

# UNITED STATES OF AMERICA PASSPORT APPLICATION ATTACHMENT FORM INSTRUCTIONS

Last revised: 2/12/11

## 1. **PURPOSE:**

- 1.1. To provide a form to attach to United States Department of State Form DS-11 or DS-82, which is an application for a United States of America Passport. This form may be found on the government website at:  
[http://travel.state.gov/passport/forms/forms\\_841.html](http://travel.state.gov/passport/forms/forms_841.html)
- 1.2. To provide a brief, succinct summary of your citizenship status which ensures that your proper legal citizenship status is not undermined or destroyed by the abuse of “words of art”, undefined words on government forms, and ignorant presumption on the part of government employees who process the DS-11 forms.
- 1.3. To preserve your sovereign status, by clearly and unambiguously describing your citizenship and domicile so as to prevent you from losing your status as a “foreign state” by virtue of improperly and falsely describing yourself as a statutory “U.S. citizen” pursuant to [8 U.S.C. §1401](#). [28 U.S.C. §1603\(b\)\(3\)](#) says that you cannot be an “instrumentality of a foreign state”, such as a state of the Union, if you are a statutory “U.S. citizen” pursuant to [8 U.S.C. §1401](#). This will prevent a surrender sovereign immunity under federal law as documented in 28 U.S.C. Chapter 97 found at:  
[http://www4.law.cornell.edu/uscode/html/uscode28/usc\\_sup\\_01\\_28\\_10\\_IV\\_20\\_97.html](http://www4.law.cornell.edu/uscode/html/uscode28/usc_sup_01_28_10_IV_20_97.html)

## 2. **REASON WHY THIS DOCUMENT IS NECESSARY:**

- 2.1. Those who are carefully following the procedures on this website realize that their ensuring that their citizenship and domicile status is truthfully and correctly reflected in all government records about them is of extreme importance as far as defending and protecting their sovereignty and giving them the proper standing in court to defend their rights.
- 2.2. The government just loves to destroy your sovereignty and make you into one of their serfs by:
  - 2.2.1. Using either “words of art” on government forms and not providing definitions for the words on the forms themselves.
  - 2.2.2. Using words that aren’t defined in the law on government forms and then making false and self-serving presumptions about their meaning.
  - 2.2.3. Interfering with the protection of your sovereignty by refusing to acknowledge your status or refusing to accept forms documenting your status that you submit to them.
  - 2.2.4. Limiting choices for your status on government forms to exclude “not subject” or “nontaxpayer” or “non-citizen national” so as to FORCE the innocent and ignorant to procure a status to places them into slavery and subjection.
- 2.3. Those who wish to prevent being injured by the above tactics in the context of their citizenship and domicile must take extreme measures to prevent them and undermine them. There are two methods for doing this:
  - 2.3.1. Electronically modifying the form to use terms that are legally defined instead of terms that are undefined. . . .  
OR
  - 2.3.2. Using the standard government form but putting in Block 17, the Permanent address “NONE” or “Heaven” and writing next to it on the address line “

*“False, perjurious, and not valid without signed enclosed USA Passport Application Attachment, 19 pages”*

**WARNING:** Do not put the above language in the oath block at the end of the form, because it may render the oath invalid because qualified. Many clerks at the passport office will tell you that a modified oath will invalidate the application, even though on many occasions, they have also said that it is OK to modify the oath if THEY authorize it as described later in item 5.4.7 later. Also, do not put the above language in the margins of the form, because it will not photocopy and therefore may conveniently “disappear” from the government’s records.

- 2.4. Two forms are provided on this website for updating your citizenship status in government records:
  - 2.4.1. The procedures for applying for a U.S.A. passport as a “national” found at:  
<http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>
  - 2.4.2. *Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001 at:  
<http://sedm.org/Forms/FormIndex.htm>
- 2.5. The first option above, applying for a passport as a “national” but not a federal “citizen”, is the first step our readers normally take to restore their sovereignty, and sometimes they have trouble with this step because some ignorant public servants maliciously try to prevent them from doing this for self-serving reasons. In effect, our public servants are trying to make the passport application into a “privilege” and forcing applicants to surrender their

Constitutionally protected rights such as the right of privacy in order to procure privileges that you don't want and don't need. This form is provided to help them when they run into this sort of trouble because, for instance, the use of AMENDED DS-11 forms does not work for them.

- 2.6. For further details on why this form is important and what your proper citizenship status is, refer to the following form:

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

### 3. **PROCEDURE FOR USE:**

**NOTE:** This form is included as a standard part of the current version of the *Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001. Hence, if you have followed our Path to Freedom Process, then you already sent in this form and all past passport applications already submitted have been requested to be amended to reflect that this form is included by reference, even if not provided at the time you made application.

- 3.1. This form has the effect of describing dual citizenship: 1. In the country and Republic of your birth; 2. In the Kingdom of Heaven. It also makes one of the two citizenships subordinate to the other. You may therefore benefit from reading the dual citizenship questions and answers found on the internet at the address below:

<http://www.richw.org/dualcit/>

- 3.2. First read the article on applying for a passport as a "national" at:

*How to Apply for a Passport as a "non-citizen national"*, Form #09.007  
<http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>

- 3.3. We have provided at the end of this form a Government Verified Identity Document. This form:

3.3.1. Is optional.

3.3.2. Is provided for those who are not able to provide sufficient photo ID to authenticate their identity to the passport acceptance agent. This could be because they do not have a state driver's license or their old expired passport connects them to government issued identifying numbers that they now know are not theirs and are accurate.

3.3.3. Acts as a substitute for state-issued photo ID. State-issued ID should be avoided because it connects you to licensed activity or franchises applicable only to federal territory.

3.3.4. Constitutes "Government ID" in every sense of the word, because issued by a state notary, who is a public officer and therefore a representative of the state.

**NOTE: We strongly discourage those applying for USA passports to use any ID that connects them to either a state-issued identifying number, a state license, or any other franchise, because this information will be used to make you a government statutory "employee" or public officer who has NO CONSTITUTIONAL RIGHTS and is representing an office domiciled on federal territory under Federal Rule of 17(b).**

- 3.4. Next, download the AMENDED DS-11 form and try applying for the passport using this form.

- 3.5. If the government rejects the use of the AMENDED DS-11 form, try using an unmodified version of the DS-11 form with this form attached. Complete the form according to the instructions contained in the above article, and then write the following above the applicant's signature on block 23 of the DS-11 form:

*"Subornation of perjury and FALSE unless accompanied by the attached form entitled 'United States of America Passport Application Attachment'"*

- 3.6. Staple this form to the completed DS-11 form.

- 3.7. In the SSN block, put either "NONE" or "000-00-0000" and disregard the repeated requests for an SSN. If you put an SSN, you are waiving your sovereign immunity, forfeiting your sovereignty, and becoming a federal statutory "employee" pursuant to 5 U.S.C. §2105(a) and [28 U.S.C. §1605\(a\)\(2\)](#). This is exhaustively described in the following pamphlet:

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

If they give you a bad time about not proving a Taxpayer Identification Number, ensure that you also attach the following form:

*Why It is Illegal for Me to Request or Use a Taxpayer Identification Number*, Form #04.205  
<http://sedm.org/Forms/FormIndex.htm>

- 3.8. Leave the signature block of the DS-11 form blank.

- 3.9. Go to the Dept of State office.

- 3.10. AFTER you get to the Dept. State, wait until you are called and go up to the clerk. Sign and date the DS-11 form in Section 11 in the presence of the clerk..

3.11. Submit the application to the Department of State either in person or via postal mail. Your chances of getting a passport are best if you use the in-person process because it makes them more accountable, as explained in section 4 below. If you use postal mail, please ensure that you send it using the Certificate of Service, Form #01.005 at: <http://sedm.org/Forms/FormIndex.htm>

The reason you need a Certificate of Service is that if they deny your application or ignore it, you will have legal standing to sue them for deprivation of rights. You have a right to travel.

#### 4. **CONTINGENCIES**

4.1. Compelled Use of SSN on the form is a violation of the Privacy Act:

4.1.1. The Privacy Act forbids compelled use of SSNs. Those demanding numbers must disclose BOTH whether the disclosure is MANDATORY or VOLUNTARY, and the statute that makes it mandatory IN YOUR CASE and based on YOUR SPECIFIC STATUS:

*Disclosure of Social Security Number*

Section 7 of [Pub. L. 93-579](#) provided that:

"(a)(1) It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number.

"

(2) the [The] provisions of paragraph (1) of this subsection shall not apply with respect to— "

(A) any disclosure which is required by Federal statute, or "

(B) the disclosure of a social security number to any Federal, State, or local agency maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted prior to such date to verify the identity of an individual. "

**(b) Any Federal, State, or local government agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it."**

[SOURCE: 5 U.S.C. §552a Legislative Notes,

[http://www.law.cornell.edu/uscode/html/uscode05/usc\\_sec\\_05\\_00000552---a000-notes.html](http://www.law.cornell.edu/uscode/html/uscode05/usc_sec_05_00000552---a000-notes.html)

4.1.2. In the case of the Internal Revenue Code, the place where disclosure of SSNs/TINs is mandatory is described in 26 CFR §301.6109-1(b) in the case of "nonresident aliens INDIVIDUALS".

4.1.2.1. If you are a "nonresident alien" but NOT an "individual" then you are NOT the subject of the section.

4.1.2.2. The passport clerk is NOT empowered to make legal determinations about your status or whether you are or ARE NOT a "nonresident alien individual". All they are allowed to do is act upon the status you describe yourself with under penalty of perjury.

4.1.2.3. Furthermore, NONE of the provisions of the I.R.C. are even relevant to a "nontaxpayer", and so all you have to tell them is that you are NOT a "taxpayer" and that any provision mandating numbers for "taxpayers" is therefore NOT applicable to you.

*"Revenue Laws relate to taxpayers [officers, employees, and elected officials of the Federal Government] and not to non-taxpayers [American Citizens/American Nationals not subject to the exclusive jurisdiction of the Federal Government]. The latter are without their scope. No procedures are prescribed for non-taxpayers and no attempt is made to annul any of their Rights or Remedies in due course of law. With them[non-taxpayers] Congress does not assume to deal and they are neither of the subject nor of the object of federal revenue laws."*  
[*Economy Plumbing & Heating v. U.S.*, 470 F.2d. 585 (1972)]

4.1.3. If the clerk insists that they will not process your passport application without an SSN, we suggest:

4.1.3.1. Asking them to produce the statute that MANDATES use of the SSN for "nontaxpayers". They may try to quote 26 U.S.C. §6039E because it is mentioned in the passport instructions, but that provision, like the entire I.R.C., only pertains to "taxpayers" which you are NOT. They can't argue with what you tell them you are, and not even the courts can declare you a "taxpayers" so they can't PRESUME you are one either.

*Specifically, Rowen seeks a declaratory judgment against the United States of America with respect to "whether or not the plaintiff is a taxpayer pursuant to, and/or under 26 U.S.C. § 7701(a)(14)." (See Compl. at 2.) **This Court lacks jurisdiction to issue a declaratory judgment "with respect to Federal taxes other than actions brought under section 7428 of the Internal Revenue Code of 1986," a code section that is not at issue in the instant action. See 28 U.S.C. § 2201; see also Hughes v. United States, 953 F.2d 531, 536-537 (9th Cir. 1991) (affirming dismissal of claim for declaratory relief under § 2201 where claim concerned question of tax liability).** Accordingly, defendant's motion to dismiss is hereby GRANTED, and the instant action is hereby DISMISSED.*

[*Rowen v. U.S.*, 05-3766MMC. (N.D.Cal. 11/02/2005)]

- 4.1.3.2. Asking them where it says in 26 CFR §301.6109-1 mandates that you MUST use an SSN under the I.R.C., since you aren't a statutory "U.S. citizen", "U.S. resident", or "nonresident alien INDIVIDUAL". Instead, you are a "nonresident alien NON-Individual" because not occupying a public office in the U.S. government and therefore are NOT required to have or use a number.
- 4.1.3.3. Presenting them with the SSA 521 form you sent in terminating participation with the number redacted.
- 4.1.4. 5 U.S.C. §552a(g)(4) provides for a penalty of a minimum of \$1,000 for compelled use of Social Security Numbers:

5 U.S.C. §552a(g)(4)

(4) In any suit brought under the provisions of subsection (g)(1)(C) or (D) of this section in which the court determines that the agency acted in a manner which was intentional or willful, the United States shall be liable to the individual in an amount equal to the sum of—

(A) actual damages sustained by the individual as a result of the refusal or failure, but **in no case shall a person entitled to recovery receive less than the sum of \$1,000**; and

(B) the costs of the action together with reasonable attorney fees as determined by the court."

[SOURCE: [http://www.law.cornell.edu/uscode/html/uscode05/uscode05usc\\_sec\\_05\\_00000552---a000-.html](http://www.law.cornell.edu/uscode/html/uscode05/uscode05usc_sec_05_00000552---a000-.html)]

- 4.1.5. For additional information, read *Doe v. Chao*, 540 U.S. 614 (2004):

[http://en.wikipedia.org/wiki/Doe\\_v.\\_Chao](http://en.wikipedia.org/wiki/Doe_v._Chao)

- 4.2. Some people using this form, and especially those applying by correspondence instead of in person, have had their applications rejected without explanation, along with a letter demanding further information using the IN-709-1 form. This is a delay tactic intended to harass you and punish you for reflecting the truth about your status in official records. If your application is rejected or delayed:
- 4.2.1. You may want to resubmit it with the IN-709-1 form attached with all additional information lined out and writing above the line that says "First Amendment: Right to NOT speak" and/or "Fifth Amendment: Right to not incriminate myself". That way, you have complied fully and yet will not allow them to compel you to violate your rights. You can provide additional government-issued ID's by simply providing an Affidavit that is signed and notarized by a notary with your picture on it and attach it to the letter as Enclosure (3).
- 4.2.2. You may want to send them the following form off our website:

*Passport Notice and Demand Letter*, Form #06.017

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

- 4.3. We always want to improve the quality of the information we offer on our website and feedback helps with that improvement. If you receive a negative or derogatory response from the government to this form, we would appreciate if you would fax the response to the fax number on our Contact Us page.

