

Verified Declaration of Non Federal, Private Sector Worker Eligibility

Attachment to U.S. Justice Department Form I-9

Type or print your first name Middle initial Last Name

SSN: *Optional, not required by law 42 U.S.C. 405(c)(2)(B)(I)*

Home address (number and street or rural route)

City or town County Complete name of state Zip

CLAIMING TO BE A PERSON NOT SUBJECT TO WITHHOLDING: The Internal Revenue Code is private law that applies to federal agencies and their sub-divisions. I am not a federal subject, employee, citizen or resident. I do not consent to have amounts withheld or deducted for state and/or federal taxes, fees, and other charges. I do not elect to enter into a voluntary withholding agreement with this non-federal private sector Entity. I am not required by statute to submit Form W-4 (or its equivalent). The private sector Entity cannot lawfully compel me to sign any government form as a condition of being hired or to maintain my labor/services. My private sector earnings are sourced without the United States and therefore not the subject matter of a exclusive territorial law of the United States (Congress) because I am not the object of the federal income tax law [31. 3124(b)].

The Entity is not authorized to enter into a Standard Agreement with the Secretary of the Treasury and Fiscal Assistant Secretary (or his delegates) pursuant to **31 CFR §215.6** regarding withholding from my pay. The Entity is not a duly authorized "Withholding Agent" as defined in **IRC §7701(a)16** and **26 CFR §301.7701-16** and no **Form 2678 Employer Appointment of Agent** exists under the provisions of **IRC § 3504**. It is my understanding a private sector Entity is not required to file **IRS Form 8555 Reporting Agent Authorization** by any government tax agency, and has no reporting requirement. Based on Title 26 USC codes and regulations, the Entity lacks lawful authority to withhold sums for federal and/or state taxes, fees or other charges, without my explicit, knowing, voluntary, written consent. I do not consent to participate in or contribute to federal and/or state government programs/taxes.

WORKER'S ATTESTATION: No law compels a private sector Entity to provide any specific government documents in order for me to work in America. An Entity may make a request for information and needs only to sign an affidavit stating the request has been made. No federal or state statute authorizes any private sector Entity or its tax professionals to determine whether or not the worker is subject to any revenue tax. The signing of Form W-4 (or its equivalent) and the supplying of social security numbers provide prima facie evidence, whether factually true or not, the worker is a "taxpayer" as that term is defined in the IRC. Such numbers and forms were obtained under conditions of mistake of fact, mistake of law, misrepresentation, fraud, constructive fraud, duress, and/or coercion. I hereby terminate, reject, waive and sever all benefits or privileges derived from such forms or authorizations. You are to remove and cease using any social security number or "taxpayer" identification number from any and all records in your possession. I certify I am not receiving government benefits or privileges.

WORKER'S STATEMENT OF CITIZENSHIP AND RESIDENCE: I do hereby certify I am a natural born man or woman. I inhabit upon the land in one of the states in this union, de jure government. I am not a citizen of the corporate municipal legislative democracy of Washington D.C., or any federal territory or federal enclave within any of the states of this union. I do not have income from any source within the District of Columbia, Puerto Rico, Virgin Islands, Guam, American Samoa, or any other Territory or enclave under the sovereignty within the [federal] United States, with its origin and jurisdiction from **Article 1, Section 8, Clause 17** of the U.S. Constitution and **26 CFR 1.911-2(g)**.

I do not derive taxable income. I am not engaged in a revenue taxable activity or event (i.e., alcohol, tobacco, firearms, gambling) nor am I a federally privileged person upon which an excise can be measured. **I am outside the venue of and not subject to the jurisdiction of 26 USC and 26 CFR.**

- This Declaration is to remain a permanent record in my personnel files as evidence that I do not consent to amounts being taken from my remuneration for any federal and/or state social welfare programs, benefits and other tax-related purposes (including non-judicial penalties, interest, levies or garnishments).
- I am not subject to any (federal, state or local) governmental income taxes or employment taxes: FICA (social security), disability, unemployment, etc.
- The Entity is prohibited from discriminating against me for failure to complete a government form or failure to furnish a social security number to obtain or keep a job. **EEOC v. Information Systems Consulting CA3-92-0169-T in the United States District Court Northern District of Texas Dallas Division.**
- The **Privacy Act of 5 U.S.C. Annotated 552(a)**, "It shall be unlawful...to deny any individual any right, benefit or privilege provided by law because of such individual's refusal to disclose his/her social security number."
- The House Congressional Record, March 27, 1943, page 2580 "*income tax is an excise tax with respect to certain federal activities and privileges. The income is not the subject of the tax....*"
- The Entity is not liable or required to prepare any information returns (Form W-2 or Form 1099 or their equivalent), nor provide any information regarding remuneration paid to me.
- I have furnished this signed document in lieu of the standard IRS [Form W-4] (or its equivalent) but contains such similar statements as:
 - I incurred no liability for income tax imposed under Title 26 of the Internal Revenue Code/Code of Federal Regulations for the preceding year.
 - I anticipate that I will incur no liability from income tax imposed under Title 26 USC and 26 CFR for the current year.
 - I have never been made liable for any tax pursuant to 26 USC and 26 CFR.
 - I have never received a copy of any record of the assessment Form 23C for any tax pursuant to 26 USC and 26 CFR.
 - I have never received any Notice and Demand of any liability for any tax pursuant to 26 USC and 26 CFR.

