

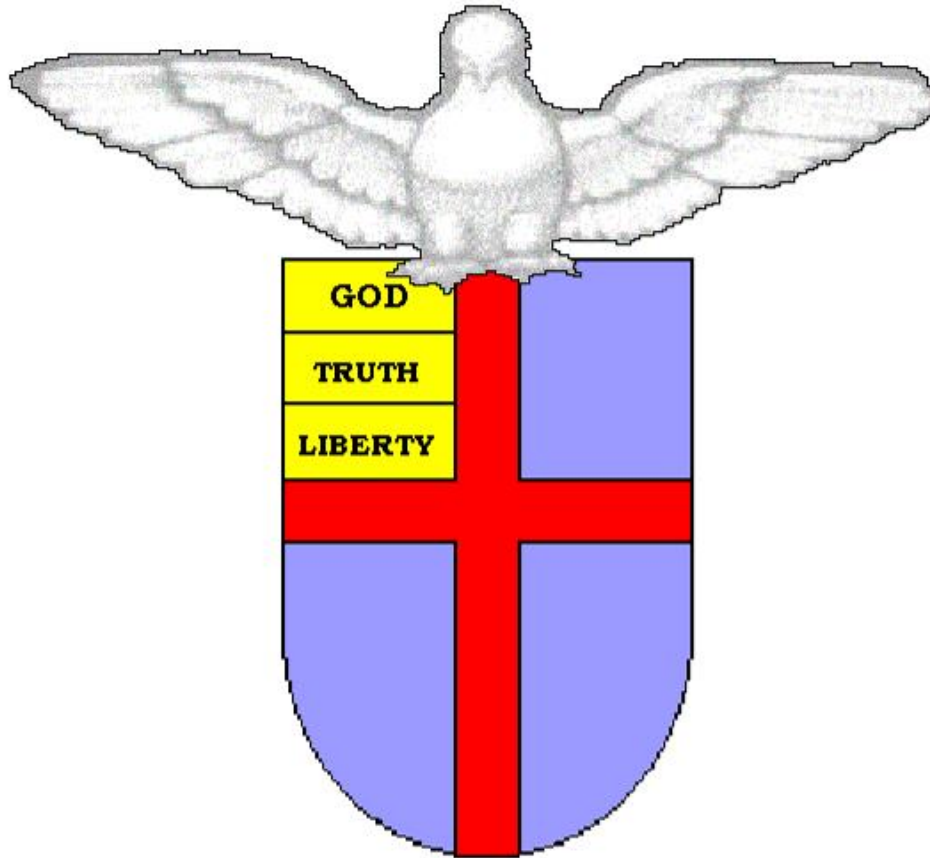
Why the Fourteenth Amendment is NOT a Threat to Your Freedom Form #08.015

**by:
Sovereignty Education
and Defense Ministry
(SEDM)**

<http://sedm.org>

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S E D M



Course Outline

- 1. Are you a “citizen of the United States”?**
- 2. Which Geographical “United States” are you a “Citizen” of?**
- 3. Misunderstandings about citizenship**
- 4. Are you a Fourteenth Amendment “citizen of the United States”?**
- 5. Context is EVERYTHING in the legal field**
- 6. Two Components of “citizenship”: Nationality and Domicile**
- 7. THREE main legal contexts for “Citizen” Status**
- 8. CONSTITUTIONAL/POLITICAL citizen* does not equal TERRITORIAL/POLITICAL citizen***
- 9. “United States” in the CONSTITUTION**
- 10. “United States” in Title 8**
- 11. Citizenship Jurisdiction Chart**

Course Outline

- 12. The FOUR “United States”**
- 13. DRILLING DOWN on the THREE Citizenship Contexts**
 - 13.1 CONSTITUTIONAL/POLITICAL Citizen* Under the Fourteenth Amendment**
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- 14. “subject to THE jurisdiction” in the Fourteenth Amendments**
- 15. Main points of citizenship confusion**
- 16. Relationship between NATIONALITY and DOMICILE**
- 17. So WHAT about citizenship IS a threat to your freedom?**
- 18. Federal courts agree with us!**

Course Outline

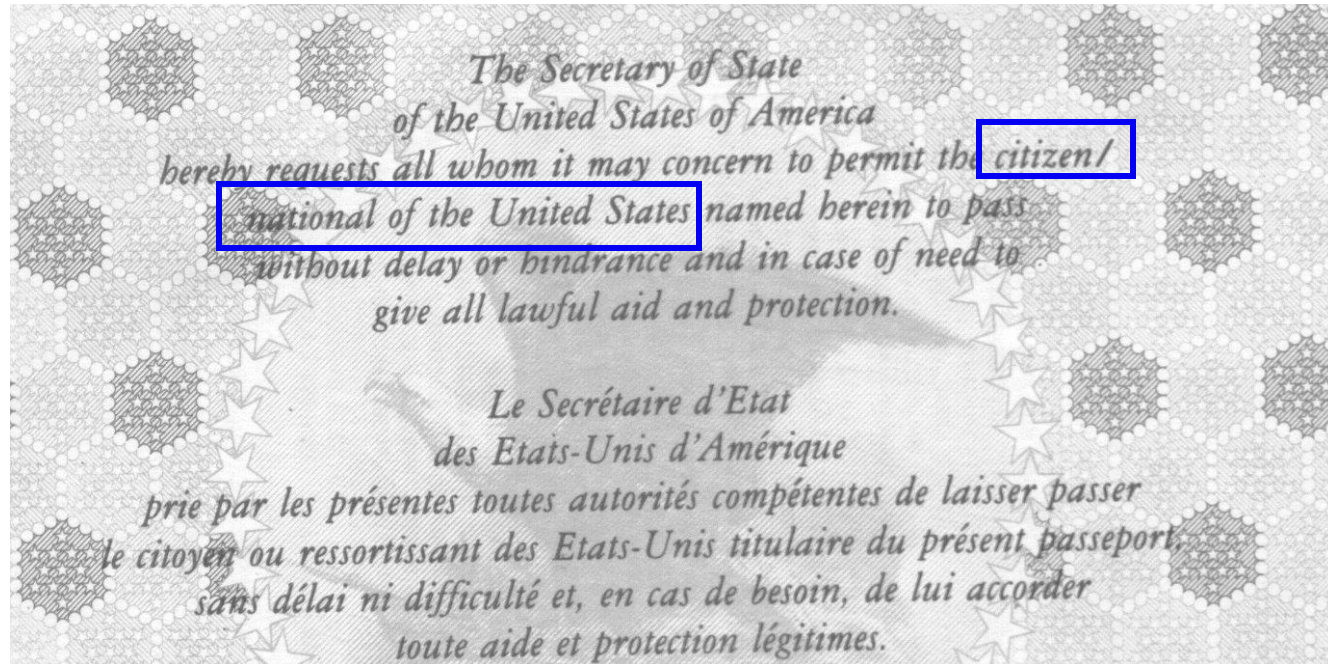
- 19. “Sovereign Citizens” DO NOT understand the information in this document and get in trouble because of their ignorance**
- 20. How POLITICAL “citizens*” and CIVIL “citizens*++D” are confused in the Internal Revenue Code**
- 21. Conclusions**
- 22. Learning More**

**Are YOU a
“citizen of the
United States”?**

Are You a “citizen of the United States”?

- If you said YES, you might want to hold off until you learn how many **DIFFERENT** types of **CONSTITUTIONAL** and **STATUTORY** citizenship there are.
- Maybe you are a **NATIONAL** and not a **CITIZEN**?
- Take a look at a USA Passport and answer the question yourself:

You Don't Have to be a “Citizen” to Get a Passport



“Citizen/national”: “/” means “or”

“/”: called a “virgule”

Who Passports are Issued To

22 C.F.R. § 51.2 - Passport issued to nationals only.

§ 51.2 **Passport** issued to nationals only.

(a) A passport may be issued only to a U.S. national.

(b) Unless authorized by the Department, no person may bear more than one valid passport of the same type.

22 U.S. Code §212 - Persons entitled to passport

No passport shall be granted or issued to or verified for any other persons than those owing allegiance, whether citizens or not, to the United States.

(R.S. § 4076; June 14, 1902, ch. 1088, § 2, 32 Stat. 386.)

8 U.S. Code §1101 - Definitions

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

More on Passports

- **Hot Issues: Identification and Identity Theft***
<https://sedm.org/identification/>
- **USA Passport Package for Nationals Bundle, SEDM**
<https://makefreedom.com/product/state-national-passport-package/>
- **Getting a USA Passport as a “state national”, Form #10.013**
<https://sedm.org/product/getting-a-usa-passport-as-a-state-national-form-10-013/>
- **Getting a USA Passport as a National but not Statutory Citizen Course, Form #09.076**
<https://sedm.org/product/getting-a-usa-passport-as-a-national-but-not-statutory-citizen-form-09-076/>
- **USA Passport Application Attachment, Form #06.007**
<https://sedm.org/product/usa-passport-application-attachment-form-06-007/>
- **Passports for Americans Born Abroad, Form #06.043**
<https://sedm.org/product/passports-for-americans-born-abroad-form-06-043/>
- **Department of State Special Agent Handout, Form #06.045**
<https://sedm.org/product/department-of-state-special-agent-handout-form-06-045/>
- **Response to Request for Additional Passport Application Information, Form #06.047**
<https://sedm.org/product/response-to-request-for-additional-passport-application-information-form-06-047/>

Which Geographical “United States” are You a “Citizen” Of?

- There’s also the HUGE problem of MULTIPLE “United States” and confusion over WHICH one applies
- The Supreme Court has declared that there are three geographical definitions of the term “United States”:

"The term 'United States' may be used in any one of several senses. [\[Definition 1\]](#) It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations. [\[Definition 2\]](#) It may designate the territory over which the sovereignty of the United States extends, or [\[Definition 3\]](#) it may be the collective name of the states which are united by and under the Constitution."

[Hooven and Allison v. Evatt, [324 U.S. 652](#) (1945)]

- Which of the above three geographical definitions of “[United States](#)” provided by the supreme Court of the United States applies in a particular case depends on the CONTEXT:

#	Abbreviation	Type	Meaning
1	United States*	Geographical	Country United States
2	United States**	Geographical	Federal territory
3	United States***	Geographical	States of the Union

Misunderstandings About Citizenship

- The most prevalent misunderstandings in the freedom community are on the subject of [citizenship](#).
- The majority of freedom lovers **FALSELY** believe that:
 - The Fourteenth Amendment is a threat to their freedom.
 - The Fourteenth Amendment makes them subject to the civil jurisdiction of the national government.
 - They HAVE to be a CIVIL STATUTORY “citizen” to get a passport.
- This short presentation will disprove this and other myths relating to [citizenship](#).

