

# ***INJURY DEFENSE FRANCHISE AND AGREEMENT FORM INSTRUCTIONS***

## **1. PURPOSE:**

This form is a defensive tool for use by those interfacing with either a government officer or government agency. Its purpose is to:

1. Establish and protect your sovereignty.
2. Preserve your equitable position and prevent you from becoming unequal or inferior in relation to any government or government actor. The only way you can become unequal is by consenting to it in some form.
3. Ensure that you cannot lawfully participate in any franchise court or be subject to the whims of any government agency or the administrative law that implements it, such as:
  - 3.1. Traffic Court.
  - 3.2. Family Court.
  - 3.3. Tax Court.
4. Invoke ONLY the protections of the common law and the Constitution and not statutory civil law. All statutory civil law is law for government and not private human beings.<sup>1</sup>
5. Ensure that everyone you deal with in the government is constrained to provide the ONLY thing that government was established for, which is to protect PRIVATE property and PRIVATE rights.
6. Impose an anti-franchise franchise that prevents the enforcement of any government franchise against you.
7. Maintain the status of your PRIVATE property as private and prevent it from being donated to a public use, public purpose, or public office without your express written consent.
8. Establish, preserve, and protect your proper civil status within existing state and federal law.
9. Prevent private people from being victimized by the presumptions or equivocations of others by defining the meaning and context of all key terms and burden of proof against the government in REDEFINING them for nefarious uses.
10. Keep you disconnected from all government statutory civil law, which can lawfully regulate only government actors and instead impose only the common law for the protection of your rights.
11. Invoke all the same presumptions against the government that they invoke against you and therefore turn the tables.
12. Prevent any commercial use of materials or services or interactions by Government Actor as against Protected Party.
13. To prevent and punish the tendency of sophists in the government to use word games to evade their responsibility to obey our Member Agreement if they want to use our privileged and protected information or services for a commercial purpose that might benefit them in any way.<sup>2</sup>

The authority for creating and enforcing this franchise and agreement is the requirement for equal protection and equal treatment that is the foundation of the United States Constitution. Since governments have implemented franchises on a grand scale, we claim the EQUAL right to establish and enforce similar franchises to prevent us from being compelled to be part of theirs.

Attach this form to correspondence sent to the government to give reasonable notice of what the recipient mandatorily agrees to as a condition of either demanding or receiving any of your property or services.

## **2. OTHER FORMS THIS FORM IS REFERENCED IN**

This form is incorporated by reference into the following other forms. Therefore, there is no need to add it to these forums:

- 2.1. *SEDM Member Agreement*, Form #01.001, Section 5  
<http://sedm.org/Forms/FormIndex.htm>
- 2.2. *SEDM Disclaimer*, Section 5  
<http://www.sedm.org/disclaimer.htm>
- 2.3. *Deposition Handout: Member Deposition*, Form #03.005, Exhibit 1

<sup>1</sup> See: *Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037; <https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>.

<sup>2</sup> See: *An Introduction to Sophistry Course*, Form #12.042; <https://sedm.org/an-introduction-to-sophistry/>.

<http://sedm.org/Forms/FormIndex.htm>

2.4. Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002, Section 8

<http://sedm.org/Litigation/LitIndex.htm>

2.5. Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001, Section 4

<http://sedm.org/Forms/FormIndex.htm>

2.6. Tax Form Attachment, Form #04.201, Section 6

<http://sedm.org/Forms/FormIndex.htm>

### 3. **FREQUENTLY ASKED QUESTION(S)**

#### 3.1. **QUESTION 1: Why would anyone in their right mind want to sign or consent to this agreement?"**

*Hi, I just finished reading the Injury Defense Franchise and Agreement, Form 06.027. At the end of this document, there is a page for the signature of the Protected Party AND signature of the "Government Actor."*

*My question is .... no "government actor" in his/her right mind is actually going to sign this document, so I would like to know what it is that "binds" the government actor to the stipulations within the Anti-Franchise Franchise.*

*I realize that WE DID NOT agree to the stipulations of their franchises either, at least not knowingly, and that this is kind of the whole point in making the Anti-Franchise Franchise, but how can this be used against them if they refuse to sign it, which they obviously will do?*

#### 3.2. **ANSWER 1:**

What binds them is the SAME thing that binds us to THEIR franchises: Acceptance of the "benefits" of the relationship. Those "benefits" are enumerated in this document itself. Here are some legal authorities documenting that the acceptance of the benefits described constitutes constructive consent to all the obligations arising from the delivery of the benefit:

CALIFORNIA CIVIL CODE  
DIVISION 3. OBLIGATIONS  
PART 2. CONTRACTS  
CHAPTER 3. CONSENT  
Section 1589

*1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

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*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."*

*[Bouvier's Maxims of Law, 1856;*

*SOURCE:*

<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm/>

Under our system of law ALL "persons" are equal. If the government can rope US into THEIR franchises by the above mechanisms, which is EXACTLY what they do, then we can do the SAME thing to them under the concept of EQUAL PROTECTION and EQUAL TREATMENT. Any assertion to the contrary is a violation of due process of law and a denial of equal protection and equal treatment.

Any government actor who argues against the above approach is essentially:

1. Discrediting the ONLY useful tool they have to prosecute tax crimes.
2. Contradicting their own statements and behavior.
3. Declaring any and all previous criminal tax prosecutions as VOID and FRAUDULENT.

Whenever they prosecute people for tax crimes, they ALWAYS do the same thing as the anti-franchise franchise does:

1. They claim that the defendant is accepting the "benefits" of living here without "paying their fair share".
2. Getting the jury angry at the defendant because it increases THEIR tax bill, which incidentally is a CRIME called jury tampering and criminal financial conflict of interest under 18 U.S.C. 208.

The above techniques are documented in:

*The Government Benefits Scam*, Form #05.040  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

If THEY can do it, then YOU can do it! In a nation that at least gives LIP service to EQUALITY OF ALL and where Obama stated in his very own inauguration speech that "we are all equal", anyone who claims otherwise is a HYPOCRITE AND is calling our very own president a LIAR!

Every technique that is or can be successful against the corrupted government will ALWAYS emulate their very own behavior and let them discredit themselves in the process of defending against it. And what jurist DOESN'T hate that kind of hypocrisy? We don't know any. That's Sun Tzu's approach:

*"Use the enemy's main strength against himself."*

The U.S. Supreme Court has held that EQUALITY OF RIGHTS and TREATMENT are the FOUNDATIONS of ALL of your freedom!

*"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) ]

The ONLY way you can lawfully be treated UNEQUALLY is with your express consent. Any government which asserts a right that they refuse to allow you to have has the burden of proving with evidence introduced into the record that you EXPRESSLY CONSENTED to be treated unequally in relation to them in a form and in a manner that ONLY you can specify. That manner should ALWAYS be in writing with your signature on it and with the signature of someone from the government who has delegated authority to make such a commitment.

If you would like to know more about the legal requirement for EQUAL PROTECTION AND EQUAL TREATMENT that is the FOUNDATION of the United States Constitution, see:

*Requirement for Equal Protection and Equal Treatment*, Form #05.033  
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/EqualProtection.pdf>  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

You can't "govern" people who are equal. They have to consent to be UNEQUAL before they can be CIVILLY governed and be called a "subject". AND you can't be a "sovereign" and a "subject" at the same time. A statutory "citizen" is a subject, and therefore is UNEQUAL and INFERIOR to the government they are member of. That is the conclusion of the following wonderful memorandum of law, which you should ALSO read:

*Why Statutory Civil Law is Law for Government and not Private Persons*, Form #05.037  
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

#### 4. **RESOURCES FOR FURTHER STUDY**

- 4.1. *Sovereignty and Freedom Page*-Family Guardian Website  
<http://famguardian.org/Subjects/Freedom/Freedom.htm>
- 4.2. *Government Franchises Course*, Form #12.012  
<https://sedm.org/Forms/FormIndex.htm>
- 4.3. *Government Instituted Slavery Using Franchises*, Form #05.030-how the government accomplishes the OPPOSITE of the purpose of its creation, and thereby illegally converts all private property to public property.  
<http://sedm.org/Forms/FormIndex.htm>
- 4.4. *The “Trade or Business” Scam, Form #05.001*-heart of the IRS fraud  
<http://sedm.org/Forms/FormIndex.htm>
- 4.5. *Sovereignty Forms and Instructions*, Form #10.005-how to restore one’s sovereignty  
<http://sedm.org/Forms/FormIndex.htm>
- 4.6. *Sovereignty Forms and Instructions Online*, Form #10.004-online version of the above  
<http://famguardian.org/TaxFreedom/FormsInstr.htm>

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1 **DEDICATION**

Government is the coldest  
of all cold monsters.

Coldly it lies; and this lie  
slips from its mouth:  
"I, government, am the people."

Everything government  
says is a lie, and everything  
government has it has  
stolen.

Friedrich Nietzsche

2  
3 **QUESTION:** If government doesn't produce anything and only redistributes OTHER people's money from outside its own  
4 territory to pay bribes to extend its influence beyond that territory and enslave people using franchises (Form #05.030), then  
5 how is a "source within the United States\*\*" even realistically possible. Aren't all those who receive the proceeds of this  
6 "protection racket" essentially criminal money launderers beyond that point? More on this subject at:  
7

1. *Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers*, Form #02.005  
FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>  
PDF: <https://sedm.org/Forms/02-Affidavits/AffOfDuress-Tax.pdf>
2. *Government Franchises Course*, Form #12.012  
VIDEO: <http://youtu.be/vnDcauqlbTQ>  
PDF: <https://sedm.org/LibertyU/GovFranchises.pdf>
3. *Government Instituted Slavery Using Franchises*, Form #05.030  
FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>  
PDF: <https://sedm.org/Forms/05-MemLaw/Franchises.pdf>
4. *There's No Such Thing as a Democrat Who Isn't "Privileged"*, SEDM  
<https://sedm.org/theres-no-such-thing-as-a-democrat-who-isnt-privileged/>
5. *Corruption, Scams, and Frauds*, Family Guardian Fellowship  
<https://famguardian.org/Subjects/Scams/scams.htm>
6. *Government Corruption: Causes and Remedies Course*, Form #12.026  
<https://sedm.org/GovCorruption/GovCorruption.pdf>
7. *Government Corruption*, Form #11.401  
<https://sedm.org/home/government-corruption/>

There IS, in fact NO SUCH THING as a "source within the United States" or being "in the United States" under the tax code that does not originate from a government payment or a public office WITHIN the "United States" federal corporation respectively. All payments originating from the "United States", in fact, are GOVERNMENT PAYMENTS ONLY that originated almost universally and ultimately from OUTSIDE the "United States" federal corporation and outside the geographical "United States" defined in 26 U.S.C. § 7701(a)(9) and (a)(10). There couldn't be a better tax than one ONLY upon the government!

Dear sir,

*This letter is a response to your tax collection notice in which you allege, without evidence or even a valid signature of a real, accountable, living person who has a personal knowledge, that I have a liability under the Internal Revenue Code Subtitle A income tax franchise as a public officer engaged in a statutory "trade or business" as defined in [26 U.S.C. § 7701\(a\)\(26\)](#) while doing business on federal territory in the statutory "United States" defined geographically in [26 U.S.C. § 7701\(a\)\(9\)](#) and (a)(10) as the District of Columbia and excluding the constitutional states of the Union which I presently inhabit.*

*This letter represents an honest attempt under the Beard Test to comply with the requirements of civil law applicable only to domiciliaries of the statutory geographical "United States" per Federal Rule of Civil Procedure 17(b), which I am not:*

1. *It must purport to be a return.*
2. *It must contain enough information to calculate a tax liability (even \$0 is a tax liability for these purposes, just as 0 counts as a number) and*
3. *It must contain some affirmation of the correctness of the return (we seem to recall SCOTUS saying something like "magic words are not necessary" but we think the Beard Test says the return must be signed "under penalty of perjury" and*
4. *Finally it must be an honest and reasonable attempt to comply with the REQUIREMENTS of the APPLICABLE law.*

*I therefore hereby certify under penalty of perjury in response that this is a NON-STATUTORY return submitted by a non-resident party with the following civil status to both the PAYMENTS involved and the ABSOLUTE OWNER of the payment, which is me:*

1 I am a “nonresident alien” not engaged in “the functions of a public office” or “trade  
2 or business” excise taxable franchise described in [26 U.S.C. §7701\(a\)\(26\)](#). I do not consent  
3 to “effectively connect” any of my earnings to a “trade or business”.

4 My earnings are “excluded” but NOT “exempt” from STATUTORY “gross income” by  
5 [26 U.S.C. §872](#) and [26 C.F.R. §1.872-2\(f\)](#) because they do not originate from either the  
6 District of Columbia (statutory geographical “[United States](#)”) or from the U.S. government  
7 (“[United States](#)”) federal corporation as a legal fiction.

8 I don’t need to file an income tax return or claim exemptions to reduce taxable earnings  
9 because I don’t have STATUTORY “taxable income” or “gross income” under the “trade  
10 or business” excise taxable franchise documented in: [The “Trade or Business” Scam, Form #05.001; https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf](#).

12 4. There are no VOLUNTARY agreements in place between myself and any third party to  
13 convert my PRIVATE earnings into excise taxable PUBLIC “wages” as described in [26](#)  
14 [U.S.C. §3402\(p\)](#). Any evidence you have in your possession from third parties to the  
15 contrary is FALSE and a product of ILLEGAL duress by my business associates and are  
16 hereby declared VOID and a product of criminal extortion. Being threatened by a business  
17 associate to either be FIRED or not hired for not signing and submitting a W-4 certainly  
18 counts as criminal extortion in violation of [18 U.S.C. Chapter 41](#), recruitment into peonage  
19 to pay off public debt, and involuntary servitude to a third party in violation of the  
20 Thirteenth Amendment and [18 U.S.C. §1589](#). The product of such a CRIME cannot serve  
21 as useful evidence of any [lawful form of “consent”](#). Further, unalienable rights cannot be  
22 surrendered, even WITH consent, in a geographical place protected by the constitution, so  
23 any such agreements are void except where the constitution does not apply, such as on  
24 federal territory or abroad, which I do not work in. Further, it is a violation of my  
25 [delegation of authority order direct from God \(the Bible\)](#) to consent to such agreements as  
26 His full time agent, representative, and His property. Therefore such agreements can be of  
27 no binding force and effect and therefore would constitute theft of religious property and  
28 a violation of the First Amendment. I can’t logically consent to give away property that  
29 doesn’t belong to me but belongs to my Principal as His agent.

30 “You were **bought** [as property by God] **at a price** [by the blood of Jesus  
31 **Christ**]; do not become slaves of men [and by implication a  
32 GOVERNMENT of men].”  
33 [1 Cor. 7:22; Bible, NKJV]

34 WHERE is separation of church and state when you need it, keeping in mind that my  
35 delegation of authority order says my BODY is God’s Temple and property? 1 Cor. 6:19.  
36 Separation of church and state, according to the Bible, means separation of PRIVATE,  
37 which is God’s, from PUBLIC, which is Caesar’s. See: [Separation Between Public and](#)  
38 [Private Course, Form #12.025; https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf](#).

39 5. Any payments documented on information returns in your custody for the applicable  
40 reporting period are not reportable as statutory “wages” under 26 U.S.C. §3406 because:

41 5.1 All services were performed outside the “United States” per:  
42 5.1.1. 26 C.F.R. §31.3121(b)-3(c)(1) in the case of Social Security.  
43 5.1.2. 26 C.F.R. §3.3401(a)(6)-1(b) in the case of income tax.  
44 5.2. The payer cannot unilaterally make legal determinations or conclusions about the  
45 status of the payment. Only the OWNER, which is me, can. *Christiansen v. National*  
46 *Savings and Trust Co.*, 683 F.2d. 520, 529 (D.C. Cir. 1982), *Langbord v. U.S.*  
47 *Department of Treasury*, CIVIL ACTION No. 06-5315, at \*22 (E.D. Pa. July 5, 2011),  
48 and also Form #04.001 referenced later.

6.If you are in receipt of information returns for the reporting period referenced in your communication(s) such as the W-4, 1042, 1098, 1099, etc., then these reports are FALSE as described by reference in:

W-2CC: <https://sedm.org/Forms/04-Tax/3-Reporting/FormW-2CC-Cust/FormW-2CC.pdf>  
1099-CC: <https://sedm.org/Forms/04-Tax/3-Reporting/Form1099-CC-Cust/Form1099-CC.pdf>

7.Because the earnings documented on the FALSE information returns are not “gross income” or “wages”, they are therefore PRIVATE property protected by the Constitution and earned by a constitutionally protected PRIVATE party, not a PUBLIC officer.

8.The submitter of these false information returns has NO STATUTORY AUTHORITY over me as a NONRESIDENT party and NO DIRECT PERMISSION from me to convert these PRIVATE earnings to PUBLIC earnings by connecting them to a civil status such as “gross income” or “taxable income” or “reportable income”, because the earnings are NOT THEIR property but MY absolutely owned exclusively private, constitutionally protected property. Therefore any records in your possession falsely representing my PRIVATE earnings as having any civil status within the Internal Revenue Code are in error and I demand IMMEDIATE correction of all such records. Failure to NOT correct your records is a criminal offense under 18 U.S.C. §§1001 and 1030 (fraud generally and in connection with computers), and 18 U.S.C. §§911 and 912 (false personation) for which I demand that you be criminally prosecuted and civilly penalized personally.

