

# FEDERAL JURISDICTION



*"In questions of power...let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution [and the wall of separation between church, which is you, and state, who are pagans]."*  
[Thomas Jefferson: Kentucky Resolutions, 1798]

*"Whenever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force."*  
[Thomas Jefferson: Kentucky Resolutions, 1798]

*"It [is] inconsistent with the principles of civil liberty, and contrary to the natural rights of the other members of the society, that any body of men therein [INCLUDING judges] should have authority to enlarge their own powers... without restraint."*

*[Thomas Jefferson: Virginia Allowance Bill, 1778]*

# DEDICATION

"I [God] brought you up from Egypt [slavery] and brought you to the land of which I swore to your fathers; and I said, 'I will never break My covenant with you. And you shall make no covenant [contract or franchise or agreement of ANY kind] with the inhabitants of this [corrupt pagan] land; you shall tear down their [man/government worshipping socialist] altars.' But you have not obeyed Me. Why have you done this?"

"Therefore I also said, 'I will not drive them out before you; but they will become as thorns [terrorists and persecutors] in your side and their gods will be a snare [slavery!] to you.'"

So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept. [Judges 2:1-4, Bible, NKJV]

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"You shall make no covenant [contract or franchise] with them [foreigners, pagans], nor with their [pagan government] gods [laws or judges]. They shall not dwell in your land [and you shall not dwell in theirs by becoming a "resident" or domiciliary in the process of contracting with them], lest they make you sin against Me [God]. For if you serve their [government] gods [under contract or agreement or franchise], it will surely be a snare to you."  
[Exodus 23:32-33, Bible, NKJV]

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"Then those of Israelite lineage separated themselves from all foreigners [Washington, D.C. and governments generally are legislatively but not constitutionally "foreigners" in relation to Christians with no civil domicile on federal territory]; and they stood and confessed their sins and the iniquities of their fathers. And they stood up in their place and read from the Book of the Law of the LORD their God for one-fourth of the day; and for another fourth they confessed and worshiped the LORD their God."  
[Nehemiah 9:2-3, Bible, NKJV]

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## Curses of Disobedience [to God's Laws]

"The alien [Washington, D.C. is legislatively "alien" in relation to states of the Union] who is among you shall rise higher and higher above you, and you shall come down lower and lower [malicious destruction of EQUAL PROTECTION and EQUAL TREATMENT by abusing FRANCHISES]. He shall lend to you [Federal Reserve counterfeiting franchise], but you shall not lend to him; he shall be the head, and you shall be the tail.

"Moreover all these curses shall come upon you and pursue and overtake you, until you are destroyed, because you did not obey the voice of the LORD your God, to keep His commandments and His statutes which He commanded you. And they shall be upon you for a sign and a wonder, and on your descendants forever.

"Because you did not serve [ONLY] the LORD your God with joy and gladness of heart, for the abundance of everything, therefore you shall serve your [covetous thieving lawyer] enemies, whom the LORD will send against you, in hunger, in thirst, in nakedness, and in need of everything; and He will put a yoke of iron [franchise codes] on your neck until He has destroyed you. The LORD will bring a nation against you from afar [the District of CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle], a nation whose language [LEGALESE] you will not understand, a nation of fierce [coercive and fascist] countenance, which does not respect the elderly [assassinates them by denying them healthcare through bureaucratic delays on an Obamacare waiting list] nor show favor to the young [destroying their ability to learn in the public FOOL system]. And they shall eat the increase of your livestock and the produce of your land [with "trade or business" franchise taxes], until you [and all your property] are destroyed [or STOLEN/CONFISCATED]; they shall not leave you grain or new wine or oil, or the increase of your cattle or the offspring of your flocks, until they have destroyed you.  
[Deut. 28:43-51, Bible, NKJV]

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## 1 Introduction

There is much controversy in the courts and in state and federal agencies over the jurisdiction of the federal government to enforce franchises upon those domiciled within states of the Union, which are foreign but not alien in respect to federal jurisdiction. This includes enforcement authority for all the following franchises:

1. Income taxes.
2. State motor vehicle code.
3. Professional licenses.
4. Marriage licenses.
5. Social Security.
6. Medicare.
7. Unemployment insurance.

Most of this controversy appears daily in the correspondence sent out by state and federal agencies. Much of this correspondence results from false presumptions about the subject matter. It is the goal of this memorandum of law to rebut these false presumptions by providing authorities documenting the origins of federal jurisdiction.

