

BRIEFINGS

At Issue in the 2004 Election

ELECTING TO LEAVE

A reader's guide to expatriating on November 3

So the wrong candidate has won, and you want to leave the country. Let us consider your options.

Renouncing your citizenship

Given how much the United States as a nation professes to value freedom, your freedom to opt out of the nation itself is surprisingly limited. The State Department does not record the annual number of Americans renouncing their citizenship—"renunciants," as they are officially termed—but the Internal Revenue Service publishes their names on a quarterly basis in the *Federal Register*. The IRS's interest in the subject is, of course, purely financial; since 1996, the agency has tracked ex-Americans in the hopes of recouping tax revenue, which in some cases may be owed for up to ten years after a person leaves the country. In any event, the number of renunciants is small. In 2002, for example, the *Register* recorded only 403 departures, of which many (if not most) were merely longtime resident aliens returning home.

The most serious barrier to renouncing your citizenship is that the State Department, which oversees expatriation, is reluctant to allow citizens to go "stateless." Before allowing expatriation, the department will want

you to have obtained citizenship or legal asylum in another country—usually a complicated and expensive process, if it can be done at all. Would-be renunciants must also prove that they do not intend to live in the United States afterward. Furthermore, you cannot renounce inside U.S. borders; the declaration must be made at a consul's office abroad.

Those who imagine that exile will be easily won would do well to consider the travails of Kenneth Nichols



O'Keefe. An ex-Marine who was discharged, according to his website, under "other than honorable conditions," O'Keefe has tried officially to renounce his citizenship twice without success, first in Vancouver and then in the Netherlands. His initial bid was rejected after the State Department concluded that he would return to the United States—a credible inference, as

O'Keefe in fact had returned immediately. After his second attempt, O'Keefe waited seven months with no response before he tried a more sensational approach. He went back to the consulate at The Hague, retrieved his passport, walked outside, and lit it on fire. Seventeen days later, he received a letter from the State Department informing him that he was still an American, because he had not obtained the right to reside elsewhere. He had succeeded only in breaking the law, since mutilating a passport is illegal. It says so right on the passport.

Heading to Canada or Mexico

In your search for alternate citizenship, you might naturally think first of Canada and Mexico. But despite the generous terms of NAFTA, our neighbors to the north and south are, like us, far more interested in the flow of money than of persons. Canada, in particular, is no longer a paradise awaiting American dissidents: whereas in 1970 roughly 20,000 Americans became permanent residents of Canada, that number has dropped over the last decade to an average of just about 5,000. Today it takes an average of twenty-five months to be accepted as a permanent resident, and this is only the first step in what is likely to be a five-year process of becoming a citizen. At that point the gesture of expatriation may already be moot, particularly if a sympathetic political party has since resumed power.

Mexico's citizenship program is equally complicated. Seniors should

know that the country does offer a lenient program for retirees, who may essentially stay as long as they want. But you will not be able to work or to vote, and, more important, you must remain an American for at least five years.

France

Should one candidate win, those who opposed the Iraq war might hope to find refuge in France, where a very select few are allowed to "assimilate" each year. Assimilation is reserved for persons of non-French descent who are able to prove that they are more French than American, having mastered the language as well as the philosophy of the French way of life. Each case is determined on its own merit, and decisions are made by the Ministère de l'Emploi, du Travail, et de la Cohésion Social. When your name is published in the *Journal Officiel de la République Française*, you are officially a citizen, and may thereafter heckle the United States with authentic Gallic zeal.

The coalition of the willing

Should the other candidate win, war supporters might naturally look to join the coalition of the willing. But you may find a willing and developing nation as difficult to join as an unwilling and developed one. It takes at least five years to become a citizen of Pakistan, for instance, unless one marries into a family, and each applicant for residency in Pakistan is judged on a case-by-case basis. Uzbekistan imposes a five-year wait as well, with an additional twist: the nation does not recognize dual citizenship, and so you will be required to renounce your U.S. citizenship first. Given Uzbekistan's standard of living (low), unemployment (high), and human-rights record (poor), this would be something of a leap of faith.