Where did the Confusion Come From?

- The confusion came from the desire to destroy the separation between PUBLIC and PRIVATE by confusing STATUTORY and CONSTITUTIONAL citizens.
- Here is where it started:

"Under our own systems of polity, the term 'citizen', implying the same or similar relations to the government and to society which appertain to the term, 'subject' in England, is familiar to all. Under either system, the term used is designed to apply to man in his individual character and to his natural capacities -- to a being or agent [PUBLIC OFFICER!] possessing social and political rights and sustaining social, political, and moral obligations. It is in this acceptation only, therefore, that the term 'citizen', in the article of the Constitution, can be received and understood. When distributing the judicial power, that article extends it to controversies between 'citizens' of different states. This must mean the natural physical beings composing those separate communities, and can by no violence of interpretation be made to signify artificial, incorporeal, theoretical, and invisible creations. A corporation, therefore, being not a natural person, but a mere creature of the mind, invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms or the power of the above mentioned article, and can therefore neither plead nor be impleaded in the courts of the United States."

[. . .]

*These principles are always traceable to a wise and deeply founded experience; they are therefore ever consentaneous and in harmony with themselves and with reason, and whenever abandoned as guides to the judicial course, **the aberration must lead to bewildering uncertainty and confusion.***

[[Rundle v. Delaware & Raritan Canal Company, 55 U.S. 80, 99 \(1852\)](#) from dissenting opinion by Justice Daniel]

*Are YOU a Fourteenth Amendment “citizen of the United States***”?*

- To answer the question of whether you are a Fourteenth Amendment “**citizen* of the United States***”, you HAVE to consider the **CONTEXT** of the phrase
- Like every other type of English word or phrase, the meaning depends of the **CONTEXT**
- There are **TWO** main contexts for legal words:
 - **POLITICAL**: The USA Constitution
 - **CIVIL**: Ordinary **CIVIL** acts of Congress enacted by Congress **OTHER** than Title 8, which is mostly **POLITICAL**, like the constitution.

CONTEXT is EVERYTHING

- In REAL ESTATE, the ONLY THREE things that matter are:
 - LOCATION
 - LOCATION
 - LOCATION
- In LAW, the THREE things that matter in deducing the scope of a statute are:
 - CONTEXT
 - CONTEXT
 - CONTEXT

CONTEXT is EVERYTHING

- The ability to discern CONTEXT is usually that LAST skill that one develops when learning law because it requires so many other skills to fully master.
- The public FOOL (school) system is DESIGNED to ensure you NEVER learn how to discern LEGAL CONTEXT. Public servants don't want to hand you the key to your legal chains, SLAVE.
- Most Americans, who are legal neophytes, NEVER learn this skill!
- You are DANGEROUS to a corrupted government in a courtroom if you KNOW this skill, READ the law, and insist on properly applying it as a jurist and a litigant.
- **LISTEN UP! LEARN THIS SKILL PEOPLE!**

"My [God's] people are destroyed [and enslaved] for lack of knowledge [and the lack of legal education that produces it]."

[Hosea 4:6, Bible, NKJV]

CONTEXT is EVERYTHING

- **MISUNDERSTANDINGS** about **CONTEXT** are the main source of **NEEDLESS ARGUMENTS**, **CONTROVERSY**, and **CONFLICT** in the freedom community.
- Judges and legislators **KNOW** that the vast majority of Americans **DO NOT** understand **LEGAL CONTEXT** or “**WORDS OF ART**”. That is why they exploit them so frequently to deceive, confuse and enslave the populace.
- **DECEPTION** originating in **FAILURE TO PROPERLY DISCERN CONTEXT** is how **CORRUPT** judges and **LEGISLATORS** with a **criminal financial conflict of interest** pit freedom fighters against each other so they can never damage the government’s **PLUNDER program**. The **ONLY** way to prevent this tactic is to **LEARN ABOUT CONTEXT and “WORDS OF ART”!**

Learning How You Are Deceived and Enslaved by Government

- If you want to learn how **corrupt judges** ABUSE CONTEXT and “WORDS OF ART” to deceive and enslave you, read:
 1. **Foundations of Freedom**, Form #12.021, Video 4: Willful Government Deception and Propaganda
SLIDES: <http://sedm.org/LibertyU/FoundOfFreedom-Slides.pdf>
VIDEO: http://www.youtube.com/watch?v=DvnTL_Z5asc
 2. **Legal Deception, Propaganda, and Fraud**, Form #05.014-memorandum of law that describes in detail all the major techniques used to kidnap your legal identity and transport it to what Mark Twain called “The District of Criminals”.
<http://sedm.org/Forms/FormIndex.htm>
 3. **Government Identity Theft**, Form #05.046 – how legal verbicide is used to kidnap your legal identity illegally and transport it to what Mark Twain called “The District of Criminals”.
<http://sedm.org/Forms/FormIndex.htm>
 4. **Sovereignty Forms and Instructions Online**, Form #10.014, Cites by Topic-common “words of art” and their legal definitions
 5. **Citizenship Status v. Tax Status**, Form #10.011 – summary of citizenship legal terms, how they relate to each other, and how they are abused by judges and government prosecutors
<http://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm>
 6. **Why you are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien**, Form #05.006-deception using citizenship terms
<http://sedm.org/Forms/FormIndex.htm>

Why you **MUST** learn **CONTEXT**

“Judicial verbicide is calculated to convert the Constitution into a worthless scrap of paper and to replace our government of laws with a judicial oligarchy.”

[Senator Sam Ervin, during Watergate hearing]

“When words lose their meaning, people will lose their liberty.”

[Confucius, 500 B.C.]

“The great enemy of clear language is insincerity. When there is a gap between one's real and one's declared aims, one turns as it were instinctively to long words and exhausted idioms, like a cuttlefish spurting out ink. “

[[George Orwell](#), "Politics and the English Language", 1946; English essayist, novelist, & satirist (1903 - 1950)]

"If a word has an infinite number of meanings [or even a SUBJECTIVE meaning], it has no meaning, and our reasoning with one another has been annihilated."

[Aristotle, Metaphysica Book IV]

TWO components of “citizenship”

- “[Citizenship](#)” has TWO SEPARATE and DISTINCT components:
 - Nationality. A POLITICAL status. [Form #05.006](#).
 - Domicile: A CIVIL STATUTORY status, [Form #13.008](#).
- “[Citizenship](#)” as a legal term of EQUIVOCATION by corrupt judges and greedy executive branch employees is abused to:
 - Make the above two synonymous and equivalent, even though they are NOT.
 - Connect you with DOMICILE in a legislatively foreign jurisdiction, federal territory.
 - Commit CRIMINAL IDENTITY THEFT. See:
[Government Identity Theft](#), Form #05.046
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>
- NEVER respond to questions about “[CITIZENSHIP](#)” with an answer. Instead respond to them with the following question:
“WHICH component of citizenship are you referring to: nationality or domicile?”
- ONLY after you get an answer to the above should you answer their question.

TWO components of “citizenship”

- The way we define “[state national](#)” accounts for the deception and identity theft inherent in the abuse of the word “citizenship” rather than referring separately to nationality and domicile as follows:

5. Reject the statutory terms “citizen”, “resident”, or “person” and the use of the word “citizenship” in ANY context in describing themselves. Instead, they insist on the consistent use of “nationality” and “domicile” to describe their degree of POLITICAL and CIVIL/LEGAL membership in the communities they live in respectively. Domicile, in turn, is VOLUNTARY and cannot be compelled, except possibly in a probate proceeding involving a DEAD person with no rights. POLITICAL membership conveys NO civil enforcement authority. Only CIVIL/LEGAL membership can, and it must be voluntary.

***[SEDM Disclaimer, Section 4.24: State National;
<https://sedm.org/disclaimer.htm#4.24>. State National]***

THREE main LEGAL contexts for “Citizen” Status

- **POLITICAL/CONSTITUTIONAL Citizen* under the Fourteenth Amendment:**
 - Referenced in Fourteenth Amendment, Section 1
U.S. Constitution:
Fourteenth Amendment
*Section. 1. All persons born or naturalized in the United States[***] and subject to THE [POLITICAL AND NOT LEGISLATIVE] jurisdiction thereof, are [CONSTITUTIONAL] citizens of the United States[***] and of the State wherein they reside.*
 - Relates to the states of the Union and EXCLUDES federal territory and legislative jurisdiction of Congress over SOVEREIGN states of the Union
 - Defines “United States” as states of the Union
 - Relates to NATIONALITY, and NOT CIVIL DOMICILE.
 - Is a POLITICAL status (Form #05.004) rather than a CIVIL STATUTORY status (Form #05.002). DO NOT confuse these two!
 - We call these people “CONSTITUTIONAL Citizens*”.
 - The status of POLITICAL/CONSTITUTIONAL “citizen* of the United States***” is PRIVATE property that cannot be taken away without the consent of the PRIVATE owner, which is YOU. See Afroyim v. Rusk, 387 U.S. 253 (1967)
https://scholar.google.com/scholar_case?case=2521246303796542623

THREE main LEGAL contexts for “Citizen” Status

- **TITLE 8: [8 U.S.C. §1401](#) “national and citizen* of the United States** at birth”**
 - This title establishes NATIONALITY of people born states of the Union, federal enclaves, or abroad to American nationals.
 - [8 U.S.C. §1401](#) deals with POLITICAL citizens* of the United States* ONLY.
 - The [Fourteenth Amendment](#) is a SUBSET of this section and is described in [8 U.S.C. §1401\(a\)](#).
 - Everything in [8 U.S.C. §1401](#) other than paragraph [8 U.S.C. §1401\(a\)](#) is PUBLIC property and a revocable PRIVILEGE that can be taken away without your consent. See Rogers v. Bellei, 401 U.S. 815 (1971)
https://scholar.google.com/scholar_case?case=3117430109405641226

THREE main LEGAL contexts for “Citizen” Status

- **CIVIL STATUTORY: Citizen**+D**

- Relates to federal territory and EXCLUDES states of the Union.
- Defines “United States” as federal territory not within any state of the Union.
- Relates to EXCLUSIVE rather than SUBJECT MATTER federal CIVIL jurisdiction.
- Has a DOMICILE within exclusive jurisdiction of Congress.
- We call these people:
 - » CIVIL citizens.
 - » STATUTORY citizens.
 - » Citizen**+D.
- Is a fiction of law and PUBLIC PROPERTY of the national government.
- A description of this status is found in:

Citizenship Status v. Tax Status, Form #10.011, Section 7

<https://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm>

THREE main LEGAL contexts for “Citizen” Status

- **Key points about Political/CONSTITUTIONAL “citizen* of the United States**” domiciled in a constitutional state:**
 - Is a “[non-resident](#)” in relation to the CIVIL jurisdiction of the national government. They are NOT the same **CONTEXTS!**
 - Has a FOREIGN domicile to in relation to the national government. See:
Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>
 - Is a “nonresident alien” under [26 U.S.C. §7701\(b\)\(1\)\(B\)](#). See:
Nonresident Alien Position Course, Form #12.045
<https://sedm.org/LibertyU/NRA.pdf>
 - Only becomes the CIVIL “citizen**+D” mentioned in [26 C.F.R. §1.1-1\(a\)](#) and (b) by:
 - » PHYSICALLY moving and changing their domicile to the statutory Geographical “United States” defined in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10). OR
 - » Making a VOLUNTARY ELECTION “to be treated AS IF” they are the “citizen**+D of the United States**” mentioned in [26 C.F.R. §1.1-1\(a\)](#). This is done by filing a Form 1040 return or a Form W-9.
 - The above restrictions are a result of the Separation of Powers between the states of the Union and the national government. See:
Government Conspiracy to Destroy the Separation of Powers, Form #05.023
<https://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf>
 - Any attempt to DISREGARD or CIRCUMVENT the above restrictions constitutes a criminal conspiracy against rights, because the separation of powers doctrine’s main purpose is to PROTECT private property and private rights from federal encroachment.