## 2 Basic principles of jurisdiction

The basic concepts underlying jurisdiction depend on the following simple rules:

1. All courts exercise three types of jurisdiction:
  - 1.1. Territorial: Jurisdiction over an event that happened on the territory protected by the sovereign. For the federal government, this would be federal territory subject to the exclusive jurisdiction of Congress and which is no part of any state of the Union.
  - 1.2. Subject matter: Jurisdiction over the activity but not the territory the activity occurred on. Franchises fall in this category because they are a matter of contract or agreement and all contracts are chattel property of the grantor of the franchise.
  - 1.3. In personam: Jurisdiction over the “person”. This jurisdiction is conferred either by:
    - 1.3.1. Service of process upon the “person” AND.
    - 1.3.2. An “appearance” in an action following the service of process or a domicile or residence in the forum at the time of the event contested.
2. Civil and criminal jurisdiction attaches to the territory under the exclusive jurisdiction of the sovereign to whom it belongs. This includes:
  - 2.1. Acts committed on the territory.
  - 2.2. Real and chattel property situated within the territory.
  - 2.3. Human beings and “persons” domiciled on the territory.
3. A sovereign may not reach outside its physical territory to enforce its civil or criminal laws without comity, which is a fancy word for the consent of those it is enforcing against. This is called “extraterritorial jurisdiction” by the courts. Extraterritorial jurisdiction is also called “subject matter jurisdiction”.

*“Every State or nation possesses an exclusive sovereignty and jurisdiction within her own territory, and her laws affect and bind all property and persons residing within it. It may regulate the manner and circumstances under which property is held, and the condition, capacity, and state of all persons therein, and also the remedy and modes of administering justice. And it is equally true that no State or nation can affect or bind property out of its territory, or persons not residing [domiciled] within it. No State therefore can enact laws to operate beyond its own dominions, and if it attempts to do so, it may be lawfully refused obedience. Such laws can have no inherent authority extraterritorially. This is the necessary result of the independence of distinct and separate sovereignties.”*

*“Now it follows from these principles that whatever force or effect the laws of one State or nation may have in the territories of another must depend solely upon the laws and municipal regulations of the latter, upon its own jurisprudence and polity, and upon its own express or tacit consent.”*  
[Dred Scott v. John F.A. Sanford, 60 U.S. 393 (1856)]

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

4. It is a maxim of law that debt and contract are not dependent upon place. The ordinary way of procuring debt is to contract for it, in which case the only way that any government can reach outside its own physical territory is to contract with those it seeks to enforce against:

*Debitum et contractus non sunt nullius loci.*  
Debt and contract [franchise agreement, in this case] are of no particular place.

*Locus contractus regit actum.*  
The place of the contract [franchise agreement, in this case] governs the act.

[Bouvier's Maxims of Law, 1856;  
SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]

5. Civil in personam jurisdiction originates from the following three sources:
- 5.1. Choosing domicile within a specific jurisdiction.
  - 5.2. Representing an entity that has a domicile within a specific jurisdiction even though not domiciled oneself in said jurisdiction. For instance, representing a federal corporation as a public officer of said corporation, even though domiciled outside the federal zone. The authority for this type of jurisdiction is, for instance, Federal Rule of Civil Procedure 17(b).
  - 5.3. Engaging in commerce within the civil legislative jurisdiction of a specific government and thereby waiving sovereign immunity under:
    - 5.3.1. The Foreign Sovereign Immunities Act, 28 U.S.C. §1605.
    - 5.3.2. The Minimum Contacts Doctrine, which implements the Fourteenth Amendment. See International Shoe Co. v. Washington, 326 U.S. 310 (1945).
    - 5.3.3. The Longarm Statutes of the state jurisdiction where you are physically situated at the time. For a list of such state statutes, see:
      - 5.3.3.1. *SEDM Jurisdictions Database*, Litigation Tool #09.003  
<http://sedm.org/Litigation/LitIndex.htm>
      - 5.3.3.2. *SEDM Jurisdictions Database Online*, Litigation Tool #09.004  
<http://sedm.org/Litigation/LitIndex.htm>
6. The most prevalent means to exercise extraterritorial jurisdiction by most governments is through government franchises such as Social Security, marriage licenses, and driver's licenses. The application to participate in the program constitutes contractual consent to abide by the terms of the franchise agreement.
7. All franchises are contracts, and therefore must satisfy all the elements of a contract to be valid or enforceable. This means there must be MUTUAL consideration and MUTUAL obligation on both sides of the transaction.

