

U. S. Court
Of Appeals
Tells IRS:

"No USDC
Order,
NO
Administrative
Enforcement"



Read
The Details
& The Decision

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Alan Keyes
Bay Buchanan
Joseph Sobran
Aaron Russo
Hutton Gibson
Rabbi Daniel Lapin
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USDC Case # 04CV01211

**We The People
v.
The U.S. Government**

**The Lawsuit To Restore
Constitutional Order**

OBJECTIVE: Reclaim Popular
Sovereignty by Enforcing
The "Long-Forgotten" First Amendment
Right To Petition

**Join Thousands of Plaintiffs
Confront A Government
That Refuses to Answer !**

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The Right
To
Petition
Lawsuit

June 23, 2005

Former IRS CID Special Agent Joseph Banister Acquitted of Tax Fraud And Conspiracy

[Kickoff](#)
Covered Live
on C-SPAN !

**Government Unable To Prove U.S.
Law
Requires Income Tax Withholding
or Filing**

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\$85K
Still
Needed

Sacramento California -- On Thursday June 23, a federal jury found former IRS Criminal Investigative Division (CID) Special Agent and CPA Joseph Banister not guilty of all counts alleging criminal tax fraud and conspiracy related to actions he took on behalf of a California business owner who had openly defied the IRS over several years by stopping withholding of all income and employment taxes from the paychecks of his workers.



▶ [4 Minutes
of Video](#)
Every
American
Should See
Before
April 15
FREE

*Updated
JUNE10, 2005*

[Learn How the
Lawsuit Will
Protect
ALL Plaintiffs
From
ALL IRS & DOJ
Income Tax
Enforcement
Actions,
Civil & Criminal](#)

During the trial the Department of Justice was unable to put forth any evidence that Banister had either engaged in a conspiracy or had acted unlawfully when he shared legal research with business owner Al Thompson concluding that he had no legal obligation to withhold taxes from his workers or when he (Banister) prepared corrected tax returns for Thompson claiming his taxable income was, under U.S. law, zero.

▶ [537
Questions the
Government
Will NOT
Answer](#)

[Become a
Plaintiff
-- NO COST --](#)

[Learn How the
Right of Petition
is THE Key to
Reclaiming Our
Freedom &
Constitutional
Order](#)

During the trial, Banister's former supervisor at IRS's San Jose CID office, Robert Gorini (who testified via video recording) when pointedly asked, was unable to cite any U.S. law that required Banister to pay income taxes.

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Lawsuit

▶ [Damning](#)

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537 Questions

Banister, who was forced to resign in 1999 after questioning IRS officials about their legal authority, gave Thompson's worker's a presentation in 2000 which reviewed his detailed investigative research of U.S. tax law which concluded that not only did the IRS lack any authority to impose income taxes on the workers, but there was no legal requirement for the business to withhold any taxes from the worker's paychecks.

Banister is part of a nationwide effort seeking to force the U.S. Government to respond to a series of detailed legal Petitions for Redress of Grievances directly challenging the authority of the IRS. Last summer, the We The People Foundation initiated a landmark lawsuit with 2000 plaintiffs against the government because it has refused to answer the Petitions.

The Right-To-Petition lawsuit, of which Banister is a plaintiff, is the first time in history that U.S. courts have been asked to define the meaning of the final ten words of the First Amendment.

Court documents for the RTP lawsuit and scholarly research regarding the Right to Petition can be downloaded from the Lawsuit Information Center on www.GiveMeLiberty.org.

Following the verdict, Banister was greeted by a throng of WTP supporters and members of his family.

Tomorrow, WTP will publish additional details of this important news and stream video of post-verdict interviews of Banister & several of the jurors.

Support Joe Banister:
Read the May 27th WTP update, "[Get Pinned](#)"

**New Legal
Research: The
Income Tax
Fraud
Exposed**

▶ **Schulz
Stopped Filing**

**& Paying.
Learn Why
& How.**

▶ **Why The
People Are
Legally &
Morally
Justified**

▶ **Contact the
Media or Your
Congressmen**

Join Our
**Legality of
Income Tax
Focused
Discussion**



**Legality of
Income Tax**

▶ **Larken Rose:
"Please
Prosecute Me"**

**for Failure to
File**

Our
Government
Refuses to
Answer.



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Termination
Package"

See How
Schulz
Stopped Filing
& Paying

\$39.95

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on VHS Too !

June 10, 2005

The Crime and the Cover-up Mr. President, Tear Down This Tax!

33 years ago, high officials in the Executive branch, including the President of the United States, committed a crime against the People and covered it up. However, thanks to "Deep Throat," who was one of the Executive branch's own criminal investigators, the crime was uncovered, the guilty were punished, and for the first time in our history, a sitting President was forced to resign, rather than face prosecution and imprisonment.

We should thank the Creator for people like Deep Throat who love their country – and not the government, recognizing the difference between the two and the inherent danger in the latter.

Until last week, Mark Felt remained anonymous, probably out of fear for his life, but certainly for fear of persecution for revealing the truth about the misdeeds of his high ranking superiors. At 91 years of age, Mark Felt finally identified himself as Deep Throat.

Sixty years earlier, coincident with the First World War, another far more serious crime against the People was committed by high ranking officials of *both* the Executive and Legislative branches of our government. It too, was covered up.

And just like Watergate, it was uncovered by one of the federal government's own criminal investigators. The year was 1999. The investigator was Joseph Banister (Special Agent of the Criminal Investigation Division of the Internal Revenue Service).

(continued...)

▶ [Click Here To Read The Full Update](#)

May 30, 2005

REMEMBERING

Let us also remember those who question(ed) and then confront *our* government in defense of Freedom. They boldly face and meet in

Founding Documents
▪ State Constitutions
▪ U.S. Constitution
▪ Declaration of Independence

hostility this domestic enemy of Freedom.
They match strength with strength,
confronting the power of the government with
the power of words --- ten Commandments
and ten Amendments.

Please support those citizens who are now
standing in front of *our* government, face-to-
face, opposing un-constitutional conduct and
refusing to give ground.

Please support, in particular, Citizen Banister
and the Plaintiffs in the Right To Petition
lawsuit. All are on the front line in defense of
Freedom here at home.



Please send for a We The People pin(s) and
encourage other concerned Americans to do
the same. Wear it proudly, signifying your
remembrance of all Freedom Keepers,
especially those opposing governmental
tyranny here at home.

For more information about the Freedom Pin
project, [click here](#) to see our previous article.
We are very happy and grateful for the
wonderful outpouring of support we received
in the 48 hours following Friday evening's
announcement of the Freedom Pin fund
raising project. We have reached 10% of our
goal, which is to receive \$100 for each of
1600 Freedom Pins. On behalf of Joe
Banister and all the Plaintiffs, "Thank you."

This weekend, please also remember
Freedom Keeper Dick Simkanin,
who sacrificed both his business and his
Liberty in publicly confronting our government
and further exposing the income tax fraud to
our nation. He would love hearing from those
that are continuing the fight for Freedom:

Richard Michael Simkanin
30383-177 Unit F

Federal Correctional
Institution
P.O. Box 7000
Texarkana, TX 75505-7000

Oral arguments for [Simkanin's appeal](#) at the 5th Circuit Court of Appeals are currently scheduled for the week of July 4.

Related Links:

Read the May 27th WTP update, "[Get Pinned](#)"

[Order](#) a WTP Freedom Pin

Provide further [support](#) in helping fund the legal costs of the Right-To-Petition lawsuit and the criminal defense of former IRS CID Special Agent Joseph Banister.

May 27, 2005

**Get
Pinned**



WTP currently has two critical projects that take precedence in time, order and importance: 1) the Right to Petition lawsuit; and
2) Joe Banister.



In order from left to right: Jeff Banister (Police Officer), John Banister (Police Sgt.), Gary Banister (Police Officer Ret.), Joe Banister (Former IRS Special Agent), and Jim Banister (Fire Captain).

The Right to Petition lawsuit remains our highest priority. At issue is the meaning of the last ten words of the First Amendment, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, **and to petition the government for a redress of grievances.**”

We have asked the federal District Court in and for the District of Columbia to do what no court has been asked to do since the adoption of the Bill of Rights in 1791 -- - that is, to declare the meaning and define the contours of the Right “to Petition the government for a Redress of Grievances.”

(continued...)

▶ [Click Here To Read The Full Update](#)

May 21, 2005

Hard Evidence That Form 1040 Has NO Legal Basis In Law

IRS Withdraws Criminal Allegation, Tax Convict Walks Free

Although the People's war against the income tax fraud and IRS abuse has been lengthy and daunting and has left many freedom fighters across our nation battered and bankrupt, there are continuing signs that the tide of tyranny may finally be meeting effective resistance.