## 5. **IMPORTANT NOTES:**

- 5.1. **Remember:** A confused mind or a fearful mind always says no. Try to avoid confusing the clerk or threatening the clerk or he/she will say no.
- 5.2. Some of our readers use the "Government Verified Identity Document" to get into the Dept. of State building instead of using ID that can be swiped. This is a good idea if you want to avoid being connected to government numbers or franchises while in the building of [The Beast](#).
- 5.3. Don't argue that you are NOT a "U.S. citizen" if you use this form. Jesus said be quick to agree with your adversary. Instead, ensure that you emphasize WHICH of the three "United States" you mean within the phrase "U.S. citizen" by attaching this form, and EXACTLY which STATUTORY statuses you have and DO NOT have under Title 8 of the U.S. Code. That approach will quickly diffuse any resistance or delay you might otherwise experience.
- 5.4. We have found that if you apply by the mail, typically they are much more likely to delay, harass, and impede the application until you do EVERYTHING they want, including provide a number and removing the attachment. They do this because the mail process is anonymous and they can do so with impunity, whereas the in-person process makes them much more accountable. Therefore, we recommend:
- 5.4.1. Using the in-person process by driving to the Dept of State building and making application in person on an expedited passport that you can get the same way. We recommend doing this even if it is much more inconvenient. In order to use the in-person process, you must have an IMMEDIATE need to travel and they may ask you for plane tickets or some other proof of urgency. You may need to fabricate the emergency in order to justify showing up in person and not using the mail application process, but it's worth it. There are two advantages to going in person.
- 5.4.1.1. One is that it makes them immediately accountable to you with the risk of facing the flame throwers.
- 5.4.1.2. They HAVE to process all the passports they made appointments for by three o'clock that same day.
- 5.4.2. Bringing a friend with you in your in-person visit who stands at your shoulder and takes notes about what the clerk said. You may need this person as a witness if you have to sue the clerk for refusing to issue you a lawful passport.

- 5.5. Avoid arguments with the clerk. Only pull out the tanks and the flamethrowers if you absolutely HAVE to. A good way to avoid arguments with the clerk and get them on your side is with the following tactics when confronting them in person at the passport office:
- 5.5.1. Show up at the counter with a blank DS-11 or DS-82 form and this form.
  - 5.5.2. Explain to the clerk that you need help filling out the form because you are thoroughly confused.
  - 5.5.3. Show the clerk the title of the DS-11 or DS-82 form that says "U.S. Passport Application Form" along with the passport itself, which says "USA passport" and explain that the U.S. and the USA are not the same thing, and that there are several statutory definitions of both and that you don't know which one applies to the passport.
  - 5.5.4. Show the clerk the venn diagram in Figure 2 of this form and explain that there are at least six different types of citizenship identified in Title 8 of the U.S. Code and that their form doesn't say which one a 'U.S. citizen is, and that you want to unambiguously specify which one you are.
  - 5.5.5. If they try to sit down and read this entire form, you can say: "You can read the whole attachment, but it just verifies everything I just told you about my status and identifies me as having the status numbered 6 in the Venn Diagram. I'm just trying to save you some time because I know you are busy."
  - 5.5.6. Emphasize that you INSIST on attaching this attachment so that neither the applicant nor the clerk looks like they are acting negligently or frivolously. It definitely protects the clerk from a negative response from above them.
  - 5.5.7. Explain that you have changed your status by submitting the SSA-521 form and are not eligible to participate and never have been eligible to participate in Social Security and want to ensure that the application does not include a number, but that the form says in at least two places that a number is required and that you can't give them one.
  - 5.5.8. Explain that the perjury statement asks you to swear under penalty of perjury that you are one of two citizenship statuses that are not specifically identified in Title 8 of the U.S. Code and that you want to clarify the meaning and line one of the two out so that your perjury statement doesn't end up being FALSE. You could say: "Maam, if someone asked you to take a perjury oath swearing that you are two contradictory things and that you were going to tell the truth, the whole truth, and nothing but the truth, but that you were also going to tell a pack of lies, would you sign it?" But you should ASK for permission to change it to make it accurate. If you make the change without asking for permission, they may try to reject the form and call you frivolous.
  - 5.5.9. After saying the above, the clerk will probably say the following:
    - 5.5.9.1. We don't require Social Security Numbers. Just put all zeros in the SSN block.
    - 5.5.9.2. Put "NONE" in the Permanent Address block 17 blank. They may ask you whether you have a permanent address and you can explain to the clerk that the Permanent Address is a domicile, and that the only place you consent to occupy permanently and return to is Heaven, but that is a belief, and you can't put religious beliefs on a form signed under penalty of perjury because they can't be independently verified, so you had can only put "NONE" instead of "HEAVEN".
    - 5.5.9.3. Go ahead and modify the perjury statement at the end to read:

*I declare under penalty of perjury all of the following: 1) I am a ~~citizen~~ or **non-citizen national** of the ~~United States~~ and have not, since acquiring U.S. citizenship or **nationality**, performed any of the acts listed under "Acts of Conditions" on the reverse side of this application (unless explanatory statement is attached); 2) the statements made on the application are true and correct; 3) I have not knowingly and willfully made false statements or included false documents in support of this application; 4) the photograph submitted with this application is a genuine, current, photograph of me; and 5) I have read and understood the warning on page two of the instructions to the application form.*

## 6. **FURTHER READING AND RESEARCH:**

- 6.1. *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008. Proves that NO ONE may interfere with your right to declare your civil status, which is a fulfillment of your First Amendment right to associate and your right to be free from compelled association  
<http://sedm.org/Forms/FormIndex.htm>
- 6.2. *Citizenship and Sovereignty Course*, Form #12.001:  
<http://sedm.org/Forms/FormIndex.htm>
- 6.3. *Developing Evidence of Citizenship Course*, Form #12.002  
<http://sedm.org/Forms/FormIndex.htm>
- 6.4. *Citizenship, Domicile, and Tax Status Options*, Form #10.010. Use this form in responding to correspondence from legal counsel and immigration officials relating to your citizenship, domicile, and tax status.  
<http://sedm.org/Forms/FormIndex.htm>
- 6.5. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001. Use this form as an attachment to all tax forms you are asked to fill out in connection with immigration issues  
<http://sedm.org/Forms/FormIndex.htm>

- 6.6. *Why it is Illegal for Me to Request or Use a Taxpayer Identification Number*, Form #04.205 –attach this form if they give you a bad time about providing a Social Security Number or Taxpayer Identification Number on the form <http://sedm.org/Forms/FormIndex.htm>
- 6.7. *Why you are a “national”, “state national”, and Constitutional but not Statutory Citizen*, Form #05.006 <http://sedm.org/Forms/FormIndex.htm>
- 6.8. *Why Domicile and Becoming a “Taxpayer” Require Your Consent*, Form #05.002. Shows why government can only govern you with your consent and how you can withdraw your consent to be subject to civil law. <http://sedm.org/Forms/FormIndex.htm>
- 6.9. *Why Domicile and Becoming a “Taxpayer” Require Your Consent*. Shows why government can only govern you with your consent and how you can withdraw your consent to be subject to civil law. <http://famguardian.org/Subjects/Taxes/Articles/DomicileBasisForTaxation.htm>
- 6.10. *Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001. Document you can use to divorce the U.S. government legally and politically and to correct all of their records describing your citizenship and domicile status so as to restore your sovereignty. Available at: <http://sedm.org/Forms/FormIndex.htm>
- 6.11. *Sovereignty Forms and Instructions Online, Form #10.004*: How to restore sovereignty. <http://famguardian.org/TaxFreedom/FormsInstr.htm>
- 6.12. *Sovereignty Forms and Instructions Online*, Form #10.004, Step 3.13: Correct government records documenting your citizenship status: <http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm>
- 6.13. *How to Apply for a Passport as a “non-citizen national”*, Form #09.007: <http://sedm.org/Forms/FormIndex.htm>
- 6.14. *Sovereignty Forms and Instructions Manual*, Form #10.005. Adobe ebook on how to restore your sovereignty. <http://sedm.org/Forms/FormIndex.htm>
- 6.15. *Socialism: The New American Civil Religion*, Form #05.016. Free electronic book about how socialism is taking over the American body politic in fulfillment of Biblical prophesy. Available from: <http://sedm.org/Forms/FormIndex.htm>
- 6.16. *Social Security: Mark of the Beast*, Form #11.407. Free electronic book containing detailed legal research into Social Security. Available from: <http://famguardian.org/Publications/SocialSecurity/TOC.htm>

# UNITED STATES OF AMERICA PASSPORT APPLICATION ATTACHMENT

This form is provided as a mandatory attachment to U.S. Department of State form DS-11 or DS-82 in order to carefully define my citizenship status and legal domicile. The attached DS-11 or DS-82 passport application is INVALID and not useful as evidence in any legal proceeding WITHOUT this mandatory attachment also included in its entirety with no information altered or redacted on either the DS-11, DS-82, or this form by anyone other than me. The reason I am attaching this form is to prevent surrendering my sovereign status by having my citizenship misconstrued as that of a statutory "U.S. citizen" defined in [8 U.S.C. §1401](#). A statutory "U.S. citizen" cannot be a "foreign sovereign" by virtue of their statutory citizenship as described in [28 U.S.C. §1603\(b\)\(3\)](#). It is also a crime pursuant to [18 U.S.C. §1542](#), [18 U.S.C. §911](#), [18 U.S.C. §1001](#), and [18 U.S.C. §1621](#) to declare oneself to be a statutory "U.S. citizen" pursuant to [8 U.S.C. §1401](#) when one has no evidence on which to base a reasonable belief that they are and I don't ever want to be a criminal by saying anything on a government form that I know either isn't true or which I can't prove with evidence is true. The submission of this form is therefore provided at the advice of my counsel as an act of self-defense intended to protect my constitutional rights from being injured by [false presumptions](#), being coerced under unlawful duress to engage in compelled association, or from having my legal identity kidnapped and moved to the District of Columbia pursuant to [26 U.S.C. §§7701\(a\)\(39\)](#) and [7408\(d\)](#) without my consent. DO NOT attempt to:

1. Contact me to persuade me to change my citizenship or domicile status as documented on this form or to change any answer provided on the attached DS-11 or DS-82 form.
2. Remove, redact, or disassociate this form with the attached forms DS-11, DS-82, or DS-71 form(s).

Doing either of the above will cause you to engage in a criminal conspiracy to tamper with a witness in violation of [18 U.S.C. §1512](#) and to violate [18 U.S.C. §1542](#), [18 U.S.C. §911](#), [18 U.S.C. §1001](#), and [18 U.S.C. §1621](#). The penalty for violating these statutes is up to 25 years in jail. If you have a problem with my status as documented herein, please in your response copy this form and complete Section 11 of this form and send the completed signed form back to me.

**WARNING:** [22 U.S.C. §2721](#) prohibits denial of a passport because of one's religious beliefs, opinions, statements, membership or absence of membership in any political group or activity. This provision protects the exercise of all sincerely held religious convictions documented herein. Failure to issue a passport will therefore be considered an infringement of my First Amendment rights under this provision actionable as a Constitutional tort in any state or federal court.

I politely ask that in responding to this passport request, you avoid challenging the status I claim on this form because:

1. I do not authorize you to legally represent me.
2. You have no delegated authority to practice law.
3. I do not consent to allow you to interfere with the exercise of my First Amendment right of freedom to politically associate and disassociate. I must consent to any status I choose under the civil law or else I am being subjected to involuntary servitude and theft of my property, because rights are property. The way I describe and characterize my status is the method by which I politically associate and disassociate and/or contract with the government through its franchises. See and rebut the following if you disagree:  
*Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008; <http://sedm.org/Forms/FormIndex.htm>
4. I do not consent to contract with the government and cannot be forced to contract with the government. Taking on any status described in any government franchise constitutes consent to contract with the government because all franchises are contracts that only those who consent can participate in and I do not consent and will not allow myself to be compelled to consent.

Pursuant to [Federal Rule of Civil Procedure 8\(b\)\(6\)](#), failure to deny any fact or statement contained within this affidavit within 30 days of receipt shall constitute:

1. An admission of everything not expressly denied in writing and under penalty of perjury.
2. A default and equitable estoppel against the government and the recipient for any matters involving my citizenship status and domicile in the future beyond that point.

If the applicant is a minor child or under age 21, the applicant authorizes their father/mother to speak, act, and correspond as the minor applicant and thereby exercise power of attorney on their behalf in the context of submitting, arbitrating, and litigating this application. The father/mother in question also reserves the right to act on their behalf without the need to disclose that he/she is doing so unless asked. For further details, see: *Family Private Articles of Incorporation*, Form #13.011 (<http://sedm.org/Forms/FormIndex.htm>).

## SECTION 1: MY CITIZENSHIP STATUS

### 1. I AM ALL OF THE FOLLOWING:

- 1.1. I have the citizenship status listed in items 3.1 through 3.3 of Table 4 located in Section 4.
- 1.2. I was born or naturalized within the exclusive jurisdiction of a state of the Union or obtained derived/automatic citizenship through my parents pursuant to [8 U.S.C. §1431](#). I was not born within and am not domiciled within [federal territory](#) or within the "United States" defined in all federal statutes, being federal territory.
- 1.3. I am the constitutional "citizen of the United States" described in Section 1 of the [Fourteenth Amendment](#), where "United States" as used in this phrase means the exclusive jurisdiction of states of the Union and excludes federal territories and possessions and federal areas within the states. The "citizens" of District of Columbia referred to below are statutory "citizen of the United States" defined in [8 U.S.C. §1401](#).

*"The 1<sup>st</sup> section of the 14<sup>th</sup> 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 under the constitution but WERE statutory "citizens" under 8 U.S.C. §1401."*  
*[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

- 1.4. I am a "U.S. Citizen" where the term "U.S." includes the "United States" mentioned in the Constitution but excludes the "United States"

defined in [8 U.S.C. §1101\(a\)\(38\)](#), [8 U.S.C. §1101\(a\)\(36\)](#), 8 CFR §215.1, [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10), or any other federal statute.

