CENSUS WORKER SURVEY AND RESPONSE HANDOUT

FORM INSTRUCTIONS

Last revised: 3-14-2010

1. PURPOSE OF THIS FORM
   1.1. This form is used by those:
       1.1.1. Responding to a census worker knocking on their door.
       1.1.2. Who want to cooperate with census workers by providing the number of people in a household or business
               but NOT anything more than that, and especially not any personal information about either themselves or
               their business.
       1.1.3. Who think that the census survey form invades their privacy and compels them to violate their Fifth
               Amendment right not to incriminate themselves.
       1.1.4. Who are threatened by the census worker with a statutory penalty for failure to disclose ANY information
               requested on the census form beyond the number of people in the household or business.
   1.2. We are not against cooperating with the census, but only in the following:
       1.2.1. Being compelled by threat of penalty to provide any information beyond the number of people in the
               household. This constitutes an unconstitutional Bill of Attainder in violation of Article 1, Section 10 of the
               United States Constitution.
       1.2.2. Having personal information about us or our business entered into any electronic information system, shared
               with or sold to third parties, provided to revenue or debt collection agencies, or provided to or used for law
               enforcement purposes.

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

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

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

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

4. RESOURCES FOR FURTHER STUDY
4.1. U.S. Census Bureau Website
http://www.census.gov/

4.2. Census Publications
http://www.census.gov/prod/www/titles.html

4.3. Federal Enforcement Authority Within States of the Union, Form #05.032-proves that the federal government has no civil enforcement powers within states of the Union
http://sedm.org/Forms/FormIndex.htm

4.4. 13 U.S.C. Sect. 221: Refusal or neglect to answer questions; false answers. $100 fine for failure to participate in the census.
http://www.law.cornell.edu/uscode/html/uscode13/uscode13_0000221---000-.html

4.5. 13 U.S.C., Chapter 7, Subchapter 2: Other Persons

4.6. 15 CFR, Subtitle B, Chapter I: Office of the Secretary of Commerce
http://www.access.gpo.gov/nara/cfr/waisidx_08/15cfrv1_08.html#30
TO CENSUS WORKER: You are requested to fill out this form as proof of your authority before I will answer any of your questions. This will ensure that you can be served with legal process AT HOME PRIVATE HOME if you or your employer are in violation of the law and must be sued personally and individually for violation of constitutional rights. We are Not anti-government, but simply insist that you stay within the bounds of the authority delegated to you by the United States Constitution. If you don’t respect the limitations of the Constitution or the laws enacted in furtherance of it upon your authority, the U.S. Congress says in 50 U.S.C. §841 you are a communist, and we won’t cooperate in any way with communists or terrorists.

Census Worker Name: ____________________________ Date: ____________

Home address (NO PO BOXES): ____________________________ City: ____________ State: _________ Zip: _________

Phone: ____________________________ Email: ____________________________ State driver license number: ____________________________

Supervisor Name: ____________________________ Supervisor Phone: ____________________________ Supervisor email: ____________________________

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Introduction

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

"Neither branch of the legislative department [House of Representatives or Senate], still less any merely administrative body [such as the Census Bureau], established by Congress, possesses, or can be invested with, a general power of making inquiry into the private affairs of the citizen. Kilbourn v. Thompson, 103 U.S. 168, 190. We said in Boyd v. U.S., 116 U. S. 616, 630, 6 Sup. Ct. 524, and it cannot be too often repeated, that the principles that embody the essence of constitutional liberty and security forbid all invasions on the part of government and its employees of the sanctity of a man’s home and the privacies of his life. As said by Mr. Justice Field in Re Pacific Ry. Commission, 32 Fed. 241, 256, ‘of all the rights of the Citizen, few are of greater importance or more essential to his peace and happiness than the right of personal security, and that involves, not merely protection of his person from assault, but exemption of his private affairs, books, and papers from inspection and scrutiny of others. Without the enjoyment of this right, all others would lose half their value.’"