On April 12th 2005, William Wallace Lear of Muskegon Michigan appeared in federal District Court in Grand Rapids to face IRS charges claiming Lear had violated the terms of his probation. William Lear had served one year in a federal detention facility in Minnesota following his conviction in 2002 for

Willful Failure to File income tax returns (a misdemeanor). His probation began in March, 2004.

The basis for the probation violation hearing was an IRS claim that Lear failed to abide by the strict terms of his probation which included the requirement that he file all his delinquent tax returns and pay all back taxes and penalties owed.

Just as the hearing before Judge Gordon Quist began, the DOJ attorneys moved to dismiss the IRS's probation violation claim against Lear that would have sent him back to prison.

Although Lear had filed his missing returns signing them "under duress" (which IRS does not allow) and failed to pay the taxes owing on those returns, Judge Quist signed an order, completely releasing Lear from federal custody. As of April 12th, Lear has been a free man.

An important question remains: Why? Why would the IRS and DOJ walk away from a golden opportunity to make headlines and send a convicted tax protester back to prison? *(continued...)*

▶ [Click Here To Read The Full Update & To Examine the Evidence That IRS Individual Form 1040 Has NO Legal Authority.](#)

March 30, 2005

Appeal Exposes Sham Tax Trial

Simkanin Appeal Underway

DOJ Responds

Texas business owner Dick Simkanin's appeal is finally underway in the Fifth Circuit Court of Appeals in New Orleans.

This appeal is being made after two failed attempts by the government (in 2001 and 2002), before two separate grand juries to indict Simkanin (after hearing direct testimony from him), a successful indictment by a grand jury (where Simkanin was prevented from testifying), one mis-trial ending in a "hung jury" (where Simkanin testified freely on the witness stand), a second patently flawed criminal trial (and conviction) that made a mockery of Justice and Simkanin's Due Process rights, and 21 months of incarceration.

Simkanin is appealing his conviction for multiple tax charges stemming from his belief that no law required him to withhold taxes from the paychecks of his workers and no law required him to file a federal tax return.

(continued...)

▶ [Click Here To Read The Full Update & To Read the Appeal and DOJ's Response Brief](#)

March 23, 2005

IRS Retaliation?

Are you one of the thousands of People listed as a Plaintiff in *We The People Foundation v. United States* (federal District Court for the District of Columbia, Case No. 04-01211)? If so, has the IRS been in touch with you, your employer or your bank since last September? If so, has the IRS mentioned We The People? If so, we want to hear from you.

We want to make sure the government is not retaliating against you because of your participation in the lawsuit. That would be impermissible and intolerable.

As we have reported, we are currently awaiting the District Court's decision on the Government's motion to dismiss the suit. The Court's decision will be appealed by the IRS or by the People, depending on how the District Court rules.

In the meantime, we want to make sure no government agent gets the idea that he or she can begin to use coercive force against people who are Plaintiffs in the lawsuit and may have signed an affidavit that they are retaining their money until the government properly responds to their Petitions for Redress of grievances.

We want to know about any incident involving retaliation against a Plaintiff that may have occurred **since the filing** of the Complaint last September, and the public posting of the names and addresses of the Plaintiffs.

(continued...)

▶ [Click Here To Read The Full Update](#)

March 21,2005

Tax Panel Chairman: “Constitutionality of The Income Tax Will Not Be Addressed.”

WTP Supporters Confront Tax Panel In Chicago

The “Fix” Is In, Unless We Act.

On Wednesday morning March 16, a group of WTP supporters gathered at the University of Chicago downtown campus with signs, information packets, and reprints of the full-page ad WTP recently ran in *The Washington Times* to hand out to members of the press and other attendees of the meeting of the President’s Advisory Panel on Federal Tax Reform.

After a minor confrontation with a U.S. Treasury security detail questioning the activities of the WTP group, security officials, with the full blessing of the Chicago police, eventually allowed WTP to continue its activities outside the meeting hall. In addition, members of the group were allowed into the

building to attend the meeting.

The modestly sized (7-8) group was successful in engaging and distributing information packets to members of the press, the panel's witnesses, the public and those attending the meeting. Chicago Mayor Richard Daley was one of the people who accepted an ad reprint. He was observed studying it as his limousine pulled away.

(continued...)

► [Click Here To Read The Full Update](#)

March 9, 2005

IRS: Gut *Schulz v IRS* DOJ: Court's Opinion Threatens Tax System

Schulz Responds

On March 1st, IRS and DOJ filed a motion with the Second Circuit Court of Appeals asking the Court to amend its [January ruling](#) in *Schulz v IRS* (Case No. 04-0196).

Today, Bob Schulz mailed to the Court in Manhattan his brief opposing that motion.

The government's motion is evidence that IRS is obviously upset with the Court's opinion that held that the recipient of an IRS administrative summons "cannot be held in contempt, arrested, detained, or otherwise punished for refusing to comply with the original IRS summons, no matter the taxpayer's reasons or lack of reasons for so refusing."

In *Schulz*, the Court also held that "IRS Summonses apply no force to taxpayers, and no consequences can befall a taxpayer who refuses or ignores, or otherwise does not comply with an IRS summons until that summons is backed by a federal court order."

Clearly troubled by the potential implications of the *Schulz* decision, the DOJ engaged their

“top guns” from the Attorney General's office in DC to request that the Court of Appeals gut its decision in *Schulz*, which clearly binds IRS to the due process requirements of the Constitution, limiting IRS's ability to use force against tax payers absent a court order. The IRS obviously sees its ability to acquire personal and private property, on demand, as being constrained. ***(continued...)***

▶ [Click Here To Access The Full Update & To Read The DOJ's Motion & Schulz's Opposition](#)

February 27, 2005

Court Grants Our Motion For Sur-Reply

DOJ Faces Tall Constitutional Hurdles On Its Motion To Dismiss

Last week, the U.S. District Court in Washington, DC granted We The People the final word in the now months-long battle over the government's Motion to Dismiss the People's landmark Right-to-Petition lawsuit.

The court, in a relatively infrequent move, granted WTP's [motion](#) for permission to file a “Sur-Reply” to counter new arguments raised in the government's [Reply to WTP's opposition to the government's motion to dismiss the complaint](#).

The government had expected its Reply would be the final pleading on its motion to dismiss, and then opposed WTP's motion for permission to file a Sur-Reply.

In its Reply, the Department of Justice did not rebut the formidable arguments put forth by WTP in opposition to the Government's claim of “sovereign immunity” as a bar to being sued.

(continued...)

► [Click Here To Access The Full Update](#)
& Read the WTP Sur-Reply

February 26, 2005

President's Tax Panel Seeks Public Comments: Lets Give Them Some

Panel To Meet Soon In DC, Tampa & Chicago

On February 16, 2005, at the first public meeting of the President's Advisory Panel on Federal Tax Reform, the Panel announced that as part of its process of making recommendations on fundamental tax reform it was seeking comments from the public regarding the current tax system.

In its first request, the Panel is soliciting comments (only) on the following specific topics: (Quoting from the panel's website, www.taxreformpanel.gov)

1. Headaches, unnecessary complexity, and burdens that taxpayers - both individuals and businesses - face because of the existing system.
2. Aspects of the tax system that are unfair.
3. Specific examples of how the tax code distorts important business or personal decisions.
4. Goals that the Panel should try to achieve as it evaluates the existing tax system and recommends options for reform.

(end quote)

We The People is encouraging everyone to take a few moments out of your busy lives and pen an articulate, deliberative note to the

Panel with your comments. Your comments will become part of the public record.

We urge everyone to consider the significant consequences of missing this historic opportunity to put before the Panel, and document for our children's National Archives, the most important matters of constitutional abuse, moral outrage, and concern for the future of this nation as the Panel ponders whether to continue to impose upon the People a method of taxation that violates virtually every constitutional principle and protection provided by the Bill of Rights.

Indeed, the time has come to personally Petition the President's tax panel with your Grievances. *(continued...)*

▶ [Click Here To Access The Full Update](#)

February 18, 2005

Unless The People Rise Up, Here's What's Coming: Federal Consumption Taxes PLUS The Income Tax

Conflicts of Interest Apparent In President's Tax Panel

Panel Focused on Economic “Modeling” NO Voice For The Constitution

President Bush's Advisory Panel on Federal Tax Reform held their first public meeting in Washington on Wednesday.

At that meeting, the first witnesses appearing before the panel put forth facts and professional opinions to establish the framework the panel will build upon as it moves toward its recommendations this coming July.

The panel's discussion focused extensively on

econometric “modeling,” the rapidly growing federal revenue requirements and technical factors affecting the efficiency of tax administration and enforcement.