The Caribbean

A more pleasant solution might be found in the Caribbean. Take, for example, the twin-island nation of St. Kitts and Nevis, which Frommer's guide praises for its "average year-round temperature of 79°F

(26°C), low humidity, white-sand beaches, and unspoiled natural beauty." Citizenship in this paradise can be purchased outright. Prices start at around \$125,000, which includes a \$25,000 application fee and a minimum purchase of \$100,000 in bonds. Processing time, which includes checks for criminal records and HIV, can take up to three months, but with luck you could be renouncing by Inauguration Day. The island of Dominica likewise offers a program of "economic citizenship," though it should be noted that Frommer's describes the beaches as "not worth the effort to get there."

Speed is of the essence, however, because your choice of tropical paradises is fast dwindling: similar passport-vending programs in Belize and Grenada have been shut down since 2001 under pressure from the State Department, which does not approve. In any case, it should be noted that under the aforementioned IRS rules, you might well be forced to continue subsidizing needless invasions—or, to be evenhanded, needless afterschool programs.

Indian reservations

Our Native American reservations, which enjoy freedom from state taxation and law enforcement, might seem an ideal home for the political exile. But becoming a citizen of a reservation is difficult—one must prove that one is a descendant of a member of the original tribal base roll—and moreover would be, as a gesture of political disaffection, largely symbolic. Reservations remain subject to federal law; furthermore, citizens of a reservation hold dual citizenships, and as such are expected to vote in U.S. elections and to live with the results.

The high seas

You might consider moving yourself offshore. At a price of \$1.3 million you can purchase an apartment on *The World*, a residential cruise ship that moves continuously, stopping at ports from Venice to Zanzibar to Palm Beach. Again, howev-

er, your expatriation would be only partial: *The World* flies the flag of the Bahamas, but its homeowners, who hail from all over Europe, Asia, and the United States, retain citizenship in their home nations.

To obtain a similar result more cheaply, you can simply register your own boat under a flag of convenience and float it outside the United States' 230-mile zone of economic control. There, on your Liberian tanker, you will essentially be an extension of that African nation, subject only to its laws, and may imagine yourself free of oppressive government.

Micronations

The boldest approach is to start a nation of your own. Sadly, these days it is essentially impossible to buy an uninhabited island and declare it a sovereign nation: virtually every rock above the waterline is now under the jurisdiction of one principality or another. But efforts have been made to build nations on man-made structures or on reefs lying just below the waterline. Among the more successful of these is the famous Principality of Sealand, which was founded in 1967 on an abandoned military platform off the coast of Britain. The following year a British judge ruled that the principality lay outside the nation's territorial waters. New citizenships in Sealand, however, are not being granted or sold at present.

A less fortunate attempt was made in 1972, when Michael Oliver, a Nevada businessman, built an island on a reef 260 miles southwest of Tonga. Hiring a dredger, he piled up sand and mud until he had enough landmass to declare independence for his "Republic of Minerva." Unfortunately, the Republic of Minerva was soon invaded by a Tongan force, whose number is said to have included a work detail of prisoners, a brass band, and Tonga's 350-pound king himself. The reef was later officially annexed by the kingdom.

More recently, John J. Prisco III, of the Philippines, has declared himself the prince of the Principality of New Pacific, and announced that he

has discovered a suitable atoll in the international waters of the Central Pacific. As of publication, the principality has yet to begin the first phase of construction, but it is already accepting applications for citizenship.