- 1.5. I am a “national” as defined in [8 U.S.C. §1101\(a\)\(21\)](#).
- 1.6. I am a “non-citizen national” as defined in [8 U.S.C. §1452](#).
- 1.7. I am the “Citizen” described in the original 1789 Constitution of the United States of America.
- 1.8. I am “subject to the jurisdiction of the United States”, which means the “political” but not “legislative” jurisdiction as described by the U.S. Supreme Court in *U.S. v. Wong Kim Ark*:

*“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 **political jurisdiction**, and owing **them** [the states of the Union, and NOT the federal government] 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)]

- 1.9. I am a “stateless person” within the meaning of [28 U.S.C. §1332](#) because I am not domiciled in the “State” defined in [28 U.S.C. §1332\(e\)](#) as a federal territory. States of the Union are not “States” as defined within federal legislation
- 1.10. I am a “citizen” ONLY of the Kingdom of Heaven. See [Philippians 3:20](#). I am therefore subject ONLY to the laws of my Creator and not to any civil law. I am a “national” but not a statutory “citizen” in relation to the government of the place where I was physically born.
- 1.11. My allegiance to God, my Creator, is SUPERIOR to that of any earthly government. My allegiance to the “United States of America” is **subordinate** to that which I owe to my Creator. The Kingdom of Heaven is a “foreign state” in that respect, to which I owe undiluted and superior allegiance. I have sworn an oath of allegiance to my Creator and to the Kingdom of Heaven, which is a “foreign state”. The First Amendment says that you cannot discriminate against me or take away my nationality by virtue of having that superior allegiance or taking that oath to my Creator:

*“You shall fear the LORD your God and serve [only] Him, and shall take oaths in His name.”*  
[[Deut. 6:13](#), Bible, NKJV]

- 1.12. Where the laws of my Creator found in the Holy Bible conflict with the laws of the United States, the former shall at all times take precedent:

*“Much has been said of the paramount duty to the state, a duty to be recognized, it is urged, even though it conflicts with convictions of duty to God. Undoubtedly that duty to the state exists within the domain of power, for government may enforce obedience to laws regardless of scruples. When one’s belief collides with the power of the state, the latter is supreme within its sphere and submission or punishment follows. But, in the forum of conscience, duty to a moral power higher than the state has always been maintained. **The reservation of that supreme obligation, as a matter of principle, would unquestionably be made by many of our conscientious and law-abiding citizens. The essence of religion is belief in a relation to God involving duties superior to those arising from any human relation. As was stated by Mr. Justice Field, in Davis v. Beason, 133 U.S. 333, 342, 10 S. Ct. 299, 300: ‘The term ‘religion’ has reference to one’s views of his relations to his Creator, and to the obligations they impose of reverence for his being and character, and of obedience to his will.’ One cannot speak of religious liberty, with proper appreciation of its essential and historic significance, without assuming the existence of a belief in supreme allegiance to the will of God.** Professor Macintosh, when pressed by the inquiries put to him, stated what is axiomatic in religious doctrine. And, putting aside dogmas with their particular conceptions of deity, **freedom of conscience itself implies respect for an innate conviction of paramount duty. The battle for religious liberty has been fought and won with respect to religious beliefs and practices, which are not in conflict with good order, upon the very ground of the supremacy of conscience within its proper field.** What that field is, under our system of government, presents in part a question of constitutional law, and also, in part, one of legislative policy in avoiding unnecessary clashes with the dictates of conscience. **There is abundant room for enforcing the requisite authority of law as it is enacted and requires obedience, and for maintaining the conception of the supremacy of law as essential to orderly government, without demanding that either citizens or applicants for citizenship shall assume by oath an obligation to regard allegiance to God as subordinate to allegiance to civil power. The attempt to exact such a promise, and thus to bind one’s conscience by the taking of oaths or the submission to tests, has been the cause of many deplorable conflicts. The Congress has sought to avoid such conflicts in this country by respecting our happy tradition. In no sphere of legislation has the intention to prevent such clashes been more conspicuous than in relation to the bearing of arms. It would require strong evidence [283 U.S. 605, 635] that the Congress intended a reversal of its policy in prescribing the general terms of the naturalization oath. I find no such evidence.”***  
[*U.S. v. Macintosh*, [283 U.S. 605](#) (1931) ]

## 2. **I AM NOT ANY OF THE FOLLOWING:**

- 2.1. I am NOT a statutory “citizen of the United States” as defined in [8 U.S.C. §1401](#) because the term “United States” does not include states of the Union, as confirmed by [8 U.S.C. §1101\(a\)\(36\)](#), [8 U.S.C. §1101\(a\)\(38\)](#), and 8 CFR §215.1(f). Note that the term “State” as defined in [8 U.S.C. §1101\(a\)\(36\)](#) DOES NOT include any state of the Union and the term “continental United States” includes only these same “States”. Under the rules of statutory construction, what is not expressly included is purposefully excluded by implication:

*“**Expressio unius est exclusio alterius.** A maxim of statutory interpretation meaning that **the expression of one thing is the exclusion of another.** *Burgin v. Forbes*, 293 Ky. 456, 169 S.W.2d 321, 325; *Newblock v. Bowles*, 170 Okl. 487, 40 P.2d 1097, 1100. Mention of one thing implies exclusion of another. **When certain persons or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be inferred.** Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects of a certain provision, other exceptions or effects are excluded.”*

- 2.2. I am NOT the "citizen of the United States", "resident" (alien), or "individual" named in [26 CFR §1.6012-1](#) who has a requirement to file a federal income tax return, because the term "United States" as used in 26 U.S.C. Subtitle A relies on the definition of "United States" found in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10), which in turn defines "United States" as the District of Columbia and nowhere expressly includes any state of the Union.
- 2.3. I am NOT a statutory "national of the United States" as defined in [8 U.S.C. §1408](#) or [8 U.S.C. §1101\(a\)\(22\)\(B\)](#), which is also called a "U.S. national" by the federal courts. I was NOT born within and am not domiciled within American Samoa or Swain's Island or any other U.S. possession.
- 2.4. I am NOT the statutory "citizen of the United States" or "resident of the United States" described in [26 U.S.C. §3121\(e\)](#), [26 U.S.C. §7408\(d\)](#), [26 U.S.C. §7701\(a\)\(39\)](#), or [28 U.S.C. §1603\(b\)\(3\)](#), all of whom have in common a domicile on federal territory not within any constitutional state of the Union.
- 2.5. I am not subject to "its" jurisdiction" or the civil legislative jurisdiction of the "United States" because I do not maintain a legal domicile anywhere within the "United States" as defined in Section 6 below or within any federal territory.
- 2.6. I am not a "citizen" of the "State of \_\_\_\_\_", where the blank after "State of" is the state I was either born in or may temporarily occupy as a "transient foreigner" with no domicile or "residence" there.
- 2.7. I am not representing or exercising agency of any kind on behalf of any artificial entity, corporation, trust, estate, or the "United States" federal corporation pursuant to [28 U.S.C. §3002\(15\)\(A\)](#) in making this application. Hence:
  - 2.7.1. I am therefore NOT making said application as a public officer of the U.S. government engaged in the "trade or business" franchise defined in [26 U.S.C. §7701\(a\)\(26\)](#) who therefore has an obligation to present a federal de facto license number called a "Social Security Number" or "Taxpayer Identification Number".
  - 2.7.2. I am NOT the public officer described in [26 U.S.C. §7343](#) or [26 U.S.C. §6671\(b\)](#).
  - 2.7.3. My identity cannot lawfully be kidnapped and transported to the District of Columbia under [Federal Rule of Civil Procedure 17\(b\)](#), [26 U.S.C. §7701\(a\)\(39\)](#), and [26 U.S.C. §7408\(d\)](#) and I DO NOT consent to such a kidnapping. Instead, I am making this application as a PRIVATE sui juris human being and not a "person", "individual", "taxpayer", "natural person", etc. under any federal law or franchise.

## SECTION 2: MY DOMICILE, RESIDENCE and "PERMANENT ADDRESS"

1. I do NOT have a statutory "residence" as legally defined. The term "residence" is nowhere defined in the context of a person who is a "non-citizen national" as defined in [8 U.S.C. §§1101\(a\)\(21\)](#) and [8 U.S.C. §1452](#). Only "residents" as defined in [26 U.S.C. §7701\(b\)\(1\)\(A\)](#) can legally have a "residence", and these people are "aliens" as defined in [8 U.S.C. §1101\(a\)\(3\)](#). This is confirmed by the definition of "residence" in [26 CFR. §1.871-2](#) for the purpose of income taxes, which defines "residence" ONLY in the context of "aliens". Nowhere is it defined in the context of "non-citizen nationals" because these persons are sovereigns who are not subject to the law.
2. The government cannot lawfully compel me to choose a "domicile" or "permanent address" or "residence" anywhere within its legislative jurisdiction. If it attempts to do so, then it will be guilty of violating my First Amendment right of free political association. Domicile is a protected First Amendment choice of political association. Implicit in the right of free association is freedom from COMPELLED association.
3. The "permanent address" indicated on the passport application form (block 17 of the DS-11), regardless of what it says, shall not establish either a legal domicile or a residence within the civil jurisdiction of any state or federal government in relation to the Submitter. For the purposes of the passport application, any location indicated shall be within the jurisdiction of ONLY God's law and outside the jurisdiction of any man-made civil government. The Bible says that the Earth belongs exclusively to the Lord (Psalm 89:11), and therefore no man may claim jurisdiction over said property unless acting under the authority delegated by the Bible trust indenture. I cannot therefore consent to the civil jurisdiction of or choose a domicile within any civil government except God's government and God's law without violating my delegation of authority order, which is God's Law. If an address is provided in this block, it is provided under duress only to avoid being denied the service being requested that I have a Constitutional right to receive.

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

4. I am presently domiciled in the Kingdom of Heaven on Earth and not within the legislative jurisdiction of any man-made government on earth. All domicile requires physical presence on the territory of the sovereign to whom one claims allegiance, and the intention of remaining there permanently. The Bible says the Earth is not permanent (see [2 Peter 3:7](#)), and therefore I cannot have a domicile there. However, the Bible also says that the Heaven and the Earth belong to the Lord (see [Psalm 89:11-13](#), [Isaiah 45:12](#), [Deuteronomy 10:14](#), etc), and therefore I am on the territory of my sovereign, which is Jesus Christ and not any man or group of men.
5. I am a "pilgrim", "stranger", "sojourner", and "transient foreigner" in every country on earth by virtue of the fact that I have no domicile in any man-made government on earth. The Bible confirms this in [1 Peter 2:1](#). I am therefore not "conformed to the world" pursuant to [Romans 12:2](#), nor am I a "friend" of this world" pursuant to [James 4:4](#). My domicile status is therefore a product of my choice of religious practice, which is protected by the First Amendment to the Constitution of the United States of America. Any attempt to attribute any status OTHER than that described here by any government official is a malicious interference with my right of free political association and constitutes "compelled association" in violation of the First Amendment to the Constitution of the United States and of [42 U.S.C. §1983](#).
6. My chosen country and "foreign state" of domicile, being the Kingdom of Heaven, is currently under hostile temporary foreign occupation, making me a dispossessed person. It is under hostile occupation because the government temporarily managing it, the U.S. government private, de facto corporation, has become hostile to God and His laws, and is rebelling against those laws daily. It is doing so by removing the Ten Commandments from public buildings, removing God from public oaths, from the pledge of allegiance, and eventually from our money, and in preventing children from learning about God or the Ten Commandments in the public schools, which have thereby become a immoral cesspool whose main function is to promote ignorance of law and religion that manufactures dysfunctional citizens who are ignorant of the law and ripe for government and legal profession exploitation. God predicted this would happen in [Isaiah 30:1-3, 8-14](#), and His prophesies about the corruption of our de jure government have been realized in spades. That corruption is extensively described in the

following legal treatise:

*De Facto Government Scam*, Form #05.043; <http://sedm.org/Forms/FormIndex.htm>

7. I certify that any evidence you are able to obtain which might contradict the content of this section was created under the influence of unlawful duress against me and in violation of my First Amendment right of freedom from compelled association. For instance, if you are able to locate any type of government ID from a third party source that might connect me to a residence or domicile within any specific state or federal government, that ID was procured under unlawful duress and discrimination. Every state government I have been able to find refuses to issue ID's to nonresidents and insists that you must be a "resident" (alien) or a statutory but not constitutional "citizen of the United States" in order to obtain state ID. People I do business with have unlawfully and frequently discriminated against me by refusing to accept foreign ID issued by the government I am a member of while acting as an agent of the their government and thus subject to the Constitution. I therefore have had to misrepresent my status in procuring said ID in order to prevent the unlawful discrimination that has otherwise made it impossible to conduct the commerce necessary to sustain my life and that of my family. On this subject, the courts have held that anyone compelled to choose a specific domicile is relieved from the obligations associated with that domicile because of the duress:

**"Similarly, when a person is prevented from leaving his domicile by circumstances not of his doing and beyond his control, he may be relieved of the consequences attendant on domicile at that place.** In *Roboz* (USDC D.C. 1963) [*Roboz v. Kennedy*, 219 F.Supp. 892 (D.D.C. 1963), p. 24], a federal statute was involved which precluded the return of an alien's property if he was found to be domiciled in Hungary prior to a certain date. It was found that Hungary was Nazi-controlled at the time in question and that the persons involved would have left Hungary (and lost domicile there) had they been able to. Since they had been precluded from leaving because of the political privations imposed by the very government they wanted to escape (the father was in prison there), the court would not hold them to have lost their property based on a domicile that circumstances beyond their control forced them to retain."

[*Conflicts in a Nutshell*, David D. Siegel and Patrick J. Borchers, West Publishing, p. 24]

**SECTION 3: CITIZENSHIP DIAGRAMS**

The diagrams in this section provide a graphical view of the citizenship statuses described in the previous two sections. They summarize the text found throughout this document.

