume you’re right and that 8 U.S.C. §1408(2) prescribes the citizenship status of some persons born in a state of the Union. The problem I have with that view is that ‘United States’ means the federal zone in that section, and subsection (2) requires that the parents must reside within the ‘United States’ prior to the birth of the child. This means they must have ‘resided’ in the federal zone before the child was born, and most people don’t satisfy that requirement.”*

Let us explain why the above concern is unfounded. According to 8 U.S.C. §1408(2), the parents must also reside in the *federal* United States prior to the birth of the child. We assert that most people born in states of the Union do in fact meet this requirement and we will now explain why. They can meet this requirement by any one of the following ways:

1. Serving in the military or residing on a military base or occupied territory.
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 “U.S. individual” is defined in 26 CFR §1.1441-1(c)(3) as either an “alien” residing within the federal zone or a “nonresident alien” with income from within the federal zone. Since “nonresident aliens” file the 1040NR form, the 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 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 further details on this if you are curious. Consequently, being a “resident alien” qualifies you as a “resident”. You are not, in fact a resident because you didn’t physically occupy the federal zone for the year covered by the tax return, but if the government is going to treat you as a “resident” by accepting and processing your tax return, then they have an obligation to treat either you or your parents as “residents” in all respects, including those related to citizenship. To do otherwise would be inconsistent and hypocritical.
3. Spending time in a military hospital.
4. Visiting federal property or a federal reservation within a state routinely as a contractor working for the federal government.
5. Working for the federal government on a military reservation or inside of a federal area.
6. Sleeping in a national park.
7. Spending time in a federal courthouse.

The reason why items 3 through 7 above satisfy the requirement to be a “resident” of the federal United States is because the term “resident” is nowhere defined in Title 8 of the U.S. Code, and because of the definition of “resident” in Black’s Law Dictionary:

*“Resident. Any person who occupies a dwelling within the State, has a present intent to remain within the State for a period of time, and manifests the genuineness of that intent by establishing an ongoing physical presence within the State together with indicia that his presence within the State is something other than merely transitory in nature.” [Black’s Law Dictionary, Sixth Edition, p. 1309]*

1 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:

2 [TITLE 8](#) > [CHAPTER 12](#) > [SUBCHAPTER I](#) > [Sec. 1101](#)

3 [Sec. 1101. - Definitions](#)

4 (31) The term “permanent” means a relationship of continuing or lasting nature, as distinguished from  
5 temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the  
6 instance either of the United States or of the individual, in accordance with law.

7 Since Title 8 does not define the term “lasting” or “ongoing” or “transitory”, we referred to the regular dictionary, which  
8 says:

9 “lasting: existing or continuing a long while: ENDURING.” [Webster’s Ninth Collegiate Dictionary, 1983,  
10 ISBN 0-87779-510-X, p. 675]

11 “ongoing: 1. being actually in process 2: continuously moving forward; GROWING” [Webster’s Ninth  
12 Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 825]

13 “transitory: 1: tending to pass away: not persistent 2: of brief duration: TEMPORARY syn see TRANSIENT.”

14 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,  
15 we were still there “permanently”. The Bible also says in Matt. 6:26-31 that we should not be anxious or presumptuous  
16 about tomorrow and take each day as a new day. The last verse in that sequence says:

17 “Therefore **do not worry about tomorrow**, for tomorrow will worry about its own trouble.” [Matt. 6:31, Bible,  
18 NKJV]

19 In fact, we are not allowed to be presumptuous at all, which means we aren’t allowed to assume or intend anything about  
20 the future. Our future is in the hands of a sovereign Lord, and we exist by His good graces alone.

21 “Come now, you who say, ‘Today or tomorrow we will go to such and such a city, spend a year there, buy and  
22 sell, and make a profit’; whereas you do not know what will happen tomorrow. For what is your life? It is even  
23 a vapor that appears for a little time and then vanishes away. Instead you ought to say, ‘If the Lord wills, we  
24 shall live and do this or that.’ But now you boast in your arrogance. All such boasting is evil.” [James 4:13-  
25 16, Bible, NKJV]

26 “But **the person who does anything presumptuously, whether he is native-born or a stranger, that one brings**  
27 **reproach on the Lord, and he shall be cut off from among his people.**” [Numbers 15:30, Bible, NKJV]

28 Consequently, the Christian’s definition of “permanent” is anything that relates to what we intend for today only and *does*  
29 *not* include anything that might happen starting tomorrow or at any time in the future beyond tomorrow. Being  
30 presumptuous about the future is “boastful” and “evil”, according to the Bible! The future is uncertain and our lives are  
31 definitely not “permanent” in God’s unlimited sense of eternity. Therefore, wherever we are is where we “intend” to  
32 permanently reside as Christians.