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

Take Due Notice: This United States Supreme Court case has never been overturned. If you still insist on a right to collect information from me beyond that indicated above, please read on.
This handout is intended for census workers requesting information from people who don’t want to participate in the U.S. Census and who can PROVE that they have no legal obligation to participate. It is intended to be handed out to the Census worker and provides a method for the Census worker to satisfy the burden of proof with evidence that:

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

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

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

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

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

2 Authority for Penalties

The following provisions of federal law authorize penalties:

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

Title 13 > Chapter 7 > Subchapter II > § 221
§ 221: Refusal or neglect to answer questions; false answers

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

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

(c) Notwithstanding any other provision of this title, no person shall be compelled to disclose information relative to his religious beliefs or to membership in a religious body.
2. **13 U.S.C. §224**: Failure to answer questions affecting companies, businesses, religious bodies, and other organizations; false answers. False answers is the authority for instituting penalties against businesses for those refusing to provide answers to census surveys or who provide false answers:

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

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

   [SOURCE: http://www.law.cornell.edu/uscode/html/uscode13/usc_sec_13_00000224----000-.html]

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

2. Consented to be governed by choosing a domicile on federal territory called the statutory “United States” and which is not protected by the Constitution and therefore subject to the exclusive jurisdiction of Congress pursuant to Article 1, Section 8, Clause 17 of the United States Constitution.

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

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

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

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

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

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

1. A military or foreign affairs function of the United States. 5 U.S.C. §553(a)(1)
2. A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts. 5 U.S.C. §553(a)(2).
3. Federal agencies or persons in their capacity as officers, agents, or employees thereof. 44 U.S.C. §1505(a)(1).
As a bare minimum, the party seeking to institute administrative penalties therefore bares the burden of proof under the Administrative Procedures Act, 5 U.S.C. §553(a), to prove that I, the person who gave you this form, fall into one of the above three classifications.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. Consequently, Submitter holds the Census Worker and the Dept. of Commerce in receipt of this document in contempt of the Constitution and all laws passed in furtherance of it for proceeding without jurisdiction, and for engaging in a
willful deprivation of my Constitutional rights, and for attempting to hold me accountable to obey laws that I never received “reasonable notice” that I would be obligated to obey by proper publication in the Federal Register.

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

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

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

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

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


10.2. A laches, equitable estoppel, and retraxit by tacit procuration.

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

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

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

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

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

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

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

12. Therefore, the questions to be addressed by the Census Worker in the context of this issue are:

12.1. Do implementing enforcement regulations exist for the statutes cited as authority by the Submitter?

12.2. Is the Submitter a member of any of the groups specifically exempted from the requirement for implementing regulations published in the Federal Register as required by 44 U.S.C. §1508(a), 44 U.S.C. §1505(a), and 5 U.S.C. §553(a)?

12.3. If the answer to the previous two questions is NO, then by what authority does this Census Worker enforce the provisions sought to be enforced by the government?
Except to the extent that a person has actual and timely notice of the terms thereof, a person may not in any manner be required to resort to, or be adversely affected by, a matter required to be published in the Federal Register and not so published. For the purpose of this paragraph, matter reasonably available to the class of persons affected thereby is deemed published in the Federal Register when incorporated by reference therein with the approval of the Director of the Federal Register.

12.4. Should the Census Worker dismiss this enforcement action for want of enforcement jurisdiction? If not, WHY not?

12.5. Would due process be violated when these issues were properly described and presented to the Census Worker and the Census Worker remains silent and refuses to address them?

12.6. Does an equitable estoppel apply against the Submitter on these issues pursuant to F.R.Civ.P. 8(b)(6), since they deserted the battlefield and abused their public trust through omission to injure the rights of the Submitter by refusing to deal with these issues?

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

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

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

"No Bill of Attainder or ex post facto Law shall be passed." (with respect to the U.S. Congress)

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


The above provision, of course, does NOT protect those working for the government as instrumentalities, public officers, or statutory “employees” and who contracted that status by their voluntary consent, but I do not fit this category. If you
believe otherwise, please provide Census Worker admissible proof signed under penalty of perjury of same within 30 days or forever be estopped from later challenging this fact.