9.Any false information returns in your possession relating to the reporting period DO NOT document the CIVIL STATUS of the payment absent my consent, because the submitter is NOT AUTHORIZED to make legal determinations about:

9.1 My STATUTORY civil status as a “person”, “taxpayer”, “citizen”, “resident”, etc or

9.2 The STATUTORY civil status of my earnings as “income”, “gross income”, etc.

9.3 Whether the earnings were paid from the STATUTORY geographical “United States” per 26 U.S.C. §7701(a)(9) and (a)(10) or the “United States” federal corporation as a legal person and fiction of law.

All such determinations can only be made by the OWNER of the payment as an exercise of his First Amendment right to associate or disassociate and his/her constitutional right to contract or not contract and his right to control the use of his absolutely owned private property.

10. Since the human parties made directly liable on their worldwide income are “citizens and residents” in 26 C.F.R. §1.1-1(a), then those civil statuses must be privileges and voluntary or else slavery in violation of the Thirteenth Amendment, peonage, and even international human trafficking will be the result. I choose not to volunteer, so the only status left that does not have direct liability attached is “nonresident alien”. If those parties are actually physical and geographical parties, they would be tied to the “United States” in 26 U.S.C. §7701(a)(9) and (a)(10) as far as I can tell, and I’m not domiciled or present there or doing business there, so they can’t be me.

11. Insofar as “sources in the United States” is concerned, it appears to me that the United States in the I.R.C. is mostly referring to is the FICTIONAL corporation as a public officer and not the geography, because slavery, peonage, and human trafficking are unconstitutional and possibly even criminal everywhere in the Union and even the world, not just within a physical state protected by the Constitution. Any other interpretation would lead to an interference with the private right to contract and associate. The U.S. Supreme Court held in Downes v. Bidwell, 182 U.S. 244 (1901) and Loughborough v. Blake, 5 Wheat. 317, 5 L.Ed. 98 that an income tax on the District of Columbia, which is what “United States” is defined as in 26 U.S.C. §7701(a)(9) and (a)(10), is a tax upon THE GOVERNMENT and not upon the GEOGRAPHY, and extends wherever and ONLY where that GOVERNMENT extends. To claim that I am IN THIS “United States” or worst yet that I am rendering “services in THIS United States” is to

falsely claim that I am a public officer participating in an excise taxable franchise, which I am not in this case and which the national government cannot even lawfully do within the borders of a constitutional state per the License Tax Cases, 72 U.S. 462 (1866) without unconstitutionally INVADING them in violation of Article 4, Section 4 of the Constitution.

12. Under common law rules, I have a right to refuse ANY and ALL “benefits”, and by implication privileges. You are a business that only delivers ONE product: Protection. I am the customer and I get to decide if what you offer is a “benefit”, and it isn’t so I resign as the “customer” of your “protection racket”. A refusal to recognize that right is a trespass upon private, constitutionally protected property. The basis of all just powers of government is CONSENT according to the Declaration of Independence, and I DO NOT consent to receive or to PAY FOR any “benefit”:

*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.*  
[Bouvier’s Maxims of Law, 1856;  
<https://fanguardian.org/Publications/BouvierMaximsOfLaw/BouviertsMaxims.htm>]

13. According to the U.S. Supreme Court, when I am incapable of receiving “benefits”, then anything you collect outside my FOREIGN domicile in a constitutional state is “EXTORTION” as legally defined. The states and not the national government protect private property where I have my domicile. I don’t need you to protect me from THEM. I want THEM to protect me from YOU and the constitution says in Article 4, Section 4, that you are INVADING the states by trying to setup a “benefit” or “social insurance” business there not expressly authorized in the constitution.

“The power of taxation, indispensable to the existence of every civilized government, is exercised upon the assumption of an equivalent rendered to the taxpayer in the protection of his person and property, in adding to the value of such property, or in the creation and maintenance of public conveniences in which he shares — such, for instance, as roads, bridges, sidewalks, pavements, and schools for the education of his children. If the taxing power be in no position to render these services, or otherwise to benefit the person or property taxed, and such property be wholly within the taxing power of another state, to which it may be said to owe an allegiance, and to which it looks for protection, the taxation of such property within the domicile of the owner partakes rather of the nature of an extortion than a tax, and has been repeatedly held by this Court to be beyond the power of the legislature, and a taking of property without due process of law. *Railroad Company v. Jackson*, 7 Wall. 262 ; *State Tax on Foreign-Held Bonds*, 15 Wall. 300; *Tappan v. Merchants’ National Bank*, 19 Wall. 490, 499 ; *Delaware &c. R. Co. v. Pennsylvania*, 198 U.S. 341, 358 . In *Chicago &c. R. Co. v. Chicago*, 166 U.S. 226, it was held, after full consideration, that the taking of private property [199 U.S. 203] without compensation was a denial of due process within the Fourteenth Amendment. See also *Davidson v. New Orleans*, 96 U.S. 97, 102; *Missouri Pacific Railway v. Nebraska*, 164 U.S. 403, 417; *Mt. Hope Cemetery v. Boston*, 158 Mass. 509, 519.”  
[*Union Refrigerator Transit Company v. Kentucky*, 199 U.S. 194 (1905)]

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

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

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

25                   *[Using the Laws of Property to Respond to a Federal or State Tax Collection Notice, Form*  
26                   *#I4.015; SOURCE: [https://sedm.org/using-the-laws-of-property-to-respond-to-a-federal-](https://sedm.org/using-the-laws-of-property-to-respond-to-a-federal-or-state-tax-collection-notice/)*  
27                   *[or-state-tax-collection-notice/](https://sedm.org/using-the-laws-of-property-to-respond-to-a-federal-or-state-tax-collection-notice/)]*  
28



# **1 Purpose**

This form is a defensive tool for use by private parties interfacing with either a government officer or government agency. Its purpose is to do all the following in respect to the Protected Party:

1. Establish and protect their sovereignty.
2. Preserve their equitable position and prevent them from becoming unequal or inferior in relation to any government or government actor.
3. Ensure that Protected party cannot lawfully participate in any franchise court or be subject to the whims of any government agency or the administrative law that implements it, such as:
  4. Traffic Court.
  5. Family Court.
  6. State or federal tax Court.
7. Invoke ONLY the protections of the common law and not statutory civil law. All statutory civil law is law for government and not private human beings.
8. Ensure that Government Actors are constrained to provide the ONLY thing that government was established for, which is to protect private property and private rights.
9. Impose an anti-franchise franchise against Government Actors that prevents the enforcement of any government franchise against the Protected Party.
10. Maintain the status of their PRIVATE property as private and prevent it from being donated to a public use, public purpose, or public office without your consent.
11. Establish, preserve, and protect the proper status within existing state and federal law.
12. Prevent the Protected Party from being victimized by the presumptions of others by defining the meaning of all words and burden of proof against the government in redefining them.
13. Keep the Protected Party disconnected from all government statutory civil law, which can lawfully regulate only government actors and instead impose only the common law for the protection of your rights.
14. Invoke all the same presumptions against the government that they invoke against the Protected Party and therefore turn the tables.
15. Prevent any commercial use of materials or services or interactions by Government Actor as against Protected Party.

The authority for creating and enforcing this franchise and agreement is the requirement for equal protection and equal treatment that is the foundation of the United States Constitution. It uses the government's tactics in implementing and enforcing franchises against Government Actors as a way to prevent Protected Party from being victimized by their franchises. Equal protection mandates that the government must protect the SAME method of acquiring rights for all parties.

If this agreement was initiated in connection with a government form or application submitted to the Government Actor, then:

1. All rights are reserved by the Protected Party pursuant to U.C.C. §1-308 in relation to the original government offer that is the subject of the form.
2. The original application shall be superseded from an OFFER in commerce, and replaced with this COUNTEROFFER in commerce pursuant to U.C.C. §2-209.
3. No matter what the response to this counter-offer is by the Government Actor, the response by the Government Actor to the original application or offer by the Protected Party shall be the following:

*"You are not eligible for the original offer or application and we can't force you to consent to it. Your LACK OF CONSENT is the reason you are ineligible. Therefore, any third party trying to force you to apply is doing so illegally and is instigating a THEFT of your property to try to force you to participate or consent. It is an abuse of government property or franchises to offer them outside of federal territory or to people who were not ALREADY public officers in the government BEFORE making application to participate."*



## 2 Injurious activities which constitute implied consent to this franchise and agreement

In order to enforce a civil obligation against any party under the common law, either a contract or an injury must be demonstrated.<sup>3</sup> This section shall document injuries that give rise to consent to this contract. What all of these injuries have in common is that they are a trespass on the control or ownership of absolutely owned, constitutionally protected, private property. The intended use or benefit of the affected property gives rise to a privilege and this document explains the extent of that civil privilege.

The following harmful activities by Government Actor against Protected Party therefore constitute constructive and implied consent to this franchise agreement.

### 1. Activities described in the SEDM (<http://sedm.org>) Mission Statement:<sup>4</sup>

- 1.1. The abuse of presumption to injure the rights of sovereign Americans, in violation of due process of law and God's law found in Numbers 15:30. Much of this presumption is compelled by the government by willfully dumbing-down the average Americans about legal subjects in the public (government) schools. This makes the legal profession into essentially a "priesthood" and a pagan "religion" that the average American blindly worships and obeys, without ever questioning authority. It is a supreme injustice to proceed against a person without every conclusion being based ONLY on fact and not presumption, opinion, or belief. [Click here](#) (<http://sedm.org/Forms/05-MemLaw/Presumption.pdf>) for a detailed article on this scam and sin.

*"But the person who does anything presumptuously, whether he is native-born or a stranger, that one brings reproach on the LORD, and he shall be cut off from among his people."*

[\[Numbers 15:30, Bible, NKJV\]](#)

*"Due Process: [ . . . ] If any question of fact or liability be conclusively be presumed [rather than proven with evidence] against him, **this is not due process of law [in fact, it is the OPPOSITE of due process].**"*

*[Black's Law Dictionary, Sixth Edition, p. 500]*

#### *(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 Bd. of Ed. v. LaFleur (1974) [414 U.S. 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](#)]*

- 1.2. Public servants deceiving the public by portraying "Private Law" or special law as "Public Law". See the following for a description of this form of government and legal profession corruption:

- 1.2.1. *What is "law"?*, Form #05.048

<https://sedm.org/Forms/05-MemLaw/WhatIsLaw.pdf>

- 1.2.2. *Requirement for Consent*, Form #05.003, Section 9.6

<https://sedm.org/Forms/05-MemLaw/Consent.pdf>

- 1.3. Public servants refusing to acknowledge the requirement for consent in all human interactions. [Click here](#) for an article on this subject.

<sup>3</sup> See: *Lawfully Avoiding Government Obligations*, Form #12.040; <https://sedm.org/Forms/FormIndex.htm>.

<sup>4</sup> See: *SEDM Articles of Mission*, Form #01.004, Section 1.3; <https://sedm.org/Forms/FormIndex.htm>.

- 1.4. Willful omissions from government websites and publications that keep the public from hearing the whole truth. The problem is not what these sources say, but what they DON'T say. The [Great IRS Hoax, Form #11.302](#) (OFFSITE LINK) contains over 2,500 pages of facts that neither the IRS nor any one in government is willing to reveal to you because it would destroy the gravy train of plunder that pays their bloated salaries and fat retirement in violation of [18 U.S.C. §208](#).
- 1.5. The abuse of "words of art" to deceive the people in both government publications and the law itself. [Click](#) (OFFSITE LINK) here for examples.
- 1.5.1. *Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic (OFFSITE LINK) for examples. <http://sedm.org/Forms/FormIndex.htm>
- 1.5.2. *Legal Deception, Propaganda, and Fraud*, Form #05.014-explains games to unlawfully expand legal definitions <http://sedm.org/Forms/FormIndex.htm>
- 1.5.3. *Citizenship Status v. Tax Status*, Form #10.011 -shows how STATUTORY v. CONSTITUTIONAL contexts and GEOGRAPHICAL v. LEGAL contexts are confused to usurp jurisdiction. <http://sedm.org/Forms/FormIndex.htm>
- 1.5.4. *Rules of Presumption and Statutory Interpretation*, Litigation Tool #01.006 -prevents abuse of words of art during litigation. <http://sedm.org/Forms/FormIndex.htm>
- 1.6. The lack of "equal protection of the law" in courts of justice relating to the statements and actions of public servants, whereby the IRS doesn't have to assume responsibility for its statements and actions, and yet persons who fill out tax forms can be thrown in jail and prosecuted for fraud if they emulate the IRS by being just as careless. This also includes "selective enforcement", where the DOJ positively refuses to prosecute submitters of [false information returns](#) but spends a disproportionate share of its resources prosecuting false income tax returns. They do this because they are more interested in STEALING your money than in justice. See:
- 1.6.1. *Federal Courts and IRS' Own IRM Say NOT RESPONSIBLE for its actions or its words or following its own internal procedures, Family Guardian Fellowship* <http://famguardian.org/Subjects/Taxes/Articles/IRSNotResponsible.htm>
- 1.6.2. *Requirement for Equal Protection and Equal Treatment*, Form #05.033 <http://sedm.org/Forms/FormIndex.htm>
- 1.6.3. *Government Establishment of Religion*, Form #05.038 -how government establishes itself as a pagan deity and a religion by using franchises to systematically destroy the separation of powers and the requirement for equal protection <http://sedm.org/Forms/FormIndex.htm>
- 1.7. Abuses of franchises that undermine the protection of private rights by the government and the courts:
- 1.7.1. Offering or enforcing NATIONAL franchises within states of the Union or outside of the federal territory and federal domiciliaries that they are limited to. This results in a destruction of the [separation of powers](#).
- 1.7.2. Enforcing franchises, such as a " [trade or business](#)" without requiring explicit written consent in some form, such as the issuance and voluntary signing of an application for a license. [Click here](#) for details.
- 1.7.3. [Forcing non-franchisees into franchise courts against their consent](#). This is a violation of the Fifth Amendment takings clause and the prohibition against eminent domain.
- 1.7.4. Refusing to satisfy the burden of proof upon government opponents in a franchise court that the owner of the property subject to the dispute VOLUNTARILY donated it to a public use, public purpose, and public office. In other words, that all property is PRIVATE until it is **proven on the record with evidence** that the owner EXPRESSLY AND VOLUNTARILY DONATED it to PUBLIC use and thereby made it subject to government jurisdiction.
- 1.7.5. Abusing sovereign immunity to protect franchise administrators such as the IRS from [illegal enforcement of the franchise against non-franchisees](#). All franchises are PRIVATE rather than GOVERNMENTAL in nature and governments who offer them drop down to the level of ordinary persons when they offer them.
- 1.7.6. Refusing to provide a way to quit franchises or hiding forms for doing so.
- 1.7.7. PRESUMING or pretending like there is no such thing as a non-franchisee or non-taxpayer or that EVERYONE is a statutory "taxpayer". This compels people to contract with the government and interferes with their First Amendment right to legally and politically associate. See:
- Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008. <http://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
- 1.7.8. Attorney licensing, which destroys the integrity of the legal profession in its role as a check and balance when the government or especially the judiciary becomes corrupt as it is now.

1.7.9. Abuse of the federal income tax system, which is a franchise and an excise, to bribe states of the Union to give up their sovereignty, act like federal "States" and territories, and accept what amounts to federal bribes to disrespect the rights or those under their care and protection. [Click here](#) for details.

See the following for details on the above abuses:

*Government Instituted Slavery Using Franchises*, Form #05.030

<http://sedm.org/Forms/FormIndex.htm>

1.8. Efforts to destroy the separation of powers that is the main protection for our liberties. This results in abuses of the Court system for political, rather than legal, purposes (politicization of the courts). All of the federal courts we have now are Article IV, territorial courts that are part of the Executive, rather than Judicial Branch of the de facto government. As such, there is no separation of powers and nothing but tyranny can result. See the following for proof of this destruction:

1.8.1. *Government Conspiracy to Destroy the Separation of Powers*, Form #05.023- shows how lying, thieving public servants have systematically destroyed the separation of powers since the founding of this country <http://sedm.org/Forms/FormIndex.htm>

1.8.2. *What Happened to Justice?*, Form #06.012-book which proves that we have no Judicial Branch within the federal government, and that all the existing federal courts are acting in an Article IV territorial capacity as part of the Executive, rather than Judicial, branch of the government.

<http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm>

1.8.3. *How Scoundrels Corrupted Our Republican Form of Government, Family Guardian Fellowship* (OFFSITE LINK)-brief overview of how the separation of powers has been systematically destroyed

<http://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>

1.9. The abuse of the government's power to tax in order to transfer wealth between private individuals, which makes the government into a thief and a Robinhood. This includes:

1.9.1. Enforcing the tax laws against other than "public officers" of the government. [Click here](#) for details.

1.9.2. Offering government "benefits" of any kind to anyone who does not ALREADY work for the government. [Click here](#) for details.

1.10. Corruption of our monetary system that allows the government to:

1.10.1. Counterfeit while denying to all others the right, thus creating an unconstitutional "Title of Nobility" for itself and making itself into a pagan deity, and denying the equal protection to all that is the foundation of the Constitution.