THREE main LEGAL contexts for “Citizen” Status

- **NOTE:** It is ILLEGAL for a CONSTITUTIONAL/POLITICAL “citizen*” domiciled within the exclusive jurisdiction of a constitutional state to MISREPRESENT their status and domicile by filing a 1040 and thus ELECTING to be treated as a TERRITORIAL/CIVIL “Citizen**+D. See:

1. *There is NO LAW that permits an American National as a Nonresident Alien to Elect to be a U.S. person if they are NOT married to one*, SEDM
<https://sedm.org/there-is-no-law-that-permits-a-state-national-as-a-nonresident-alien-to-elect-to-be-a-u-s-person-if-they-are-not-married-to-one/>
2. *Why It is a Crime for a state National to File a 1040 Income Tax Return*, Form #08.021
<https://sedm.org/Forms/08-PolicyDocs/WhyCrimefileReturn.pdf>

- For proof of all the above, see:

Proof that American Nationals are Nonresident Aliens, Form #09.082
<https://sedm.org/Forms/09-Procs/ProofAnNRA.pdf>

- We clarify the contexts for the THREE contexts for “citizen” in the following:

SEDM Disclaimer, Section 4.33

<https://sedm.org/disclaimer.htm#4.33>. Citizen and CitizenD and Citizenship

- Constitutional/Political Citizens* under 8 U.S.C. §1401(a) and Territorial/Political Citizens* under 8 U.S.C. §1402 through 8 U.S.C. §1407 are NOT equivalent! Don’t believe us? Read the following pages!

CONSTITUTIONAL/POLITICAL citizen* does not equal TERRITORIAL/POLITICAL citizen*

“The Court today holds that the Citizenship Clause of the Fourteenth Amendment has no application to Bellei [an 8 U.S.C. §1401(b) STATUTORY “citizen of the United States”]. [. . .] While conceding that Bellei is an American citizen, the majority states: 'He simply is not a Fourteenth-Amendment-first-sentence citizen.' Therefore, the majority reasons, the congressional revocation of his citizenship is not barred by the Constitution. I cannot accept the Court's conclusion that the Fourteenth Amendment protects the citizenship of some Americans and not others. [. . .]

The Court today puts aside the Fourteenth Amendment as a standard by which to measure congressional action with respect to citizenship, and substitutes in its place the majority's own vague notions of 'fairness.' The majority takes a new step with the recurring theme that the test of constitutionality is the Court's own view of what is 'fair, reasonable, and right.' Despite the concession that Bellei was admittedly an American citizen, and despite the holding in Afroyim that the Fourteenth Amendment has put citizenship, once conferred, beyond the power of Congress to revoke, the majority today upholds the revocation of Bellei's citizenship on the ground that the congressional action was not 'irrational or arbitrary or unfair.' The majority applies the 'shock-the-conscience' test to uphold, rather than strike, a federal statute. It is a dangerous concept of constitutional law that allows the majority to conclude that, because it cannot say the statute is 'irrational or arbitrary or unfair,' the statute must be constitutional.

CONSTITUTIONAL/POLITICAL citizen* does not equal TERRITORIAL/POLITICAL citizen*

[...]

Since the Court this Term has already downgraded [STATUTORY] citizens receiving public welfare, Wyman v. James, 400 U.S. 309, 91 S.Ct. 381, 27 L.Ed.2d. 408 (1971), and citizens having the misfortune to be illegitimate, Labine v. Vincent, 401 U.S. 532, 91 S.Ct. 1917, 28 L.Ed.2d. 288, I suppose today's decision downgrading citizens born outside the United States should have been expected. Once again, as in James and Labine, the Court's opinion makes evident that its holding is contrary to earlier decisions. **Concededly, petitioner was a citizen at birth, not by constitutional right, but only through operation of a federal statute.**

[Rogers v. Bellei, 401 U.S. 815 (1971)]

“United States” in the CONSTITUTION

- **“State”** as used in the Constitution does not include federal territory:
 - *“. . .the members of the American confederacy only are the states contemplated in the Constitution [meaning that FEDERAL statutory “States” are EXCLUDED], . . . and excludes from the term the signification attached to it by writers on the law of nations.’ This case was followed in Barney v. Baltimore, 6 Wall. 280, 18 L. ed. 825, and quite recently in Hooe v. Jamieson, 166 U.S. 395 , 41 L. ed. 1049, 17 Sup. Ct. Rep. 596. The same rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat. 91, 4 L. ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it was said that ‘neither of them is a state in the sense in which that term is used in the Constitution.’ [Downes v. Bidwell, 182 U.S. 244 (1901)]*
- **Federal territory** is NOT within the CONSTITUTIONAL “United States”.
 - *“Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. ” [Downes v. Bidwell, 182 U.S. 244 (1901)]*
 - *“We are therefore of opinion that the island of Porto Rico is a territory appurtenant and belonging to the United States, but not a part of the United States[***] within the revenue clauses of the Constitution;” [Downes v. Bidwell, 182 U.S. 244 (1901)]*

“United States” in the CONSTITUTION

- **O’Donoghue v. United States**: Note the use of “not part of the United States **within THE meaning of the Constitution**”, implying that there is **ONLY ONE GEOGRAPHIC MEANING**, and that meaning **excludes** federal territory.

"As the only judicial power vested in Congress is to create courts whose judges shall hold their offices during good behavior, it necessarily follows that, if Congress authorizes the creation of courts and the appointment of judges for limited time, it must act independently of the Constitution upon territory which is not part of the United States within the meaning of the Constitution."

[O'Donoghue v. United States, 289 U.S. 516, 53 S.Ct. 740 (1933)]

- **Thirteenth Amendment**. Note “subject to THEIR jurisdiction” implies the **CONSTITUTIONAL** states and NOT **federal territory** or the statutory “State” found in **4 U.S.C. §110**(d):

*“Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the **United States**, or any place **subject to their [the CONSTITUTIONAL STATES and not the federal government] jurisdiction.**”*

“United States” in the CONSTITUTION

“...the Supreme Court in the Insular Cases [Footnote 1] provides authoritative guidance on the territorial scope of the term “the United States” in the Fourteenth Amendment. The Insular Cases were a series of Supreme Court decisions that addressed challenges to duties on goods transported from Puerto Rico to the continental United States. Puerto Rico, like the Philippines, had been recently ceded to the United States. The Court considered the territorial scope of the term “the United States” in the Constitution and held that this term as used in the uniformity clause of the Constitution was territorially limited to the states of the Union. U.S. Const. art. I, § 8 (“[A]ll Duties, Imposts and Excises shall be uniform throughout the United States.” (emphasis added)); see Downes v. Bidwell, 182 U.S. 244, 251, 21 S.Ct. 770, 773, 45 L.Ed. 1088 (1901) (“[I]t can nowhere be inferred that the territories were considered a part of the United States. The Constitution was created by the people of the United States, as a union of States, to be governed solely by representatives of the States; ... In short, the Constitution deals with States, their people, and their representatives.”); Rabang, 35 F.3d at 1452. Puerto Rico was merely a territory “appurtenant and belonging to the United States, but not a part of the United States within the revenue clauses of the Constitution.” Downes, 182 U.S. at 287, 21 S.Ct. at 787.

The Court's conclusion in Downes was derived in part by analyzing the territorial scope of the Thirteenth and Fourteenth Amendments. The Thirteenth Amendment prohibits slavery and involuntary servitude “within the United States, or any place subject to their jurisdiction.” U.S. Const. amend. XIII, § 1 (emphasis added). The Fourteenth Amendment states that 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. amend XIV, § 1 (emphasis added). The disjunctive “or” in the Thirteenth Amendment demonstrates that “there may be places within the jurisdiction of the United States that are not part of the Union” to which the Thirteenth Amendment would apply. Downes, 182 U.S. at 251, 21 S.Ct. at 773. Citizenship under the Fourteenth Amendment, however, “is not extended to persons born in any place ‘subject to [the United States’] jurisdiction,’ ” but is limited to persons born or naturalized in the states of the Union. Downes, 182 U.S. at 251, 21 S.Ct. at 773 (emphasis added); see also id. at 263, 21 S.Ct. at 777 (“[I]n dealing with foreign sovereignties, the term ‘United States’ has a broader meaning than when used in the Constitution, and includes all territories subject to the jurisdiction of the Federal government, wherever located.”).[Footnote 2]

[Valmonte v. I.N.S., 136 F.3d 914 (C.A.2, 1998)]

FOOTNOTES:

1. De Lima v. Bidwell, 182 U.S. 1, 21 S.Ct. 743, 45 L.Ed. 1041 (1901); Dooley v. United States, 182 U.S. 222, 21 S.Ct. 762, 45 L.Ed. 1074 (1901); Armstrong v. United States, 182 U.S. 243, 21 S.Ct. 827, 45 L.Ed. 1086 (1901); and Downes v. Bidwell, 182 U.S. 244, 21 S.Ct. 770, 45 L.Ed. 1088 (1901).