Despite the full-page ads placed by this Foundation this week in the *Washington Times*, and [information packages](#) sent by the Foundation to each individual panel member, NO discussion took place regarding the impacts of the panel's recommendations on the protection of the rights of People or the Constitutional limitations that explicitly bind the taxing authority of Congress.

If the projections arising out of the financial “Perfect Storm” depicted by the panel regarding the need for greatly increased federal revenues are accurate, and if the President and Congress adopt the reforms apparently already emerging from the panel, the People will soon experience a new, and never-before-seen condition of economic slavery, openly achieved through the tax “laws” of this nation. ***(continued...)***

► [Click Here To Access The Full Update](#)

February 12, 2005

President's Tax Reform Panel Put On Notice

Full-Page Ads To Run Next Week

Schulz Petitions The Panel For Answers

Thanks to the generous and rapid response of the People, our full-page, color ad will appear in the Daily Edition and the National Weekly Edition of a principal Washington DC newspaper, in time for next Wednesday’s first public meeting of the President’s Advisory Panel on Federal Tax Reform in Washington. The ad will reach hundreds of thousands of *Washington Times* readers on Monday and Tuesday.

The ad challenges the President's Advisory Panel to address the constitutional issues relating to the government's operation and enforcement of the federal income tax system.

The ad highlights the willingness of IRS and DOJ to ignore the Supreme Court's never-overturned holdings regarding the income tax, the collusion of the Executive, the U.S. Congress and the lesser courts to perpetuate the fraud, and the government's steadfast refusal to answer the People's Petitions for Redress regarding constitutional abuses.
(continued...)

▶ [Click Here To Access The Full Update And to Download the Full-Page Ad](#)

▶ [Click Here For The "More Details" Links Referenced In The Ad](#)

February 8, 2005

Our Full-Page Message To The President's Tax Reform Panel

WTP Plans Provocative Series Of Full-Page Ads

Income Tax Advisory Panel Meets February 16th

This week it was announced that on February 16th, President Bush's Advisory Panel On Federal Tax Reform will convene in Washington, DC for the first of a number of public discussions regarding fundamental reform of the nation's tax system.

To insure this nation, the dominant media and our elected leaders clearly understand the **constitutional and legal fraud** of our current income tax system, and to make sure that it continues no further, We The People must have a voice in this discourse.

In direct support of our ongoing Right to Petition lawsuit and the fundamental questions we have put forth directly challenging the authority of the IRS, we would like to begin a series of eye-catching, provocative, full-page color ads in the *Washington Times*, specifically targeting the nation's Capitol and those across the nation that subscribe to the *Times*. ***(continued...)***

▶ [Click Here To Access The Full Article](#)

February 2, 2005

“Not Without A Court Order”

WTP Commences “Project Luther”

In 1517, Martin Luther nailed his “*95 Theses of Contention*” to the front door of the Castle Church in Wittenberg, Germany.

This single, bold gesture openly challenged the doctrine of the Catholic Church and set off an unforeseen chain of events which came to be known as the “Reformation.” The effects of Luther's action that day would forever alter Western Civilization's perception of the authority of the Church – and in practical terms, call into question the very authority of the state.

Luther was consequently summoned to appear before a tribunal of the church-state hierarchy, and was ordered to recant his damaging assertions.



In response he uttered, “*Unless I am convinced by proofs from Scriptures or by plain and clear reasons and arguments, I can and will not retract, for it is neither safe nor wise to do anything against conscience. Here I stand. I can do no other.*”

God help me. Amen.”

Several years later, Luther went on to translate and publish the first non-Greek-Latin version of the New Testament, enabling average Europeans, for the first time, to study and comprehend the “hidden mysteries” of the Church.

It's time to take a page from Luther's book.

It's time to challenge IRS doctrine by posting a message on its front doors,

“NO MORE PERSONAL AND PRIVATE PROPERTY WITHOUT A COURT ORDER.”

(continued...)

▶ [Click Here For The Full Article](#)

January 29, 2005

Dramatic Development:

U.S. Court of Appeals Rules IRS Cannot Apply Force Against A Tax Payer Without A Court Order

Tax Payers Free To Ignore An IRS Summons

Queensbury, NY – On January 25, 2005, the U.S. Court of Appeals for the Second Circuit held that taxpayers cannot be compelled by the IRS to turn over personal and private property to the IRS, absent a federal court order.

Quoting from the decision (*Schulz v. IRS*, Case No. 04-0196-cv),

“...absent an effort to seek enforcement through a federal court, IRS summonses apply no force to taxpayers, and no consequence

whatever can befall a taxpayer who refuses, ignores, or otherwise does not comply with an IRS summons until that summons is backed by a federal court order...[a taxpayer] cannot be held in contempt, arrested, detained, or otherwise punished for refusing to comply with the original IRS summons, no matter the taxpayer's reasons, or lack of reasons for so refusing.”

Without declaring those provisions of the Code unconstitutional on their face, the court, in effect, nullified key enforcement provisions of the Internal Revenue Code, stripping the IRS of much of its power to compel compliance with its administrative demands for personal and private property. The court characterized IRS summonses issued under Section 7602 as mere “requests.”

(continued...)

▶ [Click Here For The Full Article And The Court of Appeal's Decision.](#)

January 26, 2005

IRS Commits Fraud On The District Court

Right-To-Petition Lawsuit Enters Critical Phase

Lawsuit Plaintiffs Being Retaliated Against, Motion For Preliminary Injunction Against IRS Nears

WTP Website Functional Again

▶ [Click Here For The Full Article](#)

December 31, 2004

2nd Circuit To Decide SCHULZ v IRS

IRS Stuck Between a Rock and a Hard Place

On December 13, 2004, the U.S. Court of Appeals in Manhattan heard oral arguments regarding an IRS Summons formally served upon We The People Chairman Bob Schulz in apparent retaliation for, and to unlawfully infringe upon, the exercise of the Right to Petition.

Schulz had sued the IRS in District Court to quash the Summons claiming it was a direct infringement upon his First Amendment Rights, including -- and primarily -- the Right to Petition.

Even though defendant IRS did not file any response to the lawsuit, the District Court decided in the government's favor. At the Appeals Court however, IRS finally did respond, only to orally argue that Schulz's lawsuit should be dismissed for lack of jurisdiction because -- in their words -- IRS Summons "can be ignored without consequences" until IRS pursues additional enforcement actions through the District Court.

[Click Here](#) to listen to the DOJ present this argument to the Court of Appeals. (approximately 25 minute long audio)

At the conclusion of the oral arguments, the Court of Appeals ordered Defendant IRS to answer the following two questions, in writing, within ten days. The Court gave Bob Schulz until December 30 to reply.

Q.1 "Whether, in the view of the IRS or any case law, the taxpayer is under some compunction at the initial moment of receiving the Summons or Subpoena, which might then create jurisdiction for a motion to quash, and if not, what is the policy of the IRS, either in regulations, case law or otherwise, as to what it is the IRS sees as occurring in the enforcement proceeding, that is to say, whether that proceeding is intended and seeks only an enforcement order, which if not complied with may thereafter lead to contempt, or whether that proceeding might in some way initially place the taxpayer in jeopardy of contempt or some other unforeseen circumstance."

Q.2 "What is the government's understanding of the law as presented by the Second Circuit, not by the District Courts within the Circuit, but by this Court, starting with Judge Friendly's opinion in *Colton* and as you see the cases developing thereafter."

In its response to the Appellate Court, Defendant IRS submitted a 2 ½ page letter brief and Schulz replied on December 29th.

[RIGHT-Click here](#) to download (Save) a copy of the IRS's letter-brief defending its Summons authority (1.2 MB)

[Click here](#) to read Schulz's reply (.pdf)

[Click here](#) to hear a recording of Schulz and the DOJ argue before the Court of Appeals on December 13, 2004

Read the cases relied upon by the IRS: (.pdf)

[Colton](#) [Reisman](#) [Kulukundis](#)

Please remember, the Right to Petition Lawsuit and the operations of the WTP Foundation are funded solely by your [donations](#).

December 24, 2004

Merry Christmas and Happy New Year

Please Obey The Government

Civil governments everywhere, even though often controlled by evil men, are ordained of God to serve as His ministers of justice, and to restrain the criminal elements of human society.

God commands us to be law-abiding citizens of the Civil Governments under which we live, for there are no legitimate Civil Governments anywhere that God has not placed in power.

We The People of America, at the dawn of our nation's history, elected to govern ourselves under God's sovereign authority. America's Civil Government was established by men who placed their complete confidence in God's Word as the ultimate source of wisdom, truth and justice on earth. It was their abiding faith and trust in Him that most inspired the minds and hearts of those brilliant men as they wrote the Declaration of Independence and The Constitution of the United States.