1.10.2. STEAL from the American people by diluting the value of money already into circulation.

1.10.3. Exercise undue control banks and financial institutions that causes them to effectively become federal employment recruiters for the federal government by compelling use of government identifying numbers for those pursuing accounts or loans.

See the following for details on this scam:

*The Money Scam*, Form #05.041

<http://sedm.org/Forms/FormIndex.htm>

1.11. Creating, perpetuating, condoning, or in any way protecting conflicts of financial interest within the government that cause the self-interest to undermine the requirements of the law, [EQUALITY](#), or the [protection of exclusively PRIVATE rights](#) by:

1.11.1. Making judges "taxpayers".

1.11.2. Making jurists or voters into "benefit" recipients, franchisees, and/or public officers.

1.11.3. Allowing judges to act in a POLITICAL mode within any franchise court in the Executive rather than Judicial Branch. This also violates the separation of powers.

1.11.4. Turning police officers into revenue collectors who enforce malum-prohibitum offenses that result in revenue to the state.

1.11.5. Allowing any judicial officer or witness to receive any kind of financial reward for essentially compelling someone to assume any civil status under any civil franchise, including the income tax.

1.11.6. Allowing judges to act BOTH as an Article III judge AND an Article IV judge at the same time.

1.11.7. Allowing PRIVATE citizens to appear before a franchise judge with a financial conflict of interest.

1.11.8. Making ordinary citizens ALSO into public officers in any context OTHER than as a jurist or voter. This causes income taxes to become poll taxes and disenfranchises all those who insist on remaining private.

[Click here](#) for details.

1.11.9. Constitutional states surrendering their sovereignty and agreeing to act essentially as federal territories or federal corporations in exchange for participation in national franchises such as Social Security, Medicare, etc.

1.11.10. [Governments going into debt and thereby becoming financial slaves to banks or bank cartels](#). This includes a debt based fiat currency system such as the federal reserve.

- 1.12. Active interference with [common law remedies](#) for the protection of PRIVATE rights from abuse by government actors. Governments are established exclusively to protect PRIVATE rights and PRIVATE property. Any attempt to undermine such rights without the express written consent of the owner in each case is not only NOT a classical "government" function, but is an ANTI-government function that amounts to a MAFIA "protection racket". This includes but is not limited to:
- 1.12.1. Refusing to recognize or protect PRIVATE property or PRIVATE rights, the essence of which is the RIGHT TO EXCLUDE anyone and everyone from using or benefitting from the use of the property.
  - 1.12.2. PRESUMING that "a government OF THE PEOPLE, BY THE PEOPLE, and FOR THE PEOPLE" is a government in which everyone is a [public officer](#).
  - 1.12.3. Refusing to recognize or allow constitutional remedies and instead substituting STATUTORY remedies available only to [public officers](#).
  - 1.12.4. Interfering with introduction of evidence that the court or forum is ONLY allowed to hear disputes involving [public officers in the government](#).
    - 1.1.1. PRESUMING or ASSUMING that the ownership of the property subject to dispute is QUALIFIED rather than ABSOLUTE and that the party the ownership is shared with is the government.
  - 1.12.5. Allowing government "benefit" recipients to be decision makers in cases involving PRIVATE rights. This is a denial of a republican form of government, which is founded on impartial decision makers. See [Sinking Fund Cases, 99 U.S. 700 \(1878\)](#).
  - 1.12.6. Interfering with or sanctioning litigants who insist on discussing the laws that have been violated in the courtroom or prohibiting jurists from reading the laws in question or accessing the law library in the courthouse while serving as jurists. This transforms a society of law into a society of men and allows the judge to substitute HIS will in place of what the law expressly requires.
  - 1.12.7. Illegally and unconstitutionally invoking the Declaratory Judgments Act or the Anti Injunction Act as an excuse to NOT protect PRIVATE rights from government interference in the case of EXCLUSIVELY PRIVATE [people who are NOT statutory "taxpayers"](#). See [Flawed Tax Arguments to Avoid, Form #08.004, Sections 8.22 and 8.12](#).
  - 1.12.8. Interfering with ways to change or correct your citizenship or statutory status in government records. That "status" is the "res" to which all franchise rights attach, usually ILLEGALLY.
- 1.13. Efforts to define the word "[justice](#)" in the context of secular law to mean anything OTHER than the right to be left alone and the obligation to provide remedy for demonstrated injury AFTER the injury occurs. See: [What is "Justice"?, Form #05.050](#). All such efforts result in INJUSTICE and promote violations of the constitution.
2. Specific actions which implement some aspect of the above injurious activities which are not expressly mentioned above:
- 2.1. Refusing to provide a form, statute, regulation, and/or administrative procedure to quit any and all franchises or privileges offered by government or interfering with people who try to quit informally.
  - 2.2. Refusing to issue NONRESIDENT ID in which:
    - 2.2.1. The applicant has no government identifying number and/or franchise mark such as an SSN or TIN.
    - 2.2.2. The applicant has no civil status such as "citizen", "resident", "driver", etc.
  - 2.3. Involuntarily "electing" private parties into public office by filing FALSE information returns against them and/or refusing to prosecute those who do. See:

[Correcting Erroneous Information Returns, Form #04.001](#)  
<https://sedm.org/Forms/FormIndex.htm>
  - 2.4. Forcing people to assume a privileged civil statutory status such as "taxpayer" in order to get monies returned to them that were withheld illegally and under duress. The constitutional alone ought to be enough to do that and justice should NEVER be a "privilege" and if it is a privilege, it becomes INJUSTICE. See:
    - 2.4.1. *What is "Justice"*, Form #05.050  
<https://sedm.org/Forms/FormIndex.htm>
    - 2.4.2. *Policy Document: IRS Fraud and Deception About the Statutory Word "Person"*, Form #08.023  
<https://sedm.org/Forms/FormIndex.htm>
    - 2.4.3. *Who Are "Taxpayers" and Who Needs a "Taxpayer Identification Number"?*, Form #05.013  
<https://sedm.org/Forms/FormIndex.htm>
  - 2.5. Invoking economic sanctions, liens, or levies, or interference with commerce or travel, whether directly by the government or indirectly through private third parties, against anyone who does not consent to assume a PUBLIC privileged or statutory civil status or the benefits or obligations attached to the status on any type of government form, and especially passports and tax withholding paperwork such as the Forms W4, W-8, and W-9. Interference with commerce is a criminal offense. Such civil statuses include:
    - 2.5.1. "person" (under the civil code).
    - 2.5.2. "taxpayer" (under the tax code).

- 2.5.3. "citizen".  
2.5.4. "resident".  
2.5.5. "driver" (under the vehicle code).  
2.5.6. "Employee". See IRS form W-4 and 26 U.S.C. §3401.  
2.5.7. "U.S. person".  
2.5.8. Anything connected with government identifying numbers, which are "franchise marks" according to the Federal Trade Commission (FTC) Franchise Compliance Guide.

The result of the above is criminal identity theft, HUMAN TRAFFICKING and SLAVERY, an international crime. Examples of the above include, but are not limited to, refusal to complete a commercial transaction, not hiring, or firing people, ticketing people operating private conveyances, etc who want but do not have PRIVATE ID or who cannot GET private nonresident ID because of government discrimination. Details on identity theft is found at:

Government Identity Theft, Form #05.046  
<https://sedm.org/Forms/FormIndex.htm>

- 2.6. SCAMS with government forms or correspondence which connect nonresident parties using them illegally to government franchises and offices domiciled on federal territory.
- 2.6.1. Abusing Barnum Statements to deceive those using government forms or receiving government correspondence into falsely believing that they are privileged public officers or fictions of law.
- 2.6.2. Not providing forms for non-franchisees or specific statuses on government forms which recognize the right to either QUIT or not join government franchises.
- 2.6.3. Using perjury statements on government forms that place state of the Union applicants into the WRONG jurisdiction on federal territory in violation of 28 U.S.C. §1746.
- 2.6.4. Interfering with efforts by nonresident state domiciled parties to invoke the correct perjury statement on government forms under 28 U.S.C. §1746.
- 2.6.5. Using "permanent address" instead of "domicile" to replace human beings with privileged "resident" fictions of law so they are forced to waive their rights.
- 2.6.6. Imputing or allowing any civil statutory status to be assigned to nonresident parties in states of the Union.
- 2.6.7. Interfering with attempts by applicants using government forms or recipients of government correspondence to correctly define "words of art" to exclude jurisdiction over them.
- 2.6.8. Refusing to accept CUSTOM forms that correctly add nonresident or non-participant status to all government franchises, including Social Security, driver licensing, etc.
- 2.6.9. Abusing equivocation and obfuscation of terms on government forms to recruit people unknowingly and without their express consent into government franchises Such terms include
- 2.6.9.1. "United States".
- 2.6.9.2. "State".
- 2.6.9.3. "citizen".
- 2.6.9.4. "resident".
- 2.6.9.5. "U.S. citizen".
- 2.6.9.6. "U.S. resident".
- 2.6.9.7. "Employee"

See:

Legal Deception, Propaganda, and Fraud, Form #05.014, Section 13.4  
<https://sedm.org/Forms/FormIndex.htm>

Methods of equivocation which deceive extraterritorial or nongovernment parties to participate are documented in:

Legal Deception, Propaganda, and Fraud, Form #05.014, Sections 15 and 16  
<https://sedm.org/Forms/FormIndex.htm>

- 2.6.10. Using ambiguous citizenship terms on government forms. See:

Avoiding Traps in Government Forms Course, Form #12.023  
<https://sedm.org/Forms/FormIndex.htm>

- 2.6.11. Assigning Citizenship Status Profile (CSP) Codes of STATUTOTY or TERRITORIAL citizens to those in constitutional states, and/or hiding the meaning of the codes. See:
- 2.6.11.1. Why You Are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006, Section 14.13  
<https://sedm.org/Forms/FormIndex.htm>
- 2.6.11.2. Social Security Admin FOIA for CSP Code Values, SEDM Exhibit 01.011  
<https://sedm.org/Exhibits/ExhibitIndex.htm>

The above are described in:



- 2.7. Efforts to destroy the separation of powers by making human beings public officers simultaneously of both the NATIONAL government and the STATE government. This happens in the case of:
- 2.7.1. Income tax. “Taxpayers” are NATIONAL public officers and STATE public officers at the same time in the case of the “trade or business” franchise under 26 U.S.C. §7701(a)(26).<sup>5</sup> It is unconstitutional and even criminal in some states to simultaneously do so because it represents a criminal financial conflict of interest.
- 2.7.2. Driver licensing. “Drivers” must have NATIONAL identifying numbers as a NATIONAL officer, and yet are subject to enforcement as STATE officers under the VEHICLE code at the same time.
- 2.8. Abuse of the civil statutory codes:<sup>6</sup>
- 2.8.1. Calling civil statutes which impose civil obligations “law” rather than PRIVATE LAW or SPECIAL LAW or PATRONAGE that they are or treating them as if they can be enforced WITHOUT satisfying the burden of proving EXPLICIT written consent in some form.
- 2.8.2. Enforcing any civil statute involving obligations of any kind not connected to a proven injury without proof on the record of EXPLICIT written consent of the obligor BEFORE enforcement begins.
- 2.9. Court corruption<sup>7</sup>:
- 2.9.1. Abuse of “words of art” in court rulings or pleadings filed by government prosecutors to effectively kidnap nonresident private parties into federal jurisdiction or civil statutory jurisdiction as described in:
- Legal Deception, Propaganda, and Fraud*, Form #05.014, Sections 15 and 16  
<https://sedm.org/Forms/FormIndex.htm>
- 2.9.2. Hiding the law from juries by:
- 2.9.2.1. Barring access to the courthouse library.
- 2.9.2.2. Refusing to allow or even sanctioning defendants who want to read the law in front of the jury.
- 2.9.2.3. Refusing to allow prisoners access to the full written law in the jailhouse library to get themselves out of jail.
- 2.9.2.4. Telling jurists who ask to see the law “We can’t allow that because the law might confuse the jury so they can’t hear it”.
- 2.9.3. Refusing to allow jurists to rule on BOTH the FACTS and the LAW as Thomas Jefferson said they MUST in cases where the judge has a criminal financial conflict of interest, such as income tax cases.
- 2.9.4. Federal judges not domiciled on federal territory within their district, which is a high misdemeanor per the Judicial Code of 1940.
- 2.9.5. Federal jurists not domiciled on federal territory as they must be in order to come from the proper vicinage in the case of federal civil law as required by Federal Rule of Civil Procedure 17.
- 2.9.6. Making any case against the government unpublished to protect government wrongdoing and even encourage it to become systemic.<sup>8</sup>
- 2.9.7. Enforcing any federal civil statute in OTHER than a Constitution Article III court, such as an Article I or Article IV court.
- 2.9.8. Invoking official, judicial, or sovereign immunity prevent CONSTITUTIONAL or COMMON LAW challenges to any of the activities documented herein or not permitting the Protected Party to assert the SAME immunity against the government.
- 2.9.9. Allowing removals from state to federal court for any case NOT involving federal property that is the subject of the proceeding under Article 4, Section 3, Clause 2. State courts are charged with protecting PRIVATE property using the state constitution and the common law. Federal courts protect mainly PUBLIC property that is usually legislatively created by congress.
- 2.10. Extraterritorial civil statutory enforcement:
- 2.10.1. Allowing extraterritorial nonresidents to elect to have any civil statutory status.
- 2.10.2. Imputing, presuming, or enforcing civil statutory statutes against nonresident parties.
- 2.10.3. Information returns against nonresident parties.
- 2.10.4. Enforcing territorial civil statutes extraterritorially.
- 2.10.5. Offering or enforcing any franchise or privilege in any place OTHER than on absolutely owned property of the enacting power.

<sup>5</sup> See: *The “Trade or Business” Scam*, Form #05.001; <https://sedm.org/Forms/FormIndex.htm>.

<sup>6</sup> See: *Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037; <https://sedm.org/Forms/FormIndex.htm>.

<sup>7</sup> For more like these, see: *How Judges Unconstitutionally “Make Law”*, Litigation Tool #01.009; <https://sedm.org/Litigation/LitIndex.htm>.

<sup>8</sup> See <http://nonpublication.com>.

- 2.11. Anarchy by government or anyone government which produces a de facto government that takes any of the following forms documented later in section 3.21:<sup>9</sup>
- 2.11.1. Are superior in any way to the people they govern UNDER THE LAW.
  - 2.11.2. Are not directly accountable to the people or the law. They prohibit the PEOPLE from criminally prosecuting their own crimes, reserving the right to prosecute to their own fellow criminals. Who polices the police? THE CRIMINALS.
  - 2.11.3. Enact laws that exempt themselves. This is a violation of the Constitutional requirement for equal protection and equal treatment and constitutes an unconstitutional Title of Nobility in violation of Article 1, Section 9, Clause 8 of the United States Constitution.
  - 2.11.4. Only enforce the law against others and NOT themselves, as a way to protect their own criminal activities by persecuting dissidents. This is called "selective enforcement". In the legal field it is also called "professional courtesy". Never kill the goose that lays the STOLEN golden eggs.
  - 2.11.5. Break the laws with impunity. This happens most frequently when corrupt people in government engage in "selective enforcement", whereby they refuse to prosecute or interfere with the prosecution of anyone in government. The Department of Justice (D.O.J.) or the District Attorney are the most frequent perpetrators of this type of crime.
  - 2.11.6. Are able to choose which laws they want to be subject to, and thus refuse to enforce laws against themselves. The most frequent method for this type of abuse is to assert sovereign, official, or judicial immunity as a defense in order to protect the wrongdoers in government when they are acting outside their delegated authority, or outside what the definitions in the statutes EXPRESSLY allow.
  - 2.11.7. Impute to themselves more rights or methods of acquiring rights than the people themselves have. In other words, who are the object of PAGAN IDOL WORSHIP because they possess "supernatural" powers. By "supernatural", we mean that which is superior to the "natural", which is ordinary human beings.
  - 2.11.8. Claim and protect their own sovereign immunity, but refuse to recognize the same EQUAL immunity of the people from whom that power was delegated to begin with. Hypocrites.
  - 2.11.9. Abuse sovereign immunity to exclude either the government or anyone working in the government from being subject to the laws they pass to regulate everyone ELSE'S behavior. In other words, they can choose WHEN they want to be a statutory "person" who is subject, and when they aren't. Anyone who has this kind of choice will ALWAYS corruptly exclude themselves and include everyone else, and thereby enforce and implement an unconstitutional "Title of Nobility" towards themselves. On this subject, the U.S. Supreme Court has held the following:

**"No man in this country [including legislators of the government as a legal person] is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it. It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives," 106 U.S., at 220. "Shall it be said... that the courts cannot give remedy when the Citizen has been deprived of his property by force, his estate seized and converted to the use of the government without any lawful authority, without any process of law, and without any compensation, because the president has ordered it and his officers are in possession? If such be the law of this country, it sanctions a tyranny which has no existence in the monarchies of Europe, nor in any other government which has a just claim to well-regulated liberty and the protection of personal rights," 106 U.S., at 220, 221.**  
[United States v. Lee, 106 U.S. 196, 1 S.Ct. 240 (1882)]

- 2.11.10. Have a monopoly on anything, INCLUDING "protection", and who turn that monopoly into a mechanism to force EVERYONE illegally to be treated as uncompensated public officers in exchange for the "privilege" of being able to even exist or earn a living to support oneself.
- 2.11.11. Can tax and spend any amount or percentage of the people's earnings over the OBJECTIONS of the people.
- 2.11.12. Can print, meaning illegally counterfeit, as much money as they want to fund their criminal enterprise, and thus to be completely free from accountability to the people.