2. Congress, under the Act of February 21, 1871, ch. 62, § 34, 16 Stat. 419, 426, expressly extended the Constitution and federal laws to the District of Columbia. See Downes, 182 U.S. at 261, 21 S.Ct. at 777 (stating that the “mere cession of the District of Columbia” from portions of Virginia and Maryland did not “take [the District of Columbia] out of the United States or from under the aegis of the Constitution.”).

Text of Fourteenth Amendment

Fourteenth Amendment

“Section 1. All **persons** born or naturalized in the United States, and **subject to THE [POLITICAL, not LEGISLATIVE] jurisdiction thereof, are citizens of the United States** and the **State** wherein they reside. No **State** shall make or enforce any law which shall abridge the privileges or immunities of **citizens of the United States**; nor shall any **State** deprive any **person** of life, liberty, or property, without due process of law; nor deny to any **person within ITS [the STATE’S] jurisdiction** the **equal protection of the laws**.”

Citizenship Jurisdiction Chart

#	Phrase	Context	Type of jurisdiction	Jurisdiction created by	Extent of Jurisdiction
1	"Subject to THE jurisdiction"	Fourteenth Amendment, Section 1	Political jurisdiction	Oath of allegiance to "United States", including birth or naturalization in the United States*	States of the Union, federal territories, federal possessions
2	"Subject to ITS jurisdiction"	Federal statutory law	Legislative jurisdiction	Domicile on federal territory ONLY	Federal territories, federal possessions
3	"Subject to THEIR jurisdiction"	Thirteenth Amendment	Political jurisdiction	Oath of allegiance to a state of the Union. Becoming a "citizen under state law.	States of the Union ONLY
4	"within ITS jurisdiction"	Fourteenth Amendment, Section 1	Political jurisdiction	Oath of allegiance to a state of the Union. Becoming a "citizen under state law.	States of the Union ONLY

The Four “United States”

- In addition to the THREE geographical “United States”, the term is also used in connection with the “United States” government as a **LEGAL PERSON**.
- Context 4 below is the context for most federal law, including the Internal Revenue Code. See:
Non-Resident Non-Person Position, Form #05.020, Section 4
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf>
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

#	Abbreviation	Type	Meaning
1	United States*	Geographical	Country United States
2	United States**	Geographical	Federal territory
3	United States***	Geographical	States of the Union
4	United States****	Legal/Corporate	Government of the United States

DRILLING DOWN on the TWO Citizenship Contexts

13.1. POTITICAL Citizens*

13.2. CIVIL/DOMICILED Citizen+D**

Fourteenth Amendment “citizen[*] of the United States”***

- Context: **CONSTITUTIONAL**
- “United States” defined as states of the Union and excluding federal territory, like the rest of the USA Constitution

- Definition:

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

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

- You CANNOT be domiciled on federal territory and BE a Fourteenth Amendment citizen at the same time!
- Also described in 8 U.S.C. §1401(a).
- Isn't this the kind of HUMAN rather than ARTIFICIAL “citizen” you want to be?

Fourteenth Amendment “citizen[*] of the United States***”

- Can **ONLY** be human beings. Excludes **ARTIFICIAL** entities or “persons”. See:

“Citizens of the United States within the meaning of this Amendment must be natural and not artificial persons; a corporate body is not a citizen of the United States.”¹⁴

14 Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States, corporations accordingly have been declared unable “to claim the protection of that clause of the Fourteenth Amendment which secures the privileges and immunities of citizens of the United States against abridgment or impairment by the law of a State.” Orient Ins. Co. v. Daggs, 172 U.S. 557, 561 (1869) . This conclusion was in harmony with the earlier holding in Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sec. 2. See also Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) ; Berea College v. Kentucky, 211 U.S. 45 (1908) ; Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928) ; Grosjean v. American Press Co., 297 U.S. 233, 244 (1936) .

[Annotated Fourteenth Amendment, Congressional Research Service.

SOURCE: http://www.law.cornell.edu/anncon/html/amdt14a_user.html#amdt14a_hd1]

- **IMPORTANT NOTE:**
 - It is **IMPOSSIBLE** for a corporation or artificial person to BE a Fourteenth Amendment person!
 - Isn’t THIS the kind of “citizen” you want to be? Someone who ISN’T a CORPORATION or an **ARTIFICIAL** “person” or “straw man”?

Fourteenth Amendment “citizen[*] of the United States***”

- QUESTION: What does “subject to THE jurisdiction of the United States” mean in the Fourteenth Amendment?

- ANSWER:

- It means the POLITICAL jurisdiction. Note the use of the word “THEM”, meaning the STATES and NOT the national government:

“This section [the Fourteenth Amendment] contemplates two sources of citizenship, and two sources only, birth and naturalization. The persons declared to be citizens are ‘all persons born or naturalized in the United States, and subject to the jurisdiction thereof.’ The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their [plural, not singular,

*meaning states of the Union] **political jurisdiction**, and owing THEM [the state of the Union] direct and immediate allegiance.”*

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

- It EXCLUDES the legislative jurisdiction of the NATIONAL government. CONSTITUTIONAL states are legislatively “foreign” and “alien” in relation to the national government:

“The United States Government is a foreign corporation with respect to a state.”
[N.Y. v. re Merriam 36 N.E. 505; 141 N.Y. 479; affirmed 16 S.Ct. 1073; 41 L. Ed. 287] [underlines added]

[[19 Corpus Juris Secundum \(C.J.S.\), Corporations, §884](#)]

“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.

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

Fourteenth Amendment “citizen[*] of the United States***”

- QUESTION: WHO is “subject to THE jurisdiction” in the Fourteenth Amendment?
- ANSWER: People in the states of the Union and NOT those on federal territory:

*"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]

CIVIL/DOMICILED Citizen+D**

- This type of Citizen**+D is described in [26 C.F.R. §1.1-1\(a\)](#) and (b).

26 C.F.R. §1.1-1 [Income](#) tax on [individuals](#).

(a) *General rule.*

(1) Section 1 of the Code imposes an [income](#) tax on the [income](#) of every individual who is a citizen or resident of the [United States](#) and, to the extent provided by section 871(b) or 877(b), on the [income](#) of a [nonresident alien](#) individual.

- Notice the above Citizen**+D is:
 - A POLITICAL Citizen* under [8 U.S.C. §1401](#).
 - Linked to the CIVIL STATUTORY GEOGRAPHICAL “United States**” defined in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10), but only for the tax subject matter through the Supremacy Clause of the Constitution.
 - Connected with DOMICILE rather than NATIONALITY.
 - DOMICILED within the exclusive jurisdiction of Congress not within the exclusive jurisdiction of any constitutional state.

CIVIL/DOMICILED Citizen+D**

- This CIVIL “citizen” is further defined in [26 C.F.R. §1.1-1\(b\)](#):
[26 C.F.R. § 1.1-1 - Income tax on individuals.](#)

(b) Citizens or residents of the United States liable to tax.

In general, all citizens of the United States, wherever resident, and all resident alien individuals are liable to the income taxes imposed by the Code whether the income is received from sources within or without the United States. Pursuant to section 876, a nonresident alien individual who is a bona fide resident of a section 931 possession (as defined in [§ 1.931-1\(c\)\(1\)](#) of this chapter) or Puerto Rico during the entire taxable year is, except as provided in section 931 or 933 with respect to income from sources within such possessions, subject to taxation in the same manner as a resident alien individual. As to tax on nonresident alien individuals, see sections 871 and 877.

- Notice the above list that:
 - The PURPOSE of this provision is to give the constitutionally required “reasonable notice” of CIVIL obligations associated with those who ELECT or CLAIM this CIVIL STATUS. See:
[Requirement for Reasonable Notice, Form #05.022](#)
<https://sedm.org/Forms/05-MemLaw/ReasonableNotice.pdf>

CIVIL/DOMICILED Citizen**+D

- Notice the above list that:
 - “United States” is the CIVIL LEGAL/CORPORATE United States**** and not the POLITICAL “United States”.
 - “citizen” defined in [26 C.F.R. §1.1-1\(c\)](#) that this “citizen**+D of the United States****” is based on is a POLITICAL citizen*. In other words, these are the legitimate CANDIDATES for the offer of the “U.S. Person” franchise.
 - The context of [26 C.F.R. §1.1-1\(b\)](#) above is Uncle Sam OFFERING the use or benefit of a legislatively created and therefore owned United States government property interest as a Merchant under [U.C.C. §2-104\(1\)](#).
 - You as the prospective CUSTOMER of this property interest are the Buyer under [U.C.C. § 2-103\(1\)\(a\)](#).
 - Filing a W-9 or 1040 constitutes an ACCEPTANCE of the government’s offer. This sometimes called a “tacit procurement”.
 - Since obligations attach to THIS “citizen**+D of the United States****” then this is a CIVIL rather than POLITICAL citizen. CIVIL obligations don’t attach to purely POLITICAL citizens.

CIVIL/DOMICILED Citizen**+D

- Even though this **CIVIL STATUTORY Citizen**+D** must be domiciled in the statutory geographical “United States**” under **26 U.S.C. §7701(a)(9)** and (a)(10) under choice of law principles in **Federal Rule of Civil Procedure 17** they may still make an “**election**” as recognized under
 - **26 U.S.C. §911**
 - Cook v. Tait, 265 U.S. 47 (1924)
https://scholar.google.com/scholar_case?case=10657110310496192378
- When a POLITICAL citizen* MAKES this VOLUNTARY election, they
 - Transition from a FOREIGN person to a DOMESTIC person.
 - Acquire the **CIVIL STATUTORY STATUS (Form #13.008)** of a type of “individual” called a “qualified individual” under **26 U.S.C. § 911(d)**.
 - This **civil status (Form #13.008)** is an office, agency, position, and a fiction of law. When it becomes VOLUNTARILY connected to a specific otherwise PRIVATE human being by CONSENT/ELECT, that human being becomes SURETY for the duties of the office he/she occupies.
 - The CONSIDERATION that comes with this office is PROTECTION while abroad. The COST of the protection is paid for by the OBLIGATIONS attached to the status as a “qualified person” and therefore “person” under **26 U.S.C. §7701(a)(1)**.

CIVIL/DOMICILED Citizen+D**

- This FICTIONAL “individual” is thus the “individual” mentioned in [26 U.S.C. §7701\(a\)\(1\)](#).
- HOWEVER, it is NOT the “person” mentioned in
 - [26 U.S.C. §6671\(b\)](#) for civil enforcement purposes.
 - [26 U.S.C. §7343](#) for criminal enforcement purposes.
- This “qualified individual” MAY become the above two types of “persons” against whom civil enforcement may be attempted ONLY by meeting those definitions:

[26 U.S. Code § 6671 - Rules for application of assessable penalties](#)

(b)PERSON DEFINED

The term “[person](#)”, as used in this subchapter, includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

- The burden of proof falls on the GOVERNMENT attempting civil enforcement that the HUMAN who made said election ALSO satisfies the above definition.