**Figure 1: Federal Statutory Citizenship Statuses**

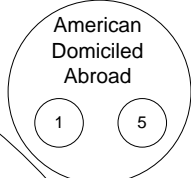
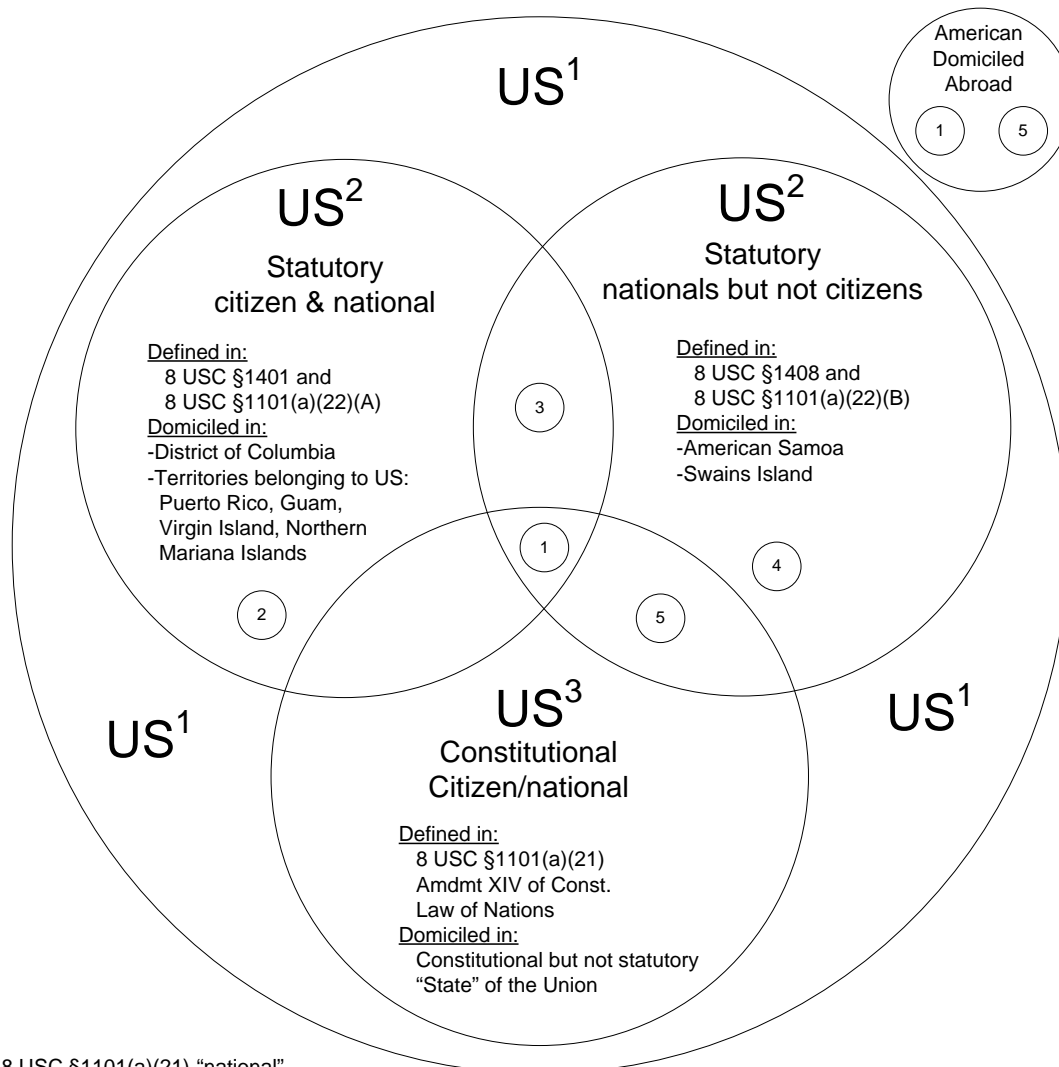
# FEDERAL STATUTORY CITIZENSHIP STATUSES

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

**US<sup>1</sup>** - Context used in matters describing our sovereign country within the family of nations.

**US<sup>2</sup>** - Context used to designate the territory over which the Federal Government is sovereign.

**US<sup>3</sup>** - Context used regarding the sovereign states of the Union united by and under the Constitution.



- ① 8 USC §1101(a)(21)-"national"
- ② 8 USC §1401-"citizen & national of the United States<sup>2</sup>"
- ③ 8 USC §1101(a)(22)-"national of the United States<sup>2</sup>"
- ④ 8 USC §1408-"national but not citizen of the United States<sup>2</sup> at birth"
- ⑤ 8 USC §1452-"non-citizen national"

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

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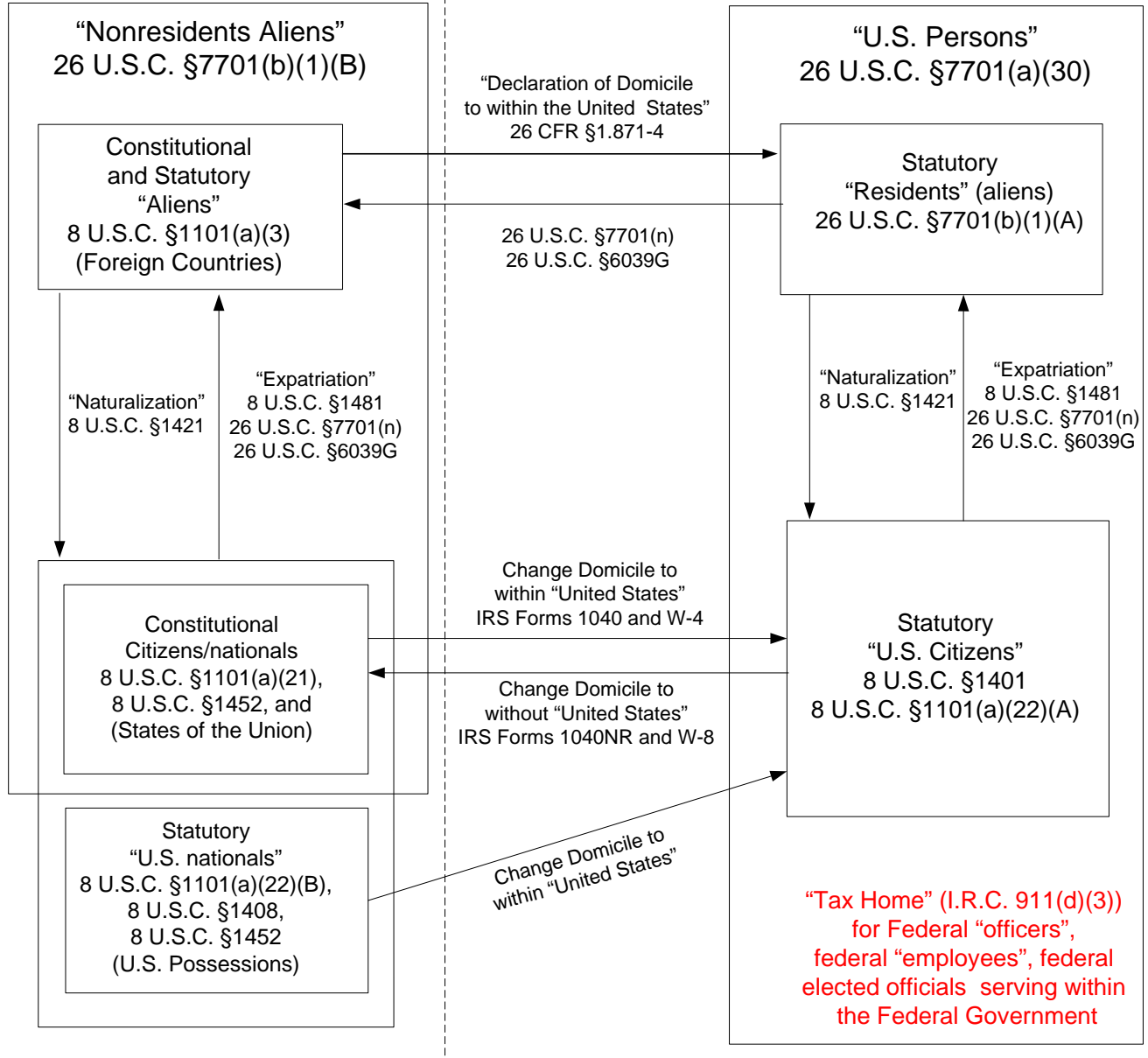
**Figure 2: Citizenship and domicile options and relationships**

# NONRESIDENTS

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

# INHABITANTS

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



If you would like a concise summary of all citizenship, domicile, and tax status options that is a superset of the above, see:

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

## SECTION 4: LEGAL AUTHORITIES RELATING TO CITIZENSHIP

1. The following tables describe the relationship of citizenship to legal jurisdiction in the context of citizenship as described on this form.

**Table 1: Citizenship summary**

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

2. The table below describes the affect that changes in domicile have on citizenship status in the case of both “foreign nationals” and “domestic nationals”. A “domestic national” is anyone born anywhere within any one of the 50 states on nonfederal land or who was born in any territory or possession of the United States. A “foreign national” is someone who was born anywhere outside of these areas.

**Table 2: Effect of domicile on citizenship status**

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

**NOTES:**

- “United States” is defined as federal territory within [26 U.S.C. §§7701\(a\)\(9\)](#) and [\(a\)\(10\)](#), [7701\(a\)\(39\)](#), and [7408\(d\)](#), and [4 U.S.C. §110\(d\)](#). It does not include any portion of a Constitutional state of the Union.
- The “District of Columbia” is statutorily defined as a federal corporation but not a physical place, a “body politic”, or a de jure “government” within the District of Columbia Act of 1871, 16 Stat. 419, 426, Sec. 34. See: *Corporatization and Privatization of the Government*, Form #05.024; <http://sedm.org/Forms/FormIndex.htm>.
- American nationals who are domiciled outside of federal jurisdiction, either in a state of the Union or a foreign country, are “nationals” but not “citizens” under federal law. They also qualify as “nonresident aliens” under [26 U.S.C. §7701\(b\)\(1\)\(B\)](#). See sections 4.11.2 of the *Great IRS Hoax* for details.
- Temporary domicile in the middle column on the right must meet the requirements of the “Presence test” documented in IRS publications.
- “FEDERAL ZONE”=District of Columbia and territories of the United States in the above table
- The term “individual” as used on the IRS form 1040 means an “alien” engaged in a “trade or business”. All “taxpayers” are “aliens” engaged in a “trade or business”. This is confirmed by [26 CFR §1.1441-1\(c\)\(3\)](#), [26 CFR §1.1-1\(a\)\(2\)\(ii\)](#), and [5 U.S.C. §552a\(a\)\(2\)](#). Statutory “U.S. citizens” as defined in [8 U.S.C. §1401](#) are not “individuals” unless temporarily abroad pursuant to [26 U.S.C. §911](#) and subject to an income tax treaty with a foreign country. In that capacity, statutory “U.S. citizens” interface with the I.R.C. as “aliens” rather than “U.S. citizens” through a tax treaty with a foreign country.

3. The following table describes the definition of various terms used on this form and in other contexts.

**Table 3: Summary of meaning of various terms and the contexts in which they are used**

Law	Federal constitution	Federal statutes	Federal regulations	State constitutions	State statutes	State regulations
Author	Union States/ "We The People"	Federal Government		"We The People"	State Government	
"state"	Foreign country	Union state	Union state	Other Union state or federal government	Other Union state or federal government	Other Union state or federal government
"State"	Union state	Federal state	Federal state	Union state	Union state	Union state
"in this State" or "in the State" <sup>1</sup>	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
"State" <sup>2</sup> (State Revenue and taxation code only)	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
"several States"	Union states collectively <sup>3</sup>	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively
"United States"	states of the Union collectively	Federal United States**	Federal United States**	United States* the country	Federal United States**	Federal United States**

What the above table clearly shows is that the word "State" in the context of federal statutes and regulations means (not includes!) federal States only under [Title 48 of the U.S. Code](#)<sup>4</sup>, and these areas do not include any of the 50 Union States. This is true in most cases and especially in the Internal Revenue Code. In the context of the above, a "Union State" means one of the 50 Union states of the United States\* (the country, not the federal United States\*\*), which are sovereign and foreign with respect to federal legislative jurisdiction.

4. The following table starting on the next page describes the relationship of citizenship to tax status in the context of this form.

<sup>1</sup> See California Revenue and Taxation Code, section 6017 at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&group=06001-07000&file=6001-6024>

<sup>2</sup> See California Revenue and Taxation Code, section 17018 at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&group=17001-18000&file=17001-17039.1>

<sup>3</sup> See, for instance, U.S. Constitution Article IV, Section 2.

<sup>4</sup> See <http://www4.law.cornell.edu/uscode/48/>

**Table 4: “Citizenship status” vs. “Income tax status”**

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

**NOTES:**

1. A nonresident alien individual who has made an election under 26 U.S.C. §6013(g) and (h) to be treated as a resident alien is treated as a “nonresident alien” for the purposes of withholding under I.R.C. Subtitle C but retains their status as a “resident alien” under I.R.C. Subtitle A. See 26 CFR §1.1441-1(c)(3)(ii).
2. What turns a “nonresident alien NON-individual” into a “nonresident alien individual” is maintaining a domicile in a foreign country and accepting the “benefits” and “privileges” of a tax treaty with the United States while in that foreign country.