**Contract.** An agreement between two or more [sovereign] persons which creates an obligation to do or not to do a particular thing. As defined in Restatement, Second, Contracts §3: "A contract is a promise or a set of promises for the breach of which the law gives a remedy, or the performance of which the law in some way recognizes as a duty." A legal relationships consisting of the rights and duties of the contracting parties; a promise or set of promises constituting an agreement between the parties that gives each a legal duty to the other and also the right to seek a remedy for the breach of those duties. **Its essentials are competent parties, subject matter, a legal consideration, mutuality of agreement, and mutuality of consideration.** *Lamoureaux v. Burrillville Racing Ass'n*, 91 R.I. 94, 161 A.2d. 213, 215.

Under U.C.C., term refers to total legal obligation which results from parties' agreement as affected by the Code. Section 1-201(11). As to sales, "contract" and "agreement" are limited to those relating to present or

future sales of goods, and “contract for sale” includes both a present sale of goods and a contract to sell goods at a future time. U.C.C. §2-106(a).

The writing which contains the agreement of parties with the terms and conditions, and which serves as a proof of the obligation.

[Black’s Law Dictionary, Sixth Edition, p. 322]

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As a rule, franchises spring from contracts between the sovereign power and private citizens, made upon valuable considerations, for purposes of individual advantage as well as public benefit,<sup>1</sup> and thus a franchise partakes of a double nature and character. So far as it affects or concerns the public, it is publici juris and is subject to governmental control. The legislature may prescribe the manner of granting it, to whom it may be granted, the conditions and terms upon which it may be held, and the duty of the grantee to the public in exercising it, and may also provide for its forfeiture upon the failure of the grantee to perform that duty. But when granted, it becomes the property of the grantee, and is a private right, subject only to the governmental control growing out of its other nature as publici juris.<sup>2</sup>

[American Jurisprudence 2d, Franchises, §4: Generally (1999)]

8. It is up to each party to define whether something provided by the contract or franchise constitutes a “benefit” or “consideration” in a legal sense. The opposite party cannot determine what constitutes consideration for YOU without instituting duress upon YOU. What the government calls “benefits” do not, in fact, constitute “consideration” from a legal perspective because they obligate the government to do NOTHING. Therefore, the franchise is not a contract and therefore is not enforceable as a right in equity in a true constitutional court.

“... railroad benefits, like social security benefits, are not contractual and may be altered or even eliminated at any time.”

[United States Railroad Retirement Board v. Fritz, 449 U.S. 166 (1980)]

“We must conclude that a person covered by the Act has not such a right in benefit payments... This is not to say, however, that Congress may exercise its power to modify the statutory scheme free of all constitutional restraint.”

[Flemming v. Nestor, 363 U.S. 603 (1960)]

For details on the above, see:

The Government “Benefits” Scam, Form #05.040

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

9. The federal government may NOT lawfully establish a franchise within a state of the Union or license any activity within the exclusive jurisdiction of a state of the Union.
- 9.1. All franchises presuppose that those who participate occupy a public office, as you will see later. That presumption is FALSE in the case of those not lawfully occupying such office BEFORE they sign up.
- 9.2. An example of a de facto license is a Social Security Number, which acts effectively as a de facto license to act as a “public officer” within the government. Note the phrase “trade or business” in the U.S. Supreme Court holding below, which is defined as “the functions of a public office” in 26 U.S.C. §7701(a)(26) :

“Thus, Congress having power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes, may, without doubt, provide for **granting** coasting **licenses**, licenses to pilots, licenses to trade with the Indians, and any other **licenses** necessary or proper for the exercise of that great and extensive power; and the same observation is applicable to every other power of Congress, to the exercise of which the granting of licenses may be incident. All such licenses confer authority, and give rights to the licensee.

But very different considerations apply to the internal commerce or domestic trade of the States. Over this commerce and trade Congress has no power of regulation nor any direct control. This power belongs exclusively to the States. No interference by Congress with the business of citizens transacted within a State

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<sup>1</sup> Georgia R. & Power Co. v. Atlanta, 154 Ga. 731, 115 S.E. 263; Lippencott v. Allander, 27 Iowa 460; State ex rel. Hutton v. Baton Rouge, 217 La. 857, 47 So.2d. 665; Tower v. Tower & S. Street R. Co. 68 Minn 500, 71 N.W. 691.