By these sacred documents, our nation was conceived in faith and dedicated to the eternal cause of freedom. In America, the People established the Fundamental Law, the Constitution, as a reflection of their understanding of God's plan and purpose for Civil Government. And, it is We The People who reserved the Right to interpret that Law. Only in America has God made the People the source of all political power. Only in America has God made all political power limited by written Constitutions.

In America, those who refuse to ensure that the Constitution and Bill of Rights are obeyed are themselves breaking God's law. They are lawbreakers. This applies to all People, whether they are elected officials, judges, or ordinary citizens.

Every American should obey the Constitution and Bill of Rights for two reasons: First, because this is America's Fundamental Law, given to us as a testament to God's grace and love for His People. Second, because America will not survive if We The People turn away from our true heritage, and the knowledge of who we are as one nation under God.

The We The People Foundation for Constitutional Education, Inc., and the We The People Congress, Inc., are acutely aware that our government at all levels is operating in sharp contrast to the way it was designed to function. We are also painfully aware of the heavy price being paid by those who are defending God's Civil Government in America--honorable, patriotic men and women including Dick Simkanin, Joe Banister, Sherry Jackson, John Turner, Nick Jesson, Al Thompson, Phil Hart, Irwin Schiff, and others too numerous to mention.

We are indebted to these courageous Americans who have placed their love of Country and faith in God before their personal security and welfare. It is most appropriate that we acknowledge their sacrifices at this special time of the year.

Here at WTP, we remain focused on defending every American's sacred, unalienable Right to Life, Liberty, Property and Due Process of Law, primarily through the Petition Clause of the First Amendment, and we are committed to assisting those who are similarly focused.

We extend to you, the entire WTP family, our warmest wishes for a Merry Christmas and Happy New Year.

December 22, 2004

In Defense of the Petition Clause:

Battles Now Underway on Three Fronts

2nd Circuit Directs DOJ to Explain Lack of IRS Summons Enforcement Authority

As is now widely known, since July of 1999 the We The People organization has led a nationwide legal and educational attack on the federal government, utilizing the force of "popular constitutionalism." This assault has come in the form of an intelligent and rational exercise of the First Amendment Right to Petition for Redress of Grievances, relating to the government's imposition of an unconstitutional, direct, un-apportioned tax on labor.

What is also known is that in November of 2002, three additional Petitions for Redress were added to the People's overall Petition process. These Petitions are related to the Constitution's war powers clauses versus the Iraq Resolution, the privacy and due process clauses versus the USA Patriot Act, and the money and debt limiting clauses versus the Federal Reserve System.

It is also widely known that the People's Petitions for Redress have been legally served on the highest ranking officials of the Executive and Legislative branches of the federal government, including the President and leadership of the Congress and every member of Congress, the Attorney General, Treasury Secretary, and Commissioner of the IRS. Undoubtedly, these officials know about the We The People Foundation and the Petitions for Redress of Grievances.

What's more, with dismay, the People watched their servant government's reaction: they have seen the government trespass on the People's First Amendment Right to Petition by striking out against the Petitioners -- infringing on that unalienable Right, rather than respond by answering their questions.

The People decided to fight back – to defend against this invasion of their Right to Petition. Nearly two thousand joined the fight this year by becoming named plaintiffs in the lawsuit aimed at getting the federal courts to declare the meaning of the Right to Petition, including the Right of the People to retain their money until their grievances are redressed if the government decides not to properly and honestly respond as the Constitution commands.

What has **not been widely known** is that parallel battles in defense against the government's invasion of the People's Right to Petition are now being fought on a total of three judicial fronts by the We The People organization. What follows is an update of

the primary lawsuit and breaking news regarding significant developments in a related case that has reached the 2nd Circuit Court of Appeals. This second case was brought by Chairman Bob Schulz, as the sole plaintiff, against the IRS. We will discuss the third case in a future article. (*continued...*)

▶ [Click Here For The Full Article](#)

November 1, 2004

USDC Releases Tax Protest Employer Who Refused To Sign Perjured Tax Forms

Late last week, (October 28th) the USDC in Sacramento ordered the release of business owner Al Thompson who had been held in Sacramento County jail since August 9th on a federal civil contempt warrant issued for Thompson's refusal to sign false tax forms for his business.

Several years ago, Thompson, an outspoken California business owner, ceased withholding taxes from his employee's paychecks and steadfastly refused to file income tax forms or returns because, according to Thompson, the law contains no specific provision that requires him to do so. Many attorneys, former IRS agents and legal researchers -- (including this Foundation), are on the public record as agreeing with Thompson's claims.

Despite being arrested earlier last April on the same issue, Thompson refused to fill out the tax forms the federal judge ordered him to submit asserting that, given his understanding of the law, he would be committing perjury for providing false information under oath.

Despite motions to the District Court requesting the IRS to provide a formal certification, sworn under penalty of perjury, that Thompson was an "employer" and a "person" liable under the income tax laws, none was ever produced. (*continued...*)

► [Click Here For The Full Article](#)



Al Thompson

October 20, 2004

Stopping Undeclared Wars

“In questions of power, let no more be heard
of confidence in man, but bind him down from
mischief by the chains
of the Constitution...” *Thomas Jefferson*

The Rights of Americans are INDIVIDUAL Rights, guaranteed by the letter and the spirit of the [Constitution](#), the [Bill of Rights](#), and the [Declaration of Independence](#).

One such Right is the Right to freedom from a government that commits the armed forces of this nation to hostilities overseas without a Congressional declaration of war.

Since World War II, Presidents have repeatedly usurped this power which is explicitly reserved for the Congress, and Congress has consistently acquiesced by illegally "transferring" the power to the President via unconstitutional "resolutions". (See [Article 1, Section 8](#) which specifically requires a declaration of war by the People's elected representatives in the Legislative branch -- **not the Executive** branch.)

To stop undeclared wars the People need only force the government to abide by the war powers clauses of the Constitution.
(continued...)

► [Click Here For The Full Article](#)

October 14, 2004

DOJ Responds To The RTP Lawsuit

As previously announced, WTP filed an [Amended Complaint](#) in the Right To Petition lawsuit on September 16th, 2004.

Last week, the Department of Justice responded to that filing with a [Motion to Dismiss](#) the Amended Complaint.

According to WTP Chairman Bob Schulz, "Nothing in the DOJ's response was unanticipated and we are preparing an answer to their motion." WTP will provide commentary and analysis of the Government's motion in the coming days.

We again ask for your consideration in helping provide the ongoing financial support necessary for this crucial initiative. If you have not seen it, please read the "Challenge to Plaintiffs" article directly below.

Again, we apologize for the persistent problems we are experiencing with portions of the GiveMeLiberty.org web server. Until these technical issues are fully resolved, please make your donations via credit card to www.PayPal.com, addressed to bob@givemeliberty.org or by mail to:

We The People Foundation
2458 Ridge Road
Queensbury, NY 12804

September 29, 2004

A Challenge To Plaintiffs

Today, we received a request from someone who has just joined the Right To Petition lawsuit. He has asked us to publish a message from him to the other plaintiffs in the case.

Normally, we do not publish articles written by

people who are not part of the management team here at the Foundation. However, given the timeliness of his message and the importance of the lawsuit, we have decided to honor his request.

Here is his message:

To All "We The People" Plaintiffs

Funding the cost of our legal case is of paramount importance, not only to us, but to all patriotic Americans. We are responsible, not only to ourselves, but also to each other to ensure the success of this endeavor, as the alternative is unacceptable to me and I hope to all of you as well. One of the things I have learned is that there is a tendency in human nature to expect that the "other guy" will do his part. I, for one, am not willing to take that risk with regards to our lawsuit.

Therefore, today, I am committing an additional \$1,000 donation to the legal fund. We only need another \$158,000 in donations. There are approximately 2,000 named plaintiffs. Let's not leave it up to the next guy. If you can match me, then the wise decision is to do so. If you cannot, then a minimal donation of only \$100 from each of the named plaintiffs will more than achieve the lawsuit - funding goal TODAY. This is a very small price to pay for the best legal representation of our Constitutional Rights. The reason I challenge you to match me is simply, imagine the success we can achieve over a shorter period of time with a large and proper legal fund!!!!

I, for one, am tired of the harassment by the IRS! We all use our credit cards every day for luxuries and even necessities that exceed the amount needed here. Or perhaps we should just surrender now and continue to give the money to the IRS instead. NOT AN OPTION IN MY OPINION!!!

The real question you must ask yourself is this, "CAN I AFFORD NOT TO MAKE THIS DONATION AND RISK INSUFFICIENT

FUNDING AND THE CONTINUED TRAMPLING OF OUR RIGHTS BY THE IRS???" The answer, without question, is NO!!! These are the very simple facts and all the questions have been answered.