**Table 5: Citizenship Status on Government Forms**

#	Citizenship status	Place of birth	Domicile	Defined in	Social Security NUMIDEN T Status	Status on Specific Government Forms			
						<a href="#">Social Security SS-5</a>	<a href="#">IRS Form W-8 Block 3</a>	<a href="#">Department of State I-9</a>	<a href="#">E-Verify System</a>
1	“U.S. citizen” or “Statutory U.S. citizen”	Anywhere in America	District of Columbia, Puerto Rico, Guam, Virgin Islands	8 U.S.C. §1401; 8 U.S.C. §1101(a)(22)(A)	CSP=A	Block 5=“U.S. Citizen”	Can’t use Form W-8	Section 1=“A citizen of the United States”	See Note 1.
2	“U.S. national”	Anywhere in America	American Samoa; Swains Island; or abroad to U.S. national parents under 8 U.S.C. §1408(2)	8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1408; 8 U.S.C. §1452		Block 5=“Legal alien authorized to work. (statutory)”	“Nonresident NON-Individual Nontaxpayer”	Section 1=“A noncitizen national of the United States”	See Note 1.
3.1	“national” or “state national” or “Constitutional but not statutory citizen”	Anywhere in America	State of the Union	8 U.S.C. §1101(a)(21); 8 U.S.C. §1452; 14 <sup>th</sup> Amend., Sect. 1		Block 5=“Legal alien authorized to work. (statutory)”	“Nonresident NON-Individual Nontaxpayer”	Section 1=“A noncitizen national of the United States)” OR “An alien authorized to work (statutory)”	See Note 1.
3.2	“national” or “state national” or “Constitutional but not statutory citizen”	Anywhere in America	Foreign country	8 U.S.C. §1101(a)(21); 8 U.S.C. §1452; 14 <sup>th</sup> Amend., Sect. 1		Block 5=“Legal alien authorized to work. (statutory)”	“Nonresident NON-Individual Nontaxpayer”	Section 1=“A noncitizen national of the United States)” OR “An alien authorized to work (statutory)”	See Note 1.
3.3	“national” or “state national” or “Constitutional but not statutory citizen”	Anywhere in America	Foreign country	8 U.S.C. §1101(a)(21); 8 U.S.C. §1452; 14 <sup>th</sup> Amend., Sect. 1		Block 5=“Legal alien authorized to work. (statutory)”	“Nonresident NON-Individual Nontaxpayer”	Section 1=“A noncitizen national of the United States)” OR “An alien authorized to work (statutory)”	See Note 1.
4.1	“alien” or “Foreign national”	Foreign country	Puerto Rico, Guam, Virgin Islands, American Samoa, Commonwealth of Northern Mariana Islands	8 U.S.C. §1101(a)(3)		Block 5=“Legal alien authorized to work. (statutory)”	“Nonresident NON-Individual Nontaxpayer”	Section 1=“A lawful permanent resident” OR “An alien authorized to work”	See Note 1.
4.2	“alien” or “Foreign national”	Foreign country	State of the Union	8 U.S.C. §1101(a)(3)		Block 5=“Legal alien authorized to work. (statutory)”	“Nonresident NON-Individual Nontaxpayer”	Section 1=“A lawful permanent resident” OR “An alien authorized to work”	See Note 1.
4.3	“alien” or “Foreign national”	Foreign country	State of the Union	8 U.S.C. §1101(a)(3)		Block 5=“Legal alien authorized to work. (statutory)”	“Nonresident NON-Individual Nontaxpayer”	Section 1=“A lawful permanent resident” OR “An alien authorized to work”	See Note 1.
4.4	“alien” or “Foreign national”	Foreign country	Foreign country	8 U.S.C. §1101(a)(3)		Block 5=“Legal alien authorized to work. (statutory)”	“Nonresident NON-Individual Nontaxpayer”	Section 1=“A lawful permanent resident” OR “An alien authorized to work”	See Note 1.
4.5	“alien” or “Foreign national”	Foreign country	Foreign country	8 U.S.C. §1101(a)(3)		Block 5=“Legal alien authorized to work. (statutory)”	“Nonresident NON-Individual Nontaxpayer”	Section 1=“A lawful permanent resident” OR “An alien authorized to work”	See Note 1.

**NOTES:**

1. E-Verify CANNOT be used by those who are a NOT lawfully engaged in a public office in the U.S. government at the time of making application. Its use is VOLUNTARY and cannot be compelled. Those who use it MUST have a Social Security Number or Taxpayer Identification Number and it is ILLEGAL to apply for, use, or disclose said number for those not lawfully engaged in a public office in the U.S. government at the time of application. See:

*Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number",* Form #04.205

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

2. For instructions useful in filling out the forms mentioned in the above table, see:

- 2.1. Social Security Form SS-5:

*Why You Aren't Eligible for Social Security,* Form #06.001

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

- 2.2. IRS Form W-8:

*About IRS Form W-8BEN,* Form #04.202

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

- 2.3. Department of State Form I-9:

*I-9 Form Amended,* Form #06.028

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

- 2.4. E-Verify:

*About E-Verify,* Form #04.107

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

## SECTION 5: RESOLVING DISPUTES OVER MY STATUS BY THE RECIPIENT OF THIS FORM

If the recipient disputes my status as documented or denies my eligibility for a U.S.A. (not "U.S.") Passport, then please also accompany your response with the answers to the following questions:

1. If you want to assert that the perjury statement "without the United States" under [28 U.S.C. §1746\(1\)](#) is in error, please show me a definition of "United States" within Title 8 of the U.S. Code that expressly *includes* the exclusive jurisdiction of any state of the Union. [8 U.S.C. §1101\(a\)\(36\)](#) defines the term "State" as EXCLUDING states of the Union.
2. Which of the following two "U.S. citizen" statuses are you attributing to me, keeping in mind that they are MUTUALLY EXCLUSIVE jurisdictions and statuses?:
  - a. A statutory "citizen and national of the United States" pursuant to [8 U.S.C. §1401](#)?
  - b. A constitutional and NOT statutory "citizen of the United States" described in Fourteenth Amendment Section 1 or "Citizen" found in Article 1, Section 2, Clause 3?
3. What definition of "subject to THE jurisdiction of the United States" are you implying, and what is the legal basis for your assertion?:
  - a. Subject to the POLITICAL and NOT LEGISLATIVE jurisdiction.
  - b. Subject to the POLITICAL AND LEGISLATIVE jurisdiction.

NOTE: The U.S. Supreme Court indicated that the phrase "subject to THE jurisdiction" found in the constitution means the POLITICAL and not LEGISLATIVE jurisdiction, and simply implies allegiance, nationality, and membership in a nation but not municipal domicile on federal territory or being subject to federal civil statutory law. See and rebut the following within 30 days or you agree with me on this subject:

*Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006, Section 15.3  
<http://sedm.org/Forms/FormIndex.htm>

4. Allegiance:
  - a. You want to say I "OWE allegiance", but where is my consent involved? The Declaration of Independence says our system of government is based on CONSENT OF THE GOVERNED, and I will not allow you to detach the requirement for consent from the relationship you have with me AT ANY TIME or under ANY CIRCUMSTANCE.
  - b. Which "United States" do I "OWE" allegiance to: 1. The GOVERNMENT; 2. The people in each of the sovereign states of the Union as SOVEREIGNS and INDIVIDUALS? The Bible says in Gal. 5:14 to love my neighbor, not to love any civil ruler or government. As a matter of fact, it says NOT to love but to FEAR civil rulers.

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

- c. Will you respect my right to choose WHEN or IF I want to be protected and therefore "governed" while abroad and when I DON'T want to be protected or governed? Isn't our system of government based on "consent of the governed"? I am willing to pay for protection WHEN I ASK FOR IT IN WRITING, but I won't leave it up to someone ELSE to decide when or if I want it and whether I am liable to pay for that which I not only don't classify as protection, but instead regard as slavery, terrorism, and a "protection racket".
  - d. How can I "OWE allegiance" to anyone as compensation for protection that I don't want and don't need and regard as an INJURY and not "protection"?

*"Owe no one anything except to love one another, for **he who loves another has fulfilled the law.**"*  
[Rom. 13:8, Bible, NKJV]

The courts have ruled that you can't sue the government for failing to protect you, so how is there "consideration" that could create a binding protection contract? See:

[Do You Have a Right to Police Protection?](#)

<http://famguardian.org/Subjects/Crime/Articles/PoliceProtection.htm>

- e. Do I have the right to decide WHEN I have "allegiance" and when I don't? It seems to me that as long as I don't have allegiance to a foreign or competing power, then there shouldn't be a problem with serving two masters.
  - f. Can I decide that I don't have allegiance to the "United States" under certain specified conditions such as when I am abroad or when it COSTS you money to protect me?
5. Which one of the three definitions of the "United States" within the term "U.S. citizen" are you assuming or referring to that are specifically identified by the U.S. Supreme Court in *Hooven and Allison v. Evatt*? You can ONLY choose one and not multiple.

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

[*Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945)]

Below is a summary of each of the contexts indicated above. Please identify the **SPECIFIC NUMBER** from the table below that you mean by "U.S." within the term "U.S. citizen" as used on the DS-11 passport application. Please choose ONLY ONE number:

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

#	U.S. Supreme Court Definition of "United States" in <i>Hooven</i>	Context in which usually used	Referred to in this article as	Interpretation
1	"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations."	International law	"United States"	"These <u>united States</u> ," when traveling abroad, you come under the jurisdiction of the President through his agents in the U.S. State Department, where "U.S." refers to the sovereign society. You are a "Citizen of the United States" like someone is a Citizen of France, or England. We identify this version of "United States" with a single asterisk after its name: "United States*" throughout this article.
2	"It may designate the territory over which the sovereignty of the United States extends, or"	"National government" Federal law Federal forms Federal territory ONLY and no part of any state of the Union	"United States**"	"The United States (the District of Columbia, possessions and territories)". Here Congress has exclusive legislative jurisdiction. In this sense, the term "United States" is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a "citizen of the United States." This is the definition used in most "Acts of Congress" and federal statutes. We identify this version of "United States" with two asterisks after its name: "United States**" throughout this article. This definition is also synonymous with the "United States" corporation found in <a href="#">28 U.S.C. §3002(15)(A)</a> .
3	"...as the collective name for the states which are united by and under the Constitution."	"Federal government" States of the Union and NO PART of federal territory Constitution of the United States	"United States****"	"The <u>several States</u> which is the <u>united States of America</u> ." Referring to the <u>50 sovereign States</u> , which are united under the <u>Constitution of the United States of America</u> . The federal areas within these states are not included in this definition because the <u>Congress does not</u> have exclusive legislative authority over any of the <u>50 sovereign States within the Union of States</u> . Rights are retained by the <u>States</u> in the 9th and 10th Amendments, and you are a " <u>Citizen of these united States</u> ." This is the definition used in the Constitution for the United States of America. We identify this version of "United States" with a three asterisks after its name: "United States****" throughout this article.

## SECTION 6: DEFINITIONS APPLYING TO ATTACHED DS-11 FORM AND THIS FORM

The following definitions are presumed and established for all terms used on the attached U.S. Department of State DS-11 and DS-82 form. The First Amendment gives me a right to freely communicate with my government, and implicit in that right is the right to define the meaning of all the words I am using on government forms so as to avoid and prevent introducing or encouraging any presumptions that might prejudice my Constitutionally guaranteed rights or sovereignty:

1. **"Protection"**=the type of protection associated with the passport being requested consists entirely and ONLY of:
  - 1.1. NOT being hindered when exercising my Constitutional and inalienable and natural right to travel.
  - 1.2. NOT being subject to any federal law or "Act of Congress" while abroad.
  - 1.3. Being a nonresident but not a "person", "individual", "citizen", or "taxpayer" in relation to the "United States" as defined in all federal statutory law.Any deviation from this definition, attempt to enforce federal law against me, change my status to anything other than defined herein, or interfere with my inalienable right to travel shall not only NOT be defined as "protection", but instead shall be defined as an international terrorism, an injury to me and my private property, and a tort.
2. **"penalty of perjury"**=means penalty of perjury from WITHOUT the "United States" (federal zone/territory) and from within the "United States of America" as described in [28 U.S.C. §1746\(1\)](#). All forms submitted are signed OUTSIDE the statutory "United States" (federal territory). Their accuracy is only subject to penalty of perjury in a court of a state of the Union and no federal court, where a jury of people who are not participating in any federal "benefit" program presides and issues the penalty.
3. **"non-citizen national of the United States"**=the human being described at [8 U.S.C. §1101\(a\)\(21\)](#) and [8 U.S.C. §1452](#) who is domiciled in a constitutional but not statutory state of the Union. EXCLUDES that defined at [8 U.S.C. §1408](#) or [8 U.S.C. §1101\(a\)\(22\)\(B\)](#) or those domiciled in a federal territory or possession.
4. **"Permanent address"**=the place of domicile of the applicant, which in turn is defined in SECTION 2 above.
5. **"residence"**=the place of permanent abode for ONLY a statutory but not constitutional "alien" identified in [26 U.S.C §7701\(b\)\(1\)\(A\)](#). This is confirmed by [26 CFR §1.871-2](#).
6. **"United States"**= **For the purposes of this application only, it means the collective states of the Union united under the Constitution and excludes federal territories, possessions, and the District of Columbia, and every definition of "United States" used in federal statutory law.** For the purposes of most federal forms and statutory law, however, it ordinarily means the corporation defined in [28 U.S.C. §3002\(15\)\(A\)](#). It's territorial extent includes the territories and insular possessions defined in [Title 48 of the U.S. Code](#) and excludes any part of a state of the Union not owned by and ceded to the government of the United States and under the exclusive jurisdiction of said state.
7. **"United States of America"**=The Union of sovereign and independent states created by the Constitution of the United States of America, ratified in 1789. The term "States" as used in "United States of America" means the "States" described in that constitution.
8. **"U.S. citizen"**=This term is nowhere statutorily defined in [Title 8 of the U.S. Code](#), and therefore its meaning is DELIBERATELY ambiguous so as to grant UNWARRANTED discretion to government agencies and franchise judges in PLUNDERING the populace with their "presumptions". For the purposes of this passport application, it shall be defined to mean the person whose citizenship is that defined in SECTION 1 above and whose domicile is that defined in SECTION 2 of this form. This "person" is NOT that defined or referenced in [8 U.S.C. §1401](#), [26 U.S.C. §3121\(e\)](#), [28 U.S.C. §1603\(b\)\(3\)](#), or 26 CFR §1.1-1(c), which is described as a statutory "citizen and national of the United States", which person is born anywhere in America AND domiciled on federal territory that is NO PART of any Constitutional state of the Union. States of the Union are NOT federal territory.

*"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, Section 1]

Regardless of what is checked in block 10 for the citizenship of my parents, it shall mean that they have the citizenship status described in Section 1 and the domicile described in Section 2. Checking "yes" in block 10 shall be an indication on my part that I am being threatened, coerced, and denied a right by the passport agent by being forced to misrepresent the status of my parents in exchange for the "privilege" of receiving a passport.

9. **"U.S. citizenship"**= "nationality" and the condition of being a "non-national as defined in [8 U.S.C. §1101\(a\)\(21\)](#) and [8 U.S.C. §1452](#). Excludes:
  - 9.1. "citizens and nationals of the United States" defined in [8 U.S.C. §1401](#).
  - 9.2. "nationals of the United States" as defined in [8 U.S.C. §1408](#) and [8 U.S.C. §1101\(a\)\(22\)\(B\)](#).
  - 9.3. "U.S. citizen" mentioned in any federal form, statute, or regulation, including but not limited to [26 U.S.C. §3121\(e\)](#), 26 CFR §1.1-1(c), and [8 U.S.C. §1401](#).
10. **"State"**=the entity defined in [4 U.S.C. §110\(d\)](#) as a territory or possession of the United States. Excludes Constitutional states of the Union, which are called "states" within this document and the attached application.
11. **"citizenship"**= "nationality". A "national", which is a human being having "nationality", is statutorily defined in [8 U.S.C. §1101\(a\)\(21\)](#) as a person owing allegiance to a "state", which state, because it is not capitalized, is legislatively a "foreign state" for the purposes of federal legislative jurisdiction. This term does NOT imply a domicile within the statutory "United States" (federal territory) but that the person referred to was either born or naturalized to become a political member of the Union described in the Constitution of the United States of America. This person is in no way subject to any of the civil laws of the "United States", but rather "owes allegiance" to the Union created by the Constitution of the United States of America, which Union consists of the sovereigns it was created to SERVE, We the People, and in no respect includes the corporation or "government" created and appointed to serve and protect them called the "United States".
12. **Use of two letter state abbreviation codes:** Use of any two letter state abbreviation on the attached passport application shall indicate and mean ONLY a Constitutional "State" and exclude any and all statutory "States" as used or referred to in any federal statutory law.
13. **Use of zip codes:** Use of zip codes on the attached passport application shall mean NEAR but not WITHIN federal territory or jurisdiction.

