The Three United States

The standing 1945 Supreme Court definition of the term *United States:*

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

Black's Law Dictionary, Sixth Edition, definition of *United States:*

United States. This term has several meanings. **[1]** It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in family of nations, **[2]** it may designate territory over which sovereignty of United States extends, or **[3]** it may be collective name of the states which are united by and under the Constitution. Hooven & Allison Co. v. Evatt, U.S. Ohio, 324 U.S. 652, 65 S.Ct. 870, 880, 89 L.Ed. 1252. **[Black's Law Dictionary, Sixth Edition]**

Which One Are You? by The Informer:

1. I am a Citizen of the United States[1] like you are a Citizen of China. Here you have defined yourself as a National from a Nation with regard to another Nation. It is perfectly OK to call yourself a "Citizen of the United States[1]." This is what everybody thinks the tax statutes are inferring. But notice the capital "C" in Citizen and where it is placed. Please go back to basic English.

2. I am a United States[2] citizen. Here you have defined yourself as a person residing in the District of Columbia, one of its Territories, or Federal enclaves (area within a Union State) or living abroad, which could be in one of the States of the Union or a foreign country. Therefore you are possessed by the entity United States[2] (Congress) because citizen is small case. Again go back to basic english. This is the "United States[2]" the tax statutes are referring to. Unless stated otherwise, such as 26 USC 6103(b)(5).

3. I am a Citizen of these United States[3]. Here you have defined yourself as a Citizen of all the 50 States united by and under the Constitution. You are not possessed by the Congress (United States[2]). In this way you have a national domicile, not a State or United States[2] domicile and are not subject to any instrumentality or subdivision of corporate governmental entities.

***A Ticket to Liberty* by Lori Jacques:**

A Ticket to Liberty, **by Lori Jacques:**

It is noticeable that Possessions of the United States[2] and sovereign states of the United States[3] of America are NOT joined under the title of "United States." The president represents the sovereign United States[1] in foreign affairs through treaties, Congress represents the sovereign United States[2] in Territories and Possessions with Rules and Regulations, and the state citizens are the sovereignty of the United States[3] united by and under the Constitution .... After becoming familiar with these historical facts, it becomes clear that in the Internal Revenue Code, Section 7701(a)(9), the term "United States[2]" is defined in the second of these senses as stated by the Supreme Court: it designates the territory over which the sovereignty of the United States[2] extends.

The federal zone over which the sovereignty of the United States[2] extends is the District of Columbia, the territories and possessions belonging to Congress, and a limited amount of land within the States of the Union, called federal "enclaves".

The Federal Zone **by ?:**

The Secretary of the Treasury can only claim exclusive jurisdiction over this federal zone and citizens of this zone. In particular, the federal enclaves within the 50 States can only come under the exclusive jurisdiction of Congress if they consist of land which has been properly "ceded" to Congress by the act of a State Legislature. A good example of a federal enclave is a "ceded" military base. The authority to exercise exclusive legislative jurisdiction over the District of Columbia and the federal enclaves originates in Article 1, Section 8, Clause 17 of the U.S. Constitution. By virtue of the exclusive authority that is vested in Congress by this clause, Congress shall have the power:

> To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States[2], and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;

The power of Congress to exercise exclusive legislative authority over its territories and possessions, as distinct from the District of Columbia and the federal enclaves, is given by a different authority in the U.S. Constitution. This authority is Article 4, Section 3, Clause 2, as follows:

> The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or

> The Congress shall have Power to dispose of and make all needed Rules and Regulations respecting the Territory or other Property belonging to the United States[2];

Within these areas, it is essential to understand that the Congress is not subject to the same constitutional limitations which restrict its power in the areas of land over which the 50 States exercise their respective sovereign authorities:

> [T]he United States[2] may acquire territory by conquest or by treaty, and may govern it through the exercise of the power of Congress conferred by Section 3 of Article IV of the Constitution .... In exercising this power, Congress is not subject to the same constitutional limitations, as when it is legislating for the United States[3]. ... And in general the guaranties of the Constitution, save as they are limitations upon the exercise of executive and legislative power when exerted for or over our insular possessions, extend to them only as Congress, in the exercise of its legislative power over territory belonging to the United States[2], has made those guaranties applicable. **[Hooven & Allison Co. vs Evatt, 324 U.S. 652 (1945)]**

In other words, the guarantees of the Constitution extend to the federal zone only as Congress makes those guarantees applicable, either to the territory or to the citizens of that zone, or both.

Langdell, *The Status of Our New Territories*
12 Harvard Law Review 365, 371:

Thirdly. -- ... [T]he term "United States" has often been used to designate all territory over which the sovereignty of the United States[2] extended.

The conclusion, therefore, is that, while the term "United States" has three meanings, only the first and second of these are known to the Constitution; and that is equivalent to saying that the Constitution of the United States[3] as such does not extend beyond the limits of the States which are united by and under it, -- a proposition the truth of which will, it is believed, be placed beyond doubt by an examination of the instances in which the term "United States" is used in the Constitution.