I declare to the best of my knowledge, understanding and belief the above facts are true and correct. All rights reserved. UCC 1-207

Signature

Date

NOTICE: WHEN YOU ACT ON A MERE ASSUMPTION THAT I AM SUBJECT TO OR LIABLE FOR ANY REVENUE TAX, YOU WILL THEN CARRY THE BURDEN OF PROOF AS TO THE LAWFULNESS OF YOUR ACTIONS.

To Entity: Labor is a fundamental unalienable right¹ and fundamental rights under the U.S. Constitution CANNOT be taxed², therefore amounts CANNOT be withheld for taxes. Any attempt to knowingly withhold sums from remuneration in violation of the above could subject management to severe penalties and fines for criminal conversion of property, breach of contract, and civil penalties of punitive damages.

¹ Butcher's Union Co. v Crescent City Co., 111 US 746, at 758-757 (1884) [Labor] ² Murdock v Pennsylvania, 319 US 105, at 113 (1943) [no tax on Labor]

REQUEST FOR (TIN) TAX IDENTIFICATION NUMBER: 26 CFR §301.6109-1(c) requires federal agencies and their subdivisions only to request disclosure of one's TIN. When the worker refuses, the law requires only to ask a second time while stating only the request for disclosure is required by law. When the worker refuses a second time, the agency or subdivision are required to prepare an affidavit (signed by the authorized Entity representative and worker) stating it has complied with the request, keeping the affidavit as a permanent record in the file it maintains on the worker.

"The revenue laws are a code or system in regulation of tax assessment and collection. They relate to taxpayers and not to nontaxpayers. The latter are without their scope. No procedure is prescribed for nontaxpayers, and no attempt is made to annul any of their rights and remedies in due course of the law. With them Congress does not assume to deal, and they are neither of the subject nor of the object of the revenue laws."

Economy Plumbing and Heating v. United States, 470 F.2d 585, at 589 (Ct.Cl.1972). (Emphasis added.)

The income tax is not a tax on "income", it is an excise tax on privileged activities. Engaging in excise taxable activities makes one a taxpayer. The code only applies to taxpayers. Therefore, any type of list defining the source from which income is derived in the code is mooted by lawful 'nontaxpayer' status.

"Since the right to receive income or earnings is a right belonging to every person, this right cannot be taxed as a privilege." Jack Cole Co. v. MacFarland, 337 S.W. 2d 453, 455-456 (Tenn.1960). (Emphasis and explanation added.)

I do not volunteer to contribute to social security taxes. One cannot be compelled to register in and subsequently participate in government entitlement programs, as the authority to require such from Citizens is a power which "obviously lie(s) outside the orbit of congressional power." Railroad Retirement Board v. Alton Railroad Co., 295 U.S. 330, 55 S. Ct. 758 (1935).

"The individual, unlike the corporation, cannot be taxed for the mere privilege of existing. The corporation is an artificial Entity which owes its existence and charter powers to the state; but the individuals' rights to live and own property are natural rights for the enjoyment of which an excise cannot be imposed." Redfield supra at 819. (Emphasis added.)

"The right to labor and to its protection from unlawful interference is a constitutional as well as a common-law right. Every man has a natural right to the fruits of his own industry." 48 Am Jur 2d, Section 2, page 80.

"A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution." Murdock v. Pennsylvania, 319 U.S. 105, 113 (1943).

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." United States Constitution, Ninth Amendment.

A federal court has stated: *"Indeed, the requirement for apportionment is pretty strictly limited to taxes on real and personal property and capitation taxes."* Penn Mutual Indemnity Co. v. C.I.R., 277 2d 16 (3rd Cir. 1960). There is no tax imposed by the internal revenue laws that has been apportioned among the States as the United States Constitution requires of direct taxes. Obviously, since there are no federal taxes apportioned among the States, including social security taxes, there is no tax imposed on either people or property.

Unless the Entity can find a place in its state Code/Regulations or the Internal Revenue Code/Federal Regulations that imposes a tax upon activity or event in which I am involved, then the Entity has no basis to assume or presume that I am subject to or liable for a tax. Also, there is no statute authorizing anyone to determine whether or not I am subject to any revenue tax. Personnel within the taxing agencies may have authority to determine the liability of a "taxpayer" as that term is defined in the IRC, and I submit that no federal or state person or agency has been granted the authority to determine whether or not I am subject to or liable for any internal revenue tax. The Entity and the IRS have failed to provide me with any written proof that either have the authority to determine who is and who is not subject to or liable for a tax.

I submit that the Entity will not be able to find any person who will sign a statement under penalty of perjury claiming that I am subject to or liable for any particular revenue tax. *"Our system of taxation is based upon voluntary assessment and payment, not upon distraint."* Flora v. United States, 362 U.S. 145, 176 (1960).

It is apparent that the signing of Form W-4 (or equivalent) and the supplying of social security numbers provide merely *prima facie evidence*, whether factually true or not, that the individual is a "taxpayer" as that term is defined in the Code. I submit that such numbers and forms were obtained from me by the Entity, the IRS and the State Tax agency (where applicable) under conditions of mistake of fact, mistake of law, misrepresentation, fraud, constructive fraud, duress, and/or coercion. Therefore, I hereby revoke my signature on any and all such forms in your possession, and I demand that you remove any social security number or "taxpayer" identification number from any and all records in your possession pursuant.