5 Statement of Facts

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

1. **Submitter is NOT:**
   1.1. Acting at this time as a member of any of the following groups:
      1.1.1. A military or foreign affairs function of the United States. 5 U.S.C. §553(a)(1)
      1.1.2. A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts. 5 U.S.C. §553(a)(2).
      1.1.3. Federal agencies or persons in their capacity as officers, agents, or employees thereof. 44 U.S.C. §1505(a)(1).
   1.2. Participating in a public office as defined in 26 U.S.C. §7701(a)(26), or publicis juris at this time.
   1.3. Domiciled in the statutory but not constitutional “United States” as defined in Titles 8, 13, or 26 of the United States Code.
   1.6. A statutory “employee” as defined in 5 U.S.C. §2105(a) or 26 U.S.C. §3401(c).
   1.7. A statutory “person” under any federal statute, including but not limited to 26 U.S.C. §7701(c).
   1.8. A statutory “individual” per 26 CFR §1.1441-1(c).

2. **Submitter IS:**
   2.1. Protected by the United States Constitution and the Bill of Rights at this time.
   2.2. Born or naturalized in the “United States” as used in the Constitution of the United States of America but NOT any federal statute.
   2.3. Domiciled in a constitutional state of the Union and outside the statutory “United States”.
   2.6. A “nonresident” relative to the statutory “United States” mentioned in every federal statute.
These questions are provided to the Census Worker as a way to meet the burden of proving that they have authority to engage in enforcement of federal law outside the “United States” and within a foreign state called a state of the Union within the Constitution. If you find yourself in receipt of this pamphlet, you are demanded to answer the questions within 10 days. Pursuant to Federal Rule of Civil Procedure §8(b)(6), failure to deny within 10 days constitutes an admission to each question. Pursuant to 26 U.S.C. §6065, all of your answers must be signed under penalty of perjury. We are not interested in agency policy, but only sources of reasonable belief identified in the pamphlet below:

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

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

6.1 Admissions

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

   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.”

   Foreign Laws: “The laws of a foreign country or sister state.”

   Dual citizenship. Citizenship in two different countries. Status of citizens of United States who reside within a state; i.e., person who are born or naturalized in the U.S. are citizens of the U.S. and the state wherein they reside.

   YOUR ANSWER (circle one): Admit/Deny

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

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

   YOUR ANSWER: ___Admit ___Deny

   CLARIFICATION: ________________________________

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

   YOUR ANSWER: ___Admit ___Deny

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

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

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

YOUR ANSWER: ___Admit ___Deny

CLARIFICATION: ____________________________________________

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

TITLE 44 > CHAPTER 15 > § 1508
§ 1508. Publication in Federal Register as notice of hearing

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

YOUR ANSWER: ___Admit ___Deny

CLARIFICATION: ____________________________________________

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

TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552
§ 552. Public information; agency rules, opinions, orders, records, and proceedings

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

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

(A) descriptions of its central and field organization and the established places at which, the employees (and in the case of a uniformed service, the members) from whom, and the methods whereby, the public may obtain information, make submittals or requests, or obtain decisions;
(B) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available;

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

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

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

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

YOUR ANSWER:  ____Admit  ____Deny

CLARIFICATION:_________________________________________________________________________

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

TITLE 44 > CHAPTER 15 > § 1505

§ 1505. Documents to be published in Federal Register

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

[...]

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

YOUR ANSWER:  ____Admit  ____Deny

CLARIFICATION:_________________________________________________________________________

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

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

YOUR ANSWER:  ____Admit  ____Deny

CLARIFICATION:_________________________________________________________________________

9. Admit that no official within the United States government may lawfully waive the “notice” requirements of the Federal Register Act or the Administrative Procedures Act against parties domiciled in states of the Union and
protected by the Constitution except those specifically exempted by law from the requirement as indicated in the previous question and that if they do, they are violating due process of law and the Constitution and their oath of office.

YOUR ANSWER:  ____Admit  ____Deny

CLARIFICATION: ________________________________________________________________

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

TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552
§ 552. Public information; agency rules, opinions, orders, records, and proceedings

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

26 CFR §601.702 Publication and public inspection

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

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

YOUR ANSWER:  ____Admit  ____Deny

CLARIFICATION: ________________________________________________________________

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

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

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

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

YOUR ANSWER: ___Admit  ___Deny

CLARIFICATION: ____________________________________________

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

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

YOUR ANSWER: ___Admit  ___Deny

CLARIFICATION: ____________________________________________

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

YOUR ANSWER: ___Admit  ___Deny

CLARIFICATION: ____________________________________________

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

YOUR ANSWER: ___Admit  ___Deny

CLARIFICATION: ____________________________________________

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

“Federal income tax regulations governing filing of income tax returns do not require Office of Management and Budget control numbers because requirement to file tax return is mandated by statute, not by regulation.”