Imaginary nations

Perhaps the most elegant solution is to join a country that exists only in one's own—or someone else's—imagination. Many such virtual nations can be found on the Internet, and citizenships in them are easy to acquire. This, in fact, was the route most recently attempted by Kenneth Nichols O'Keefe, the unfortunate ex-Marine. In February 2003, O'Keefe went to Baghdad to serve as a human shield, traveling with a passport issued to him by the "World Service Authority," an outfit based in Washington, D.C., that has dubbed more than 1.2 million people "world citizens." While laying over in Turkey, however, he was detained; Turkey, as it turns out, does not recognize the World Service Authority. O'Keefe was forced to apply for a replacement U.S. passport from the State Department, which rather graciously complied.

Upon his arrival in Baghdad, O'Keefe promptly set the replacement passport on fire. But he remains, to his dismay, an American.

—Bryant Urstadt

COUNTER INTELLIGENCE

The recommendations of the 9/11 Commission are a dangerous muddle

From time to time, the cry goes up in Washington that urgent "reform" to some part of the federal government has suddenly become imperative. Although the word "reform" evokes crusading progressives of a bygone era—Teddy Roosevelt, Robert La Follette—at both ends of Pennsylvania Avenue the term is usually a euphemism for either (a) making

the law more to the liking of a particular industry, or (b) placating an angry public after the government has catastrophically failed to perform as it should. Whether owing to the strong will of a few lawmakers or to the collective fear of many, a slate of "reforms" is, at these moments, pushed through at breakneck speed—ostensibly to serve the public, but really to further the illusion that those in the White House and on Capitol Hill are capable of actions both daring and decisive.

This election season, polity and politicians alike have taken a keen interest in "reforming" the U.S. intelligence community, a subject that for decades languished in legislative limbo. As soon as the National Commission on Terrorist Attacks Upon the United States (a.k.a. the 9/11 Commission) released its final report in July, leaders in both parties could hardly wait to legislate the Commission's recommendations into reality. Yet to most serious advocates for intelligence reform—particularly those who, unlike all the 9/11 Commissioners and much of the Commission's professional staff, have actually done intelligence work—this made for a distressing development, because the proposals ignored a decades-old consensus on how to achieve true intelligence reform. At a time when the public still struggled to understand the ways in which intelligence and policy failures begat the September 11 attacks and the Iraq war, the Commission put forward a set of "reforms" that, for the most part, promise not to set U.S. intelligence to rights but to confuse it even further.

The main, and most discussed, recommendation of the Commission was the creation of a national intelligence director (NID). Since 1947, the man who helms the CIA has also served as the nation's "director of central intelligence"—in theory, as the figure with authority over all fifteen agencies, spread across departmental bureaucracies, that make up the intelligence community. But because the

CIA chief has not had budgetary or operational control over any agency save the CIA, he, in practice, has not been the director of central intelligence at all. For many years, the committees and commissions charged with intelligence reform have held that the process would work much better if the CIA director and the director of central intelligence roles were severed. And on this, the findings of previous bodies and that of the 9/11 Commission were in harmony.

But the previous reform reports—including a 2001 endeavor by Brent Scowcroft, the Bush-appointed chair of the President's Foreign Intelligence Advisory Board—have more or less come to the same conclusion about what the latter role should look like. The national intelligence director, these reformers agree, should have total budgetary and broad operational control of the entire intelligence community. The CIA should do nothing but collect intelligence and conduct covert operations; its Directorate of Intelligence—the thousands of agency employees who perform intelligence analysis—should be taken out of Langley and reconstituted directly under the NID. Similarly, the three main technical collection agencies—the National Security Agency, the National Reconnaissance Office, and the National Geospatial-Intelligence Agency—should, on the consensus view, be removed from the Department of Defense and placed, either collectively or separately, under the new NID's control.

Yet the 9/11 Commission's vision of "reformed" intelligence renders the position of the NID nearly hollow, by failing to remove the analysis groups from the CIA or the technical agencies from the DOD. The latter point is particularly crucial: the three technical agencies not only produce intelligence for an audience much wider than just the military but also account for 80 percent of the entire U.S. intelligence budget. For this very reason, the Defense Department is loath even to dis-