For additional definitions of terms not mentioned here or for further clarification of my citizenship status or if you disagree with any portion of this section, please refer to and rebut the following form, and especially section 7:

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

## SECTION 7: SOCIAL SECURITY NUMBERS, PRIVACY, AND RESERVATION OF RIGHTS

Per the [Privacy Act, 5 U.S.C. §552a](#) Legislative Notes:

1. It is UNLAWFUL to deny anyone any right by virtue of a failure to disclose a Social Security Number.
2. Those demanding use of numbers have the burden of disclosing whether the use is VOLUNTARY or MANDATORY, and the statute MAKING IT MANDATORY for those WITH MY STATUS.

[26 U.S.C. §6039E](#) is a provision of the I.R.C. that, like everything else in the I.R.C., only pertains to statutory "taxpayers". I am NOT a statutory "taxpayer" and therefore not the subject of this provision, nor do I authorize or empower you to make any legal determinations about my status under any provision of federal law. You must accept whatever I tell you about my status under penalty of perjury on the attached DS-11 or DS-82 form and this mandatory attachment.

*"Revenue Laws relate to taxpayers [officers, employees, and elected officials of the Federal Government] and not to non-taxpayers [American Citizens/American Nationals not subject to the exclusive jurisdiction of the Federal Government]. The latter are without their scope. No procedures are prescribed for non-taxpayers and no attempt is made to annul any of their Rights or Remedies in due course of law. With them [non-taxpayers] Congress does not assume to deal and they are neither of the subject nor of the object of federal revenue laws."  
[Economy Plumbing & Heating v. U.S., 470 F2d. 585 (1972)]*

Pursuant to 26 CFR §301.6109-1(b), "Taxpayer Identification Numbers (TIN)" may only be used by statutory "U.S. persons" as defined in [26 U.S.C. §7701\(a\)\(30\)](#) or "nonresident alien individuals". I am not and never have been a statutory "U.S. person" as defined in [26 U.S.C. §7701\(a\)\(30\)](#) because I do not now maintain and never have maintained a domicile or "residence" in the "United States" as defined in [26 U.S.C. §7701\(a\)\(9\)](#) and [\(a\)\(10\)](#) and [4 U.S.C. §110\(d\)](#). I am also not a "nonresident alien individual" because not engaged in a public office per [5 U.S.C. §2105\(a\)](#). Per the U.S. Supreme Court, Congress has NO JURISDICTION over private conduct or private human beings, but only public officers or agents, of which I am not in this case. Since I am NEITHER a statutory "U.S. person" nor a "nonresident alien individual", then I would be committing fraud to either obtain or to use a Taxpayer Identification Number from the IRS or to use an SSN in place of a TIN. All "taxpayers" as defined in [26 U.S.C. §7701\(a\)\(14\)](#) are in fact public officers within the U.S. government and I do not consent to act as a public officer now or at any time, and would be committing the crime of impersonating a public officer in violation of [18 U.S.C. §912](#) to provide or use a "Taxpayer Identification Number" as defined in [26 U.S.C. §6109](#).

Those who are "nonresident aliens", not constitutional "aliens", and not engaged in the "trade or business" franchise such as myself are not required to have or to use Social Security Numbers in connection with any financial arrangement or transaction pursuant to the following and also [31 CFR §103.34\(a\)\(3\)](#):

[31 CFR §306.10](#)

<sup>2</sup> ***Taxpayer identifying numbers are not required for foreign governments, nonresident aliens not engaged in trade or business within the United States, international organizations and foreign corporations not engaged in trade or business and not having an office or place of business or a financial or paying agent within the United States, and other persons or organizations as may be exempted from furnishing such numbers under regulations of the Internal Revenue Service.***

The recipient of this form is also reminded that Social Security Numbers and social security cards are the property of the U.S. government and must be returned upon request per the back of the card and [20 CFR §422.103\(d\)](#). As "public property", SSNs and Social Security Cards may only lawfully be used in the conduct of *official U.S. government duties of a "public officer" while on duty*. This is confirmed by [5 U.S.C. §552a\(a\)\(13\)](#), which says that all those entitled to receive any deferred retirement benefit are "federal personnel". It constitutes embezzlement in violation of [18 U.S.C. §641](#) to use such "public property" as either a private person or in furtherance of a personal use or benefit. It is also criminal violation of [18 U.S.C. §912](#): Impersonating a public officer to falsely portray myself as a "public officer" in possession of said "public property" (the SSN or Social Security Card) while appearing as a *private human being but not statutory "person" or "individual"* such as at this time. If you are going to demand a number from a *private* rather than the public human being such as myself, then indirectly you also are asking me to voluntarily assume the duties of a public officer, in which case I demand compensation in the amount of any tax and penalty liabilities that might result PLUS \$10,000 per hour. I don't work for free, what you call "benefits" and I classify as fraud, theft and extortion. I'm NOT your cheap harlot and I don't consent to tithing my labor or my property or my children to a state-sponsored religion called "socialism" or to condone your thievery. Are you willing to provide said compensation? If you do not answer, then you have withdrawn your offer of "employment" and agree that I am not your "employee" and that I retain ALL of my rights. The article below explains your state sponsored church that I won't join:

*Socialism: The New American Civil Religion*, Form #05.016; <http://sedm.org/Forms/FormIndex.htm>

I as a private human being and not statutory "person" at this time do not knowingly or consensually participate in Social Security or any other public "benefit" program and I am NOT and *never have been legally eligible to*. A compelled "benefit" is NOT a benefit, but *slavery* craftily disguised as public benevolence. This is exhaustively explained in the document below, which you are demanded to rebut in 30 days or forever be estopped from later challenging:

*Why You Aren't Eligible for Social Security*, Form #06.001; <http://sedm.org/Forms/FormIndex.htm>

If the number "000-00-0000" appears on the attached DS-11 or DS-82 form, then it means that I don't have a validly issued SSN. Consequently, I am not "federal personnel" as indicated in [5 U.S.C. §552a\(a\)\(13\)](#).

If a number other than "000-00-0000" was provided on the attached DS-11 or DS-82 form:

1. It was provided under unlawful duress because the agent accepting the form threatened to withhold issuance of the passport if I would not provide a number. It is a CRIME to compel the use of such numbers per [42 U.S.C. §408\(a\)\(8\)](#).
2. The number shall be treated AS IF it were "000-00-0000", regardless of what it says.
3. The acceptance agent, by instituting duress in compelling the use of government numbers, is attempting to convert constitutional rights into statutory privileges and franchises, which is a CRIMINAL CONSPIRACY against my rights punishable under [18 U.S.C. §241](#). Anyone who

does any of the following is party to said conspiracy:

- 3.1. Anyone he or she talked to about how to circumvent my attempts to avoid enumeration is party to said conspiracy.
- 3.2. Anyone who fails or omits deliberately to prosecute the crimes indicated herein.
4. The number provided is NOT the number described in [26 U.S.C. §6109](#), [20 CFR §422.103](#)(d), or any other federal law, statute, or regulation. Hence, it is not subject to being either true, false, factual, or consistent with any record in possession of any government. The clerk said it was their "POLICY" (not LAW, but POLICY) to require a number and could show me no law. Well, if he or she can invent such policy, then I can INVENT a Nonstatutory number that conforms with the POLICY but also is equally not subject to or susceptible to the requirements of the law. The constitution protects the equality of ALL PERSONS, and hence, I have the EQUAL right to make "POLICY" to counteract the DOS's policy to prevent injury to my own private rights.
5. The applicant, being under unlawful, criminal duress, does not vouch for the accuracy of said number. Instead, it is NONFACTUAL political beliefs and opinions that are not admissible as evidence in any legal proceeding and not legally actionable in any manner.
6. The applicant does not "have" a number described in [26 U.S.C. §6109](#), [20 CFR §422.103](#)(d) and cannot legally "have" such a number. One can only "have" something that they own and control. I don't control the number because if I did, I could tell the government they CANNOT use it, so it must not be mine. The notion of "property" implies the right to FORBID other people from using or benefitting from something so I must not "OWN" a government number. Both the Social Security Card and [20 CFR §422.103](#)(d) say the card and the number belong to the GOVERNMENT and not the applicant, and therefore it is a legal and rational impossibility for me to "have" government property unless I am a public officer managing government property and serving in an official capacity. In fact, I DO NOT consent to represent a public office in the government and it is a crime to unilaterally elect or appoint myself into such an office. Furthermore, filling out an SS-5 form or W-9 form and asking for such a number cannot and does not CREATE any public office in the government and any attempt to use it for that purpose is a violation of [18 U.S.C. §912](#). It is acknowledged as a CRIME to use government property such as a statutory SSN or TIN for a private purpose or personal benefit. Hence, the number provided MUST be described herein as NOT corresponding with anything described in any federal law and NOT to be used for any enforcement or government purpose because not connected with any existing application the government has ever received.
7. The power to create is the power to define, and since I created the form being processed, then I am the only one who can define both the meaning or the intended meaning of every word or phrase on the form. And I must do so in order to avoid being victimized by the self-serving presumptions of others or conferring undue discretion to a government bureaucrat or judge to INVENT a meaning I didn't intend.

If a Social Security Number other than "000-00-0000" was provided on the application, recipient of this form is requested to prosecute the acceptance agent for compelled use of Social Security Numbers under [42 U.S.C. §408](#)(a)(8), and identity theft under [42 U.S.C. §405](#)(c)(2)(C)(i); [42 U.S.C. §408](#)(a)(7); [18 U.S.C. §1028](#)(a)(7); [18 U.S.C. §1028A](#) for the commercial abuse of my identity for personal gain without my consent.

I reserve all my rights and waive none. UCC 1-308 and its predecessor, UCC 1-207. The Declaration of Independence says my rights are "Unalienable", which means they are INCAPABLE of being sold, bargained away, or transferred by any commercial or consensual process, including government franchises. The ONLY method by which I waive any of my Constitutionally protected rights, including my privacy rights, is IN WRITING on a government form, where all rights surrendered by making said application for any benefit are explicitly and individually spelled out so as to give me the lawfully required "reasonable notice" of the specific conduct expected of me.

*"Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with sufficient awareness of the relevant circumstances and likely consequences."*

*[Brady v. U.S., 397 U.S. 742 (1970)]*

*"The rights of the individuals are restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government."*

*[City of Dallas v Mitchell, 245 S.W. 944]*

*"The question of a waiver of a federally guaranteed constitutional right is, of course, a federal question controlled by federal law. There is a presumption against the waiver of constitutional rights, see, e.g. Glasser v. United States, 315 U.S. 60, 70-71, 86 L.Ed. 680, 699, 62 S.Ct. 457, and **for a waiver to be effective it must be clearly established that there was "an intentional relinquishment or abandonment of a known right or privilege."** Johnson v. Zerbst, 304 U.S. 458, 464, 82 L.Ed. 1461, 1466; 58 S.Ct. 1019, 146 A.L.R. 357."*

*[Brookhart v. Janis, 384 U.S. 1; 86 S.Ct. 1245; 16 L.Ed.2d 314 (1966)]*

I am not aware of any rights that I have voluntarily surrendered to any state government or the federal government. If the recipient of this application disagrees, he is demanded to produce court-admissible evidence verified with a perjury oath of said waiver of Constitutional rights within 30 days, or forever be estopped from asserting any future right or claim against me. If the government is similarly going to claim that it cannot be subject to a laches or equitable estoppel defense arising out of failure to provide demanded proof of surrender of right herein demanded because of the assertion of sovereign immunity, then the submitter claims the SAME right of sovereign immunity and hereby rescinds all past signatures on any government form OTHER than this one and retroactively withdraws his/her consent as Sovereign. The U.S. government cannot exercise any power not entrusted and delegated to it by ME, and therefore can assert NO RIGHT that I myself do not have.

*"Whatever these Constitutions and laws validly determine to be property, it is the duty of the Federal Government, through the domain of jurisdiction merely Federal, to recognize to be property."*

*"And this principle follows from the structure of the respective Governments, State and Federal, and their reciprocal relations. **They are different agents and trustees of the people of the several States, appointed with different powers and with distinct purposes, but whose acts, within the scope of their respective jurisdictions, are mutually obligatory.**"*

*[Dred Scott v. Sandford, 60 U.S. 393 (1856)]*

I remind the recipient that in accordance with [22 U.S.C. §212](#), the only thing I am required to have is "allegiance" in order to obtain a United States of America ("U.S.A." and NOT "U.S.") passport and that this document constitutes court-admissible evidence of said allegiance. The only kind of citizenship that carries with it ONLY "allegiance" is that of a "national" as described in [8 U.S.C. §1101](#)(a)(21), which is what I claim to be. Lack of allegiance is therefore the ONLY legitimate criteria for denying a person their BIRTHRIGHT of the issuance of a passport and any other criteria constitutes an interference with my right to travel. I as a human being physically present on territory protected by the constitution at this time have a constitutional right to travel, and that failure to issue a passport shall be grounds for a lawsuit against the submitter for deprivation of rights protected by the Constitution. I will not allow you to convert a right into a privilege that you can deny or control in order to destroy my sovereignty.

Any evidence you might be able to gather regarding government identifying numbers that might be in conflict with this section is a product of unlawful duress, threats, and coercion by agents and officers of the government and not my consent. Any attempt to connect me to any government franchise or license number to engage in a franchise such as a SSN or TIN as a precondition of approving this application and thereby compel the conversion of rights protected by the Constitution into statutory "privileges" and franchises shall constitute an act of extortion and a violation of my right to contract by the government and/or their acceptance agent.