Make your donation today and let's get on with our case. I look forward to seeing the lawsuit fund fully subscribed over the next few days. Let's be a part of history and make the IRS history!

Best Regards,

Dale F Phillips
dale (at) heartlandenergy.com

We thank Mr. Phillips for taking the initiative. We ask all people receiving this message, especially the Plaintiffs, to pick up on his suggestion. We have been somewhat derelict in our responsibility to occasionally remind people of our ongoing need to meet our contractual commitment with the Lane Law Firm regarding its representation of the plaintiffs in this historic case.

Thank you for your consideration.

[ed note 10-15-04]

We apologize for the temporary problems we are experiencing with reconfiguring the GiveMeLiberty.org web server.

Until these technical issues are resolved, please consider making your credit card donation via www.PayPal.com, addressed to bob@givemeliberty.org.

PayPal accepts all major credit cards and bank e-checks. You do not need a PayPal account to send a donation. If you prefer, you can send donations by mail directly to the WTP office at:

*We The People Foundation
2458 Ridge Road
Queensbury, NY 12804*

Again, thank you for your support of

September 23, 2004

Update: We The People v. United States

What a difference 60 days makes: from 6 to 2,000 Plaintiffs.

Thousands of Americans are now learning the meaning of the last ten words of the First Amendment and are exercising their Right to Petition the government for Redress of Grievances relating to:

1. The war powers clauses of the Constitution and the Iraq Resolution.
2. The “privacy” and due process clauses and the USA Patriot Act.
3. The taxing clauses and the direct, un-apportioned tax on labor.
4. The money and “debt” clauses and the Federal Reserve System.

On July 19, 2004, four People and two organizations filed a Complaint in the District Court for the District of Columbia. The Complaint seeks an Order (quote):

“Granting declaratory relief to the Plaintiffs by constraining the defendants to meet their obligations under the law and relevant rules by entering into good faith exchanges with the Plaintiffs and to provide to the Plaintiffs documented and specific answers to the reasonable questions asked of them by the Plaintiffs and to address in their respective official capacities each of the issues raised by the

Plaintiffs in their Petitions to representatives of the United States Government, namely: grievances relating to violations of the U.S. Constitution's war powers, taxing, money, and 'privacy' and due process clauses."

On September 16, 2004, the [Complaint was amended](#).

(1 MB right-click to download)

Nearly 2,000 people from every state in the Union have now been added to the list of named plaintiffs.

The caption of the Complaint is now 64 pages in length.

[\(continued...\)](#)

▶ [Click Here For The Full Article](#)

August 28, 2004

RTP Lawsuit Attorney's Phone Line Installed

Attorney Mark Lane is now able to receive phone calls directly from plaintiffs in the Right To Petition lawsuit and from those who are considering becoming plaintiffs.

The new, dedicated phone line has finally been installed.

The number is [\[856\] 459-1223](#).

Mark will be available to receive calls at this number for two and one-half hours every Tuesday afternoon from 1:00 P.M. through 3:30 P.M. (Eastern time). If there are many calls he will expand the number of call-in sessions to 2 or 3 times a week until all calls are answered.

Due to the large amount of recent rainfall and

flooding in the greater Philadelphia area, it took Verizon longer than expected to install the dedicated phone line.

Given the number of Plaintiffs involved in this lawsuit, please be respectful of Lane's limited availability and consider carefully reviewing the information already posted on the WTP website for answers to general questions and for matters applicable to all plaintiffs.

[Join the RTP lawsuit and learn about the Right to Petition](#)

[Click Here for Lane's 7/04 Letter to Plaintiffs](#) and to see the lawsuit kick-off in DC this July

August 23, 2004

Update: Right-To-Petition Lawsuit

Amended Complaint To Be Filed Shortly Getting Serious About Freedom & WTP New WTP Congress National Director Appointed

Thus far, almost four thousand people have signed up to be part of the landmark lawsuit that is asking the federal judiciary for a declaration of the meaning of the last ten words of the First Amendment to the Constitution of the United States of America - the unalienable Right to Petition the government for a Redress of Grievances.

The People claim their fundamental Right to Petition for Redress, rather than the Right to Vote, is -- and has always been -- the only non-violent way for the individual and the minority to hold the government accountable to the Constitution with its guarantee of individual, unalienable Rights, both enumerated and un-enumerated.

(continued...)

▶ [Click Here For the Full Article & Important](#)

Updates

Regarding the Landmark RTP

Lawsuit

July 26, 2004

We The People v. The U.S. Government

Case No. 04-CV01211

Landmark Lawsuit Begins With Live National TV Coverage And March Down Constitution Avenue

Letter From Lawsuit Counsel

On July 19, 2004, at 9 am, approximately 550 people from nearly every state in the Union gathered in the ballroom at the National Press Club in Washington DC. They again, were there awaiting a formal response from high ranking federal officials to a May 10 letter respectfully requesting those officials to attend the July 19 meeting and to respond to the People's Petitions for Redress of grievances regarding the government's violation of the taxing, war powers, privacy and money clauses of the Constitution and Bill of Rights.



As has been its established practice, the government once more, chose to ignore the People and their Petitions. The officials did not send anyone to meet with the People, to address the issues or to respond to the Petitions by at least letting the People know when they would answer the People's questions.

From 9 am to shortly after noon, the audience (including an estimated one million people watching the event live on C-SPAN 2 and an estimated 500,000 people listening on C-SPAN radio) was informed about the original meaning, history and significance of the Right to Petition, the now epic struggle by the People to get the government to respond to our Petitions, the futility of individual lawsuits involving constitutional torts, and the particulars of our landmark Right to Petition lawsuit that was filed

that afternoon.

At 12:20 pm, the People marched to the District Court of the United States in support of their lawsuit against the United States Government. The lawsuit seeks a declaration of their Right to peaceably hold their servant government accountable to the Constitution and the Bill of Rights, by retaining their money until their grievances are redressed and seeks the protection of the Court against retaliation against the plaintiffs for exercising their Rights.

▶ [Click Here For the Full Article & to See More Photos](#)

6-17-04

Now Comes The Cover-Up

Income Tax Documents Missing From National Archives

Underway: Operation “What's Left?” -- More Volunteers Needed

July 19th: Be There! Push Is Coming To Shove

After years of government stonewalling in providing answers to basic questions about the fraudulent origin and illegal enforcement of the income tax system, another layer of the tax fraud has now been uncovered: the systemic removal of key legal and historical documents from the National Archives related to the meaning of “income” within the 1916 Income Tax Act, which was adopted by the political branches following the ratification of the 16th (Income Tax) Amendment in 1913, and the Supreme Court’s 1916 interpretation of “Income” within the meaning of the 16th Amendment. (*[continued...](#)*)

▶ [Click Here to read the Full Article](#)

5-10-04

We Are Proven Right, The Government Is Wrong

New Damning Tax Research Released Appropriate Next Steps Announced

Our War Powers Petition for Redress

How right we were in the fall of 2002, when we formally served every member of Congress and the President with a Petition for Redress asking for answers to 23 questions regarding the War Powers clauses of the Constitution and the Iraq Resolution. [Click here](#) to view (and sign) the Petition for Redress of grievances.

If only the government had honored the Petition Clause by acting on our War Powers Petition: there would have been a Committee review of the Petition, leading to a full congressional debate on the President's call for an invasion of Iraq, followed by an up or down vote on a declaration of war.

More than likely, there would NOT have been a decision to go to war against Iraq because the Executive would NOT have been able to prove its claims that Saddam Hussein had weapons of mass destruction, was reconstituting a nuclear weapons program and was linked to 9-11 and al ' Queda. More than likely, cooler heads in Congress would have prevailed, leaving it up to the people of Iraq, not America, to rid the world of one of its dictators.

For the reason that we are still engaged in hostilities in Iraq without a declaration of war, and the expectation that there will likely be future attempts to apply the armed forces of the United States in hostilities overseas without a declaration of war, we must continue the Petition process, including enforcement through "No Answers, No Taxes."

Our Income Tax Petition for Redress

How right we were in April of 2002, and in November of 2002, when we formally served the President and every member of Congress with a Petition for Redress asking for answers to questions regarding the tax clauses of the Constitution and the federal "income" tax system. [Click here](#) to view (and sign) the Petition for Redress of Grievances.

The most damning documentary evidence to date has now been compiled in **two new research reports** that demonstrate without a shadow of doubt that the government has been acting *ultra vires* (i.e., without *bona fide* authority), in forcing ordinary Americans to file and pay an un-apportioned, direct tax on their salaries, wages and compensation, and that **the government has known since 1916 that it lacks the legal authority to do so but has gone right on doing it anyway.**

(Continued...)

▶ [Click Here to access this important WTP news article containing "appropriate next steps," groundbreaking legal research and new evidence exposing the income tax fraud.](#)

Ed Note: This article and its lengthy attachments are of significant importance in the battle to restore Constitutional Order. Please allow ample time to study these important research materials and announcements. Readers are encouraged to distribute this link widely.

4-25-04

Another IRS Agent "Flips"

19-Year Revenue Agent Joins Truth-in-Taxation Movement More Agents Waiting on Sidelines

This week, former IRS CID Special Agent and CPA Joe Banister announced yet another

former IRS Agent has come forward publicly to stand with those that are fighting to expose the income tax fraud.

The most recent defector is former IRS Revenue Agent and Appeals Officer Clifton Beale. Beale, with 19 years of experience in the agency, joins a small group of former IRS agents that have begun to speak publicly about the fraud after studying the details of U.S. income tax law and learning that those laws are being improperly and unlawfully enforced against ordinary Americans.

In his announcement (which is reprinted below) Banister reveals that other IRS agents are waiting on the “sidelines” and many may soon go public as well. (*continued...*)

► [Click Here to Read the Full Article...](#)

4-08-04

“Show Me The Law” And I Will Plead Guilty

Schiff Makes Offer To DOJ On 33 Criminal Tax Charges Arraignment Scheduled For April 14th

On March 24 a federal grand jury in Las Vegas handed down a 33-count indictment against Irwin Schiff and two of his associates, Cindy Neun and Larry Cohen. The indictment alleges an array of income tax crimes including Willful Failure to File, knowingly filing false income tax returns, income tax evasion, advising others to file bogus returns, and conspiring to defraud the Government of income tax revenues.

On April 1, Schiff responded to the indictment with several motions including an [offer to plead guilty to all charges](#) if the government will produce at his arraignment the U.S. tax statute that specifically makes Schiff “liable” for payment of “income” taxes. (*.pdf format*)

The core legal argument of Schiff's motion is that under U.S. law, as currently written, and despite the unambiguous language of virtually all other federal tax statutes which DO specifically impose a legal obligation to pay, **NO such statutory language exists that imposes a legal liability to pay federal income taxes.** (*continued...*)

▶ [Click Here to read the full article](#)

3-31-04

Four More Minutes of Video Every American Should Watch Before April 15th



Watch IRS National Taxpayer Advocate Nina Olson on C-SPAN & see more IRS "evading"...

▶ [Click Here to access WTP-tv](#)

3-29-04

Simkanin Judicial Fraud Continues

Illegal Alterations Discovered in Trial Transcript

Fraudulent IRS Civil Claims Raise Questions About the Legitimacy of the Indictment

Ft. Worth *Star-Telegram* Balks At

WTP Message to Simkanin Jurors

On approximately March 10, USDC federal judge John McBryde released yet another portion of the trial transcript that he ordered kept under seal, away from public scrutiny following the Ft. Worth tax trial of employer Dick Simkanin ended in early January. The recently released segment of the trial transcript covered the arraignment and final pre-trial motions.

A number of WTP courtroom watchers that personally witnessed these portions of the trial proceedings, have examined the [recently released transcript segment](#) and, without exception, have concluded that there were substantial, and unquestionably deliberate, *i.e., illegal*, alterations made to the court record that apparently hide significant acts and rulings by Judge McBryde that would **constitute a clear basis for reversible error** in the 29 convictions decided at trial.

The spectators involved, including WTP Chairman Bob Schulz, have completed individual affidavits attesting to the gross disparities between what they witnessed and the content of the official, now unsealed, transcript segment. These affidavits will now become the basis for legal action against the court and court reporter. *(continued...)*

▶ [Click Here to read the full article](#)

3-25-04

WTP-tv Goes On-Line

On-Demand, Multimedia Educational Library Released

“Liberty Hour” Programming to Resume

We The People announced today our multimedia, on-line resource library. The library features a number of full-length streaming videos, short-topic segments and audio files documenting the current and past

work of the WTP organization. Through [WTP-tv](#), you will witness our organization in action – our grassroots activism, our confrontations with tyrants and our fight to restore Constitutional Order.

We trust you will find this resource to be a continually provocative, highly valuable part of your WTP experience and an effective way to support our important mission. Ultimately, we want **WTP-tv** to become the Internet source where the entire country, (particularly those that know little of us), can quickly turn to experience in sight and sound how the battles for the Constitution are being waged.

[\(continued...\)](#)

▶ [Click Here to read the full article](#)

3-18-04

Four Minutes of Video Every American Should Watch Before April 15th



At an IRS press conference on September 16, 2003 concerning tax "scams" and tax "evasion", the lead tax reporter for *The New York Times*, David Cay Johnston (in reference to the WTP Petitions for Redress) directly, and specifically, questioned IRS Commissioner Mark Everson about what law requires Americans to pay income taxes.

Click here to watch who does the real "evading"....

[Dial-up](#) [DSL/Cable](#)

We encourage everyone to forward this e-mail far and wide....

Click Here for the WTP [original story](#) about this confrontation.

2-29-04

America's Judicial System Lies In Rot

We Need To Hear Directly From The Grand Jurors And Trial Jurors In The Simkanin Case.

When something stinks, it is usually rotten. And, the stench emanating from the indictment, trial and conviction of Dick Simkanin is more than We The People can stomach.

(continued...)

▶ [Click Here](#) to read this important WTP article documenting the significant judicial and prosecutorial misconduct in the federal tax trial of employer Dick Simkanin.

The article also contains excerpts and analysis from the transcripts of the trial.

1-10-04

129 Years For Asking to See The Law

Perfectly Illegal: Non-Withholding Employer Simkanin Convicted in Rigged Trial



There is no doubt: Dick Simkanin was illegally convicted. The law cannot be used, or more appropriately, *abused* -- to penalize the citizens of this nation for failing to do something that NO specific law obligates them to do.

Dick Simkanin studied the details of the U.S. tax laws, he repeatedly asked the government to "show him the law" and when it refused – he acted upon the words and letter of the written law.

With the law as the *only* significant issue of contention before the court, and with defendant Simkanin facing a sentence for his life in federal prison, USDC Judge John McBryde, in direct violation of Simkanin's due process Rights, prevented him and his legal counsel from presenting ANY substantive defense based upon the actual written laws of this nation. McBryde simultaneously denied the jurors their unalienable Right to exercise their discretion and judgment regarding the proper

application of the law as it applied to business owner Simkanin.

In the end, twelve women and men of Fort Worth, through their own misperceptions of the law, ignorance of our constitutional system of justice, and the unlawful manipulation of the trial by a tyrannical judge, unwittingly aided and abetted the unlawful prosecution, and conviction of Dick Simkanin.

These Texas jurors unknowingly conspired with a corrupt government intent on imprisoning Simkanin as a political prisoner and making him the federal "poster child" for any American that dares ask, "What specific U.S. law requires me to file, pay or withhold?" (*continued...*)

▶ [Click Here to read the full article](#)

12-14-03

2nd Amendment Battle Leaders Come To The GML 2004 National Conference

What Does a Free People Do After Silveira?

If the People are disarmed, can they protect their country from their government? Can a People be free if they do not possess the means to defend freedom?

On December 1, 2003, the U.S. Supreme Court decided not to disturb a recent decision by the 9th Circuit Court of Appeals, which held, in effect, that the 2nd Amendment Right to Keep and Bear Arms is NOT an unalienable Right that belongs to *individuals*, but rather it is a right that belongs to the "State" – i.e., it is a "privilege" to be granted to, or taken from, the individual by government fiat.

With this decision, our government has taken another significant step toward total disarmament of the People and the demise of our constitutional Republic.

Will the People acquiesce? Will the People enforce their Right to Keep and Bear Arms? (*continued...*)

▶ [Click Here to Read the Full Article](#)

10-10-03

Judicial Lemons

Black Robes Dispense Kangaroo Justice US Courts, DOJ Collude to Delay the

Inevitable

On September 27, 2003 we posted an article in our website titled, "[Tell the IRS to 'Drop Dead,' Lemons' Response Last Straw.](#)" We expressed our astonishment and anger over the response an IRS senior spokesman, Terry Lemons, gave to a New York Times reporter (David Cay Johnston), who asked Lemons why the IRS was refusing to answer, in writing, our Petitions for Redress regarding the fraudulent origin and unlawful enforcement of the income tax upon ordinary Americans.

As reported by the Times, IRS' Terry Lemons told Johnston the IRS was answering our Petitions through "enforcement actions."

Finally, an honest answer from our government.

For the record: other than its police actions, the US Government has steadfastly and repeatedly refused to answer our Petitions.

But, it is also true, that while our government has been sustaining the livelihood of tens of thousands of bureaucrats in the IRS (one of the few growth industries remaining in America) it is been unlawfully abusing its constitutionally limited prosecutorial and judicial powers in order to compel the federal income tax upon average Americans even though they lack any bona fide legal authority to do so.

