

# ***CENSUS WORKER SURVEY AND RESPONSE HANDOUT FORM INSTRUCTIONS***

Last revised: 3-14-2010

## **1. PURPOSE OF THIS FORM**

1.1. This form is used by those:

- 1.1.1. Responding to a census worker knocking on their door.
- 1.1.2. Who want to cooperate with census workers by providing the number of people in a household or business but NOT anything more than that, and especially not any personal information about either themselves or their business.
- 1.1.3. Who think that the census survey form invades their privacy and compels them to violate their Fifth Amendment right not to incriminate themselves.
- 1.1.4. Who are threatened by the census worker with a statutory penalty for failure to disclose ANY information requested on the census form beyond the number of people in the household or business.

1.2. We are not against cooperating with the census, but only in the following:

- 1.2.1. Being compelled by threat of penalty to provide any information beyond the number of people in the household. This constitutes an unconstitutional Bill of Attainder in violation of Article 1, Section 10 of the United States Constitution.
- 1.2.2. Having personal information about us or our business entered into any electronic information system, shared with or sold to third parties, provided to revenue or debt collection agencies, or provided to or used for law enforcement purposes.

## **2. DEALING WITH THE CENSUS WORKER**

- 2.1. DO NOT answer the door if the person knocking is a stranger, NO MATTER WHAT.
- 2.2. Ensure that your phone line is configured to compel all callers to reveal their telephone number in order for your phone to ring.
- 2.3. Before answering the phone, look at the caller ID and ensure that you know who is calling. If they don't reveal their phone number or it says "Out of Area", then DON'T ANSWER and force them to leave a message.
- 2.4. If you receive the survey by mail, print out a "Return to Sender. Not at this address." and tape it over the envelope without writing on the envelope in your own handwriting. This will ensure that they will not be able to tell WHO lives at the address.
- 2.5. Send back all mail that does not have a detailed return address. Do not accept mail from strangers.
- 2.6. If you provide anything to the Census Worker such as this form, we suggest using a pseudonym to protect your privacy. Yes, there are penalties for false information, but this document is not signed by you under penalty of perjury. Only the census survey itself is signed under penalty of perjury. The government (IRS) uses pseudonyms and is not tried for fraud, so we must have the right to do so also. The servant cannot be greater than the master. We are the master and public servants are the servant. See:

*Notice of Pseudonym Use and Unreliable Tax Records*, Form #04.206  
<http://sedm.org/Forms/FormIndex.htm>

## **3. PREPARATION INSTRUCTIONS FOR THIS FORM AND CENSUS SURVEY**

- 3.1. You don't have to fill this form out. Simply hand it to the census worker asking the questions, if you are DUMB enough to answer the door or are unfortunate enough to have to correspond with them via mail. The remainder of these instructions describe how to fill out the census form D-1 to give them only what is required by the constitution.
- 3.2. The most important thing to ensure is that the form you submit must be anonymous:
  - 3.2.1. Do not fill out anything on the Census form D-1 but the number of people in the household in the box on the first page.
  - 3.2.2. Cut out the area on the last page with the bar codes so that can't associate the submission to a specific household or specific person in the household. The Census website does not contain blank forms you can download or print out, so they force you to do this instead.
- 3.3. On the first page near the number of people in the household, write "Not valid, false, and fraudulent if not accompanied by the attached Census Worker Survey and Response Handout.
- 3.4. Mail the response to them without your name or return address and use the following form as proof you sent it, but don't give them a copy of this form:

*Certificate/Proof/Affidavit of Service*, Form #01.002  
<http://sedm.org/Forms/FormIndex.htm>

## **4. RESOURCES FOR FURTHER STUDY**

- 4.1. *U.S. Census Bureau Website*  
<http://www.census.gov/>
- 4.2. *Census Publications*  
<http://www.census.gov/prod/www/titles.html>
- 4.3. *Federal Enforcement Authority Within States of the Union*, Form #05.032-proves that the federal government has no civil enforcement powers within states of the Union  
<http://sedm.org/Forms/FormIndex.htm>
- 4.4. 13 U.S.C. Sect. 221: Refusal or neglect to answer questions; false answers. \$100 fine for failure to participate in the census.  
[http://www.law.cornell.edu/uscode/html/uscode13/usc\\_sec\\_13\\_00000221----000-.html](http://www.law.cornell.edu/uscode/html/uscode13/usc_sec_13_00000221----000-.html)
- 4.5. 13 U.S.C., Chapter 7, Subchapter 2: Other Persons  
[http://www.law.cornell.edu/uscode/html/uscode13/usc\\_sup\\_01\\_13\\_10\\_7\\_20\\_II.html](http://www.law.cornell.edu/uscode/html/uscode13/usc_sup_01_13_10_7_20_II.html)
- 4.6. 15 CFR, Subtitle B, Chapter I: Office of the Secretary of Commerce  
[http://www.access.gpo.gov/nara/cfr/waisidx\\_08/15cfrv1\\_08.html#30](http://www.access.gpo.gov/nara/cfr/waisidx_08/15cfrv1_08.html#30)

# ***CENSUS WORKER SURVEY AND RESPONSE FORM***

**TO CENSUS WORKER:** You are requested to fill out this form as proof of your authority before I will answer any of your questions. This will ensure that you can be served with legal process AT HOME PRIVATE HOME if you or your employer are in violation of the law and must be sued personally and individually for violation of constitutional rights. We are Not anti-government, but simply insist that you stay within the bounds of the authority delegated to you by the United States Constitution. If you don't respect the limitations of the Constitution or the laws enacted in furtherance of it upon your authority, the U.S. Congress says in 50 U.S.C. §841 you are a communist, and we won't cooperate in any way with communists or terrorists.

Census Worker Name: \_\_\_\_\_ Date: \_\_\_\_\_

Home address (NO PO BOXES): \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_ State driver license number: \_\_\_\_\_

Supervisor Name: \_\_\_\_\_ Supervisor Phone: \_\_\_\_\_ Supervisor email: \_\_\_\_\_

## **Contents**

1	Introduction .....	3
2	Authority for Penalties .....	4
3	NO ENFORCEMENT AUTHORITY for penalties against other than government instrumentalities .....	5
4	Penalties are a Bill of Attainder against other than government public officers.....	8
5	Statement of Facts .....	9
6	ENCLOSURE (1) – CENSUS WORKER QUESTIONNAIRE.....	10
6.1	Admissions .....	10
6.2	Interrogatories .....	21
6.3	Affirmation: .....	22

## **TABLE OF AUTHORITIES**

### **Constitutional Provisions**

Art. I, Sec, 10 .....	8
Article 1, Section 8, Clause 17 .....	5
Article 1, Section 8, Clause 5 .....	18
Article 1, Section 8, Clause 7 .....	18
Article 4, Section 2, Clause 2 .....	18
Article I, Section 2, Clause 3.....	3
Fourteenth Amendment, Section 1 .....	19
The Federalist No. 51, p. 323. (C. Rossiter ed. 1961) .....	20
U.S. Constitution, Article 1, Section 9, Clause 3 .....	8
U.S.Const. Art. I, Sect 9, Cl. 3 .....	8

### **Statutes**

13 U.S.C. §221 .....	4
13 U.S.C. §224 .....	5
13 U.S.C. §4 .....	6
13 U.S.C., Chapter 7, Subchapter 2.....	5
26 U.S.C. §3401(c).....	9
26 U.S.C. §7701(a)(26) .....	9
26 U.S.C. §7701(a)(9) and (a)(10) .....	14, 18
26 U.S.C. §7701(c).....	9

4 U.S.C. §110(d)	17
4 U.S.C. §72	16
44 U.S.C. §1505(a)	6, 7
44 U.S.C. §1505(a)(1)	5, 6, 9, 12, 14, 21
44 U.S.C. §1508	6, 11
44 U.S.C. §1508(a)	7
48 U.S.C. §1612(a)	16
5 U.S.C. §2105(a)	9
5 U.S.C. §552	8, 13
5 U.S.C. §552(a)(1)	6
5 U.S.C. §553(a)(1)	5, 6, 9, 12, 14, 21
5 U.S.C. §553(a)(2)	5, 6, 9, 12, 14, 21
5 U.S.C. §553(c)	6
5 U.S.C. §556(d)	13
8 U.S.C. §1101(a)(21)	9
8 U.S.C. §1101(a)(3)	5, 9
8 U.S.C. §1101(a)(36)	20
8 U.S.C. §1401	5, 9, 19
8 U.S.C. §1452	9
Administrative Procedures Act, 5 U.S.C. §553(a)	6
Federal Register Act, 44 U.S.C. §1505(a)	6
Title 13 of the United States Code	10
Title 26, Subchapter F	16
Uniform Commercial Code, Section 9-307(h)	15

## Regulations

15 CFR, Subtitle B, Chapter I	5
26 CFR §1.1441-1(c)	9
26 CFR §215.1: Definitions	20
26 CFR §601.702	8, 13
Federal Register	5, 6, 8, 11, 12, 13, 14

## Rules

F.R.Civ.P. 8(b)(6)	8
Federal Rule of Civil Procedure 29	4
Federal Rule of Civil Procedure 8(b)(6)	4, 10