CIVIL/DOMICILED Citizen+D**

- If the government FAILS to satisfy this burden of proof, then:
 - The target is a victim of criminal identity theft.
 - The identity theft happens because the human was never consensually connected with THE “corporation or partnership” mentioned in the definition.
 - Due process was violated because the Human being never received the constitutionally required REASONABLE notice that by making the election in [26 U.S.C. §911](#), they were entering into a PARTNERSHIP with the U.S. government that is mentioned in [26 U.S.C. §6671\(b\)](#) and [§7343](#).
 - ENFORCEABLE OBLIGATIONS can only attach to the “person” in [26 U.S.C. §7701\(a\)\(1\)](#) WHEN they FURTHER EXPRESSLY consent or elect to join a corporation or partnership as a PUBLIC OFFICER and therefore BECOME a lawful target of CIVIL or CRIMINAL enforcement.
 - Although “[includes](#)” ([Form #05.014](#)) is used in the above definition, ALL the things that are included must be expressed SOMEWHERE in the Internal Revenue Code. Otherwise [unconstitutional PRESUMPTION \(Form #05.017\)](#) is involved with ADDING [26 U.S.C. §7701\(a\)\(1\)](#) “persons” to the class of persons found in [26 U.S.C. §6671\(b\)](#) and [§7343](#) without any notice whatsoever when this is permitted or required.

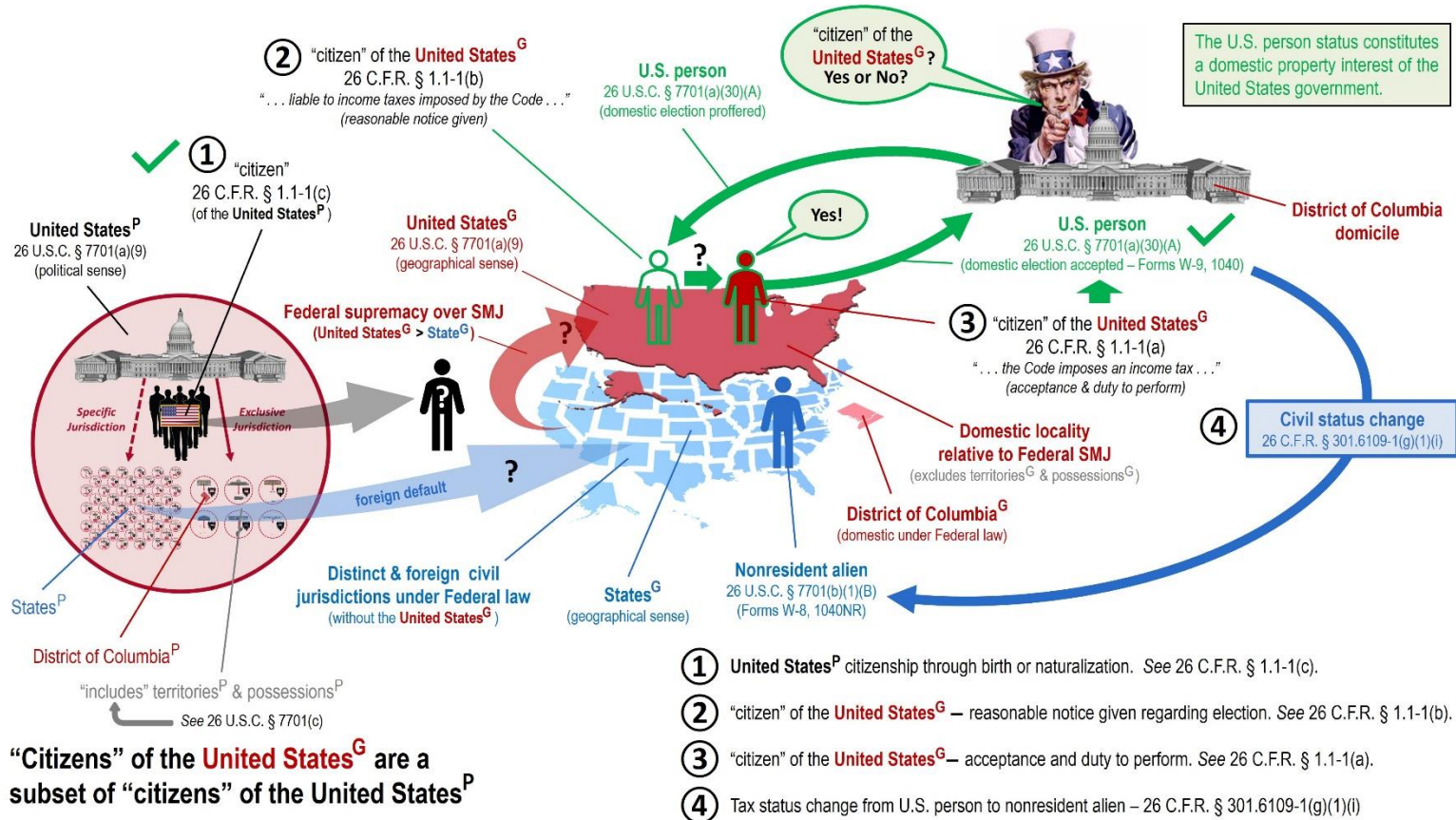
CIVIL/DOMICILED Citizen+D**

- Notice that CIVIL STATUTORY obligations:
 - Generally attach to VOLUNTARY domicile.
 - Civil statuses associated with said domicile election.
- We have never seen a case where having ONLY a POLITICAL status without an accompanying domicile gives rise to a civil statutory OBLIGATION of any kind. Thus, there is NO INFIRMITY associated with any of the following POLITICAL statuses:
 - CONSTITUTIONAL/POLITICAL Citizen* under the Fourteenth Amendment.
<https://law.justia.com/constitution/us/amendment-14/>
 - 8 U.S.C. §1401 POLITICAL “Citizen[*] of the United States[**]”
<https://www.law.cornell.edu/uscode/text/8/1401>
- Claiming otherwise to the above thus constitutes:
 - A frivolous claim.
 - What we call “sovereign citizen BULLSHIT”. We are NOT “sovereign citizens” and members are forbidden from taking any position consistent with their philosophies.
- More on rebutted arguments about “sovereign citizens” at:
Rebutted False Arguments About Sovereignty, Form #08.018
<https://sedm.org/Forms/08-PolicyDocs/RebFalseArgSovereignty.pdf>

CIVIL/DOMICILED Citizen**+D

Below is a diagram describing how the “U.S. person” (26 U.S.C. 7701(a)(30)) election happens when filing a 1040 return or W-9

CIVIL/DOMICILED Citizen**+D



“subject to THE jurisdiction” in the Fourteenth Amendment

- The term “subject to THE jurisdiction” used in Fourteenth Amendment section 1 is **WIDELY** misunderstood in the freedom community:

U.S. Constitution:

[Fourteenth Amendment](#)

*Section. 1. 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.*

- The **ACTUAL** meaning is:
 - Possessing **EXCLUSIVE** allegiance to the United States*** and not having allegiance to any other country or sovereignty.
- Many people in the freedom community **MISINTERPRET** the phrase to mean “subject to the **LEGISLATIVE** jurisdiction” of the national government. This is **PURE BUNK!**
- The fact that it means “exclusive allegiance” **INSTEAD** of “legislative jurisdiction” is a **HUGE** reason why we say that **CONSTITUTIONAL** “citizens” are “nationals” but not **TERRITORIAL/POLITICAL** “citizens” under [8 U.S.C. §1401](#). See:

Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien,
Form #05.006

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

“subject to THE jurisdiction” in the Fourteenth Amendment

- **Subject to THE jurisdiction” is found in the Fourteenth Amendment:**

- 1. Means “subject to the POLITICAL and not LEGISLATIVE jurisdiction”.**

“This section contemplates two sources of citizenship, and two sources only, -birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof.' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their [plural, not singular, meaning states of

*the Union] **political jurisdiction**, and owing them [the state of the Union] direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired.”*

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

- 2. Requires domicile, which is voluntary, in order to be subject ALSO to the civil LEGISLATIVE jurisdiction of the municipality one is in. [Civil statutory status \(Form #13.008\)](#) always has domicile as a prerequisite.**

In Udry v. Udry (1869) L. R., 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: 'The question of naturalization and of allegiance is distinct from that of domicile.' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: 'The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.' And then, while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy— must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,—that is, natural allegiance,—'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.

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

SOURCE: http://scholar.google.com/scholar_case?case=3381955771263111765]

“subject to THE jurisdiction” in the Fourteenth Amendment

3. Is a POLITICAL status that does not carry with it any civil status to which PUBLIC rights or franchises can attach. Therefore, the term “citizen” as used in Title 26 is NOT this type of citizen, since it imposes civil obligations. All tax obligations are civil in nature and depend on DOMICILE, not NATIONALITY. See [District of Columbia v. Murphy, 314 U.S. 441 \(1941\)](#) and:

Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002, Section 11.7

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

4. Is a product of PERMANENT ALLEGIANCE that is associated with the political status of “nationals” as defined in [8 U.S.C. §1101](#)(a)(21). The only thing that can or does establish a political status is such allegiance.

[8 U.S.C. §1101](#): Definitions

(a) As used in this chapter—

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

“Allegiance and protection [by the government from harm] are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.”

[Minor v. Happersett, [88 U.S. \(21 Wall.\) 162](#), 166-168 (1874)]

5. Is NOT a product of TEMPORARY allegiance owed by aliens who are sojourners temporarily in the United States and subject to the laws but do not have PERMANENT allegiance. Note the phrase “temporary and local allegiance” in the ruling below:

“subject to THE jurisdiction” in the Fourteenth Amendment

The reasons for not allowing to other aliens exemption 'from the jurisdiction of the country in which they are found' were stated as follows: 'When private individuals of one nation [states of the Unions are “nations” under the law of nations] spread themselves through another as business or caprice may direct, mingling indiscriminately with the inhabitants of that other, or when merchant vessels enter for the purposes of trade, it would be obviously inconvenient and dangerous to society, and would subject the laws to continual infraction, and the government to degradation, if such individuals or merchants did not owe temporary and local allegiance, and were not amenable to the jurisdiction of the country. Nor can the foreign sovereign have any motive for wishing such exemption. His subjects thus passing into foreign countries are not employed by him, nor are they engaged in national pursuits. Consequently, there are powerful motives for not exempting persons of this description from the jurisdiction of the country in which they are found, and no one motive for requiring it. The implied license, therefore, under which they enter, can never be construed to grant such exemption.' 7 Cranch, 144.