**SECTION 8: REQUESTS FOR ADDITIONAL EVIDENCE SUPPORTING THE APPLICATION WILL BE DENIED**

[Dept. of State Form IN-709-01](#) indicates types of evidence that may or must be submitted in order to establish one's eligibility for a U.S.A. passport. For a copy of this form, see:

<http://famguardian.org/Subjects/Taxes/Citizenship/PassportIdentList-20080207.pdf>

This section discusses the legality of the form and the legal authority of the Dept. of State to ask for and receive the information requested by the form:

1. The [DOS Form IN-709-01](#) is not in compliance with the [Paperwork Reduction Act, 44 U.S.C. Chapter 35, Subchapter I](#), which requires:
  - 1.1. A valid [OMB Control Number](#).
  - 1.2. An indication of whether providing the information and all portions thereof is "voluntary" or "mandatory".
  - 1.3. A regulation published in the [Federal Register](#) describing the regulation which gives rise to the collection of each piece of information requested.
  - 1.4. If the information is to be shared with other agencies, the parties to whom it will be disclosed and the use to which the information will be put.
  - 1.5. If the information requested will be used for criminal law enforcement, then a warning that you have a right to withhold the specific information that will be so used.
2. Government forms which do not comply with the requirements of the [Paperwork Reduction Act](#) are referred to in said act as "bootleg forms" which the general public need not comply with. Your [Dept. of State Form IN-709-01](#) fits that description and therefore I am not required to provide any of the information listed on it. [44 U.S.C. §3512](#) furthermore says that you can't penalize me for failure to comply with your collection of information. Such a penalty would include:
  - 2.1. Denial of a passport, and especially without explaining the legal reasons for doing so.
  - 2.2. Delay in processing a passport.
  - 2.3. Imposing additional forms and procedures for me to comply with that EVERYONE is not EQUALLY required to comply with.
  - 2.4. Financially penalizing me for any aspect of the submission.
  - 2.5. Refusing to refund application fees if you reject the application because of failure to disclose information.
3. Warnings on the [DOS Form IN-709-01](#) about possible delay in providing the passport requested simply amount to an unconstitutional [bill of attainder](#), which is a penalty by other than a lawful court for the exercise of rights protected by the Constitution. I remind you that penalties are only authorized for federal franchises, and the exercise of my right to travel cannot lawfully be converted into a privilege subject to penalty, such as the delay threatened by you for a failure to disclose information that you can't even prove is necessary and which neither the forms nor regulations indicate is mandatory. I also do not consent to acquire any statutory status that would remove me from the protections of the United States Constitution.

*"It would be a palpable incongruity to strike down an act of state legislation which, by words of express divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by 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)]

4. None of the regulations under [22 CFR Part 51](#) indicate the specific information that may be demanded on a passport application, nor do they confirm that any of the information requested on the form is even relevant or necessary. In point of fact, the ONLY thing you technically need in order to lawfully issue a passport is proof of allegiance, according to [22 U.S.C. §212](#). None of the information you request on the [DOS Form IN-709-01](#) proves said allegiance other than a birth certificate, an affidavit or declaration from myself, and possibly an affidavit from family members. Everything else is superfluous, materially irrelevant, and cannot and will not be provided.
5. The [DOS Form IN-709-01](#) asks for my history of residences and/or domicile. Nowhere in [Title 8 of the U.S. Code](#) or [Title 22 of the CFR](#) is domicile made a prerequisite for obtaining a passport. "Nationality" and not "domicile" is the only prerequisite for being eligible for a passport. Therefore it is irrelevant. As a Christian, I am not allowed to have a domicile or residence within the jurisdiction of any man-made government on earth and certainly won't cooperate with any effort not only to compel a domicile, but to place that domicile on federal territory not protected by the Constitution. This is exhaustively proven in the following form, which you are demanded to rebut within 30 days or be found in agreement and estoppel of:  
[Why Domicile and Becoming a "Taxpayer" Require Your Consent](#), Form #05.002; <http://sedm.org/Forms/FormIndex.htm>
6. The only law and the only government to which I may have a domicile or residence under God's law is God's government and the Kingdom of Heaven on Earth. See Phil. 3:20, Heb. 11:13, 1 Peter 2:1, James 4:4, Romans 12:2, 1 John 2:15, John 15:8-25. The Bible says that God owns the Heavens and the Earth, which leaves nothing left for Caesar to rule or govern. See Psalm 89:11-13, Isaiah 45:12, Deut. 10:14. Would you please explain to me what is left for Caesar to rule or govern if we are to render to Caesar that which is Caesar's and the Bible says that EVERYTHING belongs to God? Christians are commanded to render to Caesar that which GOD says belongs to Caesar, not that which Caesar says belongs to Caesar. The Bible also says it is a sin to have an Earthly ruler above me. The only kind of government I can submit to is a government that is below, not above me. This is exhaustively proven in 1 Sam. 8:4-20, 1 Sam. 12:12.
7. The [DOS Form IN-709-01](#) lists sources of information that are exclusively government, and the Bible says I cannot do business with the government or participate in any government franchises. See:

[Delegation of Authority Order from God to Christians](#), Form #10.008; <http://sedm.org/Forms/FormIndex.htm>

Therefore, I do not have and cannot provide any public records that relate to any government benefit or franchise without violating my

religious beliefs and being compelled in violation of the First Amendment to associate with and do business with government. Such franchises and benefits that I cannot participate in include: Social Security Numbers, Taxpayer Identification Numbers, driver's licenses, marriage licenses, social security benefits, Medicare, welfare card, professional licenses, business licenses, tax returns, etc. By including in your list of acceptable evidence ONLY public/government information and information relating to government franchises, you are:

- 7.1. Effectively compelling me to engage in public/government franchises and thereby surrender constitutionally protected rights.
- 7.2. Compelling me to associate commercially and legally with a group of people called a "state" that I do not want to associate with or be compelled to associate with in violation of the First Amendment freedom from compelled association.
- 7.3. Compelling me to contract with the government in criminal violation of the Constitution. Since all franchises are contracts, any attempt to compel me to participate in franchises is an attempt to compel me to contract and/or donate private property to a public use, which means THEFT.
8. I remind you that I have a Fourth Amendment Constitutional right to privacy, and that you can't turn the exercise of my right to travel into an excuse to destroy my right of privacy by revealing all the details you ask for on the [DOS Form IN-709-01](#) that are basically irrelevant to the application anyway. This is NOT a job application or an application to become a federal "employee", "public officer", or "taxpayer", but simply a notification of you by me, the Sovereign, of my right to travel freely and a demand that you recognize (by issuing me a United States of America passport) and not interfere with that right. It is already humiliating enough that the penalty for committing perjury on a passport form could be 20 years in jail. That penalty alone ought to be sufficient to ensure the accuracy of the information I provide to you. If that kind of a penalty for providing false information isn't sufficient to guarantee the accuracy of the basic information that I provide, then the application process isn't really about a passport, but about human sacrifices to a pagan idol in violation of my sincerely held religious beliefs.
9. I also remind you that your passport records can and probably will be used for criminal enforcement purposes. See [73 F.R. 1660-1664](#). I have a Constitutional right not to incriminate myself, and therefore to provide the absolute minimum amount of information required to ensure qualification to receive the passport applied for.
10. Passports may be a privilege for constitutional aliens, but they aren't a privilege for people born in this country, and it is an act of discrimination to impose upon me the disabilities of statutory alienage by lumping me and a privileged statutory permanent resident in the same category.
11. The only reason I want or need a passport is simply to freely exercise my Constitutional and legal right to return to the place of my birth. That is a natural and inalienable right. Don't abuse your authority to issue passports by withholding the issuance of them to persons who refuse to participate in all government franchises. That is discrimination that you will be held personally liable for. Don't try to convert rights into privileges, because you are violating the constitution to do so.

## SECTION 9: FRAUD ON THE DS-11 AND DS-82 FORM INSTRUCTIONS

The following subsections (sections 9.1 and 9.2) reveal fraud, deception, and false statements on the DS-11 and DS-82 form instructions. These forms constitute "testimony of a witness" because they are signed under penalty of perjury. Because the instructions are false and fraudulent, they rise to the level of criminal witness tampering in violation of [18 U.S.C. §1512](#).

### 9.1 INSTRUCTIONS: "FEDERAL TAX LAW" SECTION

The DS-11 and DS-82 form contains FRAUD and make fraudulent determinations about the legal status of ALL applicants. Here is the fraud:

#### "FEDERAL TAX LAW

*Section 6039E of the Internal Revenue Code ([26 U.S.C. 6039E](#)) requires **you** to provide **your** Social Security Number (SSN), if **you** have one, when **you** apply for a U.S. passport or renewal of a U.S. passport. If **you** have not been issued an SSN, enter zeros in block #5 of this form. If **you** are residing abroad, **you** must also provide the name of the foreign country in which **you** are residing. The Department of State must provide **your** SSN and foreign residence information to the Department of Treasury. If **you** fail to provide the information, **you** are subject to a \$500 penalty enforced by the IRS. All questions on this matter should be directed to the nearest IRS office.*

This is false because:

1. The following legal analysis proves that [26 U.S.C. §6039E](#) pertains only to federal instrumentalities and not private human beings such as the applicant. You are using the passport application process to fraudulently recruit public officers in the U.S. government. Please rebut this information in writing signed under penalty of perjury within 30 days or be found to agree with the analysis.  
[How to Apply for a Passport as a "non-citizen national"](#), Section 5;  
<http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>
2. The conditions under which Taxpayer Identification Numbers are only MANDATORY within Title 26, the I.R.C., are listed in 26 CFR §301.6109-1. Those conditions should be disclosed in the instructions if you are going to tell people that they MUST provide a number. All the conditions involve public officers within the U.S. government on official business and not private human beings. These public officers are referred to and defined as an activity called a "trade or business", which is then statutorily defined in [26 U.S.C. §7701\(a\)\(26\)](#) as "the functions of a public office" in the U.S. and not state or municipal government. For further details, see and rebut the following within 30 days in writing signed under penalty of perjury or be found to agree:  
[About SSNs and TINs on Government Forms and Correspondence](#), Form #05.012, Section 9; <http://sedm.org/Forms/FormIndex.htm>
3. The instructions FALSELY presume that ALL applicants are statutory "taxpayers". The I.R.C. in fact only regulates the activities of statutory "taxpayers" per [26 U.S.C. §7701\(a\)\(14\)](#). Hence, the word "you" must be replaced with "taxpayers" rather than implying EVERYONE.

*"The revenue laws are a code or system in regulation of tax assessment and collection. They relate to taxpayers, and not to nontaxpayers. The latter are without their scope. No procedure is prescribed for nontaxpayers, and no attempt is made to annul any of their rights and remedies in due course of law. With them Congress does not assume to deal, and they are neither of the subject nor of the object of the revenue laws..."*  
[Long v. Rasmussen, 281 F. 236 (1922)]

4. Even the courts admit that they do NOT have the authority to declare ANYONE a "taxpayer", and hence, your form can't do it either without committing fraud.

*Specifically, Rowen seeks a declaratory judgment against the United States of America with respect to "whether or not the plaintiff is a taxpayer pursuant to, and/or under [26 U.S.C. § 7701\(a\)\(14\)](#)." (See Compl. at 2.) **This Court lacks jurisdiction to issue a declaratory judgment "with respect to Federal taxes other than actions brought under section 7428 of the Internal Revenue Code of 1986," a code section that is not at issue in the instant action. See [28 U.S.C. § 2201](#); see also [Hughes v. United States, 953 F.2d 531, 536-537 \(9th Cir. 1991\)](#) (affirming dismissal***

of claim for declaratory relief under § 2201 where claim concerned question of tax liability). Accordingly, defendant's motion to dismiss is hereby GRANTED, and the instant action is hereby DISMISSED.

[\[Rowen v. U.S., 05-3766MMC. \(N.D.Cal. 11/02/2005\)\]](#)

5. The only "you" that the above language can or does mean is STATUTORY "U.S. Persons" per [26 U.S.C. §7701\(a\)\(30\)](#) and not EVERYONE. A statutory "U.S. person", in turn, is a public officer within the U.S. government on official business, and not a private human being. This should be made clear on the instructions. For the reasons, see and rebut the following within 30 days or be found to agree with it in its entirety:  
[Who are "taxpayers" and Who Needs a "Taxpayer Identification Number"](#), Form #05.013; <http://sedm.org/Forms/FormIndex.htm>
6. If you can't make the instructions accurate and specific only to the exact people they apply, then you shouldn't say anything at all about this subject in the instructions. Otherwise, you are lying to a federal witness and tampering with a witness because the form is signed under penalty of perjury and therefore signed by a witness. This is a criminal offense under [18 U.S.C. §1512](#).
7. I do not claim to be a statutory "U.S. person" per [26 U.S.C. §7701\(a\)\(30\)](#) so this language cannot and does not pertain to me.

## 9.2 INSTRUCTIONS: "REMITTANCE OF FEES" SECTION

The DS-11 and DS-82 forms also contain the following language which is FALSE.

### REMITTANCE OF FEES

[31 U.S.C. §7701](#) requires persons "doing business" with federal agency to provide their Social Security Numbers to that agency. Because the Department of State collects fees for the provision of passport services to you, you are considered a person "doing business" . . .

Before one can be a statutory "person" within federal civil law, one must be domiciled on federal territory not within any Constitutional state of the Union. This is a requirement of the separation of powers doctrine that is the foundation of the United States Constitution, which in turn was put there to protect my rights from greedy and deceptive government employees. Those not domiciled on federal territory or domiciled within a state of the Union are not subject to federal civil law and therefore cannot be "persons" subject to federal civil law or to any of the provisions you cite in the instructions. In fact, the only way they could be subject to the above provisions is to occupy a public office in the U.S. government and therefore subject to federal civil law. This was pointed out by the U.S. Supreme Court as follows:

*"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)]*

Yes, federal civil law DOES apply ONLY to STATUTORY U.S. citizens per [8 U.S.C. §1401](#), but you are NOT entitled to presume that:

1. Everyone making application for a U.S. passport is a statutory "U.S. citizen" under [8 U.S.C. §1401](#).
2. Everyone is domiciled on federal territory and therefore subject to federal civil law. In fact, most of the people you service are domiciled OUTSIDE the statutory "United States" in a legislatively foreign jurisdiction and are statutory aliens but constitutional citizens for the purpose of federal jurisdiction.
3. The term "United States" as used in the Constitution and "United States" as used in the Internal Revenue Code, 26 U.S.C. or Title 31 of the U.S. Code are the SAME. They are NOT, and in fact are mutually exclusive to each other and statutorily foreign with respect to each other.