## Cases

Ashton v. Cameron County Water Improvement District No. 1, 298 U.S. 513; 56 S.Ct. 892 (1936)	18
Barney v. Baltimore, 6 Wall. 280, 18 L. ed. 825	17, 19
Boyd v. U.S., 116 U. S. 616, 630, 6 Sup. Ct. 524	3
Brown v. Babbitt Ford, Inc., 117 Ariz. 192, 571 P.2d 689, 695	21
Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)	10, 18
Colautti v. Franklin, 439 U.S. 379 (1979)	15
Colautti v. Franklin, 439 U.S. 379, 392, and n. 10 (1979)	15
Coleman v. Thompson, 501 U.S. 722, 759 (1991)	20
Gregory v. Ashcroft, 501 U.S., at 458	20
Heiner v. Donnan, 285 U.S. 312 (1932)	21
Hepburn v. Ellzey, 2 Cranch, 445, 2 L. ed. 332	17, 19
Holden v. Hardy, 169 U.S. 366 (1898)	11
Hooe v. Jamieson, 166 U.S. 395, 41 L. ed. 1049, 17 Sup. Ct. Rep. 596	17, 19
In Re Pacific Ry. Commission, 32 Fed. 241, 250	3
Interstate Commerce Commission v. Brimson, 154 U.S. 447, 479 (May 26, 1894)	3
Kilbourn v. Thompson, 103 U.S. 168, 190	3
McNally v. United States, 483 U.S. 350 (1987)	7

Meese v. Keene, 481 U.S. 465, 484 (1987)..... 15

Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1, 13 L. ed. 867 ..... 17, 19

Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950) ..... 11

NAACP v. Wilmington Medical Center, Inc., D.C.Del.1978, 453 F.Supp. 330 ..... 6

New York v. United States, 505 U.S. 144, 112 S.Ct. 2408, 120 L.Ed.2d 120 (1992)..... 20

Nowell v. Nowell, Tex.Civ.App., 408 S.W.2d 550, 553 ..... 21

Scott v. Jones, 5 How. 343, 12 L. ed. 181 ..... 17, 19

U.S. v. Bartrug, E.D.Va.1991, 777 F.Supp. 1290 , affirmed 976 F.2d 727, certiorari denied 113 S.Ct. 1659, 507 U.S. 1010, 123 L.Ed.2d 278 ..... 14

U.S. v. Prudden, 424 F.2d 1021 (5th Cir. 1970)..... 7

U.S. v. Tweel, 550 F.2d 297, 299 (5th Cir. 1977) ..... 7

United States v. Brown, 381 U.S. 437, 448-49, 85 S.Ct. 1707, 1715, 14 L.Ed. 484, 492 ..... 8

United States v. Dial, 757 F.2d 163, 168 (7th Cir.1985)..... 7

United States v. Lovett, 328 U.S. 303, 315, 66 S.Ct. 1073, 1079, 90 L.Ed. 1252..... 8

Vlandis v. Kline (1973) 412 U.S. 441, 449, 93 S.Ct 2230, 2235 ..... 7

**Other Authorities**

2A N. Singer, Sutherland on Statutes and Statutory Construction § 47.07, p. 152, and n. 10 (5th ed. 1992) ..... 16

86 C.J.S. [Corpus, Juris, Secundum, Legal Encyclopedia], Territories, §1 ..... 17

Administrative Law and Process in a Nutshell, Ernest Gellhorn, 1990, West Publishing, p. 214..... 11

Black’s Law Dictionary, Sixth Edition, p. 267..... 21

Black's Law Dictionary, Sixth Edition, p. 165 ..... 8

Enclosure (1) ..... 4

Oath of Article III federal judges, according to the Administrative Office of the Federal Courts ..... 20

Rutter Group Practice Guide-Federal Civil Trials and Evidence, paragraph 8:4993, page 8K-34..... 7

**1 Introduction**

Pursuant to Article I, Section 2, Clause 3 of the Constitution, the only information you are empowered to request is the total number of occupants at this address. My “name, sex, age, date of birth, race, ethnicity, telephone number, relationship and housing tenure” have absolutely nothing to do with apportioning direct taxes or determining the number of representatives in the House of Representatives. Therefore, neither Congress nor the Census Bureau have the constitutional authority to make that information request a component of the enumeration outlined in Article I, Section 2, Clause 3. In addition, I cannot be subject to a fine for basing my conduct on the Constitution because that document trumps laws passed by Congress.

*“Neither branch of the legislative department [House of Representatives or Senate], still less any merely administrative body [such as the Census Bureau], established by congress, possesses, or can be invested with, a general power of making inquiry into the private affairs of the citizen. Kilbourn v. Thompson, 103 U.S. 168, 190. We said in Boyd v. U.S., 116 U. S. 616, 630, 6 Sup. Ct. 524, and it cannot be too often repeated, that the principles that embody the essence of constitutional liberty and security forbid all invasions on the part of government and it’s employees of the sanctity of a man’s home and the privacies of his life. As said by Mr. Justice Field In Re Pacific Ry. Commission, 32 Fed. 241, 250, ‘of all the rights of the Citizen, few are of greater importance or more essential to his peace and happiness than the right of personal security, and that involves, not merely protection of his person from assault, but exemption of his private affairs, books, and papers from inspection and scrutiny of others. Without the enjoyment of this right, all others would lose half their value.’”*

*[Interstate Commerce Commission v. Brimson, 154 U.S. 447, 479 (May 26, 1894)]*

**Take Due Notice:** This United States Supreme Court case has never been overturned. If you still insist on a right to collect information from me beyond that indicated above, please read on.

1 This handout is intended for census workers requesting information from people who don't want to participate in the U.S.  
2 Census and who can PROVE that they have no legal obligation to participate. It is intended to be handed out to the Census  
3 worker and provides a method for the Census worker to satisfy the burden of proof with evidence that:

- 4 1. You have lawful delegated authority to conduct the census as an officer of the United States government.
- 5 2. The target of your survey is physically situated within federal territory protected by the laws authorizing penalties.  
6 States of the Union are NOT "federal territory".
- 7 3. The target of the survey is a statutory "person" domiciled on federal territory who is the proper subject of the limited  
8 enforcement authority that they do have.

9 Throughout this document, the target of the census survey shall be referred to as Submitter, and the party conducting the  
10 census on behalf of the U.S. government shall be referred to as Census Worker.

11 Only AFTER the Census Worker has completed Enclosure (1) and submitted their answer signed under penalty of perjury  
12 proving that they have authority to institute this collection of information IN THE PLACE it is being collected and against  
13 someone with my status can or will I cooperate IN ANY WAY with their request for information.

14 If we do not receive a completed version of Enclosure (1) of this pamphlet signed by you under penalty of perjury within 30  
15 days of receipt of this correspondence, then:

- 16 1. The default answer of "Admit" is conclusively established in answer to each admission found in section 6.1 of this  
17 document.
- 18 2. Pursuant to Federal Rule of Civil Procedure 8(b)(6), everything stated herein is admitted, truthful, and stipulated to be  
19 admitted into evidence in any future civil proceeding involving your interactions with me or that of your employer  
20 pursuant to Federal Rule of Civil Procedure 29.
- 21 3. You admit that I may not lawfully become the target of any enforcement action resulting from a failure to comply with  
22 any collection of information you or your employer requested from me.
- 23 4. You consent to waive official, judicial, and sovereign immunity and to act as the substitute party obligated to pay any  
24 and all penalties instituted by you or your employer for failure to respond to any collection of information by me or the  
25 entity that I represent.

## 26 **2 Authority for Penalties**

27 The following provisions of federal law authorize penalties:

- 28 1. 13 U.S.C. §221: Refusal or neglect to answer questions. False answers is the authority for instituting penalties against  
29 human beings for those refusing to provide answers to census surveys or who provide false answers:

30 [TITLE 13 > CHAPTER 7 > SUBCHAPTER II > § 221](#)  
31 [§ 221. Refusal or neglect to answer questions; false answers](#)

32 *(a) Whoever, being over eighteen years of age, refuses or willfully neglects, when*  
33 *requested by the Secretary, or by any other authorized officer or employee of the*  
34 *Department of Commerce or bureau or agency thereof acting under the instructions of*  
35 *the Secretary or authorized officer, to answer, to the best of his knowledge, any of the*  
36 *questions on any schedule submitted to him in connection with any census or survey*  
37 *provided for by subchapters I, II, IV, and V of chapter 5 of this title, **applying to himself***  
38 ***or to the family to which he belongs** or is related, or to the farm or farms of which he or*  
39 *his family is the occupant, shall be fined not more than \$100.*

40 *(b) Whoever, when answering questions described in subsection (a) of this section, and*  
41 *under the conditions or circumstances described in such subsection, willfully gives any*  
42 *answer that is false, shall be fined not more than \$500.*

43 *(c) Notwithstanding any other provision of this title, no person shall be compelled to*  
44 *disclose information relative to his religious beliefs or to membership in a religious body.*

[SOURCE: [http://www.law.cornell.edu/uscode/html/uscode13/usc\\_sec\\_13\\_00000221----000-.html](http://www.law.cornell.edu/uscode/html/uscode13/usc_sec_13_00000221----000-.html)]

2. 13 U.S.C. §224: Failure to answer questions affecting companies, businesses, religious bodies, and other organizations; false answers. False answers is the authority for instituting penalties against businesses for those refusing to provide answers to census surveys or who provide false answers:

TITLE 13 > CHAPTER 7 > SUBCHAPTER II > § 224  
§ 224. Failure to answer questions affecting companies, businesses, religious bodies, and other organizations; false answers

*Whoever, being the owner, official, agent, person in charge, or assistant to the person in charge, of any company, business, institution, establishment, religious body, or organization of any nature whatsoever, neglects or refuses, when requested by the Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof, to answer completely and correctly to the best of his knowledge all questions relating to his company, business, institution, establishment, religious body, or other organization, or to records or statistics in his official custody, contained on any census or other schedule or questionnaire prepared and submitted to him under the authority of this title, shall be fined not more than \$500; and if he willfully gives a false answer to any such question, he shall be fined not more than \$10,000.*

[SOURCE: [http://www.law.cornell.edu/uscode/html/uscode13/usc\\_sec\\_13\\_00000224----000-.html](http://www.law.cornell.edu/uscode/html/uscode13/usc_sec_13_00000224----000-.html)]

The above civil provisions apply only to those “within ITS jurisdiction”, meaning those who are:

1. Statutory and not constitutional “citizens” per 8 U.S.C. §1401, “residents” (aliens) per 8 U.S.C. §1101(a)(3), and “inhabitants”.
2. Consented to be governed by choosing a domicile on federal territory called the statutory “United States” and which is not protected by the Constitution and therefore subject to the exclusive jurisdiction of Congress pursuant to Article 1, Section 8, Clause 17 of the United States Constitution.

This enforcement provision MAY NOT be enforced against those human beings or businesses domiciled outside the statutory but not constitutional “United States” such as those domiciled within the external limits of a Constitutional but not statutory state of the Union. Hence, all those seeking to enforce this provision bear the burden of proving that that target of your enforcement action satisfy BOTH of the above requirements.

Enforcement regulations for the above provision of law would be found at 15 CFR, Subtitle B, Chapter I, if they were found ANYWHERE within federal law. These regulations are found at:

[http://www.access.gpo.gov/nara/cfr/waisidx\\_08/15cfrv1\\_08.html#30](http://www.access.gpo.gov/nara/cfr/waisidx_08/15cfrv1_08.html#30)

A careful examination of these regulations reveals that there are NO ENFORCEMENT IMPLEMENTING REGULATIONS for any of the penalty provisions found in the provisions of 13 U.S.C., Chapter 7, Subchapter 2.

### **3 NO ENFORCEMENT AUTHORITY for penalties against other than government instrumentalities**

As stated in the previous section, the penalty provisions for 13 U.S.C., Chapter 7, Subchapter 2 have no enforcement implementing regulations published in the Federal Register. The Federal Register Act and the Administrative Procedures Act prohibit instituting civil penalties against anyone BUT the following entities absent enforcement implementing regulations published in the Federal Register, and therefore can only apply to those who fall in the following categories:

1. A military or foreign affairs function of the United States. 5 U.S.C. §553(a)(1)
2. A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts. 5 U.S.C. §553(a)(2).
3. Federal agencies or persons in their capacity as officers, agents, or employees thereof. 44 U.S.C. §1505(a)(1).

1 As a bare minimum, the party seeking to institute administrative penalties therefore bares the burden of proof under the  
2 Administrative Procedures Act, 5 U.S.C. §553(a), to prove that I, the person who gave you this form, fall into one of the  
3 above three classifications.

4 In support of the above, the following legal evidence is provided to the census worker:

5 1. The Federal Register Act, 44 U.S.C. §1505(a), requires that any law “having generally applicability and legal effect”  
6 must have implementing regulations published in the Federal Register. It then describes the meaning of the phrase  
7 “general applicability and legal effect” as:

8 *“For the purposes of this chapter every document or order which prescribes a penalty*  
9 *has general applicability and legal effect.”*  
10 *[44 U.S.C. §1505(a)]*

11 2. 44 U.S.C. §1508 describes WHY publication is required: To give “notice and opportunity for hearing” to the public at  
12 large of the laws they will be bound by. That process of “notice and hearing” is described in 5 U.S.C. §553(c). The  
13 group of persons intended to receive the constitutionally required “reasonable notice” it defines as:

14 *“. . .all persons residing [domiciled] within the States of the Union and the District of*  
15 *Columbia. . .”*  
16 *[44 U.S.C. §1508]*

17 3. Without the constitutionally required “notice and hearing” to these specific groups, no statute enacted by Congress may  
18 lawfully prescribe a civil penalty against any member of said groups, as required by 44 U.S.C. §1505(a). NAACP v.  
19 Wilmington Medical Center, Inc., D.C.Del.1978, 453 F.Supp. 330.

20 4. The Administrative Procedures Act repeats the same language as that of the Federal Register Act. 5 U.S.C. §552(a)(1)  
21 says the following of the requirement for implementing regulations published in the Federal Register

22 *“Except to the extent that a person has actual and timely notice of the terms thereof, a*  
23 *person may not in any manner be required to resort to, or be adversely affected by, a*  
24 *matter required to be published in the Federal Register and not so published. For the*  
25 *purpose of this paragraph, matter reasonably available to the class of persons affected*  
26 *thereby is deemed published in the Federal Register when incorporated by reference*  
27 *therein with the approval of the Director of the Federal Register.”*  
28 *[5 U.S.C. §552(a)(1)]*

29 5. There are only THREE defined exceptions to the requirement for publication in the Federal Register of all laws that  
30 will have “general applicability and legal effect” and therefore which may lawfully prescribe a penalty:

31 5.1. A military or foreign affairs function of the United States. 5 U.S.C. §553(a)(1)

32 5.2. A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts. 5  
33 U.S.C. §553(a)(2).

34 5.3. Federal agencies or persons in their capacity as officers, agents, or employees thereof. 44 U.S.C. §1505(a)(1).

35 6. Therefore, the burden of proof imposed upon Census Worker, an officer of the United States in this matter are to  
36 satisfy at least ONE of the following two requirements:

37 6.1. To enter evidence into the record proving that the the target of your census survey is a member of one of the three  
38 specifically exempted groups above.

39 6.2. To produce implementing regulations published in the Federal Register authorizing enforcement against persons  
40 in the District of Columbia or the States of the Union who are NOT members of the specifically exempted groups.

41 7. When challenged to satisfy one of the above two requirements, Census Worker and his/her supervisors failed their  
42 constitutional duty to provide proof of said jurisdiction on the record. Yes, the Secretary of Commerce has the  
43 authority, pursuant to 13 U.S.C. §4 to “may issue such rules and regulations as he deems necessary to carry out such  
44 functions and duties:, but he does not have the authority to waive a constitutional requirement for “reasonable notice”  
45 by publication in the Federal Register as applied to those domiciled in states of the Union and therefore protected by  
46 the United States Constitution. To conclude otherwise would be an unconstitutional violation of due process of law  
47 and a violation of the oaths of those working for the government.

48 8. Consequently, Submitter holds the Census Worker and the Dept. of Commerce in receipt of this document in contempt  
49 of the Constitution and all laws passed in furtherance of it for proceeding without jurisdiction, and for engaging in a

1 willful deprivation of my Constitutional rights, and for attempting to hold me accountable to obey laws that I never  
2 received "reasonable notice" that I would be obligated to obey by proper publication in the Federal Register.

- 3 9. Census Worker is reminded that all instances of "presumption" which might prejudice constitutionally protected rights  
4 may not stand due process requirements against a party protected by the Constitution, such as the Submitter:

5 (1) [8:4993] **Conclusive presumptions affecting protected interests:**

6 *A conclusive presumption may be defeated where its application would impair a party's*  
7 *constitutionally-protected liberty or property interests. In such cases, conclusive*  
8 *presumptions have been held to violate a party's due process and equal protection*  
9 *rights. [Vlandis v. Kline (1973) 412 U.S. 441, 449, 93 S.Ct 2230, 2235; Cleveland Bd.*  
10 *of Ed. v. LaFleur (1974) 414 US 632, 639-640, 94 S.Ct. 1208, 1215-presumption under*  
11 *Illinois law that unmarried fathers are unfit violates process]*

12 [[Rutter Group Practice Guide-Federal Civil Trials and Evidence, paragraph 8:4993,](#)  
13 [page 8K-34](#)]

- 14 10. Census Worker is reminded that a failure to deny the allegations contained herein under penalty of perjury shall  
15 constitute the following against Census Worker and his employer, the Department of Commerce:

16 10.1. An admission and agreement to everything not rebutted pursuant to Fed.Rul.Civ.Proc. 8(b)(6).

17 10.2. A laches, equitable estoppel, and retraxit by tacit procurement.

- 18 11. This document shall also constitute a Notice of Default documenting all the things that Census Worker, U.S.  
19 Department of Commerce, and the United States government agree to by their willful omission and silence in  
20 responding within the time frame allowed. As fiduciaries of the public trust, Submitter finds their wanton conduct  
21 shocking, prejudicial to his Constitutional rights, injurious to public health and morals, violative of their oaths of public  
22 office, and simply inexcusable.

23 *"Fraud in its elementary common law sense of deceit -- and this is one of the meanings*  
24 *that fraud bears [483 U.S. 372] in the statute, see United States v. Dial, 757 F.2d 163,*  
25 *168 (7th Cir.1985) -- includes the deliberate concealment of material information in a*  
26 *setting of fiduciary obligation. **A public official is a fiduciary toward the public,***  
27 ***including, in the case of a judge, the litigants who appear before him, and if he***  
28 ***deliberately conceals material information from them, he is guilty of fraud. When a***  
29 ***judge is busily soliciting loans from counsel to one party, and not telling the opposing***  
30 ***counsel (let alone the public), he is concealing material information in violation of his***  
31 ***fiduciary obligations.**"*

32 [[McNally v. United States, 483 U.S. 350 \(1987\)](#)]

34 *"Silence can only be equated with fraud where there is a legal or moral duty to speak or*  
35 *where an inquiry left unanswered would be intentionally misleading."*

36 [[U.S. v. Prudden, 424 F.2d 1021 \(5<sup>th</sup> Cir. 1970\)](#)]

37  
38 *"Silence can be equated with fraud where there is a legal or moral duty to speak, or*  
39 *where an inquiry left unanswered would be intentionally misleading. . . We cannot*  
40 *condone this shocking behavior by the IRS. Our revenue system is based on the good*  
41 *faith of the taxpayer and the taxpayers should be able to expect the same from the*  
42 *government in its enforcement and collection activities."*

43 [[U.S. v. Tweel, 550 F.2d 297, 299 \(5<sup>th</sup> Cir. 1977\)](#)]

- 44 12. Therefore, the questions to be addressed by the Census Worker in the context of this issue are:  
45 12.1. Do implementing enforcement regulations exist for the statutes cited as authority by the Submitter?  
46 12.2. Is the Submitter a member of any of the groups specifically exempted from the requirement for implementing  
47 regulations published in the Federal Register as required by 44 U.S.C. §1508(a), 44 U.S.C. §1505(a), and 5  
48 U.S.C. §553(a)?  
49 12.3. If the answer to the previous two questions is NO, then by what authority does this Census Worker enforce the  
50 provisions sought to be enforced by the government?

1 [TITLE 5 > PART 1 > CHAPTER 5 > SUBCHAPTER II > § 552](#)  
2 [§ 552. Public information; agency rules, opinions, orders, records, and](#)  
3 [proceedings§ 1508. Publication in Federal Register as notice of hearing](#)

4 *Except to the extent that a person has actual and timely notice of the terms thereof, **a***  
5 ***person may not in any manner be required to resort to, or be adversely affected by, a***  
6 ***matter required to be published in the Federal Register and not so published.** For the*  
7 *purpose of this paragraph, matter reasonably available to the class of persons affected*  
8 *thereby is deemed published in the Federal Register when incorporated by reference*  
9 *therein with the approval of the Director of the Federal Register.*

10  
11 [26 CFR §601.702](#) *Publication and public inspection*

12 (a)(2)(ii) *Effect of failure to publish.*

13 *Except to the extent that a person has actual and timely notice of the terms of any matter*  
14 *referred to in subparagraph (1) of this paragraph which is required to be published in*  
15 *the Federal Register, **such person is not required in any manner to resort to, or be***  
16 ***adversely affected by, such matter if it is not so published or is not incorporated by***  
17 ***reference therein pursuant to subdivision (i) of this subparagraph.** Thus, for example,*  
18 ***any such matter which imposes an obligation and which is not so published or***  
19 ***incorporated by reference will not adversely change or affect a person's rights.***

- 20 12.4. Should the Census Worker dismiss this enforcement action for want of enforcement jurisdiction? If not, WHY  
21 not?  
22 12.5. Would due process be violated when these issues were properly described and presented to the Census Worker  
23 and the Census Worker remains silent and refuses to address them?  
24 12.6. Does an equitable estoppel apply against the Submitter on these issues pursuant to F.R.Civ.P. 8(b)(6), since they  
25 deserted the battlefield and abused their public trust through omission to injure the rights of the Submitter by  
26 refusing to deal with these issues?

27 **4 Penalties are a Bill of Attainder against other than government public officers**

28 The United States Constitution forbids administrative penalties without a Census Worker trial:

29 *U.S. Constitution, Article 1, Section 9, Clause 3:*

30 *“No Bill of Attainder or ex post facto Law shall be passed.” (with respect to the U.S.*  
31 *Congress)*

32  
33 ***Bill of attainder: Legislative acts, no matter what their form, that apply either to named***  
34 ***individuals or to easily ascertainable members of a group in such a way as to inflict***  
35 ***punishment on them without a judicial trial.** *United States v. Brown*, 381 U.S. 437, 448-*  
36 *49, 85 S.Ct. 1707, 1715, 14 L.Ed. 484, 492; *United States v. Lovett*, 328 U.S. 303, 315, 66*  
37 *S.Ct. 1073, 1079, 90 L.Ed. 1252. An act is a "bill of attainder" when the punishment is*  
38 *death and a "bill of pains and penalties" when the punishment is less severe; **both kinds of***  
39 ***punishment fall within the scope of the constitutional prohibition. U.S.Const. Art. I,***  
40  ***Sect 9, Cl. 3 (as to Congress);' Art. I, Sec, 10 (as to state legislatures).** [Emphasis*  
41 *added]*  
42 *[Black's Law Dictionary, Sixth Edition, p. 165]*

43 The above provision, of course, does NOT protect those working for the government as instrumentalities, public officers, or  
44 statutory “employees” and who contracted that status by their voluntary consent, but I do not fit this category. If you

1 believe otherwise, please provide Census Worker admissible proof signed under penalty of perjury of same within 30 days  
2 or forever be estopped from later challenging this fact.

3 **5 Statement of Facts**

4 Submitter hereby certifies the following facts in relation to himself/herself:

- 5 1. Submitter is NOT:  
6 1.1. Acting at this time as a member of any of the following groups:  
7 1.1.1. A military or foreign affairs function of the United States. 5 U.S.C. §553(a)(1)  
8 1.1.2. A matter relating to agency management or personnel or to public property, loans, grants, benefits, or  
9 contracts. 5 U.S.C. §553(a)(2).  
10 1.1.3. Federal agencies or persons in their capacity as officers, agents, or employees thereof. 44 U.S.C.  
11 §1505(a)(1).  
12 1.2. Participating in a public office as defined in 26 U.S.C. §7701(a)(26), or publicis juris at this time.  
13 1.3. Domiciled in the statutory but not constitutional “United States” as defined in Titles 8, 13, or 26 of the United  
14 States Code.  
15 1.4. A statutory “citizen and national of the United States” per 8 U.S.C. §1401.  
16 1.5. A “resident alien” per 8 U.S.C. §1101(a)(3).  
17 1.6. A statutory “employee” as defined in 5 U.S.C. §2105(a) or 26 U.S.C. §3401(c ).  
18 1.7. A statutory “person” under any federal statute, including but not limited to 26 U.S.C. §7701(c ).  
19 1.8. A statutory “individual” per 26 CFR §1.1441-1(c ).  
20 2. Submitter IS:  
21 2.1. Protected by the United States Constitution and the Bill of Rights at this time.  
22 2.2. Born or naturalized in the “United States” as used in the Constitution of the United States of America but NOT  
23 any federal statute.  
24 2.3. Domiciled in a constitutional state of the Union and outside the statutory “United States”.  
25 2.4. A “national” per 8 U.S.C. §1101(a)(21).  
26 2.5. A “non-citizen national” per 8 U.S.C. §1452.  
27 2.6. A “nonresident” relative to the statutory “United States” mentioned in every federal statute.  
28

1 **6 ENCLOSURE (1) – CENSUS WORKER QUESTIONNAIRE**

2 These questions are provided to the Census Worker as a way to meet the burden of proving that they have authority to  
3 engage in enforcement of federal law outside the “United States” and within a foreign state called a state of the Union  
4 within the Constitution. If you find yourself in receipt of this pamphlet, you are demanded to answer the questions within  
5 10 days. Pursuant to [Federal Rule of Civil Procedure 8\(b\)\(6\)](#), failure to deny within 10 days constitutes an admission to  
6 each question. Pursuant to [26 U.S.C. §6065](#), all of your answers must be signed under penalty of perjury. We are not  
7 interested in agency policy, but only sources of reasonable belief identified in the pamphlet below:

*Reasonable Belief About Income Tax Liability*, Form #05.007  
<http://sedm.org/Forms/FormIndex.htm>

8 Your answers will become evidence in future litigation, should that be necessary in order to protect the rights of the person  
9 against whom you are attempting to unlawfully enforce federal law.

10 **6.1 Admissions**

11 1. Admit that states of the Union are foreign, for the purposes of federal legislative jurisdiction, for most federal subject  
12 matters.

13 *Foreign States:* “Nations outside of the United States...Term may also refer to another  
14 state; i.e. a sister state. The term ‘foreign nations’, ...should be construed to mean all  
15 nations and states other than that in which the action is brought; and hence, one state of  
16 the Union is foreign to another, in that sense.”  
17 [*Black’s Law Dictionary, 6<sup>th</sup> Edition, p. 648*]

18 *Foreign Laws:* “The laws of a foreign country or sister state.”  
19 [*Black’s Law Dictionary, 6<sup>th</sup> Edition, p. 647*]

20 **Dual citizenship.** *Citizenship in two different **countries.** Status of citizens of United*  
21 *States who reside within a state; i.e., person who are born or naturalized in the U.S. are*  
22 *citizens of the U.S. and the state wherein they reside.*  
23 [*Black’s Law Dictionary, Sixth Edition, page 498*]

24 YOUR ANSWER (circle one): Admit/Deny

26 2. Admit that Congress has no legislative jurisdiction within states of the Union

27 “It is no longer open to question that **the general government, unlike the states,**  
28 *Hammer v. Dagenhart, [247 U.S. 251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E*  
29 *724, **possesses no inherent power in respect of the internal affairs of the states; and***  
30 ***emphatically not with regard to legislation.**”*  
31 [*Carter v. Carter Coal Co., [298 U.S. 238](#), 56 S.Ct. 855 (1936)*]

32 YOUR ANSWER: \_\_\_Admit \_\_\_Deny

33 CLARIFICATION:\_\_\_\_\_

36 3. Admit that Title 13 of the United States Code qualifies as “legislation” as used in the previous question.

37 YOUR ANSWER: \_\_\_Admit \_\_\_Deny

38 CLARIFICATION:\_\_\_\_\_

1 4. Admit that due process of law requires that laws may not be enforced against a party without first giving him notice of  
2 the law BEFORE it becomes enforced.

3 *"An elementary and fundamental requirement of due process in any proceeding which is*  
4 *to be accorded finality is notice reasonably calculated, under all circumstances, to*  
5 *apprise interested parties of the pendency of the [enforcement] action and afford them an*  
6 *opportunity to present their objections."* Mullane v. Central Hanover Bank & Trust Co.,  
7 339 U.S. 306, 314 (1950). Without proper prior notice to those who may be affected by a  
8 government decision, all other procedural rights may be nullified. The exact contents of  
9 the notice required by due process will, of course, vary with the circumstances.  
10 [Administrative Law and Process in a Nutshell, Ernest Gellhorn, 1990, West Publishing,  
11 p. 214]

12 *"It is sufficient to say that there are certain immutable principles of justice which inhere*  
13 *in the very idea of free government which no member of the Union may disregard, as that*  
14 ***no man shall be condemned in his person or property without due notice and an***  
15 ***opportunity of being heard in his own defense."***  
16 [Holden v. Hardy, [169 U.S. 366](#) (1898)]

17 YOUR ANSWER: \_\_\_Admit \_\_\_Deny

18 CLARIFICATION: \_\_\_\_\_  
19  
20

21 5. Admit that Federal Register is the only authorized method by which the public at large are notified of laws which may  
22 be enforced against them.

23 [TITLE 44](#) > [CHAPTER 15](#) > § 1508  
24 [§ 1508. Publication in Federal Register as notice of hearing](#)

25 ***A notice of hearing or of opportunity to be heard, required or authorized to be given by***  
26 ***an Act of Congress, or which may otherwise properly be given, shall be deemed to have***  
27 ***been given to all persons residing within the States of the Union and the District of***  
28 ***Columbia, except in cases where notice by publication is insufficient in law, when the***  
29 ***notice is published in the Federal Register at such a time that the period between the***  
30 ***publication and the date fixed in the notice for the hearing or for the termination of the***  
31 ***opportunity to be heard*** is—

32 YOUR ANSWER: \_\_\_Admit \_\_\_Deny

33 CLARIFICATION: \_\_\_\_\_  
34  
35

36 6. Admit that the requirement for "notice" to the public of all laws which may be enforced is found in the Administrative  
37 Procedures Act as follows.

38 [TITLE 5](#) > [PART 1](#) > [CHAPTER 5](#) > [SUBCHAPTER II](#) > § 552  
39 [§ 552. Public information; agency rules, opinions, orders, records, and proceedings](#)

40 (a) Each agency shall make available to the public information as follows:

41 (1) Each agency shall separately state and currently publish in the Federal Register for  
42 the guidance of the public—

43 (A) descriptions of its central and field organization and the established places at which,  
44 the employees (and in the case of a uniformed service, the members) from whom, and the  
45 methods whereby, the public may obtain information, make submittals or requests, or  
46 obtain decisions;

1 (B) statements of the general course and method by which its functions are channeled  
2 and determined, including the nature and requirements of all formal and informal  
3 procedures available;

4 (C) rules of procedure, descriptions of forms available or the places at which forms may  
5 be obtained, and instructions as to the scope and contents of all papers, reports, or  
6 examinations;

7 (D) substantive rules of general applicability adopted as authorized by law, and  
8 statements of general policy or interpretations of general applicability formulated and  
9 adopted by the agency; and

10 (E) each amendment, revision, or repeal of the foregoing.

11 Except to the extent that a person has actual and timely notice of the terms thereof, a  
12 person may not in any manner be required to resort to, or be adversely affected by, a  
13 matter required to be published in the Federal Register and not so published. For the  
14 purpose of this paragraph, matter reasonably available to the class of persons affected  
15 thereby is deemed published in the Federal Register when incorporated by reference  
16 therein with the approval of the Director of the Federal Register.

17  
18 YOUR ANSWER: \_\_\_\_Admit \_\_\_\_Deny

19  
20 CLARIFICATION:\_\_\_\_\_

- 21 7. Admit that the requirement for “notice” to the public of all laws which may be enforced is found in the Federal  
22 Register Act as follows.

23 [TITLE 44](#) > [CHAPTER 15](#) > § 1505  
24 [§ 1505. Documents to be published in Federal Register](#)

25 (a) Proclamations and Executive Orders; Documents Having General Applicability and  
26 Legal Effect; Documents Required To Be Published by Congress. There shall be  
27 published in the Federal Register—

28 [. . .]

29 For the purposes of this chapter every document or order which prescribes a penalty has  
30 general applicability and legal effect.

31  
32 YOUR ANSWER: \_\_\_\_Admit \_\_\_\_Deny

33  
34 CLARIFICATION:\_\_\_\_\_

- 35 8. Admit that the ONLY exception to the requirement for “notice” to the public of all laws which may be enforced are  
36 those indicated below:

- 37  
38 1. A military or foreign affairs function of the United States. [5 U.S.C. §553](#)(a)(1).  
39 2. A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts. [5](#)  
40 [U.S.C. §553](#)(a)(2) .  
41 3. Federal agencies or persons in their capacity as officers, agents, or employees thereof. [44 U.S.C. §1505](#)(a)(1).  
42

43 YOUR ANSWER: \_\_\_\_Admit \_\_\_\_Deny

44  
45 CLARIFICATION:\_\_\_\_\_

- 46 9. Admit that no official within the United States government may lawfully waive the “notice” requirements of the  
47 Federal Register Act or the Administrative Procedures Act against parties domiciled in states of the Union and

protected by the Constitution except those specifically exempted by law from the requirement as indicated in the previous question and that if they do, they are violating due process of law and the Constitution and their oath of office.

YOUR ANSWER: \_\_\_Admit \_\_\_Deny

CLARIFICATION:\_\_\_\_\_

- 10. Admit that a statute that has no implementing regulations published in the Federal Register may not lawfully be enforced against anyone other than members of the groups specifically exempted from the requirement.

TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552  
§ 552. Public information; agency rules, opinions, orders, records, and proceedings  
§ 1508. Publication in Federal Register as notice of hearing

*Except to the extent that a person has actual and timely notice of the terms thereof, a person may not in any manner be required to resort to, or be adversely affected by, a matter required to be published in the Federal Register and not so published. For the purpose of this paragraph, matter reasonably available to the class of persons affected thereby is deemed published in the Federal Register when incorporated by reference therein with the approval of the Director of the Federal Register.*

26 CFR §601.702 Publication and public inspection

(a)(2)(ii) Effect of failure to publish.

*Except to the extent that a person has actual and timely notice of the terms of any matter referred to in subparagraph (1) of this paragraph which is required to be published in the Federal Register, such person is not required in any manner to resort to, or be adversely affected by, such matter if it is not so published or is not incorporated by reference therein pursuant to subdivision (i) of this subparagraph. Thus, for example, any such matter which imposes an obligation and which is not so published or incorporated by reference will not adversely change or affect a person's rights.*

YOUR ANSWER: \_\_\_Admit \_\_\_Deny

CLARIFICATION:\_\_\_\_\_

- 11. Admit that when the government is enforcing any provision of federal law against a member of the public as the moving party and calls someone into an audit, they have the burden of proving ON THE RECORD, when challenged, that they have enforcement authority and that absent evidence of enforcement authority on the record of the proceeding, then they cannot lawfully enforce and are engaging in a tort.

TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 556  
§ 556. Hearings; presiding employees; powers and duties; burden of proof; evidence; record as basis of decision

*(d) Except as otherwise provided by statute, the proponent of a rule or order has the burden of proof. Any oral or documentary evidence may be received, but the agency as a matter of policy shall provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence. A sanction may not be imposed or rule or order issued except on consideration of the whole record or those parts thereof cited by a party and supported by and in accordance with the reliable, probative, and substantial evidence. The agency may, to the extent consistent with the interests of justice and the policy of the underlying statutes administered by the agency, consider a violation of section 557 (d) of this title sufficient grounds for a decision adverse to a party who has knowingly committed such violation or knowingly caused such violation to occur. A party is entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to*

1                   conduct such cross-examination as may be required for a full and true disclosure of the  
2 facts. In rule making or determining claims for money or benefits or applications for  
3 initial licenses an agency may, when a party will not be prejudiced thereby, adopt  
4 procedures for the submission of all or part of the evidence in written form.  
5

6 YOUR ANSWER: \_\_\_\_Admit \_\_\_\_Deny

7  
8 CLARIFICATION:\_\_\_\_\_

9 12. Admit statutes which have no implementing regulations published in the Federal Register may only be lawfully be  
10 enforced against the following groups that are specifically exempted from the Federal Register Publication  
11 requirements, all of which are agencies, instrumentalities, officers, employees, and contractors of the United States  
12 government.

- 13  
14 1. A military or foreign affairs function of the United States. [5 U.S.C. §553](#)(a)(1).  
15 2. A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts. [5](#)  
16 [U.S.C. §553](#)(a)(2).  
17 3. Federal agencies or persons in their capacity as officers, agents, or employees thereof. [44 U.S.C. §1505](#)(a)(1).  
18

19 YOUR ANSWER: \_\_\_\_Admit \_\_\_\_Deny

20  
21 CLARIFICATION:\_\_\_\_\_

22 13. Admit that there are no implementing regulations published in the Federal Register for any of the criminal provisions  
23 of the Internal Revenue Code found in 26 U.S.C. §§7201 to 7217.

24  
25 YOUR ANSWER: \_\_\_\_Admit \_\_\_\_Deny

26  
27 CLARIFICATION:\_\_\_\_\_

28 14. Admit that the criminal provisions of the Internal Revenue Code may only be enforced against persons who are a  
29 member of the groups specifically exempted from the requirement for publication in the Federal Register of all  
30 enforcement provisions.

31  
32 YOUR ANSWER: \_\_\_\_Admit \_\_\_\_Deny

33  
34 CLARIFICATION:\_\_\_\_\_

35 15. Admit that the following court cite establishes, based on the preceding question, that the requirement to file a federal  
36 income tax return only applies to persons who are members of the groups specifically exempted from the requirement  
37 for implementing regulations.

38                   *“Federal income tax regulations governing filing of income tax returns do not require*  
39 *Office of Management and Budget control numbers because **requirement to file tax***  
40 ***return is mandated by statute, not by regulation.**”*  
41 *[U.S. v. Bartrug, E.D.Va.1991, 777 F.Supp. 1290 , affirmed 976 F.2d 727, certiorari*  
42 *denied 113 S.Ct. 1659, 507 U.S. 1010, 123 L.Ed.2d 278]*  
43

44 YOUR ANSWER: \_\_\_\_Admit \_\_\_\_Deny

45  
46 CLARIFICATION:\_\_\_\_\_

47 16. Admit that the “United States” is defined as the District of Columbia pursuant to [26 U.S.C. §7701](#)(a)(9) and (a)(10).

48                   [TITLE 26](#) > [Subtitle F](#) > [CHAPTER 79](#) > *Sec. 7701. [Internal Revenue Code]*  
49 [Sec. 7701. - Definitions](#)

50                   (a)(9) United States

1 The term "United States" when used in a geographical sense includes only the States and  
2 the District of Columbia.

3 (a)(10) State

4 The term "State" shall be construed to include the District of Columbia, where such  
5 construction is necessary to carry out provisions of this title.  
6

7 YOUR ANSWER (circle one): Admit/Deny

- 8 17. Admit that the Uniform Commercial Code, Section 9-307(h) identifies the "United States" as the "District of  
9 Columbia":

10 [UCC 9-307](#)

11 "(h) The United States is located in the District of Columbia."  
12 [SOURCE: <http://www.law.cornell.edu/ucc/9/article9.htm#s9-307>]  
13

14 YOUR ANSWER (circle one): Admit/Deny

- 15 18. Admit that under the rules of statutory construction, what is not included in a definition may be presumed to be  
16 purposefully excluded by implication.

17 "***Expressio unius est exclusio alterius***. A maxim of statutory interpretation meaning that  
18 ***the expression of one thing is the exclusion of another***. *Burgin v. Forbes*, 293 Ky. 456,  
19 169 S.W.2d 321, 325; *Newblock v. Bowles*, 170 Okl. 487, 40 P.2d 1097, 1100. Mention  
20 of one thing implies exclusion of another. ***When certain persons or things are specified***  
21 ***in a law, contract, or will, an intention to exclude all others from its operation may be***  
22 ***inferred***. Under this maxim, if statute specifies one exception to a general rule or  
23 assumes to specify the effects of a certain provision, other exceptions or effects are  
24 excluded."  
25

[*Black's Law Dictionary, Sixth Edition, p. 581*]

26 "It is axiomatic that the statutory definition of the term excludes unstated meanings of  
27 that term,"

28 [*Meese v. Keene*, 481 U.S. 465, 484 (1987)]  
29

30 YOUR ANSWER (circle one): Admit/Deny

- 31 19. Admit that when a statutory definition is provided, it SUPERSEDES, rather than ENLARGES the commonly  
32 understood definition.

33 "***It is axiomatic that the statutory definition of the term excludes unstated meanings of***  
34 ***that term***. *Colautti v. Franklin*, 439 U.S. 379, 392, and n. 10 (1979). Congress' use of the  
35 term "propaganda" in this statute, as indeed in other legislation, has no pejorative  
36 connotation. ***As judges, it is our duty to [481 U.S. 485] construe legislation as it is***  
37 ***written, not as it might be read by a layman, or as it might be understood by someone***  
38 ***who has not even read it.***"  
39

[*Meese v. Keene*, 481 U.S. 465, 484 (1987)]

40 "***As a rule, `a definition which declares what a term "means" . . . excludes any***  
41 ***meaning that is not stated'***"

42 [*Colautti v. Franklin*, 439 U.S. 379 (1979), n. 10]

43 "***When a statute includes an explicit definition, we must follow that definition, even if it***  
44 ***varies from that term's ordinary meaning.*** *Meese v. Keene*, 481 U.S. 465, 484-485  
45 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated  
46 meanings of that term"); *Colautti v. Franklin*, 439 U.S. at 392-393, n. 10 ("As a rule, `a

1 definition which declares what a term "means" . . . excludes any meaning that is not  
2 stated"); *Western Union Telegraph Co. v. Lenroot*, 323 U.S. 490, 502 (1945); *Fox v.*  
3 *Standard Oil Co. of N.J.*, 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer,  
4 *Sutherland on Statutes and Statutory Construction* § 47.07, p. 152, and n. 10 (5th ed.  
5 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530  
6 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does  
7 not include the Attorney General's restriction -- "the child up to the head." Its words,  
8 "substantial portion," indicate the contrary."  
9 [[Stenberg v. Carhart, 530 U.S. 914 \(2000\)](#)]

10 YOUR ANSWER (circle one): Admit/Deny

- 12 20. Admit that under [4 U.S.C. §72](#), all those exercising a "public office" within the federal government must do so in the  
13 District of Columbia and NOT elsewhere.

14 [TITLE 4 > CHAPTER 3 > § 72](#)  
15 [§ 72. Public offices; at seat of Government](#)

16 *All offices attached to the seat of government shall be exercised in the District of*  
17 *Columbia, and not elsewhere, except as otherwise expressly provided by law.*

18 [[http://www4.law.cornell.edu/uscode/html/uscode04/usc\\_sec\\_04\\_00000072----000-.html](http://www4.law.cornell.edu/uscode/html/uscode04/usc_sec_04_00000072----000-.html)]

19 YOUR ANSWER (circle one): Admit/Deny

- 21 21. Admit that there is no provision of law extending "public offices" to any state of the Union as required by the above  
22 positive law statute.

23 YOUR ANSWER (circle one): Admit/Deny

- 25 22. Admit that [48 U.S.C. §1612](#)(a) extends the authority of the Secretary of the Treasury to enforce Title 26, Subchapter F  
26 to the Virgin Islands.

27 YOUR ANSWER (circle one): Admit/Deny

- 29 23. Admit that Congress has not "expressly" extended the authority of the Secretary of Commerce to any one of the several  
30 states of the Union.

31 YOUR ANSWER (circle one): Admit/Deny

- 33 24. Admit that there is no statutory authority which would "expressly" extend the authority of the Secretary outside the  
34 District of Columbia to the several Union states.

35 YOUR ANSWER (circle one): Admit/Deny

- 37 25. Admit that the states of the Union are not "territories" of the United States:

38 *Corpus Juris Secundum Legal Encyclopedia*  
39 *Territories*  
40 *"§1. Definitions, Nature, and Distinctions*

41 *"The word 'territory,' when used to designate a political organization has a distinctive,*  
42 *fixed, and legal meaning under the political institutions of the United States, and does*  
43 *not necessarily include all the territorial possessions of the United States, but may*  
44 *include only the portions thereof which are organized and exercise governmental*  
45 *functions under act of congress."*

1 "While the term 'territory' is often loosely used, and has even been construed to include  
2 municipal subdivisions of a territory, and 'territories of the' United States is sometimes  
3 used to refer to the entire domain over which the United States exercises dominion, the  
4 word 'territory,' when used to designate a political organization, has a distinctive, fixed,  
5 and legal meaning under the political institutions of the United States, and the term  
6 'territory' or 'territories' does not necessarily include only a portion or the portions  
7 thereof which are organized and exercise government functions under acts of congress.  
8 The term 'territories' has been defined to be political subdivisions of the outlying  
9 dominion of the United States, and in this sense the term 'territory' is not a description of  
10 a definite area of land but of a political unit governing and being governed as such. The  
11 question whether a particular subdivision or entity is a territory is not determined by the  
12 particular form of government with which it is, more or less temporarily, invested.

13 **"Territories' or 'territory' as including 'state' or 'states.'" While the term 'territories of**  
14 **the' United States may, under certain circumstances, include the states of the Union, as**  
15 **used in the federal Constitution and in ordinary acts of congress "territory" does not**  
16 **include a foreign state.**

17 **"As used in this title, the term 'territories' generally refers to the political subdivisions**  
18 **created by congress, and not within the boundaries of any of the several states."**  
19 **[86 C.J.S. [Corpus, Juris, Secundum, Legal Encyclopedia], Territories, §1, Emphasis**  
20 **added]**

21  
22 YOUR ANSWER (circle one): Admit/Deny

- 23 26. Admit that the term "State" as used in the Constitution includes states of the Union and excludes territories and  
24 possessions of the United States.

25 *"The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L. ed. 332, in which this*  
26 *court held that, under that clause of the Constitution limiting the jurisdiction of the courts*  
27 *of the United States to controversies between citizens of different states, a citizen of the*  
28 *District of Columbia could not maintain an action in the circuit court of the United*  
29 *States. It was argued that the word 'state.' in that connection, was used simply to denote a*  
30 *distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously*  
31 *used the word 'state' in reference to that term as used in the Constitution, it becomes*  
32 *necessary to inquire whether Columbia is a state in the sense of that instrument. The*  
33 *result of that examination is a conviction that the members of the American*  
34 *confederacy only are the states contemplated in the Constitution, . . . and excludes*  
35 *from the term the signification attached to it by writers on the law of nations.' This*  
36 *case was followed in Barney v. Baltimore, 6 Wall. 280, 18 L. ed. 825, and quite recently*  
37 *in Hooe v. Jamieson, 166 U.S. 395, 41 L. ed. 1049, 17 Sup. Ct. Rep. 596. The same*  
38 *rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat. 91, 4 L.*  
39 *ed. 44, in which an attempt was made to distinguish a territory from the District of*  
40 *Columbia. But it was said that 'neither of them is a state in the sense in which that*  
41 *term is used in the Constitution.' In Scott v. Jones, 5 How. 343, 12 L. ed. 181, and in*  
42 *Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1, 13 L. ed. 867, it*  
43 *was held that under the judiciary act, permitting writs of error to the supreme court of a*  
44 *state in cases where the validity of a state statute is drawn in question, an act of a*  
45 *territorial legislature was not within the contemplation of Congress."*  
46 *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

47  
48 YOUR ANSWER (circle one): Admit/Deny

- 49 27. Admit that the term "State" as defined in [4 U.S.C. §110\(d\)](#) refers to a territory or possession of the United States  
50 pursuant to the Buck Act.

51 TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES  
52 CHAPTER 4 - THE STATES

1 [Sec. 110. Same; definitions](#)

2 (d) The term "State" includes any [Territory](#) or possession of the United States.

3  
4 YOUR ANSWER (circle one): Admit/Deny

- 5 28. Admit that following are the only subject matters for which the states of the Union are "domestic" for the purposes of  
6 federal legislative jurisdiction, pursuant to the authority of the Constitution of the United States of America.
- 7 a. Counterfeiting pursuant to Article 1, Section 8, Clause 5 of the United States Constitution.
  - 8 b. Postal matters pursuant to Article 1, Section 8, Clause 7 of the United States Constitution.
  - 9 c. Foreign commerce pursuant to Article 1, Section 8, Clause 3 of the United States Constitution.
  - 10 d. Treason pursuant to Article 4, Section 2, Clause 2 of the United States Constitution.
  - 11 e. Property, contracts, and franchises of the U.S. Government coming under [Article 4](#), Section 3, Clause 2 of the  
12 United States Constitution.

13  
14 YOUR ANSWER (circle one): Admit/Deny

- 15 29. Admit that according to the U.S. Supreme Court, the taxing powers of Congress do not extend into any state of the  
16 Union.

17 **"It is no longer open to question that the general government, unlike the states,**  
18 **Hammer v. Dagenhart, 247 U.S. 251, 275, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E**  
19 **724, possesses no inherent power in respect of the internal affairs of the states; and**  
20 **emphatically not with regard to legislation."**  
21 [Carter v. Carter Coal Co., [298 U.S. 238](#), 56 S.Ct. 855 (1936)]

22  
23 *"The difficulties arising out of our dual form of government and the opportunities for*  
24 *differing opinions concerning the relative rights of state and national governments are*  
25 *many; **but for a very long time this court has steadfastly adhered to the doctrine that the***  
26 ***taxing power of Congress does not extend to the states or their political subdivisions.***  
27 *The same basic reasoning which leads to that conclusion, we think, requires like*  
28 *limitation upon the power which springs from the bankruptcy clause. United States v.*  
29 *Butler, supra."*  
30 [Ashton v. Cameron County Water Improvement District No. 1, 298 U.S. 513; 56 S.Ct.  
31 892 (1936)]

32  
33 YOUR ANSWER (circle one): Admit/Deny

- 34 30. Admit that a person with a domicile within a state of the Union does not have a "domicile" within the "United States"  
35 that is defined in [26 U.S.C. §7701](#)(a)(9) and (a)(10) as the District of Columbia and not expanded anywhere in the  
36 I.R.C. Subtitle A to add any state of the Union.

37 [TITLE 26](#) > [Subtitle F](#) > [CHAPTER 79](#) > Sec. 7701. [Internal Revenue Code]  
38 [Sec. 7701. - Definitions](#)

39 (a)(9) United States

40 The term "United States" when used in a geographical sense includes only the [States](#) and  
41 the District of Columbia.

42 (a)(10) State

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

45  
46 YOUR ANSWER (circle one): Admit/Deny

1 31. Admit that a constitutional "citizen of the United States" mentioned in the Fourteenth Amendment, Section 1 is not the  
2 same as a statutory "citizen of the United States" defined in [8 U.S.C. §1401](#).

3 *Fourteenth Amendment*

4 *Section. 1. All persons born or naturalized in the United States and subject to the*  
5 *jurisdiction thereof, are citizens of the United States and of the State wherein they reside.*

6  
7 YOUR ANSWER (circle one): Admit/Deny

8 32. Admit that the reason a constitutional "citizen of the United States" mentioned in the Fourteenth Amendment, Section  
9 1 is not the same as a statutory "citizen of the United States" defined in [8 U.S.C. §1401](#) is because the term "United  
10 States" has two completely different meanings in these two contexts.

11 Constitutional definition of "United States" according to the U.S. Supreme Court:

12 *"The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L. ed. 332, in which this*  
13 *court held that, under that clause of the Constitution limiting the jurisdiction of the courts*  
14 *of the United States to controversies between citizens of different states, a citizen of the*  
15 *District of Columbia could not maintain an action in the circuit court of the United*  
16 *States. It was argued that the word 'state.' in that connection, was used simply to denote a*  
17 *distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously*  
18 *used the word 'state' in reference to that term as used in the Constitution, it becomes*  
19 *necessary to inquire whether Columbia is a state in the sense of that instrument. **The***  
20 ***result of that examination is a conviction that the members of the American***  
21 ***confederacy only are the states contemplated in the Constitution, . . . and excludes***  
22 ***from the term the signification attached to it by writers on the law of nations.'** This*  
23 *case was followed in **Barney v. Baltimore, 6 Wall. 280, 18 L. ed. 825, and quite recently***  
24 ***in Hooe v. Jamieson, 166 U.S. 395, 41 L. ed. 1049, 17 Sup. Ct. Rep. 596. The same***  
25 ***rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat. 91, 4 L.***  
26 ***ed. 44, in which an attempt was made to distinguish a territory from the District of***  
27 ***Columbia. But it was said that 'neither of them is a state in the sense in which that***  
28 ***term is used in the Constitution.'** In **Scott v. Jones, 5 How. 343, 12 L. ed. 181, and in***  
29 ***Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1, 13 L. ed. 867, it***  
30 ***was held that under the judiciary act, permitting writs of error to the supreme court of a***  
31 ***state in cases where the validity of a state statute is drawn in question, an act of a***  
32 ***territorial legislature was not within the contemplation of Congress."***  
33 *[Downes v. Bidwell, [182 U.S. 244](#) (1901)]*

34 Statutory definition of "United States" for the purposes of statutory citizenship

35 [8 U.S.C. §1101 Definitions](#)  
36 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101. \[Aliens and Nationality\]](#)  
37 [Sec. 1101. - Definitions](#)

38 (a)(38) The term "United States", except as otherwise specifically herein provided, when  
39 used in a geographical sense, means the [federal areas within the] [continental United](#)  
40 [States](#), Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States.  
41

42 [Code of Federal Regulations]  
43 [Title 8, Volume 1]  
44 [Revised as of January 1, 2002]  
45 From the U.S. Government Printing Office via GPO Access  
46 [CITE: 8CFR215]  
47 TITLE 8--ALIENS AND NATIONALITY CHAPTER 1--IMMIGRATION AND  
48 NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE  
49 PART 215--CONTROLS OF ALIENS DEPARTING FROM THE UNITED STATES

1  
2 [Section 215.1: Definitions](#)

3  
4 (f) The term continental United States means the District of Columbia and the several  
5 [States](#), except Alaska and Hawaii.  
6

---

7 [8 U.S.C. Sec. 1101\(a\)\(36\)](#): State [Aliens and Nationality]

8 The term "State" includes the District of Columbia, Puerto Rico, Guam, and the Virgin  
9 Islands of the United States.  
10

11 YOUR ANSWER (circle one): Admit/Deny

12 33. Admit that the differences in meaning of the term "United States" in the two contexts:

- 13  
14 1. The Constitution;  
15 2. Acts of Congress,  
16

17 . . . is a direct result of the operation of the Separation of Powers Doctrine which was carefully and deliberately put  
18 there for the protection of our rights and liberties.

19 *The Constitution does not protect the sovereignty of States for the benefit of the States or*  
20 *state governments as abstract political entities, or even for the benefit of the public*  
21 *officials governing the States. **To the contrary, the Constitution divides authority***  
22 ***between federal and state governments for the protection of individuals. State***  
23 ***sovereignty is not just an end in itself: "Rather, federalism secures to citizens the***  
24 ***liberties that derive from the diffusion of sovereign power."** Coleman v. Thompson,*  
25 ***501 U.S. 722, 759 (1991) (BLACKMUN, J., dissenting). "Just as the separation and***  
26 ***independence of the coordinate branches of the Federal Government serve to prevent***  
27 ***the accumulation of excessive power in any one branch, a healthy balance of power***  
28 ***between the States and the Federal Government will reduce the risk of tyranny and***  
29 ***abuse from either front."** Gregory v. [505 U.S. 144, 182] Ashcroft, 501 U.S., at 458 .*  
30 ***See The Federalist No. 51, p. 323. (C. Rossiter ed. 1961).***  
31 ***[New York v. United States, 505 U.S. 144, 112 S.Ct. 2408, 120 L.Ed.2d 120 (1992)]***  
32

33 YOUR ANSWER (circle one): Admit/Deny

34 34. Admit that a public servant or a member of the legal profession, who swears an oath to support and defend the  
35 Constitution of the United States cannot fail to recognize or respect all of the implications of the Separation of Powers  
36 Doctrine without violating that oath.

37 "I, \_\_\_\_\_, do solemnly swear and affirm that I will administer justice without regard  
38 to persons and do equal right to the poor and to the rich, and that I will faithfully and  
39 impartially discharge and perform all of the duties incumbent upon me as  
40 \_\_\_\_\_ under the Constitution and laws of the United States, and that I will  
41 support and defend the Constitution of the United States against all enemies foreign and  
42 domestic, that I will bear true faith and allegiance to the same, and that I take this  
43 obligation freely without any mental reservation or purpose of evasion, and that I will  
44 well and faithfully discharge the duties of the office on which I am about to enter. So  
45 help me God."  
46 [Oath of Article III federal judges, according to the Administrative Office of the Federal  
47 Courts]  
48

49 YOUR ANSWER (circle one): Admit/Deny

50 35. Admit that all exercises of legislative jurisdiction outside of federal territory require "comity" in some form.

**comity.** *Courtesy; complaisance; respect; a willingness to grant a privilege, not as a matter of right, but out of deference and good will. Recognition that one sovereignty allows within its territory to the legislative, executive, or judicial act of another sovereignty, having due regard to rights of its own citizens. Nowell v. Nowell, Tex.Civ.App., 408 S.W.2d 550, 553. In general, principle of "comity" is that courts of one state or jurisdiction will give effect to laws and judicial decisions of another state or jurisdiction, not as a matter of obligation, but out of deference and mutual respect. Brown v. Babbitt Ford, Inc., 117 Ariz. 192, 571 P.2d 689, 695. See also Full faith and credit clause.*  
*[Black's Law Dictionary, Sixth Edition, p. 267]*

YOUR ANSWER (circle one): Admit/Deny

36. If you the reader still disagree with the conclusions of this pamphlet upon reaching this point, please also answer all the admissions at the end of the following pamphlet.

[Requirement for Reasonable Notice, Form #05.022](http://sedm.org/Forms/FormIndex.htm)  
<http://sedm.org/Forms/FormIndex.htm>

## 6.2 Interrogatories

1. Provide a copy of your delegation of authority order to act as an "employee" of the Dept. Of Commerce.
2. Provide any evidence you have which would controvert that statement of facts relating to me found earlier in section 5.
3. Provide any evidence in your possession which would prove that the Submitter is a member of any of the following groups:
  - 3.1. A military or foreign affairs function of the United States. 5 U.S.C. §553(a)(1)
  - 3.2. A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts. 5 U.S.C. §553(a)(2).
  - 3.3. Federal agencies or persons in their capacity as officers, agents, or employees thereof. 44 U.S.C. §1505(a)(1).
4. Provide a copy of the implementing regulation for any and all penalty statutes you may enforce outside the statutory "United States" and within a state of the Union which have been published in the Federal Register.
5. If you have no implementing regulations for the statutes sought to be enforced, please explain:
  - 5.1. How you can institute a penalty without violating the Constitutional prohibition against Bills of Attainder.
  - 5.2. By what statutory and regulatory authority you can violate rights protected by the Constitution based on nothing but an unsubstantiated and false presumption about the status of the Submitter.

***"It is apparent,' this court said in the Bailey Case ( 219 U.S. 239, 31 S. Ct. 145, 151) 'that a constitutional prohibition cannot be transgressed indirectly by the creation of a statutory presumption any more than it can be violated by direct enactment. The power to create presumptions is not a means of escape from constitutional restrictions.'"***  
*[Heiner v. Donnan, 285 U.S. 312 (1932)]*

6. Provide legally admissible evidence signed under penalty of perjury expressly demonstrating EXACTLY WHICH of the following THREE "United States" you are authorized to conduct enforcement within. You can ONLY pick ONE of the three options as the area you may lawfully enforce within and you must provide a definition from positive law statutes sought to be enforced that expressly includes EXACTLY that thing. NO PRESUMPTIONS PLEASE!

**Table 1: Meanings assigned to "United States" by the U.S. Supreme Court in Hooven & Allison v. Evatt**

#	U.S. Supreme Court Definition of "United States" in Hooven	Context in which usually used	Referred to in this document as	Interpretation
1	"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations."	International law	"United States**"	"These <u>united States</u> ," when traveling abroad, you come under the jurisdiction of the President through his agents in the U.S. State Department, where "U.S." refers to the sovereign society. You are a "Citizen of the United States" like someone is a Citizen of France, or England. We identify this version of "United States" with a single asterisk after its name: "United States**" throughout this article.

#	U.S. Supreme Court Definition of "United States" in <i>Hooven</i>	Context in which usually used	Referred to in this document as	Interpretation
2	"It may designate the territory over which the sovereignty of the United States extends, or"	Federal law Federal forms	"United States**"	"The United States (the District of Columbia, possessions and territories)". Here Congress has exclusive legislative jurisdiction. In this sense, the term "United States" is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a "citizen of the United States." This is the definition used in most "Acts of Congress" and federal statutes. We identify this version of "United States" with two asterisks after its name: "United States**" throughout this article. This definition is also synonymous with the "United States" corporation found in 28 U.S.C. §3002(15)(A).
3	"...as the collective name for the states which are united by and under the Constitution."	Constitution of the United States	"United States***"	"The several States which is the united States of America." Referring to the <u>50 sovereign States</u> , which are united under the <u>Constitution of the United States of America</u> . The federal areas within these states are not included in this definition because the <u>Congress does not</u> have exclusive legislative authority over any of the <u>50 sovereign States within the Union of States</u> . Rights are retained by the <u>States</u> in the 9th and 10th Amendments, and you are a " <u>Citizen of these united States</u> ." This is the definition used in the Constitution for the United States of America. We identify this version of "United States" with a three asterisks after its name: "United States***" throughout this article.

1 **6.3 Affirmation:**

2 I declare under penalty of perjury as required under [26 U.S.C. §6065](#) that the answers provided by me to the foregoing  
3 questions are true, correct, and complete to the best of my knowledge and ability, so help me God. I also declare that these  
4 answers are completely consistent with each other and with my understanding of both the Constitution of the United States,  
5 Internal Revenue Code, Treasury Regulations, the Internal Revenue Manual, and the rulings of the Supreme Court but not  
6 necessarily lower federal courts.

7 Name (print): \_\_\_\_\_

8 Signature: \_\_\_\_\_

9 Date: \_\_\_\_\_

10 Witness name (print): \_\_\_\_\_

11 Witness Signature: \_\_\_\_\_

12 Witness Date: \_\_\_\_\_