In short, the judgment in the case of The Exchange declared, as incontrovertible principles, that the jurisdiction of every nation within its own territory is exclusive and absolute, and is susceptible of no limitation not imposed by the nation itself; that all exceptions to its full and absolute territorial jurisdiction must be traced up to its own consent, express or implied; that upon its consent to cede, or to waive the exercise of, a part of its territorial jurisdiction, rest the exemptions from that jurisdiction of foreign sovereigns or their armies entering its territory with its permission, and of their foreign ministers and public ships of war; and that the implied license, under which private individuals of another nation enter the territory and mingle indiscriminately with its inhabitants, for purposes of business or pleasure, can never be construed to grant to them an exemption from the jurisdiction of the country in which they are found. See, also, Carlisle v. U.S. (1872) 16 Wall. 147, 155; Radich v. Hutchins (1877) 95 U.S. 210; Wildenhus' Case (1887) 120 U.S. 1, 7 Sup.Ct. 385; Chae Chan Ping v. U.S. (1889) 130 U.S. 581, 603, 604, 9 Sup.Ct. 623.

/United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898);
https://scholar.google.com/scholar_case?case=3381955771263111765

“subject to THE jurisdiction” in the Fourteenth Amendment

- 6. Relates only to the time of birth or naturalization and not to one’s CIVIL status at any time AFTER birth or naturalization.**
- 7. Is a codification of the following similar phrase found in the Civil Rights Act of 1866, 14 Stat. 27-30.**

Civil Right Act of 1866, 14 Stat. 27

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.

[SOURCE: <http://teachingamericanhistory.org/library/document/the-civil-rights-act-of-1866/>]

The only way one could be “not subject to any foreign power” as indicated above is to not owe ALLEGIANCE to a foreign power and to be a CONSTITUTIONAL “citizen of the United States”.

- 8. Does NOT apply to people in unincorporated territories such as Puerto Rico, Guam, American Samoa, etc. See**

“subject to THE jurisdiction” in the Fourteenth Amendment

“The Naturalization Clause [of the Fourteenth Amendment] has a geographic limitation: it applies “throughout the United States.” The federal courts have repeatedly construed similar and even identical language in other clauses to include states and incorporated territories, but not unincorporated territories. In Downes v. Bidwell, 182 U.S. 244, 21 S.Ct. 770, 45 L.Ed. 1088 (1901), one of the Insular Cases, the Supreme Court held that the Revenue Clause’s identical explicit geographic limitation, “throughout the United States,” did not include the unincorporated territory of Puerto Rico, which for purposes of that Clause was “not part of the United States.” Id. at 287, 21 S.Ct. 770. The Court reached this sensible result because unincorporated territories are not on a path to statehood. See Boumediene v. Bush, 553 U.S. 723, 757–58, 128 S.Ct. 2229, 171 L.Ed.2d. 41 (2008) (citing Downes, 182 U.S. at 293, 21 S.Ct. 770). In Rabang v. I.N.S., 35 F.3d. 1449 (9th Cir.1994), this court held that the Fourteenth Amendment’s limitation of birthright citizenship to those “born ... in the United States” did not extend citizenship to those born in the Philippines during the period when it was an unincorporated territory. U.S. Const., 14th Amend., cl. 1; see Rabang, 35 F.3d. at 1451. Every court to have construed that clause’s geographic limitation has agreed. See Valmonte v. I.N.S., 136 F.3d. 914, 920–21 (2d Cir.1998); Lacap v. I.N.S., 138 F.3d. 518, 519 (3d Cir.1998) ; Licudine v. Winter, 603 F.Supp.2d. 129, 134 (D.D.C.2009).

Like the constitutional clauses at issue in Rabang and Downes, the Naturalization Clause is expressly limited to the “United States.” This limitation “prevents its extension to every place over which the government exercises its sovereignty.” Rabang, 35 F.3d. at 1453. Because the Naturalization Clause did not follow the flag to the CNMI when Congress approved the Covenant, the Clause does not require us to apply federal immigration law to the CNMI prior to the CNRA’s transition date.

***[Eche v. Holder, 694 F.3d. 1026 (2012);
https://scholar.google.com/scholar_case?case=11712899186229253904]***

“subject to THE jurisdiction” in the Fourteenth Amendment

- For additional resources PROVING the meaning of “subject to THE jurisdiction” in the Fourteenth Amendment as described here, see:
 1. *Why You are a Policial Citizen but Civil Non-Citizen, National, and Nonresident Alien*, Form #05.006, Section 2.3
<https://sedm.org/Forms/FormIndex.htm>
 2. *Tucker Carlson Tonight 20181030 Birthright Citizenship Debate*, SEDM Exhibit #01.018
<https://sedm.org/Exhibits/ExhibitIndex.htm>
 3. *The Case Against Birthright Citizenship*, Heritage Foundation
<https://youtu.be/ujqYBldkdq0>
 4. *Does the Fourteenth Amendment Require Birthright Citizenship?*, Heritage Foundation
<https://youtu.be/wZGzbVrvoy4>
 5. *The Terrible Truth About Birthright Citizenship*, Stefan Molyneux, SEDM Exhibit #01.020
<https://sedm.org/Exhibits/ExhibitIndex.htm>
 6. *The Heritage Guide to the Constitution*, Citizenship, Heritage Foundation
<https://www.heritage.org/constitution/#!/amendments/14/essays/167/citizenship>

Main points of citizenship confusion

- **Nationality:**
 - Is a [political status](#).
 - Is NONGEOGRAPHICAL. You can have ALLEGIANCE ANYWHERE you physically are.
 - Is not necessarily consensual or discretionary. For instance, acquiring nationality by birth in a specific place was not a matter of choice whereas acquiring it by naturalization is.
 - Is defined by the Constitution, which is a political document.
 - Is synonymous with being a “national” within statutory law.
 - Is associated with a specific COUNTRY.
 - Is a product of birth or naturalization and NOT [domicile](#).
 - Is called a “political citizen” or a “citizen of the United States in a political sense” by the courts to distinguish it from a STATUTORY citizen. See: *Powe v. United States*, 109 F.2d. 147 (1940)
https://scholar.google.com/scholar_case?case=9508929912047054966

Main points of citizenship confusion

- **Domicile:**
 - Is a CIVIL/LEGAL status.
 - Is ALWAYS GEOGRAPHICAL. You can't have a domicile that is NOT tied to a specific physical geographical place.
 - Is ALWAYS tied to definitions relating to the GEOGRAPHICAL context for the word used. For instance "U.S. person" in [26 U.S.C. §7701\(a\)\(30\)](#).
 - Cannot be acquired WITHOUT the [EXPRESS consent](#) of the person.
 - Is not even addressed in the Constitution.
 - Is defined by civil statutory law RATHER than the Constitution.
 - Is in NO WAY connected with one's nationality.
 - Is usually connected with the word "[person](#)", "citizen", "resident", or "inhabitant" in statutory law.
 - Is associated with a specific COUNTY and a STATE rather than a COUNTRY.
 - Implies one is a "SUBJECT" of a SPECIFIC MUNICIPAL but not NATIONAL government.
- **NATIONALITY and DOMICILE are NOT equivalent!**

Main points of citizenship confusion

- **Definition:**

*“nationality – That quality or character which arises from the fact of a person's belonging to a nation or state. Nationality determines the **political status** of the individual, especially with reference to allegiance; while domicile determines his **civil [legal/statutory] status**. Nationality arises either by birth or by naturalization.”*

[Black's Law Dictionary (6th ed. 1990), p. 1025]

- By **“political status”** above they mean:

- STATUS under the CONSTITUTION.
- STATUS under [8 U.S.C. §1401](#).
- Nationality and NOT domicile.
- Anything to which CIVIL STATUTORY obligation attach such as those in [26 U.S.C. §6671\(b\)](#). See:

[Lawfully Avoiding Government Obligations Course](#), Form #12.040

<https://sedm.org/LibertyU/AvoidGovernmentObligations.pdf>

- By **“civil status”** above they mean:

- Domiciled on federal territory
- STATUTORY **“[U.S.\[**+D\] citizen](#)”** subject to CIVIL “acts of Congress” ([law for GOVERNMENT and not PRIVATE people](#)) per :
 - » [26 U.S.C. §3121\(e\)](#).
 - » [26 C.F.R. §1.1-1\(a\)](#) but NOT [26 C.F.R. §1.1-1\(c\)](#). [26 C.F.R. §1.1-1\(c\)](#) is political status ONLY.
- **“taxpayer”** per [26 U.S.C. §7701\(a\)\(14\)](#).
- **“driver”** under the vehicle code.

Relationship Between Nationality and Domicile

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

So What About Citizenship IS a Threat to Freedom?

1. **PRESUME** that "nationality" and "domicile" are equivalent. They are NOT. See:

Why Domicile and Becoming a "taxpayer" Require Your Consent, Form #05.002

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

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>

2. **PRESUME** that ALL of the FOUR contexts for "United States" are equivalent.

3. **PRESUME** that POLITICAL Citizens* and CIVIL citizens**+D are EQUIVALENT under federal law. They are NOT.

1. A POLITICAL/CONSTITUTIONAL citizen*:

1. Is a "non-citizen national" under the COMMON law but not under [8 U.S.C. §1408](#) or [8 U.S.C. §1101\(a\)\(22\)\(B\)](#). See:

Perkins v. Elg, 307 U.S. 327 (1939).

https://scholar.google.com/scholar_case?case=17485095411337455454

2. Is a "national" under [8 U.S.C. §1101\(a\)\(21\)](#).
3. Is a "national of the United States*" under [8 U.S.C. §1101\(a\)\(22\)](#).
4. Is described in the Fourteenth Amendment and [8 U.S.C. §1401](#).

2. A CIVIL citizen**+D is a POLITICAL citizen who ALSO has EITHER:

1. A PRIVILEGED CIVIL DOMICILE in a specific locality OR
2. Has made an ELECTION of a civil statutory status domiciled elsewhere and thus become SURETY for the obligations of the status.

So What About Citizenship IS a Threat to Freedom?

- 4. Use the word "citizenship" in place of "nationality" OR "domicile", and refuse to disclose WHICH of the two they mean in EVERY context.**
- 5. PRESUME that ANY kind of POLITICAL citizen, whether from the Fourteenth Amendment or 8 U.S.C. §1401 is AUTOMATICALLY ALSO a CIVIL/DOMICILED Citizen**+D who is domiciled on federal territory. DOMICILE and NATIONALITY are NOT equivalent! A POLITICAL/CONSTITUTIONAL Citizen* domiciled in their state:**
 - 1. Has a FOREIGN domicile.**
 - 2. Is a NONRESIDENT ALIEN by DEFAULT.**

So What About Citizenship IS a Threat to Freedom?

- 6. Confuse the POLITICAL/CONSTITUTIONAL meaning of words with the CIVIL/STATUTORY context. For instance, asking on government forms whether you are a POLITICAL/CONSTITUTIONAL citizen and then **FALSELY PRESUMING** that you are a CIVIL/DOMICILED Citizen**+D under **26 C.F.R. §1.1-1(a)**.**
- 7. Confuse the words "**domicile**" and "**residence**" or impute either to you without satisfying the burden of proving that you **EXPRESSLY CONSENTED** to it and thereby illegally kidnap your civil legal identity against your will. One can have only one "**domicile**" but many "**residences**" and BOTH require your consent. See:**

***Why Domicile and Becoming a "taxpayer" Require Your Consent*, Form #05.002**

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

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>

So What About Citizenship IS a Threat to Freedom?

- 8. Add things or classes of things to the meaning of statutory terms that do not EXPRESSLY appear in their definitions, in violation of the rules of statutory construction. See:**

***Legal Deception and Propaganda*, Form #05.014**

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

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Includes.pdf>

- 9. Refuse to allow the jury to read the definitions in the law and then give them a definition that is in conflict with the statutory definition. This substitutes the JUDGE'S will for what the law expressly says and thereby substitutes PUBLIC POLICY for the written law.**

- 10. Publish deceptive government publications that are in deliberate conflict with what the statutes define "[United States](#)" as and then tell the public that they CANNOT rely on the publication. The [IRS does this with ALL of their publications](#) and it is FRAUD. See:**

***Reasonable Belief About Income Tax Liability*, Form #05.007**

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

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>

Federal Courts AGREE with us!

“The expression, citizen of a state, used in the previous paragraph, is carefully omitted here [the Fourteenth Amendment]. In article 4, §2, subd. 1 of the constitution of the United States, it had been already provided that "the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states." The rights of citizens of the states and of citizens of the United States are each guarded by these different provisions. That these rights are separate and distinct, was held in the Slaughterhouse Cases, 16 Wall. [83 U.S.] 36, recently decided by the supreme court . The rights of citizens of the state [common law “nationals” but not statutory “citizens”, Form #10.011], as such, are not under consideration in the fourteenth amendment. They stand as they did before the adoption of the fourteenth amendment, and are fully guaranteed by other [as in STATE rather than FEDERAL] provisions.”

[U.S. v. Anthony, 24 Fed.Cas. 829, 830 (1874);

SOURCE: <https://law.resource.org/pub/us/case/reporter/F.Cas/0024.f.cas.pdf>

Federal Courts **AGREE** with us!

“It would be the vainest show of learning to attempt to prove by citations of authority, that up to the adoption of the recent Amendments [the Thirteenth and Fourteenth Amendment], no claim or pretense was set up that those rights depended on the Federal government for their existence or protection, beyond the very few express limitations which the Federal Constitution imposed upon the states—such as the prohibition against ex post facto laws, bill of attainder, and laws impairing the obligation of contracts. But with the exception of these and a few other restrictions, the entire domain of the privileges and immunities of citizens of the states, as above defined, lay within the constitutional and legislative power of the states, and without that of the Federal government. Was it the purpose of the 14th Amendment, by the simple declaration that no state should make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, to transfer the security and protection of all the civil rights which we have mentioned, from the states to the Federal government? And where it is declared that Congress shall have the power to enforce that article, was it intended to bring within the power of Congress the entire domain of civil rights heretofore belonging exclusively to the states?

We are convinced that no such result was intended by the Congress which proposed these amendments, nor by the legislatures of the states, which ratified them. Having shown that the privileges and immunities relied on in the argument are those which belong to citizens of the states as such, and that they are left to the state governments for security and protection, and not by this article placed under the special care of the Federal government, we may hold ourselves excused from defining the privileges and immunities of citizens of the United States which no state can abridge, until some case involving those privileges may make it necessary to do so.”

[[Slaughter-House Cases, 83 U.S. \(16 Wall.\) 36, 21 L.Ed. 394 \(1873\)](#)], emphasis added
SOURCE: https://scholar.google.com/scholar_case?case=12565118578780815007]

EXAMPLE APPLICATION

- If you would like to see how these CITIZENSHIP and DOMICILE concepts fit together in challenging the jurisdiction to tax, read the following VERY instructive form:

Affidavit of Domicile: Probate, Form #04.223

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

DIRECT LINK: <http://sedm.org/Forms/04-Tax/2-Withholding/AffidavitOfDomicile-Probate.pdf>

“Sovereign Citizens” DO NOT understand this information

- **SEDM and all its members are NOT “sovereign citizens”.**

Court DEFINES what a “sovereign citizen” is and PROVES SEDM Does not advocate that status, SEDM

<https://sedm.org/court-defines-what-a-sovereign-citizen-is-and-proves-that-sedm-does-not-advocate-that-status/>

- **It is a WELL KNOW fact that ignorant people who call themselves “sovereign citizens” CLEARLY do not understand the content of this document.**
- **One court defined a “sovereign citizen” as follows:**

*As the Honorable Norman K. Moon explained, such claims—which he described as “equal parts revisionist legal history and conspiracy theory”—are premised upon the belief that prior to the passage of the **Fourteenth Amendment**, there were no U.S. citizens; instead, people [**3] were citizens only of their individual states. Even after the passage of the **Fourteenth Amendment**, U.S. citizenship remains optional. The federal government, however, has tricked the populace into becoming U.S. citizens by entering into “contracts” embodied in such documents as birth certificates and social security cards.*

[Walby v. United States, 144 Fed.Cl. 1 (2019)]

- **According to the above case, the essential characteristics of a “sovereign citizen” are:**
 - **Born in a state of the Union but deny being a Fourteenth Amendment “citizen of the United States”.**
 - **Deny that there were CONSTITUTIONAL citizens PRIOR to the passage of the Fourteenth Amendment.**
 - **Exempt “from many laws, including the obligation to pay taxes”.**

“Sovereign Citizens” DO NOT understand this information

- **We hope that after reading this presentation completely, you understand that:**
 - There is nothing **WRONG** with claiming to be a Fourteenth Amendment **CONSTITUTIONAL** citizen or a **POLITICAL** citizen* of any description.
 - There **WERE** in fact **CONSTITUTIONAL** citizens **PRIOR** to the ratification of the Fourteenth Amendment. They were called “Citizens” in the constitution of 1789.
 - You can be “not subject” to specific civil statutory laws of Congress without being “exempt”.
 - » Being “exempt” implies that you were subject to begin with but were given a special privilege to avoid the obligations you would otherwise have.
 - » The proper term is “excluded” rather than “exempt”.
Excluded Earnings and People, Form #14.019
<https://sedm.org/Forms/14-PropProtection/ExcludedEarningsAndPeople.pdf>
 - Being “not subject” originates from:
 - » Not having a domicile within the exclusive jurisdiction of Congress on federal territory.
 - » Not **VOLUNTEERING** to represent a [legal fictional office \(“straw man”, Form #05.042\)](#) or “person” with a domicile within the exclusive jurisdiction of Congress.

More on the above at:

Why Domicile and Becoming a “Taxpayer” Require Your Consent, form #05.002

<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

“Sovereign Citizens” DO NOT understand this information

- **The most COMMON misunderstandings by “sovereign citizens” in the context of taxation are:**
 - The proper terminology to describe which “United States” they are referring to in order to avoid confusion and prevent government sophistry. See:
SEDM Website Disclaimer, Section 4.32 United States, SEDM
<https://sedm.org/disclaimer.htm#4.32. United States>
 - The proper terminology to describe citizenship to avoid confusion and prevent government sophistry. See:
SEDM Website Disclaimer, Section 4.33 "Citizen" and "Citizen**+D" and "Citizenship"*, SEDM
<https://sedm.org/disclaimer.htm#4.33. Citizen and CitizenD and Citizenship>
 - How to correctly AVER their citizenship in court. See:
How to Aver Your Status as a Fourteenth Amendment “nonresident alien”, FTSIG
<https://ftsig.org/how-to-aver-your-status-as-a-fourteenth-amendment-nonresident-alien/>
 - A misunderstanding of the distinctions between NATIONALITY and DOMICILE respectively. See:
 - » *Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien*, Form #05.006
<https://sedm.org/Forms/05-MemLaw/WhyANational.pdf>
 - » *Why Domicile and Becoming a “Taxpayer” Require Your Consent*, Form #05.002
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

“Sovereign Citizens” DO NOT understand this information

- A misunderstanding of the distinctions between a POLITICAL “citizen*” and a CIVIL “citizen**+D”
 - » A POLITICAL “citizen*” is born or naturalized anywhere in the COUNTRY.
 - » A CIVIL “citizen**+D” is not only born or naturalized in the country, but ALSO domiciled within the exclusive jurisdiction of the taxing authority.

More at:

How You are Illegally Deceived or Compelled to Transition from Being a POLITICAL Citizen to a CIVIL Citizen: By Confusing the Two Contexts, Family Guardian Fellowship

<https://famguardian.org/Subjects/LawAndGovt/Citizenship/HowCitObfuscated.htm>

“Sovereign Citizens” DO NOT understand this information

- **Some Judges are greedy government tyrants.** Their main purpose is to **COVER UP** the content of this presentation because it contains “Third Rail Issues” as documented in:
Third Rail Government Issues, Form #08.032
<https://sedm.org/Forms/08-PolicyDocs/ThirdRailIssues.pdf>
- **Our course on sophistry identifies what a sophist is:**
An Introduction to Sophistry, Form #12.042
<https://sedm.org/an-introduction-to-sophistry/>
- **If you want to outsmart judicial sophists, you must learn their techniques of:**
 - **Equivocation to confuse contexts and hide their efforts to destroy the separation of powers. This is a logical fallacy designed to deceive. See:**
Legal Deception, Propaganda, and Fraud, Form #05.014
<https://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>
 - **Compartmentalization to protect third rail issues from public disclosure.**
 - **Censoring third rail issues and sanctioning people who bring them up.**
 - **Changing or confusing the context of legal terms in order to effect CRIMINAL IDENTITY THEFT as documented in:**
 - » *Identity Theft Affidavit*, Form #14.020
https://sedm.org/Forms/14-PropProtection/Identity_Theft_Affidavit-f14039.pdf
 - » *Government Identity Theft*, Form #05.046
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

How POLITICAL “citizens*” and CIVIL “citizens*++D” are confused in the Internal Revenue Code