Clearly, the person who prepared your DS-11 and DS-82 form instructions knows nothing about law or jurisdiction. You need to correct your FRAUDULENT instructions and quit deceiving the public. The following memorandum of law ought to be consulted in amending your form instructions:

[Federal Jurisdiction](#), Form #05.018; <http://sedm.org/Forms/FormIndex.htm>

## SECTION 10: LICENSE AGREEMENT PROTECTING THIS APPLICATION AND ALL INFORMATION PROVIDED WITH THIS APPLICATION

All information about my person submitted to you on any government form by either myself or any third party is the exclusive property of the Submitter under this franchise agreement, which governs all interactions and communications regarding me. The Fourth Amendment makes information about me "property" in a legal sense and protects that property. The attached USA passport application is invalid and shall constitute non-factual, non-actionable speech not legally admissible as evidence in any legal proceeding without this form attached and without both the Recipient and the Submitter being completely subject to and covered by this franchise agreement.

Page 6 of the USA passport says in note 2 that passports are the exclusive property of the issuer and must be returned upon notice and demand of same. Likewise, information about the Submitter is acknowledged by the parties to this franchise as the exclusive property of the Submitter and must be completely and permanently removed from government computer systems and records upon legal notice and demand. Recipient and submitter of this application acknowledge that use, custody, or control of information about the Submitter submitted in connection with this application makes the Recipient into an agent, officer, trustee, transferee, and fiduciary under the terms of this franchise agreement until all such information is removed from any all information systems and records maintained by the Recipient and his/her/its agents and assigns. Any deviation from this requirement is stipulated to be a violation of the requirement for equal protection and equal treatment that is the foundation of the United States Constitution.

Recipient of this form and all parties utilizing information about the Submitter/applicant, including information provided in connection with this transaction agree not to utilize this information for any of the following purposes:

1. Any commercial purpose in relation to any government.
2. In connection with the administration of any government franchise, including but not limited to Social Security, Medicare, income taxation ("trade or business" franchise).
3. The enforcement of any licensed activities such as driver's licenses, marriage licenses, or professional licenses, which are also franchises.
4. Any civil or criminal law enforcement activity beyond that expressly indicated herein.

Recipient of this information agrees to grant to applicant witness immunity pursuant to [18 U.S.C. §6002](#) in connection with any legal proceeding that uses information about me provided in connection with this application. If they are not authorized to grant said immunity by their employer, they agree to become the substitute defendant in said proceeding.

Parties to this franchise stipulate that any and every disclosure or use of information provided in connection with this application to any third party by the Recipient of this application or any agent or officer of the Recipient shall constitute effective and constructive consent to abide completely with every aspect of this franchise agreement.

Pursuant to [5 U.S.C. §552a\(b\)](#), recipient and his officers, agents, and assigns may not lawfully maintain records about the Submitter without his/her express written consent, which he/she does NOT give, has no delegated authority from my God to give, and has retroactively withdrawn by filing a public notice with the U.S. government and state government. Therefore:

1. Any records in your possession pertaining to Submitter other than the licensed and copyrighted passport information included on this and the attached DS-11 form are being maintained ILLEGALLY and must be destroyed.
2. You do not have my consent to store or use any of my personal information other than my name and physical characteristics in Dept. of State computers.
3. You do not have my permission, and I do not consent, to share any of my personal information with any other federal or state agency or bureau or private company, including the Internal Revenue Service. If you do, you agree personally to pay me \$500,000 for each wrongful or unauthorized disclosure.

All information provided by me in connection with this application shall be treated as MY PERSONAL PROPERTY, and all those in possession or use of said property agree to be my personal agent under the terms of this franchise, and to do with said property only that which I expressly authorize in writing. This is the same crap you pull with your passport document, which says on p. 4 that the passport belongs not to the applicant, but to the government. Hence, you try to abuse the passport issuance process to make me into a public officer in control of public property. If you can do it, then I have an EQUAL right to do the same thing in reverse, because of the Constitutional requirement for equal protection and equal treatment.

Recipient agrees to do all the following in connection with Submitter of this application:

1. To treat the Submitter as though he/she has the status indicated in this document.
2. To treat the Submitter as though he/she is NOT eligible to participate in any government franchise, "benefit", or the issuance of any government identifying number.
3. To correct any evidence in their possession or in the possession of their government employer that might indicate eligibility to participate in any government franchise or to receive the "benefits" of any government franchise.
4. To notify the Submitter promptly if they discover evidence in possession of the government linking them to eligibility for any government franchise or "benefit" and all occasions when they have corrected such evidence to be consistent with this franchise agreement.

Parties to this agreement agree to waive official, judicial, and sovereign immunity in connection with any and all legal proceedings relating to the enforcement of this franchise agreement. Recipient agrees to service of process via certified mail in lieu of personal service either at their place of work or their home in connection with the commencement of any legal process needed to enforce this agreement. Recipient also agrees to an effective domicile of wherever any enforcement action is filed by the Submitter in connection with the enforcement of this agreement.

The accuracy of the name, the oath taken in connection with this passport, and the accuracy of the birth certificate are actionable and not immune from prosecution against the Applicant for willful falsification. Parties stipulate that this information is the only thing that is material or actionable in connection with this transaction. Any information provided relating to "residence" (domicile of an alien and NOT "citizen" or "national" under 26 CFR §1.871-2) history, employment ("public office" pursuant to [5 U.S.C. §2105\(a\)](#)) history, or government identifying numbers are not factual, not actionable, not material, not admissible as evidence, or even relevant in connection with any law enforcement proceeding relating to their accuracy. The purpose of this provision is to protect the privacy of the Submitter and to ensure that only the minimum information required to obtain the service requested is provided or used. Any attempt to compel the disclosure of additional information can only serve to violate the Fifth Amendment right of freedom from self-incrimination and make the Submitter into a target of discriminatory "selective enforcement" proceedings and injure him/her in the exercise of rights protected by the Constitution of the United States of America.

The only people you can govern or protect are those who CONSENT to be governed pursuant to the Declaration of Independence, and I am not a consenting party. This application should not be construed by the Recipient as a request to be protected or subsidized in any way, shape, or form. Instead, I seek ONLY to be issued a U.S.A. (NOT "U.S.") passport and thereafter be left alone, to be a non-citizen national, and to not be protected in my travels abroad. The only reason you need any information beyond the basic eligibility requirements on the DS-11 form in the context of this transaction is to deliver protection and services that you PRESUME that I want. That presumption does not apply in my case and the U.S. Supreme Court has held repeatedly that the constitution confers upon me the right to be simply be LEFT ALONE.

*"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men.**"*

*[Olmstead v. United States, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also Washington v. Harper, 494 U.S. 210 (1990)]*

## SECTION 11: APPLICATION DELAY OR REJECTION INFORMATION

(To be completed by passport processing center or agency upon rejection of passport application)

Should you, the passport processing center or agency, decide to reject my application or delay it further by asking for additional information on form IN-709-01, I insist that you provide your full legal name and work address and sign the correspondence under penalties of perjury pursuant to [28 U.S.C. §1746\(2\)](#). Agencies don't reject applications, PEOPLE DO, and these people are violating the Constitution and my rights if they reject my application. This section acts as a form for you to fill out describing all of the reasons and details surrounding any decision you might make to reject this application. A rejection of my application without disclosing the reasons in detail by filling out and signing this section as required shall constitute an actionable tort on your part. Also, if you send me an IN-709-01 form and demand that I fill it out, explain why I shouldn't follow your example by similarly refusing to fill out your forms since you won't fill out mine. It is a denial of the legal requirement for equal protection and equal treatment for you to apply different standards to me than you apply to yourself or to anyone else in this process. If you won't provide your information, then I won't provide mine on an IN-709-01 form either. I'm not going to play legal "peek-a-boo" with you and doing so just proves that you KNOW you are involved in violating my rights and exceeding your lawfully delegated authority as a public servant or agent of the government. Please write LEGIBLY because this document could become legal evidence in a Bivens Action against you for deprivation of

rights by an officer or agent of the government.	
<b>1. Definition of "United States" within the term "U.S. citizen" upon which I am relying from Sections 3 through 4 of this form:</b> (Circle ONLY ONE. Item 3 is the default answer if none provided)	1 2 3
<b>2. Citizenship status you impute to me from Section 4, Table 4 (identify item number in left most column of table) based on all evidence received so far.</b>	_____
<b>3. Reason for Rejection:</b> (check all that apply)	<input type="checkbox"/> Questions about consistency of information provided in application (please specify in detail): _____ _____ <input type="checkbox"/> Missing following information: _____ <input type="checkbox"/> DS-11 form has been updated. New form enclosed <input type="checkbox"/> Other (please specify): _____ _____
<b>4. Legal authority for rejection (statute and/or regulation. Rejection is UNLAWFUL if no legal authority provided):</b>	8 USC § _____ 22 CFR § _____ OTHER(s): _____
<b>5. Things I advised the applicant specifically to do against his wishes and better judgment, and for which I assume full liability for the consequences of:</b>	<input type="checkbox"/> Specify a Social Security Number or Taxpayer Identification Number when he/she specified that there is none <input type="checkbox"/> Indicate a citizenship status or domicile that is in conflict with the information provided by the applicant on this form
<b>6. Full Legal Birthname of rejecting officer:</b>	_____
<b>7. Date and Place of Birth of rejecting officer:</b>	_____
<b>8. Workplace physical address of rejecting officer:</b> (NOTE: This is the place you physically work and where you agree to accept service of legal process. NO PO boxes accepted.)	Address: _____ City: _____ State: _____ Zip: _____ Phone number: _____ Email Address: _____
<b>9. Full legal birthname of supervisor of rejecting officer:</b>	_____
<b>10. Workplace physical address of supervisor of rejecting officer:</b> (NOTE: This is the place you physically work and where you agree to accept service of legal process. NO PO boxes accepted.)	Address: _____ City: _____ State: _____ Zip: _____ Phone number: _____ Email Address: _____
<b>11. Affirmation of Rejecting Officer:</b>	
<p>I, the person directly responsible for denying this passport application as an officer or agent of the United States government, declare under penalties of perjury pursuant to <a href="#">28 U.S.C. §1746(2)</a> that the information provided by me in this section is truthful, accurate, and consistent with prevailing law to the best of my knowledge and ability. I also agree to take complete, personal, and exclusive responsibility for the falsity or accuracy of any information which I advised the applicant to change on this passport, such as his or her citizenship status or the Social Security Number, if any, that was provided, since applicant indicated that he does not lawfully have a Social Security Number or Taxpayer Identification Number.</p>	
Signature _____	Printed Name _____
Date: _____	
<b>SECTION 12: AFFIRMATION</b>	
<p>I declare under penalty of perjury under the laws of the United States of America, from without the "United States" pursuant to <a href="#">28 U.S.C. §1746(1)</a>, that the foregoing and the entire contents of this form and all those attached to it are true, correct, and complete to the best of my knowledge and belief. I also declare that the accompanying passport application is false, fraudulent, misleading, and perjurious if NOT accompanied AT ALL TIMES by this mandatory attachment.</p>	
Signature _____	Printed Name _____
Date: _____	

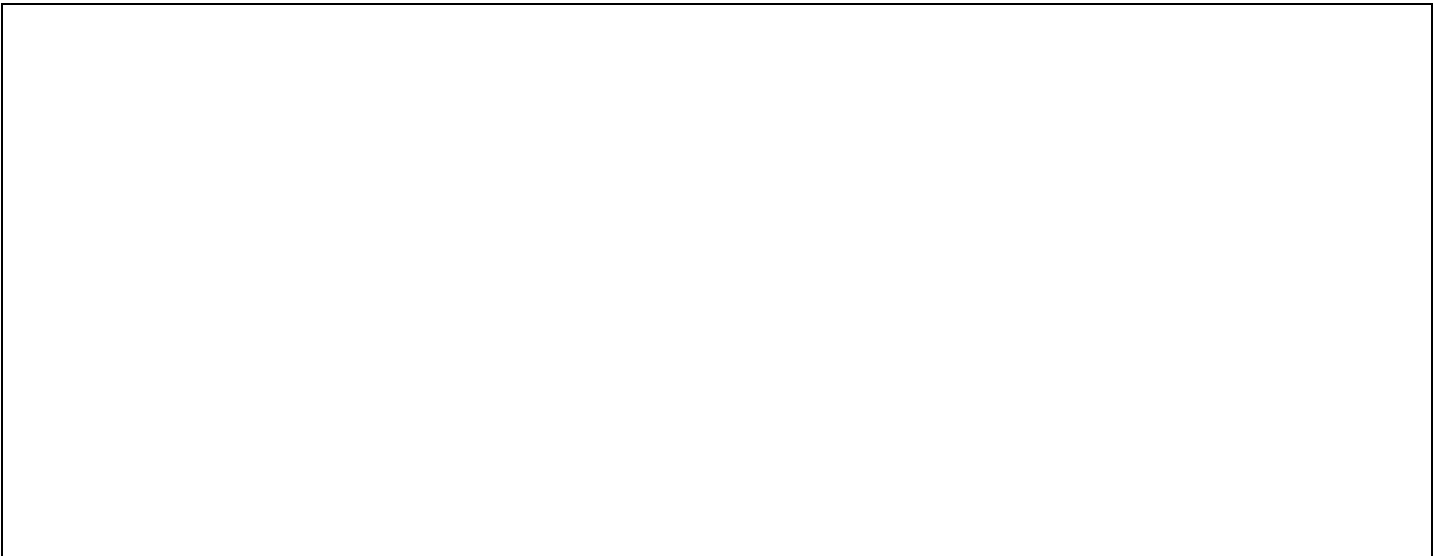
# GOVERNMENT VERIFIED IDENTITY DOCUMENT

BEFORE ME, the undersigned authority, a Notary Public, of the County of \_\_\_\_\_, Republic of \_\_\_\_\_ (statename), this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

\_\_\_\_\_ did appear and was identified by (circle one):

1. Passport;
2. Driver's license;
3. Other: \_\_\_\_\_,

and who, upon first being duly sworn and/or affirmed, deposes and says that he is the person whose identity is described herein and whose picture appears below and that the attached documents are true to the best of his/her knowledge and belief. The picture of the person who appeared is affixed below.



I certify under PENALTY OF PERJURY under the laws of the State of \_\_\_\_\_ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires On: