

THE GOVERNMENT “BENEFITS” SCAM

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“You shall make no covenant [contract or franchise] with them [foreigners, pagans], nor with their [pagan government] gods [laws or judges]. They shall not dwell in your land [and you shall not dwell in theirs by becoming a “resident” or domiciliary in the process of contracting with them], lest they make you sin against Me [God]. For if you serve their [government] gods [under contract or agreement or franchise], it will surely be a snare to you.”
[Exodus 23:32-33, Bible, NKJV]

“Awake, awake, O Zion, clothe yourself with strength. Put on your garments of splendor, O Jerusalem, the holy city. The uncircumcised and defiled will not enter you again. Shake off your dust; rise up, sit enthroned, O Jerusalem [Christians]. Free yourself from the chains [contracts and franchises] on your neck, O captive Daughter of Zion. For this is what the LORD says: “You were sold for nothing [free government money that is a FRACTION of what you had to pay them to earn the so-called “benefit”], and without money you will be redeemed.”
[Isaiah 52:1-3, Bible, NKJV]

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DEDICATION

"With respect to the words general welfare, I have always regarded them as qualified by the detail of powers connected with them. To take them in a literal and unlimited sense would be a metamorphosis of the Constitution into a character which there is a host of proofs was not contemplated by its creator."

"If Congress can employ money indefinitely to the general welfare, and are the sole and supreme judges of the general welfare, they may take the care of religion into their own hands; they may appoint teachers in every State, county and parish and pay them out of their public treasury; they may take into their own hands the education of children, establishing in like manner schools throughout the Union; they may assume the provision of the poor; they may undertake the regulation of all roads other than post-roads; in short, every thing, from the highest object of state legislation down to the most minute object of police, would be thrown under the power of Congress.... Were the power of Congress to be established in the latitude contended for, it would subvert the very foundations, and transmute the very nature of the limited Government established by the people of America."

*"If Congress can do whatever in their discretion can be done by money, and will promote the general welfare, the government is no longer a limited one possessing enumerated powers, but an indefinite one subject to particular exceptions."
[James Madison. House of Representatives, February 7, 1792, On the Cod Fishery Bill, granting Bounties]*

*"Most people do not want true liberty. They want kinder masters and a more comfortable cage."
[SEDM]*

*"Liberty means responsibility. That's why most men dread it."
[George Bernard Shaw]*

*"Either be totally free or be the most expensive slave in the history of the world."
[SEDM]*

*"A person dependent on somebody else for everything from potatoes to opinions may declare that he is a free [SOVEREIGN] man, and his government may issue a certificate granting him his freedom, but he will not be free. ... How can he be free if he can do nothing for himself? ... Men are free precisely to the extent that they are equal to their own needs. The most able [and the most contented with the lowest needs per 1 Tim. 6:6] are the most free."
[Wendell Berry, "Discipline and Hope" in A Continuous Harmony (1972), p. 124]*

*"The hand of the diligent will rule [be SOVEREIGN], but the lazy [or irresponsible or DEPENDENT] man will be put to forced labor."
[Prov. 12:24, Bible, NKJV]*

"We can hardly find a denial of due process in these circumstances, particularly since it is even doubtful that appellee's burdens under the program outweigh his benefits. It is hardly lack of due process for the Government to regulate that which it subsidizes."
[Wickard v. Filburn, 317 U.S. 111, 63 S.Ct. 82 (1942)]

*"Cujus est commodum ejus debet esse incommodum.
He who receives the benefit should also bear the disadvantage."*

*"Que sentit commodum, sentire debet et onus.
He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433."*

*Commodum ex injuri su non habere debet.
No man ought to derive any benefit of his own wrong. Jenk. Cent. 161.*

*Invito beneficium non datur.
No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be considered as assenting. Vide Assent.*

*Potest quis renunciare pro se, et suis, juri quod pro se introductum est.
A man may relinquish, for himself and his heirs, a right which was introduced for his own benefit. See 1 Bouv. Inst. n. 83.*

*Quilibet potest renunciare juri pro se inducto.
Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.*

[Bouvier's Maxims of Law, 1856;
SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]

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1 Introduction

All government services may be divided between “protection” and “benefits”. Which category a particular government service falls into is very important, because the category:

1. Determines how and from whom revenues may lawfully be collected that pay for the service.
2. Defines the limits upon the enforcement authority of the government to collect the revenues.

In any tax litigation, a very prevalent technique used by government prosecutors is to paint the defendant as a “leech” who is receiving the so-called “benefits” of the government and who refuses to pay their “fair share” of the costs of providing it. This sort of thinking is deceptive, destructive, and socialistic in nature because:

1. Legitimate governments are NOT established to provide “benefits”, but are established to:
 - 1.1. Provide basic criminal “protection” and the police powers which implement it.
 - 1.2. Protect private rights.
 - 1.3. Protect private property from conversion into public property.
 - 1.4. Ensure equal rights and equal protection of all, rather than only to a select few.

“No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions intended to secure that equality of rights which is the foundation of free government.”
[Gulf, C. & S. F. R. Co. v. Ellis, [165 U.S. 150](#) (1897)]

2. The federal government enjoys no police powers within states of the Union, and therefore does not require revenues to implement it there. The only people they can protect are people domiciled on federal territory or those domiciled anywhere in the American Union and temporarily situated abroad. While they are domiciled within states of the Union, the federal government has no municipal or civil jurisdiction over them. This is because the states of the Union are sovereign, independent, and foreign nations in nearly all respects under the Law of Nations.

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

Foreign Laws: “The laws of a foreign country or sister state.”
[Black’s Law Dictionary, Sixth Edition, p. 647]

3. The government has no authority to abuse its taxing power to compel persons to “benefit” their neighbor.

“That property which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor’s injury, and that does not mean that he must use it for his neighbor’s benefit; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.”
[Budd v. People of State of New York, 143 U.S. 517 (1892)]

4. The founding fathers reiterated that the foundation of a republican government is to provide protection and NOTHING more.

“With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow citizens--a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.”
[Thomas Jefferson: 1st Inaugural, 1801. ME 3:320]

5. It costs little to provide ONLY basic “protection” absent any “benefit”.

In any tax litigation where the accused is portrayed as a “leech”, almost universally, neither the government prosecutor nor the jury are allowed to discuss or analyze exactly what is meant by “benefit”, or to analyze precisely what “benefit” the

1 defendant is in receipt of. In that sense, trials involving those who refuse to pay “their fair share” degenerate into little more
2 than mob lynchings not unlike that experienced by Jesus Himself.

3 *And they began to accuse Him, saying, “We found this fellow perverting the[a] nation, and forbidding to pay*
4 *taxes to Caesar, saying that He Himself is Christ, a King.”*
5 *[Luke 23:2, Bible, NKJV]*

6 This memorandum of law shall therefore provide compelling, court-admissible evidence for use in defending oneself against
7 this unscrupulous and fatally flawed approach by government prosecutors. It is intended to be attached to government tax
8 collection correspondence so that it may become part of the administrative record of law abiding Americans who both refuse
9 to accept government benefits, and thereby exercise their right to not pay for these “services”.

10 **2 Statutory Definition of the Term “Benefit”**

11 The term “benefit” is defined in the following statute.

12 [TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552a](#)
13 [§ 552a. Records maintained on individuals](#)

14 (a) Definitions.— For purposes of this section—

15 (12) the term **“Federal benefit program” means any program administered or funded by the Federal**
16 **Government, or by any agent or State on behalf of the Federal Government, providing cash or in-kind**
17 **assistance in the form of payments, grants, loans, or loan guarantees to individuals; . . .**

18 The two criteria to receive a “benefit” are:

- 19 1. The recipient must be an “individual”, who is defined in 5 U.S.C. §552a(a)(2) as a “citizen or resident of the United
20 States” domiciled on federal territory and not within any state of the Union. As you will also learn later starting in section
21 8, the term “individual” does not include private persons, but rather “public officers” and “employees” of the government.

22 [TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552a](#)
23 [§ 552a. Records maintained on individuals](#)

24 (a) Definitions.— For purposes of this section—

25 (2) the term “individual” means a citizen of the United States or an alien lawfully admitted for permanent
26 residence;

- 27 2. The recipient must receive cash or in-kind assistance in the form of payments, grants, loans, or loan guarantees.

28 The above definition excludes Federal Reserve Notes as “cash, grants, Loans, or loan guarantees”, which are not lawful
29 money, as we prove below:

<p>The Money Scam, Form #05.041 http://sedm.org/Forms/FormIndex.htm</p>

30 Below is yet another definition of “benefit” from Black’s Law Dictionary:

31 **Benefit.** Advantage; profit; fruit; privilege; gain; interest. **The receiving** as the exchange for promise some
32 performance or forbearance which promisor was not previously entitled to receive. *Graphic Arts Finishers, Inc.*
33 *v. Boston Redevelopment Authority*, 357 Mass. 49, 255 N.E.2d. 793, 795. Benefits are something to advantage
34 of, or profit to, recipient. *Cheltenham Tp. V. Cheltenham Tp. Police Dept.*, 11 Pa.Cmwlth. 348, 312 A.2d. 835,
35 838.

36 Financial assistance received in time of sickness, disability, unemployment, etc. either from insurance or public
37 programs such as social security.

38 **Contracts.** When it is said that a valuable consideration for a promise may consist of a benefit to the promisor,
39 “benefit” means that the promisor has, in return for his promise, acquired some legal right to which he would
40 not otherwise have been entitled. *Woolum v. Sizemore*, 267 Ky. 384, 102 S.W.2d. 323, 324. “Benefits” of contract