YOUR ANSWER: ___Admit  ___Deny

CLARIFICATION: ____________________________________________

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

TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. [Internal Revenue Code]
Sec. 7701. - Definitions
(a)(9) United States
The term "United States" when used in a geographical sense includes only the States and the District of Columbia.

(a)(10) State

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

YOUR ANSWER (circle one): Admit/Deny

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

UCC 9-307

“(h) The United States is located in the District of Columbia.”


YOUR ANSWER (circle one): Admit/Deny

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

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


"It is axiomatic that the statutory definition of the term excludes unstated meanings of that term."

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

YOUR ANSWER (circle one): Admit/Deny

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

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

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

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

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

"When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's ordinary meaning. Meese v. Keene, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated meanings of that term"); Colautti v. Franklin, 439 U.S. at 392-393, n. 10 ("As a rule, 'a
definition which declares what a term "means" . . . excludes any meaning that is not stated"; Western Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945); Fox v. Standard Oil Co. of N.J., 294 U.S. 87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory Construction § 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary. [Stenberg v. Carhart, 530 U.S. 914 (2000)]

YOUR ANSWER (circle one): Admit/Deny

20. Admit that under 4 U.S.C. §72, all those exercising a “public office” within the federal government must do so in the District of Columbia and NOT elsewhere.

TITLE 4 > CHAPTER 3 > § 72
§ 72. Public offices; at seat of Government

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

[http://www4.law.cornell.edu/uscode/html/uscode04/usc_sec_04_00000072----000-.html]

YOUR ANSWER (circle one): Admit/Deny

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

YOUR ANSWER (circle one): Admit/Deny

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

YOUR ANSWER (circle one): Admit/Deny

23. Admit that Congress has not “expressly” extended the authority of the Secretary of Commerce to any one of the several states of the Union.

YOUR ANSWER (circle one): Admit/Deny

24. Admit that there is no statutory authority which would “expressly” extend the authority of the Secretary outside the District of Columbia to the several Union states.

YOUR ANSWER (circle one): Admit/Deny

25. Admit that the states of the Union are not “territories” of the United States:

Corpus Juris Secundum Legal Encyclopedia
Territories
"§1. Definitions, Nature, and Distinctions

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

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

"As used in this title, the term 'territories' generally refers to the political subdivisions created by congress, and not within the boundaries of any of the several states."

YOUR ANSWER (circle one): Admit/Deny

26. Admit that the term “State” as used in the Constitution includes states of the Union and excludes territories and possessions of the United States.

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

YOUR ANSWER (circle one): Admit/Deny

27. Admit that the term “State” as defined in 4 U.S.C. §110(d) refers to a territory or possession of the United States pursuant to the Buck Act.

TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES
CHAPTER 4 - THE STATES
Sec. 110. Same: definitions

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

YOUR ANSWER (circle one): Admit/Deny

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

YOUR ANSWER (circle one): Admit/Deny

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

"It is no longer open to question that the general government, unlike the states, possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation."

[Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]

"The difficulties arising out of our dual form of government and the opportunities for differing opinions concerning the relative rights of state and national governments are many; but for a very long time this court has steadfastly adhered to the doctrine that the taxing power of Congress does not extend to the states or their political subdivisions. The same basic reasoning which leads to that conclusion, we think, requires like limitation upon the power which springs from the bankruptcy clause. United States v. Butler, supra."

[Ashton v. Cameron County Water Improvement District No. 1, 298 U.S. 513; 56 S.Ct. 892 (1936)]

YOUR ANSWER (circle one): Admit/Deny

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

TITLE 26 &gt; Subtitle F &gt; CHAPTER 79 &gt; Sec. 7701. [Internal Revenue Code]
Sec. 7701. - Definitions

(a)(9) United States

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

(a)(10) State

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

YOUR ANSWER (circle one): Admit/Deny
31. Admit that a constitutional “citizen of the United States” mentioned in the Fourteenth Amendment, Section 1 is not the same as a statutory “citizen of the United States” defined in 8 U.S.C. §1401.