- The “citizen” upon whom the tax is imposed in [26 C.F.R. §1.1-1\(a\)](#) is NOT merely and ONLY a POLITICAL “citizen* of the United States*” described in [26 C.F.R. §1.1-1\(c\)](#). There would be NO NEED for these two things if they were both the same. INSTEAD, it is a:
 1. POLITICAL “citizen*” defined in [8 U.S.C. §1401](#) and the Fourteenth Amendment as described in [26 C.F.R. §1.1-1\(c\)](#).
 2. AND who is ALSO “OF the [United States****](#)” (corporation and not geography) in [26 C.F.R. §1.1-1\(a\)](#) and (b).
- There would be NO NEED to separate the above two in [26 C.F.R. §1.1-1\(a\)](#) and (c) if these things were synonymous and they referred to the SAME “[United States](#)“. They HAD to do it this way because of the following requirements to implement a LEGITIMATE franchise that the income tax is:

How POLITICAL “citizens*” and CIVIL “citizens*++D” are confused in the Internal Revenue Code

“In a legal or narrower sense, the term “franchise” is more often used to designate a right or privilege conferred by law, [1] and the view taken in a number of cases is that to be a franchise, the right possessed must be such as cannot be exercised without the express permission of the sovereign power [2] –that is, a privilege or immunity of a public nature which cannot be legally exercised without legislative grant. [3] It is a privilege conferred by government on an individual or a corporation to do that “which does not belong to the citizens [NATIONALS or “nationals of the United States” who are nonresident aliens] of the country generally by common right.” [4] For example, a right to lay rail or pipes, or to string wires or poles along a public street, is not an ordinary use which everyone may make of the streets, but is a special privilege, or franchise, to be granted for the accomplishment of public objects [5] which, except for the grant, would be a trespass. [6] In this connection, the term “franchise” has sometimes been construed as meaning a grant of a right to use public property, or at least the property over which the granting authority has control. [7]”

[American Jurisprudence 2d, Franchises, §1: Definitions (1999)]

- Black’s Law Dictionary REPEATS the above requirement that a franchise is a PRIVILEGE that ADDS to the powers of an ordinary POLITICAL and not CIVIL citizen* (meaning a “national of the United States”) under the definition of “privilege” as follows:

Privilege. A particular benefit or advantage enjoyed by a person, company, or class beyond the common advantages of other citizens [meaning POLITICAL citizens who are “nationals of the United State*” or “U.S.* nationals”]. An exceptional or extraordinary power or exemption. A peculiar right, advantage, exemption, power, franchise, or immunity held by a person or class, not generally possessed by others.*

[Black’s Law Dictionary, Sixth Edition, p. 1197]

- Ordinary POLITICAL “citizens” under [26 C.F.R. §1.1-1\(c\)](#) have common rights and therefore that status CANNOT be a franchise. So they had to tack “of the United States****” federal corporation at the end in [26 C.F.R. §1.1-1\(a\)](#) and (b) to make it a franchise that pertains to a SPECIFIC consenting human rather than ALL “citizen*”. THIS is why the U.S. Supreme Court refers to income taxes as “quasi-contractual” in nature in [Milwaukee v. White, 296 U.S. 268 \(1935\)](#). THIS VOLUNTEER “citizen* of the United States****” federal corporation is, in fact, SYNONYMOUS with the government itself and therefore is an AGENT of the government:

How POLITICAL “citizens*” and CIVIL “citizens*++D” are confused in the Internal Revenue Code

*“A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only.”
[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]*

“A foreign corporation is one that derives its existence solely from the laws of another state, government, or country, and the term is used indiscriminately, sometimes in statutes, to designate either a corporation created by or under the laws of another state or a corporation created by or under the laws of a foreign country.”

*“A federal corporation operating within a state is considered a domestic corporation rather than a foreign corporation. The United States government is a foreign corporation with respect to a state.”
[19 Corpus Juris Secundum (C.J.S.), Corporations, §883 (2003)]*

- **Thus, the “citizen” who is the “taxpayer” is a POLITICAL citizen* who VOLUNTEERED to work WITHIN the Treasury Department under the Secretary of the Treasury by making an election in filing the 1040 return, and thus LITERALLY “electing” themselves into government office or agency. They are “foreign” in respect to a constitutional state and an agent of the national government. That ELECTION is thoroughly described in:**

How POLITICAL “citizens*” and CIVIL “citizens*++D” are confused in the Internal Revenue Code

How American Nationals VOLUNTEER to Pay Income Tax, Form #08.024

<https://sedm.org/Forms/08-PolicyDocs/HowYouVolForIncomeTax.pdf>

- **Note that we DO NOT contest the validity, history, or ratification of the Fourteenth Amendment. There are no disabilities to being a POLITICAL/CONSTITUTIONAL Fourteenth Amendment “citizen* of the United States****” (states of the Union and not federal territory) that we are aware of. What we object to is frequent government equivocation between the CIVIL/DOMICILED “citizen(**+D) of United States****” (legal/corporation) in [26 C.F.R. §1.1-1\(a\)](#) and (b) and the POLITICAL/CONSTITUTIONAL citizen* mentioned in the Fourteenth Amendment, because they are NOT the same and in fact are mutually exclusive.**
- **If you would like learn how to avoid this confusion and implement a foreign tax status as an American National who files their taxes as a “nonresident alien”, we HIGHLY recommend:**

Foreign Tax Status Information Group (FTSIG) Website

<https://ftsig.org>

Conclusion

- **YES, there are aspects of citizenship that CAN and ABSOLUTELY DO threaten your freedom.**
- **The Fourteenth Amendment POLITICAL Citizen* status is NOT a threat to your freedom.**
- **The main threat to your freedom is:**
 - 1. Confusing the POLITICAL (nationality) and the CIVIL (domicile) contexts to make ANY type of political citizen* into a CIVIL STATUTORY Citizen**+D.**
 - 2. Domicile on federal territory or VOLUNTEERING to represent a legal fiction domiciled on federal territory.**
 - 3. Filling out government forms that ask for your citizenship status. See:**

***Avoiding Traps in Government Forms Course*, Form #12.023**
<https://sedm.org/LibertyU/AvoidingTrapsGovForms.pdf>
 - 4. Submitting tax forms that IMPUTE or PRESUME a domicile on federal territory, such as the 1040 instead of the more correct 1040NR.**

Conclusion

6. Making ANY kind of “elections” in the Internal Revenue Code that connect you being SURETY for a civil office or status domiciled on federal territory. See:

The Problem in Modern Day America, SEDM

<https://sedm.org/the-problem-in-modern-day-america/>

The EASY way out is to CONSENT TO NOTHING the government has or wants and thus RETAIN your FOREIGN/PRIVATE status!

7. Donating YOURSELF or your PROPERTY to a public status. See:

Property View of Income Taxation Course, Form #12.046

<https://sedm.org/LibertyU/PropertyViewOfIncomeTax.pdf>

8. Ignorance of the law.
9. Ignorance about citizenship.
10. Failure to recognize and oppose the false, and self-serving, and injurious presumptions of others about your citizenship status.
11. Failure to recognize all the games the government plays to make you LOOK like a type of DOMICILED citizen that you ARE NOT.
12. Failure to properly reflect your citizenship on government forms and in government records as being a POLITICAL citizen* but a STATUTORY nonresident, “non-person”, and non-citizen national.

Conclusion

- Any attempt to do ANY of the above without your express and knowing consent is an act of **CRIMINAL IDENTITY THEFT**. See:
 - *Hot Issues: Identification and Identity Theft*, SEDM
<https://sedm.org/identification/>
 - *Government Identity Theft*, Form #05.046
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>
 - Identity Theft Affidavit, Form #14.020
https://sedm.org/Forms/14-PropProtection/Identity_Theft_Affidavit-f14039.pdf

Conclusion

- Citizenship is the most important legal subject you can learn.
- We can help correct these problems, but you will need to DILLIGENTLY STUDY and LEARN the law.
- If you want to apply this information to correcting your tax status and lawfully avoiding most income taxes, see:
 - Nonresident Alien Position Course, Form #12.045
<https://sedm.org/LibertyU/NRA.pdf>
 - Proof that American Nationals are Nonresident Aliens, Form #09.081
<https://sedm.org/Forms/09-Procs/ProofAnNRA.pdf>
 - Rebutted Arguments About the Nonresident Alien Position When Used by American Nationals, Form #08.031
<https://sedm.org/Forms/08-PolicyDocs/RebArgNRA.pdf>
 - 1040NR Attachment, Form #09.077
<https://sedm.org/Forms/09-Procs/1040NR-Attachment.pdf>
 - How to File Returns, Form #09.074** (Member Subscriptions)
<https://sedm.org/product/filing-returns-form-09-074/>
 - Procedure to File Returns Course, Form #09.075** (Member Subscriptions)
<https://sedm.org/product/procedure-to-file-tax-returns-form-09-075/>
 - Non-Resident Non-Person Position, Form #05.020
<https://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf>

Learning More

- **Citizenship and Sovereignty Course**, Form #12.001
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/LibertyU/CitAndSovereignty.pdf>
- **Citizenship Diagrams**, Form #10.010-simplified diagrams explaining everything in this presentation
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/10-Emancipation/CitizenshipDiagrams.pdf>
- **Citizenship Status v. Tax Status**, Form #10.011-online summary of citizen that allows cutting and pasting and has hotlinks. Accessible from our “Reference” menu
<http://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm>
- **Spirited debate over this presentation**-you have to join the forums FREE to participate. Feedback welcome.
<https://famguardian.org/forums/topic/state-citizen-falsely-argues-that-he-is-not-a-fourteenth-amendment-citizen/>

Learning More

- **Flawed Tax Arguments to Avoid**, Form #08.004, Sections 8.1 and 10.1-addresses FALSE BELIEFS over the Fourteenth Amendment
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/08-PolicyDocs/FlawedArgsToAvoid.pdf>
- **Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien**, Form #05.006-detailed research
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyANational.pdf>
- **Why Domicile and Becoming a “Taxpayer” Require Your Consent**, Form #05.002 –how domicile is the origin of civil jurisdiction and its effect of citizenship
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>
- **Citizenship, Domicile, and Tax Status Options**, Form #10.003-form to attach to legal pleadings describing your citizenship
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/10-Emancipation/CitDomTaxStatusOptions.pdf>

Learning More

- **Affidavit of Citizenship, Domicile, and Tax Status**, Form #02.001-form to attach to tax forms documenting your citizenship

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

DIRECT LINK: <http://sedm.org/Forms/02-Affidavits/AffCitDomTax.pdf>