<sup>9</sup> See: *De Facto Government Scam*, Form #05.043; <https://sedm.org/Forms/FormIndex.htm>.

- 2.11.13. Deceive and/or lie to the public with impunity by telling you that you can't trust anything they say, but force YOU to sign everything under penalty of perjury when you want to talk to them. 26 U.S.C. §6065.
- 2.12. A refusal or omission to prosecute any of the above criminal injuries by the Department of Justice of the national or state governments.

The above forms of criminal duress are further documented in:

1. *Government Corruption*, Form #11.401  
<https://sedm.org/home/government-corruption/>
2. *Government Corruption: Causes and Remedies Course*, form #12.026  
<https://sedm.org/Forms/FormIndex.htm>
3. *Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers*, Form #02.005  
<https://sedm.org/Forms/FormIndex.htm>
4. *Why You Aren't Eligible for Social Security*, Form #06.002  
<https://sedm.org/Forms/FormIndex.htm>
5. *Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number"*, Form #04.205  
<https://sedm.org/Forms/FormIndex.htm>
6. *Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001  
<https://sedm.org/Forms/FormIndex.htm>
7. *Resignation of Compelled Social Security Trustee*, Form #06.002  
<https://sedm.org/Forms/FormIndex.htm>

### **3 Definitions and Rules of Construction and Interpretation<sup>10</sup>**

This section is a defense against the following fraudulent tactics by those in government:

1. *Foundations of Freedom Course*, Form #12.021, Video 4: Willful Government Deception and Propaganda  
[https://www.youtube.com/watch?v=hPWMfa\\_oD-w](https://www.youtube.com/watch?v=hPWMfa_oD-w)
2. *Legal Deception, Propaganda, and Fraud*, Form #05.014  
<https://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>
3. *Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017  
<https://sedm.org/Forms/05-MemLaw/Presumption.pdf>
4. *The Beginning of Wisdom is to Call Things By Their Proper Names*, Stefan Molyneux  
<https://lbry.tv/@freedomain:b/the-beginning-of-wisdom-is-to-call>
5. *Mirror Image Rule*  
<http://www.youtube.com/embed/j8pgbZV757w>

The biblical reason for this section is explained in the following videos:

1. *O'Reilly Factor, April 8, 2015*, John Piper of the Oklahoma Wesleyan University  
[https://sedm.org/Media/20150408\\_1958-The\\_O'Reilly\\_Factor-Dealing%20with%20slanderous%20liberals%20biblically-Everett%20Piper.mp4](https://sedm.org/Media/20150408_1958-The_O'Reilly_Factor-Dealing%20with%20slanderous%20liberals%20biblically-Everett%20Piper.mp4)
2. *Overcoming the World 2014 Conference: Against the World*, Ligonier Ministries. [Click here](#) for original source, minutes 15-24.  
<https://sedm.org/overcoming-the-world-2014-conference-against-the-world/>
3. *Kingdom Bible Studies, Lesson 1: WHO'S WHO?-The Correct Meaning of Names*, [Sheldon Emry Memorial Library](#)  
<https://sheldonemrylibrary.famguardian.org/BibleStudyCourses/KBS-1.pdf>
4. *Kingdom Bible Studies, Lesson 2: WHO'S WHO?-Understanding Word Meanings*, [Sheldon Emry Memorial Library](#)  
<https://sheldonemrylibrary.famguardian.org/BibleStudyCourses/KBS-2.pdf>
5. *Words are Our Enemies' Weapons, Part 1*, [Sheldon Emry](#)  
<http://sheldonemrylibrary.famguardian.org/CassetteTapedMessages/1976/7603a.mp3>
6. *Words are Our Enemies' Weapons, Part 2*, [Sheldon Emry](#)  
<http://sheldonemrylibrary.famguardian.org/CassetteTapedMessages/1976/7603b.mp3>
7. *Roman Catholicism and the Battle Over Words*, Ligonier Ministries  
<https://youtu.be/uxmEK1RGJQc>

<sup>10</sup> Source: *Sovereignty and Freedom Points and Authorities*, Litigation Tool #10.018, Section 1; <https://sedm.org/Litigation/LitIndex.htm>.



1 8. [The Keys to Freedom](https://youtu.be/rYIDRxDU5mw), Bob Hamp  
2 <https://youtu.be/rYIDRxDU5mw>

3 The legal purpose of these definitions is to prevent [GOVERNMENT crime](#) using words:

[Word Crimes](#), Al Yankovic  
<https://youtu.be/8Gv0H-vPoDc>

4 The definitions in this section are MANDATORY in any interaction between either the government or any of its agents or  
5 officers and any agent or member of this ministry. The reasons why this MUST be the case are described in:

[Path to Freedom](#), Form #09.015, Sections 5.3 through 5.8  
<https://sedm.org/Forms/09-Procs/PathToFreedom.pdf>

6 An itemized list of definitions found in this document is located later in the Section 0.

7 For a frequently updated online reference tool that defines all key terms used in this document from in a legal context, see  
8 the following:

[Sovereignty Forms and Instructions Online](#), Form #10.004, Cites by Topic  
<https://famguardian.org/TaxFreedom/FormsInstr-Cites.htm>

9 As far as definitions pertaining to our website, the following definitions of terms appears in our Disclaimer, Section 4<sup>11</sup>:

### 10 **3.1 Human**

11 The word "human" means a man or woman above the age of majority, which we regard as 18 years of age. Anyone below  
12 the age of 18 is considered a "child" rather than a "human".

### 13 **3.2 “Should”, “Shall”, “Must”, “We Recommend”**

14 All use of the words "should", "shall", "must", or "we recommend" on this website or in any of the interactions of this ministry  
15 with the public shall mean "may at your choice and discretion". This is similar to the government's use of the same words.  
16 See [Legal Deception, Propaganda, and Fraud, Form #05.014](#), Sections 12.4.13, 12.4.17, 12.4.19, and 12.4.26 for further  
17 details.

### 18 **3.3 Private**

19 The word "private" when it appears in front of other entity names such as "[person](#)", "[individual](#)", "business", "[employee](#)",  
20 "[employer](#)", etc. shall imply that the entity is:

- 21 1. In possession of absolute, exclusive ownership and control over their own labor, body, and all their property. In Roman  
22 Law this was called "[dominium](#)".
- 23 2. On [an EQUAL rather than inferior relationship to government in court](#). This means that they have no obligations to any  
24 government OTHER than possibly the duty to serve on jury and vote upon voluntary acceptance of the obligations of  
25 the civil status of "citizen" (and the [DOMICILE](#) that creates it). Otherwise, they are entirely free and unregulated  
26 unless and until they INJURE the equal rights of another under the common law.
- 27 3. A "nonresident" in relation to the state and federal government.
- 28 4. Not a PUBLIC entity defined within any state or federal statutory law. This includes but is not limited to statutory  
29 "person", "individual", "taxpayer", "driver", "spouse" under any under any civil statute or franchise.
- 30 5. Not engaged in a public office, "trade or business" (per 26 U.S.C. §7701(a)(26)). Such offices include but are not  
31 limited to statutory "person", "individual", "taxpayer", "driver", "spouse" under any civil statute or franchise.

32 *"PRIVATE PERSON. An individual who is not the incumbent of an office."*

<sup>11</sup> See: [SEDM Disclaimer](#), Section 4, <https://sedm.org/disclaimer.htm>.

6. Not consenting to contract with or acquire any public status, public privilege, or public right under any state or federal franchise. For instance, the phrase "private employee" means a common law worker that is NOT the statutory "employee" defined within 26 U.S.C. §3401(c) or 26 C.F.R. §301.3401(c)-1 or any other federal or state law or statute.
7. Not sharing ownership or control of their body or property with anyone, and especially a government. In other words:
  - 7.1. Ownership is not "qualified" but "absolute".
  - 7.2. There are not moities between them and the government.
  - 7.3. The government has no usufructs over any of their property.
8. Not subject to civil enforcement or regulation of any kind, except AFTER an injury to the equal rights of others has occurred. Preventive rather than corrective regulation is an unlawful taking of property according to the Fifth Amendment takings clause.
9. Not "privileged" or party to a franchise of any kind:

*"PRIVILEGE. **A right, power, franchise, or immunity held by a person or class, against or beyond the course of the law.** [ . . . ] That which releases one from the performance of a duty or obligation, or exempts one from a liability **which he would otherwise be required to perform, or sustain in common [common law] with all other persons.** State v. Grosnickle, 189 Wis. 17, 206 N.W. 895, 896. A peculiar advantage, exemption, or immunity. Sacramento Orphanage & Children's Home v. Chambers, 25 Cal.App. 536, 144 P. 317, 319.*

[Black's Law Dictionary, Fourth Edition, pp. 1359-1360]

*"Is it a franchise? **A franchise is said to be a right reserved to the people by the constitution, as the elective franchise. Again, it is said to be a privilege conferred by grant from government, and vested in one or more individuals, as a public office.** Corporations, or bodies politic are the most usual franchises known to our laws. In England they are very numerous, and are defined to be royal privileges in the hands of a subject. An information will lie in many cases growing out of these grants, especially where corporations are concerned, as by the statute of 9 Anne, ch. 20, and in which the public have an interest. In 1 Strange R. ( The King v. Sir William Louther,) it was held that an information of this kind did not lie in the case of private rights, where no franchise of the crown has been invaded.*

*If this is so--if in England a privilege existing in a subject, which the king alone could grant, constitutes it a franchise--in this country, under our institutions, **a privilege or immunity of a public nature, which could not be exercised without a legislative grant, would also be a franchise.**"*

[People v. Ridgley, 21 Ill. 65, 1859 WL 6687, 11 Peck 65 (Ill., 1859)]

10. The equivalent to a common law or Constitutional "person" who retains all of their common law and Constitutional protections and waives none.

*"The words "privileges" and "immunities," like the greater part of the legal phraseology of this country, have been carried over from the law of Great Britain, and recur constantly either as such or in equivalent expressions from the time of Magna Charta. For all practical purposes they are synonymous in meaning, and originally signified a peculiar right or private law conceded to particular persons or places **whereby a certain individual or class of individuals was exempted from the rigor of the common law.** Privilege or immunity is conferred upon any person when he is invested with a legal claim to the exercise of special or peculiar rights, authorizing him to enjoy some particular advantage or exemption. "*

[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10;  
SOURCE:

[http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The\\_privileges\\_and\\_immunities\\_of\\_state\\_c.pdf](http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf)

See *Magill v. Browne*, Fed.Cas. No. 8952, 16 Fed.Cas. 408; 6 Words and Phrases, 5583, 5584; A J. Lien, "Privileges and Immunities of Citizens of the United States," in *Columbia University Studies in History, Economics, and Public Law*, vol. 54, p. 31.

Every attempt by anyone in government to alienate rights that the Declaration of Independence says are UNALIENABLE shall also be treated as "PRIVATE BUSINESS ACTIVITY" that cannot be protected by sovereign, official, or judicial immunity. So called "government" cannot make a [profitable business or franchise](#) out of alienating inalienable rights without ceasing to be a classical/de jure government and instead becoming in effect an [economic terrorist and de facto government in violation of Article 4, Section 4](#).

*"No servant [or government or biological person] can serve **two masters**; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. **You cannot serve God and mammon [government].**"*  
[[Luke 16:13](#), Bible, NKJV]

### 3.4 Government

The term "government" is defined to include that group of people dedicated to the protection of purely and exclusively PRIVATE RIGHTS and PRIVATE PROPERTY that are absolutely and exclusively owned by a truly free and sovereign human being who is EQUAL to the government in the eyes of the law per the Declaration of Independence. It excludes the protection of [PUBLIC rights or PUBLIC privileges \(franchises, Form #05.030\)](#) and [collective rights \(Form #12.024\)](#) because of the tendency to subordinate PRIVATE rights to PUBLIC rights due to the CRIMINAL conflict of financial interest on the part of those in the alleged "government" (18 U.S.C. §208, 28 U.S.C. §§144, and 455). See [Separation Between Public and Private Course, Form #12.025](#) for the distinctions between PUBLIC and PRIVATE.

*"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [1] **Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.** [2] **That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.** [3] **and owes a fiduciary duty to the public.** [4] **It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.** **Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual [PRIVATE] rights is against public policy.** [5]"*  
[63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]

#### FOOTNOTES:

[1] *State ex rel. Nagle v. Sullivan*, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; *Jersey City v. Hague*, 18 N.J. 584, 115 A.2d. 8.

[2] *Georgia Dep't of Human Resources v. Sistrunk*, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. *Madlener v. Finley* (1st Dist), 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

[3] *Chicago Park Dist. v. Kenroy, Inc.*, 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

[4] *United States v. Holzer* (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L.Ed. 2d 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L.Ed. 2d 608, 108 S.Ct. 2022 and (criticized on other grounds by *United States v. Osser* (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in *United States v. Little* (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in *United States v. Boylan* (CA1 Mass), 898 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).

[5] *Chicago ex rel. Cohen v. Keane*, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

[6] *Indiana State Ethics Comm'n v. Nelson* (Ind App), 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

Anything done CIVILLY for the benefit of those working IN the government at the [involuntary, enforced, coerced, or compelled \(Form #05.003\)](#) expense of PRIVATE free humans is classified as [DE FACTO \(Form #05.043\)](#), non-governmental, PRIVATE business activity beyond the core purpose of government that cannot and should not be protected by official, judicial, or sovereign immunity. [Click here \(Form #11.401\)](#) for a detailed exposition of ALL of the illegal methods of enforcement (Form #05.032) and [duress \(Form #02.005\)](#). "Duress" as used here INCLUDES:

1. Any type of [LEGAL DECEPTION, Form #05.014](#).
2. Every attempt to insulate government workers from responsibility or accountability for their false or misleading statements ([Form #05.014](#) and [Form #12.021 Video 4](#)), forms, or publications ([Form #05.007](#) and [Form #12.023](#)).
3. Every attempt to offer or enforce civil franchise statutes against anyone OTHER than public officers ALREADY in the government. Civil franchises cannot and should not be used to CREATE new public offices, but to add duties to EXISTING public officers who are ALREADY lawfully elected or appointed.. See [Form #05.030](#).
4. Every attempt to commit identity theft by legally kidnapping [CONSTITUTIONAL state domiciled parties](#) onto federal territory or into the "United States" federal corporation as public officers. [Form #05.046](#).
5. Every attempt to offer or enforce any kind of franchise within a CONSTITUTIONAL state. See [Form #05.030](#).
6. Every attempt to entice people to give up an inalienable CONSTITUTIONAL right in exchange for a franchise privilege. See [Form #05.030](#).
7. Every attempt to use the police to enforce civil franchises or civil penalties. Police power can be lawfully used ONLY to enforce the criminal law. Any other use, and especially for revenue collection, is akin to sticking people up at gunpoint. See [Form #12.022](#).
8. Every attempt at CIVIL asset forfeiture to police in the conduct of CRIMINAL enforcement. This merely creates a criminal conflict of interest in police and makes them into CIVIL revenue collectors who seek primarily their own enrichment. See [Form #12.022](#).
9. Every attempt to compel or penalize anyone to declare a specific civil status on a government form that is signed under penalty of perjury. That is criminal witness tampering and the IRS does it all the time.
10. Every attempt to call something voluntary and yet to refuse to offer forms and procedures to unvolunteer. This is criminal FRAUD. Congressmen call income taxes voluntary all the time but the IRS refuses to even recognize or help anyone who is a "nontaxpayer". See [Exhibit #05.051](#).

All of the above instances of duress place personal interest in direct conflict with obedience to [REAL law, Form #05.048](#). They are the main source of [government corruption \(Form #11.401\)](#) in the present [de facto system \(Form #05.043\)](#). The only type of enforcement by a DE JURE government that can or should be compelled and lawful is CRIMINAL or COMMON LAW enforcement where a SPECIFIC private human has been injured, not [CIVIL statutory enforcement \(a franchise, Form #05.030\)](#). Under the State Action Doctrine of the U.S. Supreme Court, everyone who is the target of CIVIL enforcement is, by definition a public officer or agent in the government and Christians are forbidden by the Bible from becoming such public officers. [Form #13.007](#).

Every type of DE JURE CIVIL governmental service or regulation MUST be voluntary and ALL must be offered the right to NOT participate on every governmental form that administers such a CIVIL program. It shall mandatorily, publicly, and NOTORIOUSLY be enforced and prosecuted as a crime NOT to offer the right to NOT PARTICIPATE in any CIVIL STATUTORY activity of government or to call a service "VOLUNTARY" but actively interfere with and/or persecute those who REFUSE to volunteer or INSIST on unvolunteering. All statements by any government actor or government form or publication relating to the right to volunteer shall be treated as statements under penalty of perjury for which the head of the governmental department shall be help PERSONALLY liable if false. EVERY CIVIL "benefit" or activity offered by any

government MUST identify at the beginning of ever law creating the program that the program is VOLUNTARY and HOW specifically to UNVOLUNTEER or quit the program. Any violation of these rules makes the activity NON-GOVERNMENTAL in nature AND makes those offering the program into a [DE FACTO government \(Form #05.043\)](#). The Declaration of Independence says that all "just powers" of government derive from the CONSENT of those governed. Any attempt to [CIVILLY enforce](#) MUST be preceded by an explicit written attempt to procure consent, to not punish those who DO NOT consent, and to not PRESUME consent by virtue of even submitting a government form that does not IDENTIFY that submission of the form is an IMPLIED [act of consent \(Form #05.003\)](#). This ensures "justice" in a constitutional sense, which is [legally defined as "the right to be left alone"](#). For the purposes of this website, those who do not consent to ANYTHING civil are referred to ["non-resident non-persons" \(Form #05.020\)](#). An example of such a human would be a devout Christian who is acting in complete obedience to the word of God in all their interactions with anyone and everyone in government. Any attempt by a PRIVATE human to consent to any [CIVIL STATUTORY offering by any government \(a franchise, Form #05.030\)](#) is a violation of their [delegation of authority order from God \(Form #13.007\)](#) that places them OUTSIDE the protection of God under the Bible.

Under this legal definition of "government" the IDEAL and DE JURE government is one that:

1. The States cannot offer THEIR taxable franchises within federal territory and the FEDERAL government may not establish taxable franchises within the territorial borders of the states. This limitation was acknowledged by the U.S. Supreme Court in the [License Tax Cases, 72 U.S. 462 \(1866\)](#) and continues to this day but is UNCONSTITUTIONALLY ignored more by fiat and practice than by law.
2. Has the administrative burden of proof IN WRITING to prove to a common law jury of your peers that you CONSENTED in writing to the CIVIL service or offering before they may COMMENCE administrative enforcement of any kind against you. Such administrative enforcement includes, but is not limited to administrative liens, administrative levies, administrative summons, or contacting third parties about you. This ensures that you CANNOT become the unlawful victim of a [USUALLY FALSE PRESUMPTION \(Form #05.017\)](#) about your [CIVIL STATUS \(Form #13.008\)](#) that ultimately leads to [CRIMINAL IDENTITY THEFT \(Form #05.046\)](#). The decision maker on whether you have CONSENTED should NOT be anyone in the AGENCY that administers the service or benefit and should NEVER be ADMINISTRATIVE. It should be JUDICIAL.
3. Judges making decisions about the payment of any CIVIL SERVICE fee may NOT participate in ANY of the programs they are deciding on and may NOT be "taxpayers" under the I.R.C. Subtitle A Income tax. This creates a criminal financial conflict of interest that denies due process to all those who are targeted for enforcement. This sort of corruption was abused to unlawfully expand the income tax and the Social Security program OUTSIDE of their [lawful territorial extent \(Form #05.018\)](#). See [Lucas v. Earl, 281 U.S. 111 \(1930\)](#), [O'Malley v. Woodrough, 307 U.S. 277 \(1939\)](#) and later in [Hatter v. U.S., 532 U.S. 557 \(2001\)](#).
4. EVERY CIVIL service offered by any government MUST be subject to choice and competition, in order to ensure accountability and efficiency in delivering the service. This INCLUDES the minting of substance based currency. The government should NOT have a monopoly on ANY service, including money or even the postal service. All such monopolies are inevitably abused to institute duress and destroy the autonomy and sovereignty and EQUALTY of everyone else.
5. CANNOT "bundle" any service with any other in order to FORCE you to buy MORE services than you want. Bundling removes choice and autonomy and constitutes biblical "usury". For instance, it CANNOT:
  - 5.1. Use "driver licensing" to FORCE people to sign up for Social Security by forcing them to provide a "franchise license number" called an SSN or TIN in order to procure the PRIVILEGE of "driving", meaning using the commercial roadways FOR HIRE and at a profit.
  - 5.2. Revoke driver licenses as a method of enforcing ANY OTHER franchise or commercial obligation, including but not limited to child support, taxes, etc.
  - 5.3. Use funds from ONE program to "prop up" or support another. For instance, they cannot use Social Security as a way to recruit "taxpayers" of other services or the income tax. This ensures that EVERY PROGRAM stands on its own two feet and ensures that those paying for one program do not have to subsidize failing OTHER programs that are not self-supporting. It also ensures that the government MUST follow the SAME free market rules that every other business must follow for any of the CIVIL services it competes with other businesses to deliver.
  - 5.4 Piggyback STATE income taxes onto FEDERAL income taxes, make the FEDERAL government the tax collector for STATE TAXES, or the STATES into tax collectors for the FEDERAL government.
6. Can lawfully enforce the CRIMINAL laws without your express consent.
7. Can lawfully COMPEL you to pay for BASIC SERVICES of the courts, jails, military, and ROADS and NO OTHERS. EVERYONE pays the same EQUAL amount for these services.
8. Sends you an ITEMIZED annual bill for CIVIL services that you have contracted in writing to procure. That bill should include a signed copy of your consent for EACH individual CIVIL service or "social insurance". Such "social



services" include anything that costs the government money to provide BEYOND the BASIC SERVICES, such as health insurance, health care, Social Security, Medicare, etc.

9. If you do not pay the ITEMIZED annual bill for the services you EXPRESSLY consented to, the government should have the right to collect ITS obligations the SAME way as any OTHER PRIVATE human. That means they can administratively lien your real or personal property, but ONLY if YOU can do the same thing to THEM for services or property THEY have procured from you either voluntarily or involuntarily. Otherwise, they must go to court IN EQUITY to collect, and MUST produce evidence of consent to EACH service they seek payment or collection for. In other words, they have to follow the SAME rules as every private human for the collection of CIVIL obligations that are in default. Otherwise, they have superior or supernatural powers and become a pagan deity and you become the compelled WORSHIPPER of that pagan deity. See [Socialism: The New American Civil Religion, Form #05.016](#) for details on all the BAD things that happen by turning government into such a CIVIL RELIGION.

Jesus described the above de jure government as follows. He is implying that Christians cannot consent to any government that rules from above or has superior or supernatural powers in relation to biological humans. In other words, the government Christians adopt or participate in or subsidize CANNOT function as a religion as described in [Socialism: The New American Civil Religion, Form #05.016](#):

*"You know that the rulers of the Gentiles [unbelievers] lord it over them [govern from ABOVE as pagan idols] , and those who are great exercise authority over them [supernatural powers that are the object of idol worship]. Yet it shall not be so among you; but whoever desires to become great among you, let him be your servant [serve the sovereign people from BELOW rather than rule from above]. And whoever desires to be first among you, let him be your slave—just as the Son of Man did not come to be served, but to serve, and to give His life a ransom for many."*  
[[Matt. 20:25-28](#), Bible, NKJV]

For documentation on HOW to implement the above IDEAL or DE JURE government by making MINOR changes to existing foundational documents of the present government such as the Constitution, see:

[Self Government Federation: Articles of Confederation, Form #13.002](#)  
<http://sedm.org/Forms/13-SelfFamilyChurchGovnce/SGFArtOfConfed.pdf>

### 3.5 Civil Status

The term "[civil status](#)" describes the process by which human beings become "persons" under civil statutory law. It is what the courts call a "[res](#)" which gives them civil control over you under one of three different systems of civil law. Civil status is VERY important, because it is the source of civil statutory jurisdiction of courts over you and their right to "personal jurisdiction" over you. It also describes how your actions affect "choice of law" and your "status" in any court cases you bring. Human beings who are "sovereign" in fact:

1. Have no "[civil status](#)" under statutory law.
2. Only have a "[civil status](#)" under the constitution and the common law.
3. Are not party to the "social compact", but "foreigners" among citizens. The Law of Nations, Book 1, Section 213 calls them "inhabitants".
4. Are not privileged "aliens".
5. Participate in NO government franchises or privileges, but instead reserve all their PRIVATE, UNALIENABLE rights (Form #12.038) and thereby remain exclusively private. See Form #05.030.
6. Were described as "idiots" under early Greek law. See:

[Are You an "Idiot"?](#), Sovereignty Education and Defense Ministry (SEDM)  
<https://sedm.org/are-you-an-idiot-we-are/>

7. Understand the distinctions between PUBLIC and PRIVATE and maintain absolute separation between the two in all their interactions with any so-called "government". They ensure that all of their property remains absolutely owned and exclusively private. Thus, they can control and dictate all uses and everyone who wants to take or control it. See:

[Separation Between Public and Private Course](#), Form #12.025  
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

8. Civilly govern themselves without external interference, except possibly of common law and criminal courts.

9. Replace the civil statutory protection franchise with private contracts and franchises of their own for everyone they do business with, thus rendering “civil services” on the part of organized governments irrelevant and unnecessary. For a definition of “civil services”, see the definition in our Disclaimer, Section 4. In that sense they have FIRED the government from a civil perspective and retain all of their God given inalienable rights. All rights reserved, U.C.C. §1-308.
10. Are governed mainly by the “civil laws” found in the Holy Bible. This is a protected First Amendment right to practice their religion.

Laws of the Bible, Litigation Tool #09.001  
<https://sedm.org/Litigation/09-Reference/LawsOfTheBible.pdf>

You cannot have a “[civil status](#)” under the laws of a place WITHOUT at least one of the following conditions:

1. A physical presence in that place. The status would be under the COMMON law. Common law is based on physical location of people on land rather than their statutory status.
2. CONSENSUALLY doing business in that place. The status would be under the common law. See the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97 and International Shoe Co. v. Washington, 326 U.S. 310 (1945).
3. A domicile in that place. This would be a status under the civil statutes of that place. See Federal Rule of Civil Procedure 17(a).
4. CONSENSUALLY representing an artificial entity (a legal fiction) that has a domicile in that place. This would be a status under the civil statutes of that place. See Federal Rule of Civil Procedure 17(b).
5. Consenting to a civil status under the laws of that place. Anything done consensually cannot form the basis for an injury in a court of law. Such consent is usually manifested by filling out a government form identifying yourself with a specific statutory status, such as a W-4, 1040, driver license application, etc. This is covered in:

Avoiding Traps in Government Forms Course, Form #12.023  
<https://sedm.org/Forms/FormIndex.htm>

If any of the above rules are violated, you are a victim of criminal identity theft:

Government Identity Theft, Form #05.046  
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

"civil status" is further discussed in:

1. Civil Status (Important!)-SEDM-Article under "Litigation->Civil Status (Important!)-SEDM on the SEDM menus  
<https://sedm.org/litigation-main/civil-status/>
2. Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008  
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
3. Proof That There Is a “Straw Man”, Form #05.042-SEDM  
<https://sedm.org/Forms/05-MemLaw/StrawMan.pdf>
4. Legal Fictions, Form #09.071-SEDM  
<https://sedm.org/Forms/09-Procs/LegalFictions.pdf>

### **3.6 Civil Service**

The term "civil service" or "civil service fee" relates to any and all activities of "government" OTHER than:

1. Police.
2. Military.
3. Jails.
4. Criminal court.
5. Common law court.

"civil service" and "civil service fee" includes any attempt or act to:

1. Establish or enforce a [domicile \(Form #05.002\)](#)
2. Procure [consent \(Form #05.003\)](#) of any kind to alienate rights that are supposed to be INALIENABLE per the Declaration of Independence.

3. PRESUME [consent \(Form #05.003\)](#) to surrender INALIENABLE PRIVATE RIGHTS by virtue of submitting, accepting, or receiving any application for a government benefit, license, or franchise. See [Form #12.023](#).
4. Convert PRIVATE property or PRIVATE rights to PUBLIC property, PUBLIC offices, or excise taxable franchises. See [Form #12.025](#). Government's FIRST and most important duty is to at all times maintain TOTAL separation between PRIVATE and PUBLIC and NEVER to allow them to convert one to another. Every attempt to convert one to the other represents a criminal financial conflict of interest that turns the PUBLIC trust into a SHAM trust.
5. Offer or enforce the civil statutory code.
6. Offer or enforce [civil franchises \(see Form #05.030\)](#)

### 3.7 Common Law

The term "common law" means procedures and policies used in constitutional courts in the JUDICIAL branch to provide protection for absolutely owned, constitutionally protected PRIVATE RIGHTS and PRIVATE PROPERTY of a human being who has accepted no franchises or privileges and therefore who is not subject to civil statutes, not domiciled in the forum, and who reserves all rights. These procedures may not be exercised in "legislative franchise courts" in the LEGISLATIVE or EXECUTIVE Branch which manage and adjudicate disputes over federal property, franchises, privileges, and "benefits". In the words of the U.S. Supreme Court, these organic rights are "self-executing" and not government created or owned. They may therefore NOT be limited, restrained, taxed, or regulated by statute:

*The design of the Fourteenth Amendment has proved significant also in maintaining the traditional separation of powers 524\*524 between Congress and the Judiciary. **The first eight Amendments to the Constitution set forth self-executing prohibitions on governmental action, and this Court has had primary authority to interpret those prohibitions.** The Bingham draft, some thought, departed from that tradition by vesting in Congress primary power to interpret and elaborate on the meaning of the new Amendment through legislation. Under it, "Congress, and not the courts, was to judge whether or not any of the privileges or immunities were not secured to citizens in the several States." Flack, *supra*, at 64. While this separation-of-powers aspect did not occasion the widespread resistance which was caused by the proposal's threat to the federal balance, it nonetheless attracted the attention of various Members. See Cong. Globe, 39th Cong., 1st Sess., at 1064 (statement of Rep. Hale) (noting that Bill of Rights, unlike the Bingham proposal, **"provide[s] safeguards to be enforced by the courts, and not to be exercised by the Legislature"**); *id.*, at App. 133 (statement of Rep. Rogers) (prior to Bingham proposal it "was left entirely for the courts . . . to enforce the privileges and immunities of the citizens"). As enacted, the Fourteenth Amendment confers substantive rights against the States which, like the provisions of the Bill of Rights, are self-executing. Cf. [South Carolina v. Katzenbach, 383 U.S., at 325](#) (discussing Fifteenth Amendment). The power to interpret the Constitution in a case or controversy remains in the Judiciary. [City of Boerne v. Flores, 521 U.S. 507 (1997)]*

It is the duty of all CONSTITUTIONAL courts in the JUDICIAL branch to provide remedy for the protection of such rights when violated, even if there is no statute authorizing a remedy. This is a consequence of the oath that all judges IN CONSTITUTIONAL COURTS take to "support and defend the constitution against all enemies, foreign and domestic", whether state or federal. Franchise judges in the LEGISLATIVE or EXECUTIVE branch don't have to take this oath and often ACTIVELY INTERFERE with any attempt by private litigants to invoke or enforce constitutional rights. That sort of behavior would be TREASON in a CONSTITUTIONAL court. Franchise courts act in essence as binding arbitration boards for people in temporary possession, custody, or control of absolutely owned government property which is dispensed with legal strings attached called "franchises". These courts preside by the CONSENT of those who accept the property or "benefit" that the franchise court is charged with managing, such as "licenses", "permits", or government "benefits". Examples of "legislative franchise courts" include:

1. Traffic court.
2. Family court.
3. Tax Court (see 26 U.S.C. §7441).

For a detailed exposition of exactly how government franchises and franchise courts operate, see:



Rights are property and protecting and enforcing them is an action to protect PRIVATE property in the case of CONSTITUTIONAL rights recognized but not created by the Bill of Rights. In providing judicial remedy absent statutes, the courts in effect are DEFINING the common law, because statutes CANNOT define or limit such rights:

*"Under basic rules of construction, statutory laws enacted by legislative bodies cannot impair rights given under a constitution. 194 B.R. at 925. "*  
*[In re Young, 235 B.R. 666 (Bankr.M.D.Fla., 1999)]*

*"The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities [within juries] and officials [and CIVIL STATUTES, Form #05.037] and to establish them as legal principles to be applied by the courts [using the COMMON LAW rather than CIVIL STATUTES, Form #05.037]. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote [of a JURY OR an ELECTOR]; they depend on the outcome of no elections."*  
*[West Virginia Bd. of Ed. v. Barnett, 319 U.S. 624, 638 (1943); SOURCE:*  
[https://scholar.google.com/scholar\\_case?case=8030119134463419441](https://scholar.google.com/scholar_case?case=8030119134463419441)*]*

Based on the above, anything licensed, taxed, requiring a "permit", denied (the essence of ownership is the right to exclude and control the use of), or regulated by civil statute or which may be voted on by a jury or an elector or which is created or enforced by statute is NOT a CONSTITUTIONAL or a PRIVATE right and is not the proper subject of the common law. Further, anyone who tries to convince you that there IS no such thing as the common law in the context of CONSTITUTIONAL rights, or that common law proceedings can and do involve STATUTORY remedies is engaging in a conspiracy to DESTROY all of your private rights and private property. This is proven in:

A failure or refusal by a judge in the judicial department to provide CONSTITUTIONAL remedy for absolutely owned PRIVATE property or PRIVATE rights is therefore, in fact and in deed:

1. An attempt to accomplish the OPPOSITE purpose for why government was created, which was to protect PRIVATE property and PRIVATE rights.
2. An attempt to denigrate, demoralize, oppress, and enslave (Thirteenth Amendment) litigants before them who are litigating against any government for a violation of those rights.
3. An attempt to maliciously abuse legal process to institute peonage and slavery in violation of 18 U.S.C. §1589.
4. A selective REPEAL of a portion of the CONSTITUTIONAL common law.
5. A selective REPEAL of the portion of the Bill of Rights that forms the STANDING of the party to sue in court.
6. A violation of the judicial oath to support and defend the Constitution against all enemies, foreign and domestic.
7. Treason punishable by death under 18 U.S.C. §2381.
8. A violation of the Separation of Powers Doctrine, because by SELECTIVELY REPEALING a portion of the constitution or constitutional common law, they in effect are acting in a "legislative capacity" as a member of the Legislative or Executive Branch, not as judges.<sup>12</sup>
9. Destroying ANY and ALL possibility of freedom or liberty itself, according to the man who DESIGNED the three-branch system of Republic Government and Separation of Powers:

**"When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner."**

<sup>12</sup> See: Government Conspiracy to Destroy the Separation of Powers, Form #05.023; <https://sedm.org/Forms/FormIndex.htm>.

1 Again, there is no liberty, if the judiciary power be not separated from the legislative and  
2 executive. Were it joined with the legislative, the life and liberty of the subject would be  
3 exposed to arbitrary control; for the judge would be then the legislator. Were it joined to  
4 the executive power, the judge might behave with violence and oppression [sound  
5 familiar?].

6 There would be an end of everything, were the same man or the same body, whether of  
7 the nobles or of the people, to exercise those three powers, that of enacting laws, that of  
8 executing the public resolutions, and of trying the causes of individuals."

9 [. . .]

10 In what a situation must the poor subject be in those republics! The same body of  
11 magistrates are possessed, as executors of the laws, of the whole power they have given  
12 themselves in quality of legislators. They may plunder the state by their general  
13 determinations; and as they have likewise the judiciary power in their hands, every  
14 private citizen may be ruined by their particular decisions."

15 [The Spirit of Laws, Charles de Montesquieu, 1758, Book XI, Section 6;

16 SOURCE: [http://famguardian.org/Publications/SpiritOfLaws/sol\\_11.htm](http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm)]

17 Further, Congress can only regulate or tax PRIVILEGES or PUBLIC rights that it created by statute, not PRIVATE rights  
18 recognized but not created by the Constitution.

19 Although Crowell and Raddatz do not explicitly distinguish between rights created by  
20 Congress [PUBLIC RIGHTS] and other [PRIVATE] rights, such a distinction underlies  
21 in part Crowell's and Raddatz' recognition of a critical difference between rights created  
22 by federal statute and rights recognized by the Constitution. Moreover, such a  
23 distinction seems to us to be necessary in light of the delicate accommodations required  
24 by the principle of separation of powers reflected in Art. III. The constitutional system  
25 of checks and balances is designed to guard against "encroachment or aggrandizement"  
26 by Congress at the expense of the other branches of government. *Buckley v. Valeo*, 424  
27 U.S., at 122, 96 S.Ct., at 683. But when Congress creates a statutory right [a "privilege"  
28 or "public right" in this case, such as a "trade or business"], it clearly has the discretion,  
29 in defining that right, to create presumptions, or assign burdens of proof, or prescribe  
30 remedies; it may also provide that persons seeking to vindicate that right must do so  
31 before particularized tribunals created to perform the specialized adjudicative tasks  
32 related to that right. FN35 Such provisions do, in a sense, affect the exercise of judicial  
33 power, but they are also incidental to Congress' power to define the right that it has  
34 created. No comparable justification exists, however, when the right being adjudicated  
35 is not of congressional creation. In such a situation, substantial inroads into functions  
36 that have traditionally been performed by the Judiciary cannot be characterized merely  
37 as incidental extensions of Congress' power to define rights that it has created. Rather,  
38 such inroads suggest unwarranted encroachments upon the judicial power of the United  
39 States, which our Constitution reserves for Art. III courts.  
40 [Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458 U.S. 50, 102 S.Ct. 2858  
41 (1983)]

42 For more details on the CIVIL (not CRIMINAL, but CIVIL) power to tax or regulate only public rights (public property) that  
43 Congress created by statute and therefore ABSOLUTELY OWNS and CONTROLS as property, see:

<p><u>Hierarchy of Sovereignty: The Power to Create is the Power to Tax</u>, Family Guardian Fellowship <a href="https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm">https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm</a></p>
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44 The basic rules of the common law are documented in the following exemplary books published near the turn of the Twentieth  
45 Century and many others, and thus are WRITTEN. These rules have not been REPEALED, but rather fallen out of use

because of censorship by covetous Pharisee lawyers trying to convert ALL property to government property so they could STEAL it and harvest it for their personal benefit<sup>13</sup>:

1. *Handbook of Common Law Pleading*, Benjamin Shipman (48 MB)-  
[http://famguardian.org/Publications/CommonLawPractice/Hand\\_book\\_of\\_Common\\_law\\_Pleading.pdf](http://famguardian.org/Publications/CommonLawPractice/Hand_book_of_Common_law_Pleading.pdf)
2. *Handbook of Common Law Pleading*, Joseph Koeffler (4.8 MB).  
[http://famguardian.org/Publications/CommonLawPractice/CL\\_Pleading.pdf](http://famguardian.org/Publications/CommonLawPractice/CL_Pleading.pdf)
3. *Principles of Common Law Pleading*, John McKelvey (3.5 MB)  
[http://famguardian.org/Publications/CommonLawPractice/Principles\\_of\\_Common\\_law\\_Pleading.pdf](http://famguardian.org/Publications/CommonLawPractice/Principles_of_Common_law_Pleading.pdf)
4. *Pleadings and Practice in Actions At Common Law*, Martin Burks (90.3 MB)  
[http://famguardian.org/Publications/CommonLawPractice/Pleading\\_and\\_Practice\\_in\\_Actions\\_at\\_Comm.pdf](http://famguardian.org/Publications/CommonLawPractice/Pleading_and_Practice_in_Actions_at_Comm.pdf)

In addition to the above generally accepted rules, those owning the PRIVATE property protected by the common law may ADD to these rules with their own set of rules that form the conditions of the temporary use, benefit, or control of the property so granted and protected to the person SUBJECT to those rules. We call these the Grant Rules.

Grant Rules are CIVIL rules implemented as a contract or agreement between the GRANTOR and the GRANTEE for temporarily using, controlling, or benefitting from that property. In the case of government, these rules regulating government property cannot be and are not implemented with CRIMINAL statutes. They are only implemented by CIVIL statutes. They are enforced against those who consent to those RULES by temporarily accepting or exercising custody, benefit, or control over the property in question. These rules behave, in essence, as a franchise or an excise. The OBLIGATIONS against the GRANTOR associated with the use of the granted property are the “consideration” provided by the GRANTOR and the consideration they receive in return are the temporary “RIGHTS” they exercise over the granted property. All franchises are based on “grants” of property with legal strings or conditions attached and ANYONE can grant or participate in such a franchise or use such a franchise AGAINST a government to defend themselves against GOVERNMENT unlawfully offering or enforcing THEIR franchises:

*“The State in such cases exercises no greater right than an individual may exercise over the use of his own property when leased or loaned to others. The conditions upon which the privilege shall be enjoyed being stated or implied in the legislation authorizing its grant, no right is, of course, impaired by their enforcement. The recipient of the privilege, in effect, stipulates to comply with the conditions. It matters not how limited the privilege conferred, its acceptance implies an assent to the regulation of its use and the compensation for it.”*  
[Munn v. Illinois, 94 U.S. 113 (1876)]

An example of the use of such rules by the government against the private rights and private property is found below:

*“We have repeatedly held that the Federal Government may impose appropriate conditions on the use of [federal property](#) or [privileges \[franchises, Form #05.030\]](#) and may require that state instrumentalities comply with [conditions \[obligations, Form #12.040\]](#) that are reasonably related to the federal interest in particular national projects or programs. See, e. g., *Ivanhoe Irrigation Dist. v. McCracken*, 357 U.S. 275, 294 -296 (1958); *Oklahoma v. Civil Service Comm'n*, 330 U.S. 127, 142 -144 (1947); *United States v. San Francisco*, 310 U.S. 16 (1940); cf. *National League of Cities v. Usery*, 426 U.S. 833, 853 (1976); *Fry v. United States*, 421 U.S. 542 (1975). A requirement that States, like all other users, pay a portion of the costs of the [benefits \[Form #05.040\]](#) they enjoy from federal programs is surely permissible [meaning CONSTITUTIONAL] since it is closely related to the [435 U.S. 444, 462] federal interest in recovering costs from those who [benefit](#) and since it effects no greater interference with state sovereignty than do the restrictions which this Court has approved.”*  
[*Massachusetts v. United States*, 435 U.S. 444 (1978);  
[https://scholar.google.com/scholar\\_case?case=16842193024599209893/](https://scholar.google.com/scholar_case?case=16842193024599209893/)]

Under the concept of equal protection and equal treatment, WE TOO have an EQUAL right, recognized above by the U.S. Supreme Court in *Munn v. Illinois*, to attach conditions to the use or benefit or control of our property by any and all others,

<sup>13</sup> See: *Who Were the Pharisees and Saducees?*, Form #05.047; <https://sedm.org/Forms/FormIndex.htm>.

INCLUDING governments. To suggest otherwise is to impute or enforce superior or supernatural powers to a government and institute a civil religion in violation of the First Amendment. ALL ARE EQUAL in a free society. You are equal to the government, as President Obama implied in his First Inauguration Speech, as we prove below:

*Foundations of Freedom Course*, Form #12.021, Video 1: Introduction  
<https://www.youtube.com/watch?v=ikf7CcT2I8I>

If you are not equal to the government and cannot use YOUR absolutely owned PRIVATE property to control THEM, then they can't use THEIR property to control you through civil franchises or statutes either. For more on the abuse of franchises by government to oppress people they are supposed to be helping, and how to use them to DEFEND yourself against such abuses, see:

1. *Government Franchises Course*, Form #12.012  
<https://sedm.org/Forms/FormIndex.htm>
2. *Government Instituted Slavery Using Franchises*, Form #05.030  
<https://sedm.org/Forms/FormIndex.htm>

Anyone who asserts that the GOVERNMENT is the only one who can absolutely own property or that government SHARES ownership or control of ALL property is indirectly advocating all of the following:

1. A violation of the main reason for creating government, which is the protection of PRIVATE rights and PRIVATE property.
2. The establishment of a state sponsored religion in violation of the First Amendment, because the government can use their control over ALL property to control ANYTHING and ANYONE. See:

*Socialism: The New American Civil Religion*, Form #05.016  
<https://sedm.org/Forms/FormIndex.htm>

3. A violation of the Thirteenth Amendment, because there is no way to avoid the rules associated with buying or using ANY TYPE OF PROPERTY.
4. The establishment of socialism, which is government ownership or at least control over ALL property:

*“Socialism n (1839) 1: any of various economic and political theories advocating collective or governmental ownership and administration of the means of production and distribution of goods 2 a: a system of society or group living in which there is no private property b: a system or condition of society in which the means of production are owned and controlled by the state 3: a stage of society in Marxist theory transitional between capitalism and communism and distinguished by unequal distribution of goods and pay according to work done.”*

*[Webster's Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, page 1118;*

*SOURCE:*

<https://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Evidence/Q05.010.pdf>  
*f]*

For more information about common misconceptions about the common law propagated mainly by MISINFORMED members of the legal profession and the government, see:

*Rebutted False Arguments about the Common Law*, Form #08.025  
<https://sedm.org/Forms/08-PolicyDocs/RebuttedFalseArgumentsAboutCommonLaw.pdf>

### 3.8 Law

The term "law" as used on this site is constrained by the following requirements:

1. It must apply equally to ALL. It cannot compel INEQUALITY of treatment between any man or class of men. See [Form #05.033](#).
2. It cannot do collectively what people individually cannot NATURALLY do. In other words, in the words of [Frederic Bastiat](#), it aggregates the individual right of self-defense into a collective body so that it can be delegated. A single human CANNOT delegate a right he does not individually ALSO possess, which indirectly implies that no GROUP of

men called “government” can have any more COLLECTIVE rights under the collective entity rule than a single human being. See the following for a video on the subject.

Philosophy of Liberty, SEDM

<https://sedm.org/liberty-university/liberty-university-2-2-philosophy-of-liberty/>

3. It cannot punish a citizen for an innocent action that was not a crime or not demonstrated to produce measurable harm. The ability to PROVE such harm with evidence in court is called “standing”.
4. It cannot compel the redistribution of wealth between two private parties. This is ESPECIALLY true if it is called a “tax”.
5. It cannot interfere with or impair the right of contracts between PRIVATE parties. That means it cannot compel income tax withholding unless one or more of the parties to the withholding are ALREADY public officers in the government.
6. It cannot interfere with the use or enjoyment or CONTROL over private property, so long as the use injures no one. Implicit in this requirement is that it cannot FAIL to recognize the right of private property or force the owner to donate it to a PUBLIC USE or PUBLIC PURPOSE. In the common law, such an interference is called a “trespass”.
7. The rights it conveys must attach to LAND rather than the CIVIL STATUS (e.g. “taxpayer”, “citizen”, “resident”, etc.) of the people ON that land. One can be ON land within a PHYSICAL state WITHOUT being legally “WITHIN” that state (a corporation) as an officer of the government or corporation (Form #05.042) called a “citizen” or “resident”.  
See:
  - 7.1. Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008.  
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
  - 7.2. Foundations of Freedom Course, Form #12.021, Video 4 covers how LAND and STATUS are deliberately confused through equivocation in order to KIDNAP people’s identity (Form #05.046) and transport it illegally to federal territory.  
(“It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it.” [Balzac v. Porto Rico, 258 U.S. 298 (1922)])  
[https://www.youtube.com/watch?v=hPwMfa\\_oD-w](https://www.youtube.com/watch?v=hPwMfa_oD-w)
8. It must provide a remedy AFTER an injury occurs. It may not PREVENT injuries before they occur. Anything that operates in a PREVENTIVE rather than CORRECTIVE mode is a franchise. There is no standing in a REAL court to sue WITHOUT first demonstrating such an injury to the PRIVATE or NATURAL rights of the Plaintiff or VICTIM.
9. It cannot acquire the “force of law” from the consent of those it is enforced against. In other words, it cannot be an agreement or contract. All franchises and licensing, by the way, are types of contracts.
10. It does not include compacts or contracts between private people and governments. Rights that are INALIENABLE cannot be contracted away, even WITH consent. See Form #05.003.
11. It cannot, at any time, be called “voluntary”. Congress and even the U.S. Supreme Court call the IRC Subtitle a “income tax” voluntary. See Exhibits #05.025 and #05.051.
12. It does not include franchises, licenses, or civil statutory codes, all of which derive ALL of their force of law from your consent in choosing a civil domicile (Form #05.002).

The above criteria derives from What Is “law”?, Form #05.048, Section 16. Any violation of the above rules is what the Bible calls “devises evil by law” in Psalm 94:20-23 as indicated above.

Roman statesman Cicero defined law as follows:

“True Law is right reason in agreement with Nature, it is of universal application, unchanging and everlasting; it summons to duty by its commands and averts from wrongdoing by its prohibitions. And it does not lay its commands or prohibitions upon good men in vain, although neither have any effect upon the wicked. It is a sin to try to alter this law, nor is it allowable to try to repeal a part of it, and it is impossible to abolish it entirely. We cannot be freed from its obligations by Senate or People, and we need not look outside ourselves for an expounder or interpreter of it. And there will not be different laws at Rome or at Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all times and all nations, and there will be one master and one rule, that is God, for He is the author of this law, its promulgator, and its enforcing judge.”  
[Marcus Tullius Cicero, 106-43 B.C.]

“Power and law are not synonymous. In truth, they are frequently in opposition and irreconcilable. There is God’s Law from which all equitable laws of man emerge and by which men must live if they are not to die in oppression, chaos and despair. Divorced from



*God's eternal and immutable Law*, established before the founding of the suns, man's power is evil no matter the noble words with which it is employed or the motives urged when enforcing it. Men of good will, mindful therefore of the *Law laid down by God*, will oppose governments whose rule is by men, and if they wish to survive as a nation they will destroy the *[de facto] government* which attempts to adjudicate by the whim of venal judges."  
[Marcus Tullius Cicero, 106-43 B.C.]

"Law" is defined to EXCLUDE any and all *civil statutory codes, franchises, or privileges* in relation to any and all governments and to include ONLY the COMMON law, the CONSTITUTION (if trespassing government actors ONLY are involved), and the CRIMINAL law.

*The Court developed, for its own governance in the cases confessedly within its jurisdiction, a series of rules under which it has avoided passing upon a large part of all the constitutional questions pressed upon it for decision. They are:*

[. . .]

**6. The Court will not pass upon the constitutionality of a statute at the instance of one who has availed himself of its benefits.***FN7 Great Falls Mfg. Co. v. Attorney General, 124 U.S. 581, 8 S.Ct. 631, 31 L.Ed. 527; Wall v. Parrot Silver & Copper Co., 244 U.S. 407, 411, 412, 37 S.Ct. 609, 61 L.Ed. 1229; St. Louis Malleable Casting Co. v. Prendergast Construction Co., 260 U.S. 469, 43 S.Ct. 178, 67 L.Ed. 351.*

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FOOTNOTES:

*FN7 Compare Electric Co. v. Dow, 166 U.S. 489, 17 S.Ct. 645, 41 L.Ed. 1088; Pierce v. Somerset Ry., 171 U.S. 641, 648, 19 S.Ct. 64, 43 L.Ed. 316; Leonard v. Vicksburg, etc., R. Co., 198 U.S. 416, 422, 25 S.Ct. 750, 49 L.Ed. 1108.*  
[Ashwander v. Tennessee Valley Authority, 297 U.S. 288, 56 S.Ct. 466 (1936)]

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*Municipal law, thus understood, is properly defined to be "a rule of civil conduct prescribed by the supreme power in a state, commanding what is right and prohibiting what is wrong."*

[. . .]

*It is also called a rule to distinguish it from a compact or agreement; **for a compact is a promise proceeding from us, law is a command directed to us.** The language of a compact is, "I will, or will not, do this"; that of a law is, "thou shalt, or shalt not, do it." It is true there is an obligation which a compact carries with it, equal in point of conscience to that of a law; but then the original of the obligation is different. **In compacts we ourselves determine and promise what shall be done, before we are obliged to do it; in laws, we are obliged to act without ourselves determining or promising anything at all.** Upon these accounts law is defined to be "a rule." [Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 4]*

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*"The words "privileges" and "immunities," like the greater part of the legal phraseology of this country, have been carried over from the law of Great Britain, and recur constantly either as such or in equivalent expressions from the time of Magna Charta. For all*

practical purposes they are synonymous in meaning, and originally signified a peculiar right or private law conceded to particular persons or places whereby a certain individual or class of individuals was exempted from the rigor of the common law. Privilege or immunity is conferred upon any person when he is invested with a legal claim to the exercise of special or peculiar rights, authorizing him to enjoy some particular advantage or exemption."

[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10; SOURCE:

[http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The\\_privileges\\_and\\_immunities\\_of\\_state\\_c.pdf](http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf)]

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#### FOOTNOTES:

See Magill v. Browne, Fed.Cas. No. 8952, 16 Fed.Cas. 408; 6 Words and Phrases, 5583, 5584; A J. Lien, "Privileges and Immunities of Citizens of the United States," in Columbia University Studies in History, Economics, and Public Law, vol. 54, p. 31.

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"What, then, is [civil] legislation? It is an assumption [presumption] by one man, or body of men, of absolute, irresponsible dominion [because of abuse of sovereign immunity and the act of "CONSENT" by calling yourself a "citizen"] over all other men whom they call subject to their power. It is the assumption by one man, or body of men, of a right to subject all other men to their will and their service. It is the assumption by one man, or body of men, of a right to abolish outright all the natural rights, all the natural liberty of all other men; to make all other men their slaves; to arbitrarily dictate to all other men what they may, and may not, do; what they may, and may not, have; what they may, and may not, be. It is, in short, the assumption of a right to banish the principle of human rights, the principle of justice itself, from off the earth, and set up their own personal will [society of men and not law], pleasure, and interest in its place. All this, and nothing less, is involved in the very idea that there can be any such thing as human [CIVIL] legislation that is obligatory upon those upon whom it is imposed [and ESPECIALLY those who never expressly consented in writing]."

[Natural Law, Chapter 1, Section IV, Lysander Spooner;

SOURCE:

<http://famguardian.org/PublishedAuthors/Indiv/SpoonerLysander/NaturalLaw.htm>]

The above methods of REMOVING the protections of the common law and the constitution from the INALIENABLE rights [rights that CANNOT lawfully be given away, even WITH consent] that are protected by them has been described by the U.S. Congress as the ESSENCE of communism itself! This is especially true when you add games with legal words of art to remove even the STATUTORY limitations upon the conduct of the government. See Legal Deception, Propaganda, and Fraud, Form #05.014.

TITLE 50 > CHAPTER 23 > SUBCHAPTER IV > Sec. 841.

Sec. 841. - Findings and declarations of fact

The Congress finds and declares that the Communist Party of the United States [**consisting of the IRS, DOJ, and a corrupted federal judiciary**], although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the [de jure] Government of the United States [and replace it with a de facto government ruled by the judiciary]. It constitutes an **authoritarian dictatorship [IRS, DOJ, and corrupted federal judiciary in collusion]** within a [constitutional] republic, demanding for itself the rights and [FRANCHISE] privileges [including immunity from prosecution for their wrongdoing in violation of Article 1, Section 9, Clause 8 of the Constitution] accorded to political parties, but **denying to all others the liberties [Bill of Rights] guaranteed by the Constitution [Form #10.002]**. Unlike political parties, which evolve their policies and programs through

public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly [by corrupt judges and the IRS in complete disregard of, Form #05.014, the tax franchise "codes", Form #05.001] prescribed for it by the foreign leaders of the world Communist movement [the IRS and Federal Reserve]. Its members [the Congress, which was terrorized to do IRS bidding by the framing of Congressman Traficant] have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of political parties, members of the Communist Party are recruited for indoctrination [in the public FOOL system by homosexuals, liberals, and socialists] with respect to its objectives and methods, and are organized, instructed, and disciplined [by the IRS and a corrupted judiciary] to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike political parties, the Communist Party [thanks to a corrupted federal judiciary] acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members [ANARCHISTS!, Form #08.020]. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence [or using income taxes]. Holding that doctrine, its role as the agency of a hostile foreign power [the Federal Reserve and the American Bar Association (ABA)] renders its existence a clear present and continuing danger to the security of the United States. It is the means whereby individuals are seduced [illegally KIDNAPPED via identity theft!, Form #05.046] into the service of the world Communist movement [using FALSE information returns and other PERJURIOUS government forms, Form #04.001], trained to do its bidding [by FALSE government publications and statements that the government is not accountable for the accuracy of, Form #05.007], and directed and controlled [using FRANCHISES illegally enforced upon NONRESIDENTS, Form #05.030] in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed

The above corruption of our Constitutional Republic by the unconstitutional abuse of franchises, the violation of the rules of statutory construction, and interference with common law remedies was described by the U.S. Supreme Court as follows:

"These are words of weighty import. They involve consequences of the most momentous character. I take leave to say that if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will be the result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.

Although from the foundation of the Government this court has held steadily to the view that the Government of the United States was one of enumerated powers, and that no one of its branches, nor all of its branches combined, could constitutionally exercise powers not granted, or which were not necessarily implied from those expressly granted, *Martin v. Hunter, 1 Wheat. 304, 326, 331*, we are now informed that Congress possesses powers outside of the Constitution, and may deal with new territory, 380\*380 acquired by treaty or conquest, in the same manner as other nations have been accustomed to act with respect to territories acquired by them. In my opinion, Congress has no existence and can exercise no authority outside of the Constitution. Still less is it true that Congress can deal with new territories just as other nations have done or may do with their new territories. This nation is under the control of a written constitution, the supreme law of the land and the only source of the powers which our Government, or any branch or officer of it, may exert at any time or at any place. Monarchical and despotic governments, unrestrained by written constitutions, may do with newly acquired territories what this Government may not do consistently with our fundamental law. To say otherwise is to concede that Congress may, by action taken outside of the



*Constitution, engraft upon our republican institutions a colonial system such as exists under monarchical governments. Surely such a result was never contemplated by the fathers of the Constitution. If that instrument had contained a word suggesting the possibility of a result of that character it would never have been adopted by the People of the United States. The idea that this country may acquire territories anywhere upon the earth, by conquest or treaty, and hold them as mere colonies or provinces — the people inhabiting them to enjoy only such rights as Congress chooses to accord to them — is wholly inconsistent with the spirit and genius as well as with the words of the Constitution.*

[Downes v. Bidwell, [182 U.S. 244](#) (1901), Justice Harlan, Dissenting]

Civil statutory codes, franchises, or privileges are referred to on this website as “private law”, but not “law”. The word “public” precedes all uses of “law” when dealing with acts of government and hence, refers only to COMMON law and CRIMINAL law that applies equally to everyone, regardless of [their consent](#). Involvement in any and all “[private law](#)” [franchises or privileges](#) offered by any government ALWAYS undermines and threatens sovereignty, autonomy, and [equality](#), turns government into an [unconstitutional civil religion](#), and [corrupts even the finest of people](#). This is explained in:

[Government Instituted Slavery Using Franchises, Form #05.030](#)  
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

Any use of the word "law" by any government actor directed at us or any member, if not clarified with the words "private" or "public" in front of the word "law" shall constitute:

1. A criminal attempt and conspiracy to recruit us to be [a public officer called a "person", "taxpayer", "citizen", "resident"](#), etc.
2. A solicitation of [illegal bribes called "taxes"](#) to treat us "AS IF" we are a public officer.
3. A [criminal conspiracy to convert PRIVATE rights into PUBLIC rights](#) and to violate the Bill of Rights.

The protection of PRIVATE rights mandated by the Bill of Rights BEGINS with and requires:

1. ALWAYS keeping PRIVATE and PUBLIC rights separated and never mixing them together.
2. Using unambiguous language about the TYPE of "right" that is being protected: PUBLIC or PRIVATE in every use of the word "right". The way to avoid confusing PUBLIC and PRIVATE RIGHTS is to simply refer to PUBLIC rights as "privileges" and NEVER refer to them as "rights".
3. Only converting PRIVATE rights to PUBLIC rights with the express written consent of the HUMAN owner.
4. Limiting the conversion to geographical places where rights are NOT unalienable. This means the conversion occurred either abroad or on government territory not within the exclusive jurisdiction of a Constitutional state. Otherwise, the Declaration of Independence, which is organic law, would be violated.
5. Keeping the rules for converting PRIVATE to PUBLIC so simple, unambiguous, and clear that a child could understand them and always referring to these rules in every interaction between the government and those they are charged with protecting.
6. Ensuring that in every interaction (and ESPECIALLY ENFORCEMENT ACTION) between the government both administratively and in court, that any right the government claims to civilly enforce against, regulate, tax, or burden otherwise PRIVATE property is proven ON THE RECORD IN WRITING to originate from the rules documented in the previous step. This BURDEN OF PROOF must be met both ADMINISTRATIVELY and IN COURT BEFORE any enforcement action may be lawfully attempted by any government. It must be met by an IMPARTIAL decision maker with NO FINANCIAL interest in the outcome and not employed by the government or else a criminal financial conflict of interest will result. In other words, the government has to prove that it is NOT stealing before it can take property, that it is the lawful owner, and expressly HOW it became the lawful owner.
7. Enforcing the following [CONCLUSIVE PRESUMPTION](#) against [government jurisdiction](#) to enforce unless and until the above requirements are met:

*“All rights and property are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the control of government or the CIVIL statutory franchise codes unless and until the government meets the burden of proving, WITH EVIDENCE, on the record of the proceeding that:*

a. A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property to PUBLIC property.

b. The owner was either abroad, domiciled on, or at least PRESENT on federal territory NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a Constitutional right or relieve a public servant of the fiduciary obligation to respect and protect the right. Those physically present but not necessarily domiciled in a constitutional but not statutory state protected by the constitution cannot lawfully alienate rights to a real, de jure government, even WITH their consent.

c. If the government refuses to meet the above burden of proof, it shall be CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an EQUAL footing with every other private corporation and which is therefore NOT protected by official, judicial, or sovereign immunity."

For a detailed exposition on the mandatory separation between PUBLIC and PRIVATE as indicated above, please see the following course on our site:

[Separation Between Public and Private Course, Form #12.025](https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf)  
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

For a detailed exposition of the legal meaning of the word "law" and why the above restrictions on its definition are important, see:

[What is "law"?, Form #05.048](https://sedm.org/Forms/05-MemLaw/WhatIsLaw.pdf)  
<https://sedm.org/Forms/05-MemLaw/WhatIsLaw.pdf>

### 3.9 Copyright

The words "Copyright" or "Copyright Sovereignty Education and Defense Ministry (SEDM)" used in connection with any of the intellectual property on this site shall mean the following:

1. Owned by an exclusively private, nonstatutory human and not any artificial entity, "person", "citizen", or "resident" under any civil statutory law.
2. Protected only under the common law and the constitution and not subject to the statutory civil law, including any tax law.
3. Not owned by this website or ministry.
4. Owned by an anonymous third party who we have an agreement with to reuse the materials on this site.
5. Not owned or controlled by any government per [17 U.S.C. §105](#). Governments are not allowed to copyright their works. Any attempt to bring this ministry under the control of any government or make it the property of any government therefore results in no copyright being held in the name of the government.

The purpose of these copyright restrictions is to ensure that no government can use legal process or tax assessment as a method to censor free speech materials found on this website.

### 3.10 Franchise

The word "[franchise](#)" means a grant or rental or lease rather than a gift of specific property with legal strings or "obligations" attached.

**FRANCHISE.** A special privilege conferred by government on individual or corporation, and which does not belong to citizens of country generally of common right. *Elliott v. City of Eugene*, 135 Or. 108, 294 P. 358, 360. In England it is defined to be a royal privilege in the hands of a subject.

A "franchise," as used by Blackstone in defining *quo warranto*, (3 Com. 262 [4th Am. Ed.] 322), had reference to a royal privilege or branch of the king's prerogative subsisting in

1 the hands of the subject, and must arise from the king's grant, or be held by prescription,  
2 but today we understand a franchise to be some special privilege conferred by government  
3 on an individual, natural or artificial, which is not enjoyed by its citizens in general. *State*  
4 *v. Fernandez*, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240.

5 **In this country a franchise is a privilege or immunity of a public nature, which cannot**  
6 **be legally exercised without legislative grant. To be a corporation is a franchise.** *The*  
7 *various powers conferred on corporations are franchises. The execution of a policy of*  
8 *insurance by an insurance company [e.g. Social Insurance/Socialist Security], and the*  
9 *issuing a bank note by an incorporated bank [such as a Federal Reserve NOTE], are*  
10 *franchises. People v. Utica Ins. Co., 15 Johns., N.Y., 387, 8 Am.Dec. 243. But it does not*  
11 *embrace the property acquired by the exercise of the franchise. Bridgeport v. New York &*  
12 *N.H. R. Co., 36 Conn. 255, 4 Am.Rep. 63. Nor involve interest in land acquired by grantee.*  
13 *Whitbeck v. Funk, 140 Or. 70, 12 P.2d 1019, 1020. In a popular sense, the political*  
14 *rights of subjects and citizens are franchises, such as the right of suffrage. etc. Pierce*  
15 *v. Emery, 32 N.H. 484 ; State v. Black Diamond Co., 97 Ohio St. 24, 119 N.E. 195, 199,*  
16 *L.R.A. 1918E, 352.*

17 *Elective Franchise. The right of suffrage: the right or privilege of voting in public elections.*

18 *Exclusive Franchise. See Exclusive Privilege or Franchise.*

19 *General and Special. The charter of a corporation is its "general" franchise, while a*  
20 *"special" franchise consists in any rights granted by the public to use property for a public*  
21 *use but-with private profit. Lord v. Equitable Life Assur. Soc., 194 N.Y. 212, 87 N.E. 443,*  
22 *22 L.R.A. (N.S.) 420.*

23 *Personal Franchise. A franchise of corporate existence, or one which authorizes the*  
24 *formation and existence of a corporation, is sometimes called a "personal" franchise. as*  
25 *distinguished from a "property" franchise, which authorizes a corporation so formed to*  
26 *apply its property to some particular enterprise or exercise some special privilege in its*  
27 *employment, as, for example, to construct and operate a railroad. See Sandham v. Nye, 9*  
28 *Misc.ReP. 541, 30 N.Y.S. 552.*

29 *Secondary Franchises. The franchise of corporate existence being sometimes called the*  
30 *"primary" franchise of a corporation, its "secondary" franchises are the special and*  
31 *peculiar rights, privileges, or grants which it may, receive under its charter or from a*  
32 *municipal corporation, such as the right to use the public streets, exact tolls, collect fares,*  
33 *etc. State v. Topeka Water Co., 61 Kan. 547, 60 P. 337; Virginia Canon Toll Road Co. v.*  
34 *People, 22 Colo. 429, 45 P. 398 37 L.R.A. 711. The franchises of a corporation are divisible*  
35 *into (1) corporate or general franchises; and (2) "special or secondary franchises. The*  
36 *former is the franchise to exist as a corporation, while the latter are certain rights and*  
37 *privileges conferred upon existing corporations. Gulf Refining Co. v. Cleveland Trust Co.,*  
38 *166 Miss. 759, 108 So. 158, 160.*

39 *Special Franchisee. See Secondary Franchises, supra.*  
40 *[Black's Law Dictionary, 4th Edition, pp. 786-787]*

41 The definition of "privilege" in the definition above means PROPERTY, whether physical or intangible. This loan is often  
42 called a "grant" in statutes, as in the case of Social Security in [42 U.S. Code Subchapter I-Grants to the States for Old-Age](#)  
43 [Assistance](#). That grant is to federal territories and NOT constitutional states, as demonstrated by the definition of "State"  
44 found in [42 U.S.C. §1301\(a\)\(1\)](#). Hence, Social Security cannot be offered in constitutional states, but only federal territories,  
45 as proven in [Form #06.001](#).

46 *"For here, the state must deposit the proceeds of its taxation in the federal treasury, upon*  
47 *terms which make the deposit suspiciously like a forced loan to be repaid only in*  
48 *accordance with restrictions imposed by federal law. Title IX, §§ 903 (a) (3), 904 (a), (b),*  
49 *(e). All moneys withdrawn from this fund must be used exclusively for the payment of*

1 compensation. § 903 (a) (4). And this compensation is to be paid through public  
2 employment offices in the state or such other agencies as a federal board may approve. §  
3 903 (a) (1)."

