



United States Department of State

Washington, D.C. 20520

April 15, 1994

Mr. Gordon W. Apperly  
P.O. Box 34358  
Juneau, Alaska 99803

Dear Mr. Epperly:

I refer to your letter of March 15 requesting a certificate of non-citizen national status.

Pursuant to the provisions of 8 U.S.C. 1452(b), the Secretary of State may issue a Certificate of Nationality to any person who presented evidence that he or she is national, but not a citizen of the United States, and who takes and subscribes to an oath of allegiance before an immigration officer within the United States.

In accordance with the Fourteenth Amendment to the Constitution of the United States, all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States. As the supreme law of our land, it cannot be waived by unilateral declaration except as otherwise provided by law.

In the event you wish to divest yourself of United States citizenship or nationality, such an action must be in accordance with the provisions of Section 349 of the Immigration and Nationality Act of 1952 [8 U.S.C. 1481].

The Department is not in a position to respond or enter into a dialogue concerning any views expressed in your letter which disagree with the Constitution or the citizenship laws of the United States as interpreted by the courts.

Your \$35.00 money order is returned.

Sincerely,

William B. Wharton, Director  
Office of Citizenship Appeals  
and Legal Assistance

by Consuelo Pachon  
Consuelo Pachon  
Attorney Adviser

**Exhibit "D"**