Our cherished Republic has recently begun to adopt fascist practices where average Americans are now "brow beaten," incarcerated and forcefully dragged before IRS and DOJ "legal" tribunals. These are honest working men and women and small business owners, whose only crime has been to dare to openly question the legal authority for the income tax and have subsequently exercised their constitutionally protected Right to retain their money until their grievances are redressed.

But, let's take a closer look at what Terry Lemons means by "enforcement actions." (*continued. . .*)

▶ [Click Here to Read the Full Article](#)

9-27-03

Tell IRS To "Drop Dead" Lemons' Response Last Straw

Watch as IRS Commissioner Everson & Officials Evade & Obfuscate the Truth

For many months, Americans caught up in resisting the IRS's income tax fraud have contacted WTP for direct legal assistance and advice. As you know, WTP's primary mission is education and facilitating citizen vigilance and activism. It does not include providing specific, individual assistance on tax or legal matters.

However, after last Tuesday's "Enforcement, rather than Answers" insulting retort from IRS' Terry Lemons to David Cay Johnston of the New York Times, WTP is now offering advice worthy to be followed by all People contacted by the IRS or their

state tax collector, looking for money directly or indirectly related to Subtitle A or C of the Internal Revenue Code.

Below is a memorandum from Bob Schulz that is now being sent to anyone who contacts WTP for such help. It announces that WTP Congress has just released a (template) letter that can be sent to the IRS and/or State tax collectors in response to their attempts to unlawfully enforce the income tax code.

(continued. . .)

▶ [Click Here to Read the Full Article](#)

9-21-03

Thank You New York Times

IRS Questioned About Our Questions

Thanks to *The New York Times*, we achieved a measure of success in DC last Tuesday in our attempt to get the media to include some of our side of the story in its coverage of the press conference held at the Treasury Department to announce a new agreement between state and federal tax officials to fight “abusive tax avoidance schemes”. More on that in a moment.

Attending the event were officials from Treasury, IRS and nine of the 40 states that have signed the agreement. We believe about thirty print and broadcast reporters from the dominant media were in attendance. *(continued...)*

▶ [Click Here to Read the Full Article](#)

8-26-03

An Open Letter To The People Of Alabama & All Americans:

**If We Remove God From
Government In America,
The Constitution And
Bill Of Rights Will Be Next.**

We The People Must Not Let That Happen.

Churches and their symbols do not belong in our courthouses and statehouses--*but God belongs there.*

225 years ago, The United States of America was conceived in faith and rocked in the cradle of liberty by God’s guiding hand. It was their strong faith in the Creator, and their humble reliance on Divine Providence, that gave our Founders the wisdom and courage to create the magnificent experiment in human freedom called America. The Declaration of Independence and The Constitution of the United States expressly recognize God as the

source of our unalienable rights, personal freedoms and system of laws in America.

The First Amendment clearly states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..." So, by what authority does the federal government or courts presume to dictate to the People of Alabama, or any other sovereign state, that they may not recognize God as the supreme authority in their courts and institutions of civil government? *(continued. . .)*

▶ [Click Here to Read the Entire Article](#)

This article is being run as a full-page Ad in the daily Montgomery, Alabama newspaper, The Montgomery Advertiser this Thursday, August 28th.

[Click Here](#) to see the Ad (121KB, .pdf)

8-3-03

Must Elected Officials Answer Our Petitions?

Can We Withhold Our Money If They Refuse?

We The People say "YES" to both questions.

The Founders said "YES" to both questions.

Now we will ask the United States Supreme Court to say "YES" to both questions.

Whether the Supreme Court confirms this self-evident truth, depends on you -- your passion for liberty, truth and justice, and your active participation and financial support.

At this serious moment in the life of our Country, we ask each of you to consider making the eternal cause of freedom a real and permanent part of your life. *(continued. . .)*

▶ [Click Here to Read the Entire Article](#)

7-25-03

WE THE PEOPLE v. THE U.S. GOVERNMENT

The Lawsuit to Restore Constitutional Order

History Making Lawsuit Proceeds Legal Team Engaged

Law Professors Back Us: Right to Petition is *THE* Cornerstone of Popular Sovereignty

Join & Support The Lawsuit

Note: This article is the long awaited announcement that we have referred to repeatedly for several weeks.

It may be the most important update we have ever posted due to the extraordinary events that will soon unfold for our nation as a direct result of this legal initiative.

We urge everyone to read the entire article, study the supporting materials and to widely distribute news of this history making lawsuit.

▶ [Click Here to Read the Entire Article](#)

7-20-03

Message To Bush, Frist, Hastert And Hyde:

Prepare Yourselves. You Are In For An Awakening.

You will soon be called to account for your acts before you make further mockery of our Constitution.

Be forewarned, we are *not* talking about Election Day. We are wiser now.

While the government entities under your leadership have been on a nationwide Reign of Terror against the People, abusing the limited legal authorities that have been delegated to you, infringing upon the constitutionally protected Rights of the People and seeking to suppress even the People's Right to public discourse concerning such abuses – we have been doing our "homework".

We are a small, but committed group of ordinary Americans. Over the years, we have become dedicated students of history, law, political philosophy, the nature of our Constitutional Republic and the nature of the men that are drawn to influence and control governments. We have sought solutions for what ails our nation.

As the recent course of events has played out across our

country, we have learned much. As we have prepared to peacefully repel your acts of tyranny by public examination of the law of the land and our Constitution, we have come to rediscover knowledge that, for whatever reasons, has been systemically suppressed, hidden and virtually eradicated from the public discourse of high school civics classes, college history courses, law school text books, daily newspapers, the debate floors of our representative government and our courtrooms of justice.

Here's what we've learned: (*continued. . .*)

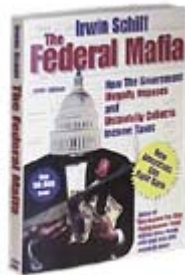
▶ [Click Here to Read the Entire Article](#)

6-30-03

Judge Bans Schiff Book on Income Tax

1st Amendment Thrashed to Buy the Tax More Time New York Times: More Deception

On Monday, June 16, Federal District Court Judge Lloyd D. George issued a preliminary injunction banning the sale and distribution of Irwin Schiff's book about the income tax titled, "*The Federal Mafia: How The Government Illegally Imposes And Unlawfully Collects Income Taxes And How Americans Can Fight Back.*"



Schiff's book, which is a personal and legal examination of the income tax fraud and includes extensive and specific quotations and analyses of US tax law and Supreme Court rulings on the tax, was banned even though the Department of Justice (which bears the burden of proof) presented no evidence and no witnesses at the April 11th preliminary injunction hearing. [Click Here](#) to read the first portion of the censored book (.pdf).

In short, Judge George banned Schiff's book as "false commercial speech" without any specific analysis or any in-court evidentiary examination establishing the "falsity" of Schiff's actual speech and by blithely ignoring the substantial body of established Supreme Court constitutional law protecting free expression and publication.

▶ [Click Here to Read the Entire Article](#)

Other Past Significant News & Events

Please see the Archives Below for
the
Complete Record of Previous WTP
Web Articles

March
15
2003

IRS & DOJ Put On Notice: National Campaign To Stop Withholding

On March 15, 2003, Bob Schulz officially put the IRS on notice that WTP has initiated a national campaign to educate officials of private companies that under U.S. law, their workers are not subject to withholding, that the companies are not legally "withholding agents" and that the individual income tax is fraudulent in its origin and unlawful in its enforcement and operation.

[WTP's letter](#) was addressed to the new IRS Commissioner, Mark W. Everson. A copy of the full packet of information to be presented to each company during the campaign was enclosed with the letter to Mr. Everson.

Copies of the letter, with the enclosure, were also sent to: President George W. Bush; Senate Majority Leader Bill Frist; Speaker J. Dennis Hastert; Attorney General John Ashcroft; Treasury Secretary John Snow; and David Cay Johnston of the *New York Times*. **(continued. . .)**

► [Click Here to Read the Entire Article and Access the Legal Forms to Terminate Withholding.](#)

Dec
31
2002

It Is Now Out In The Open In Congress: Constitution Is "Inappropriate And Anachronistic."

Only One Non-Violent Option Left For The People: It Is Un- American To Fund This Government

The power to tax and the power to wage war are the two most potent enumerated powers; most sought after by government; most potentially harmful to individual Liberty; most in need of citizens' scrutiny.

As further justification for the People to stop sending money to the federal government, this article reports on the treasonous behavior that occurred in the halls of Congress on October 2 and 3, 2002, regarding the unconstitutional commitment of this nation to war.