33 Even if you don’t like the above analysis of why most Americans born in states of the Union are “nationals but not citizens  
34 of the United States” under 8 U.S.C. §1408(2), we still explained above that you have the right to abandon only the  
35 “citizen” portion and retain the “national” portion of any imputed dual citizenship status under 8 U.S.C. §1401. We also  
36 show you how to have that choice formally recognized by the U.S. Department of State later in section 3.5.3.13 of our [Tax](#)  
37 [Freedom Solutions Manual](#) under the authority of 8 U.S.C. §1452, and we know people who have successfully employed  
38 this strategy, so it must be valid.

39 Furthermore, even if you don’t want to believe that any of the preceding discussion is valid, we also explained that the  
40 federal government cannot directly prescribe the citizenship status of persons born within states of the Union under  
41 international law. To illustrate this fact, consider the following extension of a popular metaphor:

42 “If a tree fell in the forest, and Congress refused to pass a law recognizing that it fell and forced the agencies in  
43 the executive branch to refuse to acknowledge that it fell because doing so would mean an end to income tax  
44 revenues, then did it **really** fall?”

1 The answer to the above questions is emphatically “yes”. We said that the rules of comity prevail in that case the federal  
2 government recognizing the citizenship status of those born in states of the Union. But what indeed is their status under  
3 federal law? 8 U.S.C. §1101(a)(21) defines a “national” as:

4 [TITLE 8](#) > [CHAPTER 12](#) > [SUBCHAPTER I](#) > **Sec. 1101.**

5 *Sec. 1101. - Definitions*

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

7 If you were born in a state of the Union, you are a “national of the United States” because the “state” that you have  
8 allegiance to is the confederation of states called the “United States”. As further confirmation of this fact, if  
9 “naturalization” is defined as the process of **conferring** “nationality” under 8 U.S.C. §1101(a)(23), and “expatriation” is  
10 defined as the process of **abandoning** “nationality and allegiance” by the Supreme Court in *Perkins v. Elg*, 307 U.S. 325  
11 (1939), then “nationality” is the key that determines citizenship status. What makes a person a “national” is “allegiance” to  
12 a state. The only type of citizenship which carries with it the notion of “allegiance” is that of “national”, as shown in 8  
13 U.S.C. §1101(a)(21) and 8 U.S.C. §1101(a)(22)(B). You will not find “allegiance” mentioned anywhere in Title 8 in  
14 connection with those persons who claim to be “citizens and nationals of the United States” as defined in 8 U.S.C. §1401:

15 [TITLE 8](#) > [CHAPTER 12](#) > [SUBCHAPTER I](#) > **Sec. 1101.**

16 [Sec. 1101. - Definitions](#)

17 *(a) (22) The term "national of the United States" means*

18 *(A) a citizen of the United States, or*

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

21 People born in states of the Union can and most often do have allegiance to the confederation of states called the “United  
22 States” just as readily as people who were born on federal property, and the federal government under the rules of comity  
23 should be willing to recognize that allegiance without demanding that such persons surrender their sovereignty, become tax  
24 slaves, and come under the exclusive jurisdiction of federal statutes by pretending to be people who live in the federal zone.  
25 Not doing so would be an injury and oppression of their rights, and would be a criminal conspiracy against rights, because  
26 remember, people who live inside the federal zone have no rights, by the admission of the Supreme Court in *Downes v.*  
27 *Bidwell*, 182 U.S. 244 (1901):

28 [TITLE 18](#) > [PART I](#) > [CHAPTER 13](#) > **Sec. 241.**

29 *Sec. 241. - Conspiracy against rights*

30 *If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory,  
31 Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to  
32 him by the Constitution or laws of the United States, or because of his having so exercised the same; or*

33 *If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or  
34 hinder his free exercise or enjoyment of any right or privilege so secured -*

35 *They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the  
36 acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap,  
37 aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be  
38 fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death*

39 It would certainly constitute a conspiracy against rights to force or compel a person to give up their true citizenship status in  
40 order to acquire any kind of citizenship recognition from a corrupted federal government. The following ruling by the  
41 Supreme Court plainly agrees with these conclusions:

42 *“It would be a palpable incongruity to strike down an act of state legislation which, by words of express  
43 divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by  
44 which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable*

privilege which the state threatens otherwise to withhold. It is not necessary to challenge the proposition that, as a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as it sees fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is that it may not impose conditions which require the relinquishment of Constitutional rights. If the state may compel the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender of all. It is inconceivable that guaranties embedded in the Constitution of the United States may thus be manipulated out or existence. [Frost v. Railroad Commission, 271 U.S. 583; 46 S.Ct. 605 (1926)]

