

from J MW 1/18/74

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NATIONAL VS. CITIZENSHIP STATUS

Differences

1. A national does not enjoy the same political rights as a U.S. citizen. He cannot vote or hold political office in Federal or State elections. Thus, nationals have no political rights or voice in the national affairs of the U.S.
2. A national cannot serve upon grand or petit juries in the courts of the States of the Union.
3. Nationals do not hold equal employment opportunities because they are restricted from obtaining employment requiring security clearances and other occupations closely affected with public interests to warrant regulation of employment qualifications.

Similarities

Nationals and citizens have:

1. Right of access to the seat of Government (i.e., right to petition the Government), subtreasuries, land offices and courts of justice in the several states.
2. Right to demand protection of the Federal Government on the high seas or abroad.
3. Right to peaceably assemble.
4. Privilege of the writ of habeas corpus.
5. Right of free migration within the country, including the right to use of any navigable waters in the United States.

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- 6. Right to engage in interstate commerce and have access to seaports.
- 7. Right to become a citizen of any state in the Union by bona fide residence therein.
- 8. Right of expatriation.

The obligations of the national and citizen are:

- 1. To assist in the defense of his country.
- 2. To uphold it.
- 3. To cooperate with it in law observance and enforcement.
- 4. To participate in its activities as permitted and enabled.
- 5. To give allegiance to his country as a dutiful member.
- 6. National status has some bearing on being subject to U.S. taxes.

U.S. citizens are fully taxable except where absent from U.S. for a requisite time period, thus taxation is mainly related to residency.

"With very limited exceptions persons born overseas of parents who became U.S. citizens as a result of these provisions would also become citizens at birth."

This exception refers to 8 USC 1401(a)(3) which is an exception to the general rule that children of U.S. citizens are regarded as U.S. citizens.

This statute notes that where the parents have not lived continuously in the U.S. or a U.S. Territory for a full year preceding their citizenship status, then their children could not automatically become U.S. citizens

merely because their parents have become U.S. citizens. Obviously the Marianas is not ^{now} a U.S. territory, and residency there by the parents would not confer U.S. citizenship status to their children ^{especially where the children} do not reside ^{who or are not born} in the Marianas or an area under U.S. sovereignty.

IT IS DIRECTED AGAINST 2ND GENERATIONS OF NATURALIZED CITIZENS WHOSE THOSE GENERATIONS LIVE ABROAD THE U.S.

before they become citizens, absent of the

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