Fourteenth Amendment

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

YOUR ANSWER (circle one): Admit/Deny

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

Constitutional definition of “United States” according to the U.S. Supreme Court:

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

[Downes v. Bidwell, 182 U.S. 244 (1901)]

Statutory definition of “United States” for the purposes of statutory citizenship

8 U.S.C. §1101 Definitions
TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101. [Aliens and Nationality]
Sec. 1101. - Definitions

(a)(38) The term "United States", except as otherwise specifically herein provided, when used in a geographical sense, means the [federal areas within the] continental United States, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States.
Section 215.1: Definitions

(f) The term continental United States means the District of Columbia and the several States, except Alaska and Hawaii.


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

YOUR ANSWER (circle one): Admit/Deny

33. Admit that the differences in meaning of the term “United States” in the two contexts:
   1. The Constitution;
   2. Acts of Congress,

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

   The Constitution does not protect the sovereignty of States for the benefit of the States or state governments as abstract political entities, or even for the benefit of the public officials governing the States. To the contrary, the Constitution divides authority between federal and state governments for the protection of individuals. State sovereignty is not just an end in itself: "Rather, federalism secures to citizens the liberties that derive from the diffusion of sovereign power." Coleman v. Thompson, 501 U.S. 722, 759 (1991) (BLACKMUN, J., dissenting). "Just as the separation and independence of the coordinate branches of the Federal Government serve to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front." Gregory v. [505 U.S. 144, 182] Ashcroft, 501 U.S., at 458.

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

   YOUR ANSWER (circle one): Admit/Deny

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

   “I, ________, do solemnly swear and affirm that I will administer justice without regard to persons and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all of the duties incumbent upon me as ____________ under the Constitution and laws of the United States, and that I will support and defend the Constitution of the United States against all enemies foreign and domestic, that I will bear true faith and allegiance to the same, and that I take this obligation freely without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.”

   [Oath of Article III federal judges, according to the Administrative Office of the Federal Courts]

   YOUR ANSWER (circle one): Admit/Deny

35. Admit that all exercises of legislative jurisdiction outside of federal territory require “comity” in some form.
comity.  Courtesy; complaisance; respect; a willingness to grant a privilege, not as a matter of right, but out of deference and good will. Recognition that one sovereignty allows within its territory to the legislative, executive, or judicial act of another sovereignty, having due regard to rights of its own citizens. Nowell v. Nowell, Tex.Civ.App., 408 S.W.2d 350, 353. In general, principle of "comity" is that courts of one state or jurisdiction will give effect to laws and judicial decisions of another state or jurisdiction, not as a matter of obligation, but out of deference and mutual respect. Brown v. Babbitt Ford, Inc., 117 Ariz. 192, 571 P.2d 689, 695. See also Full faith and credit clause. [Black's Law Dictionary, Sixth Edition, p. 267]

YOUR ANSWER (circle one): Admit/Deny

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

Requirement for Reasonable Notice, Form #05.022
http://sedm.org/Forms/FormIndex.htm

6.2 Interrogatories

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

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

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

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

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

Federal law
Federal forms

"United States**"

"The United States (the District of Columbia, possessions and territories)". Here Congress has exclusive legislative jurisdiction. In this sense, the term "United States" is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a "citizen of the United States." This is the definition used in most "Acts of Congress" and federal statutes. We identify this version of "United States" with two asterisks after its name: "United States**" throughout this article. This definition is also synonymous with the "United States" corporation found in 28 U.S.C. §3002(15)(A).

3. "...as the collective name for the states which are united by and under the Constitution."

Constitution of the United States

"United States***"

"The several States which is the united States of America." Referring to the 50 sovereign States, which are united under the Constitution of the United States of America. The federal areas within these states are not included in this definition because the Congress does not have exclusive legislative authority over any of the 50 sovereign States within the Union of States. Rights are retained by the States in the 9th and 10th Amendments, and you are a "Citizen of these united States." This is the definition used in the Constitution for the United States of America. We identify this version of "United States" with a three asterisks after its name: "United States***" throughout this article.

### 6.3 Affirmation:

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

Name (print):____________________________________________________

Signature:_______________________________________________________

Date:______________________________

Witness name (print):_______________________________________________

Witness Signature:__________________________________________________

Witness Date:________________________