No court is to be charged with the knowledge of foreign laws; but they are well understood to be facts which must, like other facts, be proved before they can be received in a court of justice. It is equally well settled that the several states of the Union are to be considered as in this respect foreign to each other, and that the courts of one state are not presumed to know, and therefore not bound to take judicial notice of, the laws of another state. **[Hanley vs Donoghue, 116 U.S. 1, 29 L. Ed. 535 - 6 S.Ct. 242, 244 (1885)]**

another state. **[Hanley vs Donoghue, 116 U.S. 1, 29 L. Ed. 535 - 6 S.Ct. 242, 244 (1885)]**

Try applying sections 1:8:17 and 4:3:2 to the Secretary of the Treasury's jurisdictional claims for the "internal" revenue laws:

The term "United States[2]" when used in a geographical sense includes any territory under the sovereignty of the United States[2]. It includes the states, the District of Columbia, the possessions and territories of the United States[2], the territorial waters of the United States[2], the air space over the United States[2], and the seabed and subsoil of those submarine areas which are adjacent to the territorial waters of the United States[2] and over which the United States[2] has exclusive rights, in accordance with international law, with respect to the exploration and exploitation of natural resources. **[26 CFR 1.911-2(g)]**

Black's Law Dictionary, Sixth Edition, definition of *foreign state:*

The several United States[3] are considered "foreign" to each other except as regards their relations as common members of the Union. ... The term "foreign nations," as used in a statement of the rule that the laws of foreign nations should be proved in a certain manner, should be construed to mean all nations and states other than that in which the action is brought; and hence one state of the Union is foreign to another, in the sense of that rule.

Congress still refers to the 50 States as "countries":

> (b) The Congress consents to the acceptance and retention by any judge so authorized of reimbursement from the countries referred to in subsection (a)
> **[28 U.S.C. 297, 11/19/88]**

Private international law assumes a more important aspect in the United States than elsewhere, for the reason that the several states, although united under the same sovereign authority and governed by the same laws for all national purposes embraced by the Federal Constitution, are otherwise, at least so far as private international law is concerned, in the same relation as foreign countries. The great majority of questions of private international law are therefore subject to the same rules when they arise between two states of the Union as when they arise between two foreign countries, and in the ensuing pages the words "state," "nation," and "country" are used synonymously and interchangeably, there being no intention to distinguish between the several states of the Union and foreign countries by the use of varying terminology. **[16 Am Jur 2d, Conflict of Laws, Sec. 2]**

Foreign Country. A foreign country is any territory (including the air space, territorial waters, seabed, and subsoil) under the sovereignty of a

Foreign Country. A foreign country is any territory (including the air space, territorial waters, seabed, and subsoil) under the sovereignty of a government other than the United States[2]. It does not include U.S.[2] possessions or territories.

[Instructions for Form 2555: Foreign Earned Income, Department of the Treasury, Internal Revenue Service]

(h) Foreign country. The term "foreign country" when used in a geographical sense includes any territory under the sovereignty of a government other than that of the United States[2]. It includes the territorial waters of the foreign country (determined in accordance with the laws of the United States[2]), the air space over the foreign country, and the seabed and subsoil of those submarine areas which are adjacent to the territorial waters of the foreign country and over which the foreign country has exclusive rights, in accordance with international law, with respect to the exploration and exploitation of natural resources. [26 CFR 1.911-2(h)]

This issue of jurisdiction as it relates to Sovereignty is a major key to understanding our system under our Constitution. **[The Omnibus, Addendum II, page 11]**

***A Ticket to Liberty,* by Lori Jacques:**

When reading the various acts of Congress which had declared various people to be "citizens of the United States", it is immediately apparent that many are simply declared "citizens of the United States[3]" while others are declared to be "citizens of the United States[2], subject to the jurisdiction of the United States[2]." The difference is that the first class of citizen arises when that person is born out of the territorial jurisdiction of the United States[2] Government. 3A Am Jur 1420, Aliens and Citizens, explains: "A Person is born subject to the jurisdiction of the United States[2], for purposes of acquiring citizenship at birth, if his birth occurs in territory over which the United States[2] is sovereign ..."

On one hand, Congress is empowered to enact public laws for the 50 States, subject to certain restrictions. On the other hand, it is also empowered to enact "municipal" statutes for the federal zone, subject to a different set of restrictions.

[C]ongress must be considered in two distinct characters. In one character as legislating for the states; in the other, as a local legislature for the district. In the latter character, it is admitted, the power of levying direct taxes may be exercised; but, it is contended, for district purposes only, in like manner as the legislature of a state may tax the people of a state for state purposes. Without inquiring at present into the soundness of this distinction, its possible influence on the application in this district of the first article of the constitution, and of several of the amendments, may not be altogether unworthy of consideration. **[Loughborough vs Blake, 15 U.S. (5 Wheat.) 317 - 5 L.Ed. 98 (1820)]**

may not be altogether unworthy of consideration. **[Loughborough vs Blake, 15 U.S. (5 Wheat.) 317 - 5 L.Ed. 98 (1820)]**

In exercising this power [to dispose of and make all needed Rules and Regulations respecting the Territory or other Property belonging to the United States[2]], Congress is not subject to the same constitutional limitations, as when it is legislating for the United States[3]. **[Hooven & Allison Co. vs Evatt, 324 U.S. 652 (1945)]**

Various definitions of the term *UNITED STATES*

Black's Law Dictionary definition of *State* defines one of the *50 States of the Union:*

The section of territory occupied by one of the United States[3]. One of the component commonwealths or states of the United States of America.

Uniform Probate Code, Section 1-201(40) defines a *federal state:*

Any state of the United States[2], the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession **subject to the legislative authority** of the United States.

IRC 4612(a)(4)(A):

(A) In General. -- The term "United States" means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, any possession of the United States, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

IRC 6103(b)(5):

(5) State -- The term "State" means --

> (A) any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

IRC 7701(a)(9):

When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof-- ...

> (9) United States. -- The term "United States" when used in a geographical sense includes only the States and the District of Columbia.
>
> (10) State. -- The term "State" shall be construed to include

of Columbia.

(10) State. -- The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.

IRC 3306(j)(2):

For purposes of this chapter --

(2) United States. -- The term "United States" when used in a geographical sense includes the States, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands.