

# Dear We The People

- Most Citizens Are Not Required To File An Income Tax Return
- The 16th ("Income Tax") Amendment To The Constitution Is A Fraud
- If You File, You Waive Your 5th Amendment Rights

These are the major points expressed in a **Remonstrance**, that was hand delivered to leaders of the three branches of the federal government on April 13, 2000, by a group of citizen-delegates representing all 50 states. *These grievances concern alleged illegal operations of the federal income tax system and the IRS.*

The **Remonstrance** was signed by thousands of citizens, and was delivered as part of an event sponsored by We The People Foundation for Constitutional Education, a not-for-profit corporation dedicated to research and education in matters of taxation & governance.

## THE MAIN PROPOSITIONS OF THE REMONSTRANCE ARE:

- 1) The 16th amendment to the U.S. Constitution (the "income tax amendment") was fraudulently and illegally proclaimed to be ratified in 1913. Exhaustive legal research from both state and national archives documented conclusively that the amendment did not even come close to being legally approved by the required number of states.

### The Courts have refused to hear this issue.

*"[Defendant] Stahl's claim that ratification of the 16th Amendment was fraudulently certified constitutes a political question because we could not undertake independent resolution of this issue without expressing lack of respect due coordinate branches of government...."*

*U.S. v Stahl (1986), 792 F2d 1438*

- 2) Filing a federal income tax return is, in fact, voluntary, because there is no statute or regulation that requires the vast majority of U.S. citizens to file and pay income taxes -- or to have taxes withheld from the money they earn.

### Neither the IRS nor the Congress can cite an authorizing law or regulation.

- 3) Citizens cannot "voluntarily" file a federal income tax return without surrendering their 5th amendment right not to bear witness against themselves.

### You can be criminally prosecuted for your "voluntary" return.

Robert Schulz, chairman of the Foundation, and Joseph Banister, a former special agent of the Criminal Investigation Division of the IRS (accompanied by a videographer) delivered copies of the **Remonstrance** to designated officials of the three branches.

At the White House and the Capitol, the delegates had the opportunity to explain and discuss the contents of the **Remonstrance**, and to ask that the government send experts representing the three branches to a conference to be held in June, where those experts could debate the tax issues with a group of researchers invited by the Foundation.

The officials agreed to the idea of having such a conference, and the Foundation scheduled the meeting for June 29th.

The officials the delegates delivered the **Remonstrance** to were: At the White House-Jason Furman, Senior Director and Senior Economic Advisor of the National Economic Council; at the Capitol-Dr. William Koetzle, Legislative Director for Speaker Hastert, and Keith Hennessey, Policy Director for Senate Majority Leader Lott.

However, on June 2nd the White House reneged on the promises it made during the April 13th meeting. As with three previous conferences, the government has again refused to debate the grievances. Jason Furman told Robert Schulz, *"The legality of the income tax is not a high priority item at the White House, and we will not participate in any conference on the subject."*

## WE HAVE NOW REACHED THE POINT WHERE THE GOVERNMENT'S EVASION MUST BE REGARDED AS AN ADMISSION.

If the government has valid counter-arguments to the **Remonstrance**, it should be a simple matter to clarify the law, provide the appropriate regulatory references and promptly settle the matter. Our government's repeated avoidance of these debates should speak volumes.

On this, the 224th birth celebration of our one Nation under God, the We The People Foundation offers the following facts, internet links and a challenge for each American:

- **Read the facts for yourself.**
- **Judge what is truth.**
- **Pass it on.**

We hope you will join many who now believe that the time has come for our government and our nation to begin a long-overdue process of public debates concerning the economic, political and constitutional problems posed by the true legal restrictions upon our current system of taxation.

As a nation of justice and due process, we cannot tolerate a tax system, or a government, that seizes our property, sends us to prison and induces fear in our hearts -- while refusing to provide us basic proof of their legal authority, clearly written tax

codes and unambiguous legal ruling on Constitutional and legal issues concerning the income tax.

We pray that you be convinced that nothing less than our freedoms, our property and our Republic are at stake. The Soul of America needs illumination. Please join us.

## Legal Facts & Did You Know

### Re: Proposition #1

- The issue of the fraudulent ratification of the 16th amendment has never been decided by a court of law. The courts have instead tossed the issue into the lap of Congress as a "political question," even though fraud is a clear issue for judicial review, not a political question.

- A brief report printed by the Congressional Research Service in 1985 states up front that, "The report does not attempt to rebut specific factual allegations...." It then goes on to make the astonishing assertion that the actions of a government official must be presumed to be correct and cannot be judged or overturned by the courts! (John Ripy, "Ratification of the Sixteenth Amendment." CRS, 1985)

- An attorney speaking for Senator Orin Hatch in 1984 offered to pay former tax investigator William Benson a fortune not to publish his research proving that the 16th amendment did not even come close to being legally ratified by the required number of states in 1913.

- Philander Knox, Secretary of State from 1909 to 1913 during the Taft administration, proclaimed the 16th amendment to be ratified just a few days before he left office in 1913, to make way for the Wilson administration, even though he knew it had not been legally ratified.

- Philander Knox had for many years been the primary attorney for the richest men in America, including Carnegie, Rockefeller, Morgan and the Vanderbilts. He had created for them the largest financial cartel in the world. Then was appointed, at their request, as Attorney General in the McKinley/Roosevelt administrations, where he refused to enforce the Sherman anti-trust laws against the cartel he had just created.

- The income tax amendment was pushed through Congress in 1909 by Sen. Nelson Aldrich, father-in-law of John D. Rockefeller, Jr. and grandfather and namesake of Nelson A. Rockefeller, and would not have been ratified if Knox had not fraudulently proclaimed it so.

- Example: Kentucky's legislature rejected the amendment, but Knox counted Kentucky as having approved it.

- Example: Oklahoma's legislature changed the amendment's wording so that it meant just the opposite of what was submitted to the states by Congress, but Knox counted Oklahoma as approving the amendment.

- Example: Minnesota did not submit any results or copy of their vote to Knox, yet he counted Minnesota as approving the amendment.

- Legal scholars have agreed that if any state violated provisions of its own state constitution in the ratification process, its approval would be null and void. At least 20 states were guilty of serious violations of their constitutions. For example, Tennessee's constitution provided that the state legislature could not act upon any proposed amendment to the U.S. Constitution submitted by Congress until after the next state legislative elections. Yet the Tennessee legislature acted on the proposed 16th amendment the same month it was received and before any elections.

- Judges have been extraordinarily unwilling to allow defendants in "failure to file" cases to present evidence or testimony of expert researchers regarding the constitutionality of the 16th amendment.

### Re: Proposition #2

- Juries have been acquitting defendants in failure-to-file income tax return cases due to lack of demonstrable evidence that there is any law or regulation that requires it.

- An increasing number of employers have stopped withholding taxes from their workers, and stopped filing W-2s and 1099s for the same reason.

- Unless one is a foreigner working in the U.S., or a U.S. citizen earning money abroad, one is not liable for the federal income tax.

- The OMB Number on Form 1040 is cross-referenced in the Code of Federal Regulations to the section covering taxes by resident aliens, which, therefore, doesn't apply to most Americans.

- Responding to an inquiry by a constituent who was a tax consultant, Sen. Daniel Inouye told him that based on research performed by the Congressional Research Service, no provision of the Internal Revenue Code requires an individual to pay income taxes. He then went on, remarkably, to issue a warning that Section 7201 sets forth numerous penalties for not paying taxes owed. *However -*

- The key word in the above warning is "owed." Most citizens are not required to file, so section 7201 is a false and clumsy threat.

- The IRS routinely and falsely bases liens on a misapplication of alcohol-tobacco-firearms tax rules to ordinary income cases.

- No law requires employees to provide a Social Security Number to an employer, nor for an employer to demand one from an employee.

### Re: Proposition #3

- The 10th Circuit Court of Appeals has ruled that the filing of an income tax return (Form 1040) and the information on the 1040 is not compelled, and, therefore, the principle that no one may be forced to waive their 5th amendment rights in order to comply with a law is not applicable to federal income tax returns.

*"The [5th Amendment] privilege protects against compelled testimonial communications..."*

*U.S. v. Conklin (1994), WL 504211 (10th Cir. Colo.)*

- No one has been able to collect the \$50,000 reward offered by William Conklin ([www.anti-irs.com](http://www.anti-irs.com)) to anyone who can

- 1) show how to file a federal income tax return without waiving one's 5th amendment rights, and

- 2) identify the section of the Internal Revenue Code that makes a typical worker liable to pay an income tax.

## The Internet Sites to Start Your Education:

### [www.givemeliberty.org](http://www.givemeliberty.org)

Hosts of this ad and sponsors of the **Remonstrance**/Grievance.

### [www.thelawthatneverwas.com](http://www.thelawthatneverwas.com)

Bill Benson's detailed legal research exposing the FRAUDULENT RATIFICATION of the 16th Amendment.

\*Buy his 2-volume report!

### [www.taxableincome.net](http://www.taxableincome.net)

\*Free download of report, "Taxable income."

### [www.freedomabovefortune.com](http://www.freedomabovefortune.com)

Ex-IRS agent quits in 1999 because the IRS refused to rebut his research showing the illegal status of the income tax system.

\*Free viewing of report.

### [www.anti-irs.com](http://www.anti-irs.com)

A case in Federal Court of Appeals proves you cannot file an income tax return without waiving the 5th. Read about the \$50,000 challenge!

\*Free download of his book.

### [www.taxgate.com](http://www.taxgate.com)

Comprehensive research on tax, constitutional issues.

### The Free Enterprise Society

1-800-794-1791

Resource for Federal and CA tax issues. Runs a criminal legal defense fund.

### [www.devvy.com](http://www.devvy.com)

Info on the Federal Reserve, money, taxes, constitutional issues, etc.

### [www.freedomlaw.org](http://www.freedomlaw.org)

Educates Americans about U.S. and CA tax law.

### [www.NITE.com](http://www.NITE.com)

Information on Proposition #2, especially for employers.

### [www.paynoincome.com](http://www.paynoincome.com)

Irwin Schiff's site. Author & Lecturer on income taxes.

### \*\*\* Special Site for Bankers & Economists! [www.gata.org](http://www.gata.org)

Learn how the price of gold is being illegally manipulated to hide inflation and the very large risks for the global economy.

\* Free download of report (.pdf)

THIS ADVERTISEMENT IS OUR "CALL TO ACTION." IF WHAT YOU JUST READ MADE YOU ANGRY (WITH THEM OR WITH US), OR IF YOU JUST WANT TO KNOW MORE, CONTACT US. WE'LL SEE THAT YOU ARE UPDATED REGULARLY ON THIS IMPORTANT ISSUE.

GO TO [WWW.GIVEMELIBERTY.ORG](http://WWW.GIVEMELIBERTY.ORG) AND CLICK ON "UPDATE ME." Jefferson said it best, "When the government fears the people, you have liberty. When the people fear the government, you have tyranny."

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