The government's disdain and disrespect for the Constitution came out into the open on October 3, 2002, in the House of Representatives, during the second day of a two-day hearing on the Iraq Resolution (H.J. Resolution 114), "AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ."

Congressman Ron Paul reminded the Chairman of the House of Representatives Committee on International Relations that the Constitution required a congressional Declaration of War before the armed forces of the United States could be applied in hostilities overseas, not H.J.R 114, a congressional Resolution authorizing the President to decide if and when to apply that force.

However, Chairman Henry Hyde is quoted, for the record, "There are things in the Constitution that have been overtaken by events, by time. Declaration of war is one of them... There are things no longer relevant to a modern society...Why declare war if you don't have to?...We are saying to the President, use your judgment...So, to demand that we declare war is to strengthen something to death. You have got a hammerlock on this situation, and it is not called for. Inappropriate, anachronistic, it isn't done anymore...."
(Continued. . .)

► [Click here to Read the Full Article.](#)

Dec
30
2002

DOJ Crosses the Line: Schulz Demands an Apology

US Asst. Attorney General Turns Coat Schulz Rebukes DOJ Letter to Congressman

Early this year, following the decision by DOJ and the IRS to renege on their agreement to appear before the People, Rep. Roscoe Bartlett (Maryland) formally requested that DOJ respond, in writing, to specific legal questions that had been submitted by Bob Schulz and the We The People Foundation for Constitutional Education as part of a Petition for Redress of Grievances.

On the People's behalf, Rep. Bartlett sought to obtain official government responses regarding significant matters of US income tax law, federal jurisdiction and Constitutional violations posed by the current law enforcement practices of DOJ and IRS relating to the federal income tax

system.

On November 21, 2002, We The People Foundation came into possession of a letter dated April 18th, 2002 sent from US Assistant Attorney General Daniel Bryant to Rep. Bartlett articulating the reasons Department of Justice was offering for refusing Bartlett's request and refusing to answer the People's questions. **(Continued. . .)**

▶ [Click here to Read the Full Article.](#)

▶ [Click here to Read Bryant's letter and Schulz's Reply](#)

Dec 8
2002

Hanging By a Thread: Divinely Inspired Civil Government

**We Must Not Acquiesce:
It Would Be Un-American.
It Would Be Un-Godly.**

**We Must Retain Our Money:
It is The Only Remaining Non-Violent
Option.**

No one should doubt the historical significance of November 14th. History will come to record that The Moment of Truth on the National Mall, culminating Freedom Drive 2002, marked the place and the moment in the 21st century when the People took a stand against governmental tyranny in America and began the process of restoring the Constitution of the United States of America to its rightful place.
(continued. . .)

▶ [Click Here to Read the Full Article and Read About Significant New Developments](#)

June
16
2002

Schulz to Feds: No Answers, No Taxes.

Bob Schulz, Chairman of We The People Foundation for Constitutional Education today [released a letter](#) sent to his regional IRS processing center, IRS Commissioner Rossotti, President Bush, Speaker Hastert and Senate Majority Leader Daschle declaring his total commitment to personally instigate sufficient civil action across the nation to end the income tax as we know it.

Schulz's letter publicly proclaims and staunchly states that after 45 years of willful compliance he now refuses to file a tax return for 2001, 2002 and for all future years.

Citing the record of the Citizens' Truth-In-Taxation Hearing and the government's steadfast refusal to answer the Foundation's well-documented charges that the income tax system is fraudulent in its jurisdiction and is unlawfully enforced against the American people, Schulz said, "The gloves are off. Enough is enough. The evidence phase is over. I will now do everything in my power to mobilize the People in defense of our rights. Our children and our neighbors are entitled to constitutional governance carried out in decency and good order."

"Our liberties have been seized. I call on all right minded citizens to do something – now! Spread the word. Join the We The People Congress. Sign up for duty as a county or state coordinator. Get ready to act."

Schulz's letter chastises the government for its blatant disregard of the Constitution and his absolute right,

as a sovereign citizen, to a formal response from the US Government to the petition for redress of grievances regarding the income tax system.

▶ [Click here](#) to read Schulz's letter

May
15
2002

Congress Ignores the Petitions. More of the Same: Insolence !

One month has passed since all 535 congressmen were petitioned for a redress of grievances regarding the federal income tax. On April 15th, thousands of letters from constituents were hand delivered with copies of the Truth-in-Taxation Hearing record to every member of Congress.

[Not one congressman specifically acknowledged the record of the Citizens' Truth-In-Taxation Hearing, much less the Hearing's 537 statements of fact, supporting evidence and conclusions of law.](#)

▶ [Click here](#) to Read the Full Article

▶ [Click here](#) to Read Another Full Article

April 7
2002

Racketeering at IRS: WTP Holds DC Press Conference

Hard evidence of unlawful computer file tampering and other illegal acts were publicly exposed at a press conference from the National Press Club. Over 25,000 watch this press conference.

▶ [Click here](#) to watch the archived video.

- [Click here](#) to read Schulz's letter to
▶ Senate Finance Committee
Chairman, Senator Max Baucus

Mar. 3
2002 **Historic Truth-in-Taxation
Hearing Concludes**

**Former IRS Agents, Tax and
Constitutional Attorneys, CPAs
and Researchers Testify Under
Oath for Two Days Exposing
the Government Fraud --- And
Abuse Of Power Against
American Citizens.**

**The Evidence And Record Of
Facts Now Stand Irrefutable.**

- ▶ [Read The Full Article](#)

Feb.
11
2002 **WTP Runs Full Page Ad in Sunday
New York Times, February 10, 2002**

**IRS and DOJ: Why Won't You
Answer?**

- ▶ [Read the Ad](#) Text Version

- ▶ [Read the Ad](#) Graphic

Version Right
Click to "Save As", (650 Kb,.pdf)

Jan.
28
2002

**We Now Have A
Constitutional Crisis**

**U. S. Government Officials
Refuse To Answer Questions
On Legality Of The IRS And
Income Tax System**

**Congressman Roscoe Bartlett
(MD), Assistant Attorney
General Dan Bryant, and IRS**

**Commissioner Charles Rossotti
have broken their written
agreement with the American
People and have betrayed the
United States Constitution.**

WE THE PEOPLE NOW DEMAND
THAT THE GOVERNMENT
RESPOND TO [IRREFUTABLE
EVIDENCE](#) THAT PROVES THE
FRAUDULENT ORIGIN OF THE
IRS AND THE UNLAWFUL
ADMINISTRATION AND
ENFORCEMENT OF THE
INCOME TAX SYSTEM AGAINST
AMERICAN CITIZENS.

▶ [Read The Full
Article](#)

**Want to See our Past Website
Updates & Learn the *Entire*
Story?**

See more news and details in our [ARCHIVES](#) below:

The We The People Archives

[ARCHIVE-6](#) June, 2004 thru (current)

[ARCHIVE-5](#) July, 2003 thru June, 2004

Archive Includes: Simkanin
railroaded by USDC, NY Times
questions IRS Commissioner, Give
Me Liberty 2004 Conference,
Right To Petition lawsuit begins

[ARCHIVE-4](#) November, 2002 thru June, 2003

Archive Includes: Freedom Drive to DC, Operation Stop Withholding, Liberty Hour censored, more Hunger Strikes, IRS Tax "Jihad" begins: Schiff, Simkanin, Kuglin

[ARCHIVE-3](#) August, 2002 thru Oct, 2002

Archive Includes: The Schulz "TaxTermination" package, WTP web stickers, Larken Rose: "Please Prosecute Me", more Freedom Drive News, Schulz travels the Southeast and the Petitions for Redress of Grievances.

[ARCHIVE-2](#) January, 2002 thru July, 2002

Archive includes: The Constitutional Crisis Has Begun, the February Citizens' Truth-in-Taxation Hearing, our NY Times full page ad, the April WTP press conference on IRS racketeering, the delivery of the Hearing record to Congress and the President, Congressional "non-responses", a June White House briefing question about Schulz, Schulz tells the government: "No Answers, No Taxes." (June 16), Schulz travels around the US to start the WTP Congress and Freedom Drive 2002 news, organization and planning.

[ARCHIVE-1](#) 1999 thru January, 2002

Archive includes: the first National Press Club symposiums on the income tax, the tax Remonstrance, Project Toto, our series of full page ads in USA Today, the IRS "Walk-around", Bob Schulz's Hunger strike (July 2001), early preparations for the Truth-in-Taxation Hearing and the government's reneging (in Jan. 02) on their formal agreement to

answer the Peoples' charges
challenging the legal authority for
the income tax.

Visit our archives to see the detailed news of the past. Please take note that some of these notices are out-of-date, but we include them in order to document our efforts and give you a sense of our history and our momentum.

[DISCLAIMER](#)