<sup>2</sup> Georgia R. & Power Co. v. Atlanta, 154 Ga. 731, 115 S.E. 263; Lippencott v. Allander, 27 Iowa 460; State ex rel. Hutton v. Baton Rouge, 217 La. 857, 47 So.2d. 665; Tower v. Tower & S. Street R. Co. 68 Minn 500, 71 N.W. 691.



is warranted by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the legislature. The power to authorize a business within a State is plainly repugnant to the exclusive power of the State over the same subject. It is true that the power of Congress to tax is a very extensive power. It is given in the Constitution, with only one exception and only two qualifications. Congress cannot tax exports, and it must impose direct taxes by the rule of apportionment, and indirect taxes by the rule of uniformity. Thus limited, and thus only, it reaches every subject, and may be exercised at discretion. But, it reaches only existing subjects. **Congress cannot authorize [e.g. "license"] a trade or business within a State in order to tax it.**"  
[License Tax Cases, [72 U.S. 462](#), 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]

- 9.3. All franchises are contracts and constitute property of the U.S. government. Another way of saying the above is that Congress cannot establish public offices within a state and cannot have franchises as property within any United States Judicial District that encompasses an area under the exclusive jurisdiction of a state of the Union.
- 9.4. Any deviation from the above constraints is a violation of the separation of powers doctrine which is the foundation of the United States Constitution and the main protection for our constitutional rights. Any attempt to break down this separation is a direct conspiracy to deprive you of Constitutionally protected rights.

"We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U.S. Const., Art. I, § 8. As James Madison wrote, "[t]he powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite." *The Federalist No. 45*, pp. 292-293 (C. Rossiter ed. 1961). **This constitutionally mandated division of authority "was adopted by the Framers to ensure protection of our fundamental liberties."** *Gregory v. Ashcroft*, [501 U.S. 452, 458](#) (1991) (internal quotation marks omitted). "**Just as the separation and independence of the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front.**" *Ibid.* "  
[*U.S. v. Lopez*, [514 U.S. 549](#) (1995)]

10. Governments operate in two capacities:
  - 10.1. As a de jure government. When acting in this capacity, all franchises are implemented using civil law and require all those who participate to have a domicile within their jurisdiction to enforce against them. This means that only "citizens", "residents", and "inhabitants", all of whom have a domicile on the territory of the sovereign, may lawfully participate in the franchise.
  - 10.2. As a private business or de facto government. When acting in this capacity, domicile or residence or physical presence are NOT a prerequisite or are acquired by contract. Therefore, the government acts as a private corporation in equity and waives sovereign immunity for all actions undertaken in this capacity.

**"When a State engages in ordinary commercial ventures, it acts like a private person, outside the area of its "core" responsibilities, and in a way unlikely to prove essential to the fulfillment of a basic governmental obligation."**  
[*College Savings Bank v. Florida Prepaid Postsecondary Education Expense*, [527 U.S. 666](#) (1999)]

Moreover, if the dissent were correct that the sovereign acts doctrine permits the Government to abrogate its contractual commitments in "regulatory" cases even where it simply sought to avoid contracts it had come to regret, then the Government's sovereign contracting power would be of very little use in this broad sphere of public activity. We rejected a virtually identical argument in *Perry v. United States*, 294 U.S. 330 (1935), in which Congress had passed a resolution regulating the payment of obligations in gold. **We held that the law could not be applied to the Government's own obligations, noting that "the right to make binding obligations is a competence attaching to sovereignty."** *Id.* at 353.

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

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

11. The Declaration of Independence says that our Constitutional rights are "unalienable" in relation to the government, which means that they cannot lawfully be sold, bargained away through any process, including a franchise. The goal of franchises is to give away rights in exchange for privileges.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, -"  
[Declaration of Independence]

The word "unalienable" is defined as follows:

"Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred."  
[Black's Law Dictionary, Fourth Edition, p. 1693]

Consequently, franchises may not lawfully be offered to those domiciled on land protected by the Constitution. The only place not protected by the Constitution is federal territory. Therefore, franchises may not lawfully be offered to those domiciled within states of the Union, which are land protected by the Constitution, and may only be offered to those domiciled where rights do not exist, which is federal territory.

"Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."  
[Downes v. Bidwell, 182 U.S. 244 (1901)]

12. Anyone who claims to represent the government and yet tries to entice those protected by the Constitution and domiciled in a state of the Union to contract away their rights therefore is:
  - 12.1. Violating the legislative intent of the Declaration of Independence by engaging in a conspiracy to take away your rights.
  - 12.2. A usurper and not a de jure government indent of making a business called a "franchise" out of destroying, regulating, and STEALING your rights.
  - 12.3. Operating as a de facto government that is actually a private, for profit corporation.

de facto: In fact, in deed, actually. This phrase is used to characterize an officer, a government, a past action or a state of affairs which must be accepted for all practical purposes, but is illegal or illegitimate. Thus, an office, a position or status existing under a claim or color of right such as a de facto corporation. In this sense it is the contrary of de jure, which means rightful, legitimate, just, or constitutional. Thus, an officer, king, or government de facto is one who is in actual possession of the office or supreme power, but by usurpation, or without lawful title; while an officer, king, or governor de jure is one who has just claim and rightful title to the office or power, but has never had plenary possession of it, or is not in actual possession. MacLeod v. United States, 229 U.S. 416, 33 S.Ct. 955, 57 L.Ed. 1260. A wife de facto is one whose marriage is voidable by decree, as distinguished from a wife de jure, or lawful wife. But the term is also frequently used independently of any distinction from de jure; thus a blockade de facto is a blockade which is actually maintained, as distinguished from a mere paper blockade. Compare De jure.  
[Black's Law Dictionary, Sixth Edition, p. 416]

- 12.4. Operating in equity as against you and cannot lawfully assert sovereign immunity to protect its activities. Only DE JURE governments and not private corporations can assert sovereign immunity.
13. The way to determine whether the government is acting in a private capacity in equity where it has waived sovereign immunity is to answer the following questions:
- 13.1. May the dispute be resolved in a true, Article III Constitutional court in the Judicial Branch rather than ONLY a legislative franchise court in the Executive Branch? If the answer is no or if there are no NON-franchise courts, then the government is operating in a private capacity as a de facto private corporation and not a government. For instance, U.S. Tax Court, Traffic Court, Family Court, U.S. District Court, and U.S. Circuit Court are ALL legislative franchise courts that may not hear constitutional issues. Franchise courts are not courts of equity, but courts of privilege available only to franchisees called “taxpayers”, “motorists”, “spouses”, statutory “U.S. citizens”, government “employees”, etc. See the following for proof:

What Happened to Justice?, Form #06.012

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

- 13.2. Do you have to be a statutory rather than constitutional “citizen” or a “resident” to participate in the program? If the answer is yes, then it is a de facto government function.
- 13.3. Are forms and procedures available that recognize the right to terminate participation in the franchise and do banks and financial institutions recognize the right not to participate for all? If the answer is no to either, then it is a de facto government function designed to destroy rather than protect private rights and unlawfully and unconstitutionally convert ALL rights to “public rights”.
- 13.4. Do those administering the franchise waive or ignore the statutory requirements for citizenship and residency and accept those who are not statutory “citizens” or “residents”? If they do, then they are operating a private business and not a de jure government function. In effect, signing up for the program makes you into a de facto “citizen” or “resident”. An example is Social Security. 20 C.F.R. §422.104 says that only “citizens” and “permanent residents” can participate, meaning those with a domicile on federal territory that is no part of any state of the Union. However, in practice, this requirement is waived or ignored and they let anyone sign up, including those who are domiciled in a state of the Union, none of whom are “citizens” or “residents” under federal statutory law. Then after you join, they use this as an excuse to PRESUME you are a statutory “U.S. citizen” or “U.S. resident”. That presumption is even found in the regulations. If you use THEIR number (20 C.F.R. §422.103(d) says it is THEIRS not yours), then you are presumed to be that which you aren’t if you are domiciled in a state of the Union.

[26 C.F.R. §301.6109-1\(g\)](#)

(g) *Special rules for taxpayer identifying numbers issued to foreign persons—*

(1) *General rule—*

(i) *Social security number.*

**A social security number is generally identified in the records and database of the Internal Revenue Service as a number belonging to a U.S. citizen or resident alien individual.** *A person may establish a different status for the number by providing proof of foreign status with the Internal Revenue Service under such procedures as the Internal Revenue Service shall prescribe, including the use of a form as the Internal Revenue Service may specify. Upon accepting an individual as a nonresident alien individual, the Internal Revenue Service will assign this status to the individual's social security number.*

Consequently, Social Security is private business activity that cannot be protected by sovereign immunity and must be litigated in equity because the status of statutory “U.S. citizen” and “permanent resident status” is effectively acquired by exercising your right to contract and without ever having physically been present on federal territory. A de jure government, on the other hand, would insist on a physical presence on its territory and evidence of said presence before they could lawfully grant participation and would have to revoke it if you changed your domicile to be outside their jurisdiction.