## 7. Questions for Chronic Doubters

“Test all things; hold fast what is good. Abstain from every form of evil.”  
[1 Thess. 5:21-22, Bible, NKJV]

Lastly, we will close this pamphlet with a list of questions aimed at those who still challenge our position on being a “national” or “state national”. If you are going to lock horns with us or throw rocks, please start by answering the following questions or your inquiry will be ignored. Remember Abraham Lincoln’s famous saying: “He has a right to criticize who has a heart to help.”:

1. “Expatriation” is defined in *Perkins v. Elg*, 307 U.S. 325 (1939) as:

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

How can you abandon your nationality as a “national” or “state national” with the Secretary of the State of the United States under 8 U.S.C. 1481 if you didn’t have it to begin with?

2. Naturalization is defined in 8 U.S.C. §1101(a)(23) as:

(a)(23) The term “naturalization” means the conferring of nationality [NOT “citizenship” or “U.S. citizenship”, but “nationality”, which means “national”] of a state upon a person after birth, by any means whatsoever. ”

How can you say a person isn’t a “national” after they were naturalized, and if they are, what type of “national” do they become? As a “national” born outside of federal jurisdiction and the “United States”, do they meet the requirements of 8 U.S.C. §1452 and if not, why not?

3. If the Supreme Court declared that the United States defined in the Constitution is not a “nation”, but a “society” in *Chisholm v. Georgia*:

“By that law the several States and Governments spread over our globe, are considered as forming a society, not a NATION. It has only been by a very few comprehensive minds, such as those of Elizabeth and the Fourth Henry, that this last great idea has been even contemplated. 3rdly, and chiefly, I shall examine the important question before us, by the Constitution of the United States, and the legitimate result of that valuable instrument. “

[Chisholm v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1794)]

...then what exactly does it mean to be a “national of the United States” within the meaning of the Constitution and not federal law?

4. 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 who lives in a state of the Union have allegiance to the confederation of states called the “United States”, which the Supreme Court said above was a “society” and not a “nation”. And what would you call that “society”, if it wasn’t a “nation”? We call that society a “federation” which is served by a “federal government”. The Supreme Court said in *Hooven and Allison v. Evatt* that there are three definitions of the term “United States” and one of those definitions includes the following, which is what I claim to be a “national” of:

“It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations.” [Hooven & Allison Co. v. Evatt, 324 U.S. 653 (1945)]

1 5. How come I can't have allegiance to the “society” or “federation” called "United States of America" and define that  
2 “society” as being the collecte states of the Union, and exclude from that definition the municipal government of the  
3 “United States” in the District of Columbia? My allegiance is to the MASTER, which is the sovereign people as  
4 individuals domiciled within the states of the Union who are collectively called the “United States of America”, rather  
5 than their SERVANT, who is the municipal government of the District of Columbia called the “United States”. By  
6 having this kind of allegiance to the people instead of their rulers, I am fulfilling the second great commandment found  
7 in the Bible to love and protect my neighbor, aren't I?

8 5.1. Why would God want me as a Christian to have allegiance to a WORTHLESS thing called a government or its  
9 agents, rather than to my fellow Sovereign Neighbor?

10 *“Behold, the nations [and governments and politicians of the nations] are as a drop in the bucket, and are*  
11 *counted as the small dust on the scales.” [Isaiah 40:15, Bible, NKJV]*

12 *“All nations [and governments] before Him [God] are as nothing, and they are counted by Him less than*  
13 *nothing and worthless.” [Isaiah 40:17, Bible, NKJV]*

14 *“He [God] brings the princes [and Presidents] to nothing; He makes the judges of the earth useless.” [Isaiah*  
15 *40:23, Bible, NKJV]*

16 *“Indeed they [the governments and the men who make them up in relation to God] are all worthless; their*  
17 *works are nothing; their molded images [and their bureaus and agencies and usurious "codes" that are not*  
18 *law] are wind [and vanity] and confusion.” [Isaiah 41:29, Bible, NKJV]*

19 *“Arise, O Lord,*  
20 *Do not let man [or governments made up of men] prevail;*  
21 *Let the nations be judged [and disciplined] in Your sight.*  
22 *Put them in fear [with your wrath and the timeless principles of your perfect and Glorious Law], O Lord,*  
23 *That the nations may know themselves to be but men.”*  
24 *[Psalms 9:19-20, Bible, NKJV]*

25 5.2. The SERVANT, which is the municipal government of the District of Columbia and the public SERVANTS who  
26 make it up, cannot be greater than the MASTER, who is the Sovereign People it was created to SERVE in the  
27 states of the Union . Any other kind of allegiance is treason to the Constitution and idolatry towards political  
28 rulers, isn't it?

29 5.3. Isn't idolatry towards political rulers inconsistent with the Christian faith, which requires our EXCLUSIVE  
30 allegiance to God?

31 *“Away with you , Satan! For it is written, ‘You shall worship the Lord your God, and Him ONLY [NOT the*  
32 *government!] you shall serve.’” [Jesus in Matt. 4:10, Bible, NKJV]*

33 5.4. Remember, the Supreme Court said in *Hooven and Allison v. Evatt*, 324 U.S. 652 (1945) that there are THREE  
34 definitions of the term “United States”. The First Amendment to the United States Constitution guarantees me a  
35 right of free speech. Doesn't that right BEGIN, not END, with me being able to define the precise meaning of the  
36 words I use on government forms that ask about my citizenship so as to avoid leaving their meaning to  
37 presumption or conjecture or some judge or bureaucrat? Isn't it a conflict of interest in violation of 18 U.S.C.  
38 §208 for a judge or bureaucrat to be advising me on the meaning of words that describe my relationship to the  
39 government, if telling the truth would reduce his retirement benefits or pay? And why would I want to trust or  
40 believe any government form or publication that addressed citizenship issues to accurately portray the truth about  
41 citizenship because of such a conflict of interest?

42 6. Why can't or won't the federal government recognize that very specific type of allegiance described in the preceding  
43 question and characterize it as that of a “national but not citizen” as Title 8 of the United States Code requires? Could  
44 it be that the love of money and power and jurisdiction exceeds their love for justice and respect for the rule of law in  
45 this country? The Supreme Court said the federal government MUST be willing to acknowledge this type of allegiance  
46 when it said:

“It is logical that, while the child remains or resides in territory of the foreign State [a state of the Union, in this case] claiming him as a national, the United States should respect its claim to allegiance.”

*[Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]*

7. The federal government has exclusive legislative jurisdiction over the following issues:
  - 7.1. “naturalization”, under Article 1, Section 8, Clause 4 of the U.S. Constitution.
  - 7.2. The citizenship status of persons born in its own territories or possessions.

However, the federal government has no legislative power to determine citizenship by birth of persons born inside states of the Union, because the Constitution does not confer upon them that power. All the cases and authorities that detractors of our position like to cite relate ONLY to the above subject matters, which are all governed exclusively by federal law, and federal legislation does not apply within states of the Union for this subject matter under the Constitution. Please therefore show us a case that involves a person born in state of the Union and not on a territory or possession in which the person claimed to be a “national” and not a “citizen” under 8 U.S.C. §1101(a)(21), and show us where the court said they weren’t. You absolutely won’t find such a case, because it is not only an impossibility, but an absurdity!

## **8. Resources for Further Study and Rebuttal**

If you liked the content of this whitepaper, thousands of additional pages of research and evidence are available that supports absolutely everything revealed here. You are encouraged to read and rebut the supporting research and evidence found below:

1. [IRS Deposition Questions, Section 14: Citizenship:](http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Deposition.htm)  
<http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Deposition.htm>
2. [Great IRS Hoax book](http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm), sections 4.11 through 4.11.13, available for free downloading at:  
<http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>
3. Pamphlet entitled “[Legal basis of the term ‘Nonresident alien’](http://famguardian.org/Publications/LegalBasisForTermNRAlieN/LegalBasisForTermNRAlieN.pdf)”, available for free downloading at:  
<http://famguardian.org/Publications/LegalBasisForTermNRAlieN/LegalBasisForTermNRAlieN.pdf>
4. [Income Tax Freedom Forms and Instructions: Instructions step 3.13](http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm), entitled “IMPORTANT!: Change your U.S. citizenship status”, available at:  
<http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm>
5. Family Guardian Discussion Forums, forum called “‘national’ and ‘state national’ citizenship” available at:  
<http://famguardian.org/forums/index.php?showforum=6>
6. [How to Apply for a Passport as a “national”](http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm) available at:  
<http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>
7. [You’re Not a “citizen” under the Internal Revenue Code](http://famguardian.org/Subjects/Taxes/Citizenship/NotACitizenUnderIRC.htm) available at:  
<http://famguardian.org/Subjects/Taxes/Citizenship/NotACitizenUnderIRC.htm>

We encourage your rebuttal and well-researched feedback on the issues discussed in this whitepaper. The truth is all we seek and we are certainly not beyond modifying our position if you can support your rebuttal with authoritative facts and legal research.

God bless you!