4 [\[Steward Machine Co. v. Davis, 301 U.S. 548 \(1937\)\]](#)

5 In the case of government franchises, property granted or rented can include one or more of the following:

- 6 1. A public right or public privilege granted by a statute that is not found in the Constitution but rather created by the  
7 Legislature. This includes remedies provided in franchise courts in the Executive Branch under Article I or Article IV  
8 to vindicate such rights. It does not include remedies provided in true Article III courts.

9 "The distinction between public rights and private rights has not been definitively  
10 explained in our precedents. Nor is it necessary to do so in the present cases, for it suffices  
11 to observe that a matter of public rights must at a minimum arise "between the government  
12 and others." Ex parte Bakelite Corp., supra, at 451, 49 S.Ct., at 413. In contrast, "the  
13 liability of one individual to another under the law as defined," Crowell v. Benson, supra,  
14 at 51, 52 S.Ct., at 292, is a matter of private rights. Our precedents clearly establish that  
15 only controversies in the former category may be removed from Art. III courts and  
16 delegated to legislative courts or administrative agencies for their determination. See Atlas  
17 Roofing Co. v. Occupational Safety and Health Review Comm'n, 430 U.S. 442, 450, n. 7,  
18 97 S.Ct. 1261, 1266, n. 7, 51 L.Ed.2d. 464 (1977); Crowell v. Benson, supra, 285 U.S., at  
19 50-51, 52 S.Ct., at 292. See also Katz, Federal Legislative Courts, 43 Harv.L.Rev. 894,  
20 917-918 (1930).FN24 Private-rights disputes, on the other hand, lie at the core of the  
21 historically recognized judicial power."

22 [. . .]

23 Although Crowell and Raddatz do not explicitly distinguish between rights created by  
24 Congress [PUBLIC RIGHTS] and other [PRIVATE] rights, such a distinction underlies in  
25 part Crowell's and Raddatz' recognition of a critical difference between rights created by  
26 federal statute and rights recognized by the Constitution. Moreover, such a distinction  
27 seems to us to be necessary in light of the delicate accommodations required by the  
28 principle of separation of powers reflected in Art. III. The constitutional system of checks  
29 and balances is designed to guard against "encroachment or aggrandizement" by  
30 Congress at the expense of the other branches of government. Buckley v. Valeo, 424 U.S.,  
31 at 122, 96 S.Ct., at 683. But when Congress creates a statutory right [a "privilege" or  
32 "public right" in this case, such as a "trade or business"], it clearly has the discretion, in  
33 defining that right, to create presumptions, or assign burdens of proof, or prescribe  
34 remedies; it may also provide that persons seeking to vindicate that right must do so before  
35 particularized tribunals created to perform the specialized adjudicative tasks related to  
36 that right. FN35 Such provisions do, in a sense, affect the exercise of judicial power, but  
37 they are also incidental to Congress' power to define the right that it has created. No  
38 comparable justification exists, however, when the right being adjudicated is not of  
39 congressional creation. In such a situation, substantial inroads into functions that have  
40 traditionally been performed by the Judiciary cannot be characterized merely as incidental  
41 extensions of Congress' power to define rights that it has created. Rather, such inroads  
42 suggest unwarranted encroachments upon the judicial power of the United States, which  
43 our Constitution reserves for Art. III courts.

44 [\[Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458 U.S. 50, 102 S.Ct. 2858](#)  
45 [\(1983\)\]](#)

- 46 2. Any type of privilege, immunity, or exemption granted by a statute to a specific class of people and not to all people  
47 generally that is not found in the Constitution. All such statutes are referred to as "special law" or "private law", where  
48 the government itself is acting in a private rather than a public capacity on an equal footing with every other private  
49 human in equity. The U.S. Supreme court also called such legislation "class legislation" in [Pollock v. Farmers' Loan](#)  
50 [and Trust, 157 U.S. 429 \(1895\)](#) and the ONLY "class" they can be talking about are public officers in the U.S.  
51 government and not to all people generally. See the following for proof:

**"special law.** One relating to particular persons or things; one made for individual cases or for particular places or districts; one operating upon a selected class, rather than upon the public generally. A private law. A law is "special" when it is different from others of the same general kind or designed for a particular purpose, or limited in range or confined to a prescribed field of action or operation. A "special law" relates to either particular persons, places, or things or to persons, places, or things which, though not particularized, are separated by any method of selection from the whole class to which the law might, but not such legislation, be applied. *Utah Farm Bureau Ins. Co. v. Utah Ins. Guaranty Ass'n, Utah, 564 P.2d. 751, 754.* A special law applies only to an individual or a number of individuals out of a single class similarly situated and affected, or to a special locality. *Board of County Com'rs of Lemhi County v. Swensen, Idaho, 80 Idaho 198, 327 P.2d. 361, 362.* See also Private bill; Private law. Compare General law; Public law."  
[Black's Law Dictionary, Sixth Edition, pp. 1397-1398]

3. A statutory "[civil status](#)" created and therefore owned by the legislature. This includes statutory "taxpayers", "drivers", "persons", "individuals", etc. All such entities are creations of Congress and public rights which carry obligations when consensually and lawfully exercised. See:

[Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008](#)  
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>

4. A STATUTORY Social Security Card. The regulations at [20 C.F.R. §422.103\(d\)](#) indicates the card is property of the government and must be returned upon request.
5. A U.S. passport. The passport indicates that it is property of the government that must be returned upon request.
6. A "[license](#)", which is legally defined as permission by the state to do something that would otherwise be illegal or even criminal.

In legal parlance, such a grant makes the recipient a temporary trustee, and if they violate their trust, the property can be taken back through administrative action or physical seizure and without legal process so long as the conditions of the loan allowed for these methods of enforcement:

*"How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. **But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.** The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) **a personal obligation with respect to the property; and accordingly this is what equity does.** It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. **In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained."***

[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]



*“When Sir Matthew Hale, and the sages of the law in his day, spoke of property as affected by a public interest, and ceasing from that cause to be juris privati solely, that is, ceasing to be held merely in private right, they referred to*

*[1] property dedicated [DONATED] by the owner to public uses, or*

*[2] to property the use of which was granted by the government [e.g. Social Security Card], or*

*[3] in connection with which special privileges were conferred [licenses].*

*Unless the property was thus dedicated [by one of the above three mechanisms], or some right bestowed by the government was held with the property, either by specific grant or by prescription of so long a time as to imply a grant originally, the property was not affected by any public interest so as to be taken out of the category of property held in private right.”*

*[Munn v. Illinois, 94 U.S. 113, 139-140 (1876)]*

The above authorities imply that a mere act of accepting or using the property in question in effect represents "implied consent" to abide by the conditions associated with the loan, as described in the California Civil Code below:

CALIFORNIA CIVIL CODE  
DIVISION 3. OBLIGATIONS  
PART 2. CONTRACTS  
CHAPTER 3. CONSENT  
[Section 1589](#)

*1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

The U.S. Supreme Court further acknowledged the above mechanisms of using grants or loans of government property to create equitable obligations against the recipient of the property as follows. Note that they ALSO imply that YOU can use exactly the same mechanism against the government to impose obligations upon them, if they are trying to acquire your physical property, your services, your labor, your time, or impose any kind of [obligation \(Form #12.040\)](#) against you without your express written consent, because all such activities involve efforts to acquire what is usually PRIVATE, absolutely owned property that you can use to control the GOVERNMENT as the lawful owner:

*“The State in such cases exercises no greater right than an individual may exercise over the use of his own property when leased or loaned to others. The conditions upon which the privilege shall be enjoyed being stated or implied in the legislation authorizing its grant, no right is, of course, impaired by their enforcement. The recipient of the privilege, in effect, stipulates to comply with the conditions. It matters not how limited the privilege conferred, its acceptance implies an assent to the regulation of its use and the compensation for it.”*  
*[Munn v. Illinois, 94 U.S. 113 (1876)]*

The [injustice \(Form #05.050\)](#), [sophistry](#), and [deception \(Form #05.014\)](#) underlying their welfare state system is that:

1. Governments don't produce anything, but merely transfer wealth between otherwise private people (see [Separation Between Public and Private Course, Form #12.025](#)).
2. The money they are paying you can never be more than what you paid them, and if it is, then they are abusing their taxing powers!

*To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.*

Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.' Cooley, Const. Lim., 479.

Coulter, J., in *Northern Liberties v. St. John's Church*, 13 Pa.St. 104 says, very forcibly, 'I think the common mind has everywhere taken in the understanding that **taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.**' See, also *Pray v. Northern Liberties*, 31 Pa.St. 69; *Matter of Mayor of N.Y.*, 11 Johns., 77; *Camden v. Allen*, 2 Dutch., 398; *Sharpless v. Mayor*, supra; *Hanson v. Vernon*, 27 Ia., 47; *Whiting v. Fond du Lac*, supra." [Loan Association v. Topeka, 20 Wall. 655 (1874)]

3. If they try to pay you more than you paid them, they must make you into a public officer to do so to avoid the prohibition of the case above. In doing so, they in most cases must illegally establish a public office and in effect use "benefits" to criminally bribe you to illegally impersonate such an office. See [The "Trade or Business" Scam, Form #05.001](#) for details.
4. Paying you back what was originally your own money and NOTHING more is not a "benefit" or even a loan by them to you. If anything, it is a temporary loan by you to them! And its an unjust loan because they don't have to pay interest!
5. Since you are the real lender, then you are the only real party who can make rules against them and not vice versa. See [Article 4, Section 3, Clause 2 of the Constitution](#) for where the ability to make those rules comes from.
6. All franchises are contracts that require mutual consideration and mutual obligation to be enforceable. Since government isn't contractually obligated to provide the main consideration, which is "benefits" and isn't obligated to provide ANYTHING that is truly economically valuable beyond that, then the "contract" or "compact" is unenforceable against you and can impose no obligations on you based on mere equitable principals of contract law.

"We must conclude that a person covered by the Act has not such a right in benefit payments... This is not to say, however, that Congress may exercise its power to modify the statutory scheme free of all constitutional restraint." [Flemming v. Nestor, [363 U.S. 603](#) (1960) ]

"... railroad benefits, like social security benefits, are not contractual and may be altered or even eliminated at any time." [United States Railroad Retirement Board v. Fritz, [449 U.S. 166](#) (1980)]

For further details on government franchises, see:

1. [Sovereignty Forms and Instructions Online, Form #10.014, Cites by Topic: "franchise"](#)  
<http://famguardian.org/TaxFreedom/CitesByTopic/franchise.htm>
2. Government Franchises Course, Form #12.012  
Slides: <https://sedm.org/LibertyU/GovFranchises.pdf>  
Video: <http://youtu.be/vnDcauqlbTQ>
3. [Government Instituted Slavery Using Franchises, Form #05.030](#)  
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

For information on how to avoid franchises, quit them, or use your own PERSONAL franchises to DEFEND yourself against illegal government franchise administration or enforcement, usually against ineligible parties, see:

1. [Avoiding Traps in Government Forms Course, Form #12.023](#)  
<https://sedm.org/LibertyU/AvoidingTrapsGovForms.pdf>
2. [Path to Freedom, Form #09.015, Section 5](#)  
<https://sedm.org/Forms/09-Procs/PathToFreedom.pdf>
3. [Injury Defense Franchise and Agreement, Form #06.027](#)  
<https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf>
4. [SEDM Forms/Pubs page, Section 1.6: Avoiding Government Franchises](#)

<https://sedm.org/Forms/FormIndex-Singlepg.htm#1.6>. **AVOIDING GOVERNMENT FRANCHISES AND LICENSES**

5. *The Government "Benefits" Scam*, Form #05.040 (Member Subscription form)  
<https://sedm.org/Forms/FormIndex.htm>
6. *Why the Government is the Only Real Beneficiary of All Government Franchises*, Form #05.051 (Member Subscription form)  
<https://sedm.org/Forms/FormIndex.htm>

### 3.11 **Frivolous**

The word "[frivolous](#)" as used by the government or on other websites in referring to this website shall mean "correct" and "truthful". Any attempts to call anything on this website incorrect or untruthful must be accompanied by authoritative, court-admissible evidence to support such a conclusion or shall be presumed by the reader to be untrustworthy and untruthful. All such evidence MUST derive EXCLUSIVELY from the consensual civil domicile of the defendant pursuant to [Federal Rule of Civil Procedure 17\(b\)](#). Parties subject to this agreement stipulate that any violation of this rule is a malicious prosecution and obstruction of justice in violation of [18 U.S.C. §1589\(a\)\(3\)](#). [Click here for details on domicile](#) (<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>).

### 3.12 **Federal Income Tax**

The term "federal income tax", in the context of this website, means the revenue scheme described in Subtitle A of the Internal Revenue Code as applied specifically and only to human beings who are not statutory "persons" or "individuals" under federal law and shall NOT refer to businesses or artificial entities. This website does NOT concern itself with businesses or corporations or artificial entities of any description.

### 3.13 **Tax**

The term "[tax](#)" includes any method to collect revenues to support ONLY the operation of the government. It does NOT include the abuse of taxing power to transfer wealth between ordinary citizens or residents and when it is used for this purpose it is THEFT, not "taxation".

*"The power to tax is, therefore, the strongest, the most pervading of all powers of government, reaching directly or indirectly to all classes of the people. It was said by Chief Justice Marshall, in the case of *McCulloch v. Md.*, 4 Wheat. 431, that the power to tax is the power to destroy. A striking instance of the truth of the proposition is seen in the fact that the existing tax of ten per cent, imposed by the United States on the circulation of all other banks than the National Banks, drove out of existence every \*state bank of circulation within a year or two after its passage. This power can be readily employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other, if there is no implied limitation of the uses for which the power may be exercised.*

**To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.**

**Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.' Cooley, Const. Lim., 479.**

Coulter, J., in *Northern Liberties v. St. John's Church*, 13 Pa.St. 104 says, very forcibly, 'I think the common mind has everywhere taken in the understanding that **taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.**' See, also *Pray v. Northern Liberties*, 31 Pa.St. 69; *Matter of Mayor of N.Y.*, 11



1 *Johns., 77; Camden v. Allen, 2 Dutch., 398; Sharpless v. Mayor, supra; Hanson v. Vernon,*  
2 *27 Ia., 47; Whiting v. Fond du Lac, supra."*  
3 [[Loan Association v. Topeka, 20 Wall. 655 \(1874\)](#)]

4  
5 "A tax, in the general understanding of the term and as used in the constitution, signifies  
6 an exaction for the support of the government. The word has never thought to connote the  
7 expropriation of money from one group for the benefit of another."  
8 [[U.S. v. Butler, 297 U.S. 1 \(1936\)](#)]

9 "Tax" includes ONLY impositions upon PUBLIC property or franchises ([Form #05.030](#)) and not upon absolutely owned  
10 PRIVATE property.

- 11 1. PRIVATE property must be consensually converted to PUBLIC property before it can be taxed, and the burden of  
12 proof rests on the government to prove that it was lawfully converted before it can be subject to tax. See:

[Separation Between Public and Private Course, Form #12.025](#)  
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

- 13 2. The "persons" spoken above are civil statutory PUBLIC "persons" and not PRIVATE humans. See:

[Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037](#)  
<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

### 14 **3.14 Protection**

15 The word "protection" includes only CRIMINAL, constitutional, and common law protection. It excludes every type of  
16 government activity, franchise, or program that requires a [predicate civil status \(Form #13.008\) to enforce](#), such as "citizen",  
17 "resident", "taxpayer", "spouse", Social Security beneficiary, etc. Every attempt to impose, acquire, or enforce a civil status  
18 or to enforce duties upon a civil status NOT related to voting or jury service constitutes the following:

- 19 1. An INJURY and an [INJUSTICE \(Form #05.050\)](#).  
20 2. [Identity Theft \(Form #05.046\)](#).

### 21 **3.15 Fact**

22 The word "fact" means that which is admissible as evidence in a court of law BECAUSE ENACTED LAW makes it  
23 admissible AND because the speaker (other than us) INTENDED for it to be factual. It does NOT imply that we allege that  
24 it is factual, actionable, or even truthful. Any attempt by any government to make anything published on this website or  
25 anything said by members or officers of the ministry FACTUAL or ACTIONABLE in conflict with this disclaimer is hereby  
26 declared and stipulated by all members to be FRAUDULENT, PERJURIOUS, and a willful act of international terrorism  
27 and organized extortion.

### 28 **3.16 Statutory**

29 The term "statutory" when used as a prefix to any other term, means that the term it precedes pertains only to federal territory,  
30 property, PUBLIC rights, or privileges under the exclusive jurisdiction of the national government. Includes NO private  
31 property or people.

### 32 **3.17 Statutory Citizen**

33 The term "statutory citizen" is defined on this website to mean every reference to the word "citizen" in every act of congress  
34 OTHER than in [Title 8](#). Title 8 acts as a substitute for the Constitution for the purposes of only citizenship within territories  
35 and/or possessions OR abroad. [Fourteenth Amendment/CONSTITUTIONAL](#) citizenship is NOWHERE described or  
36 referenced in in [Title 8](#) of the U.S. Code. Statutes in [Title 8](#) are not necessary to define or authorize citizenship for people in  
37 states of the Union:

1 “Finally, this Court is mindful of the years of past practice in which territorial citizenship  
2 has been treated as a statutory [PRIVILEGE!], and not a constitutional, right. In the  
3 unincorporated territories of Puerto Rico, Guam, the U.S. Virgin Islands, and the Northern  
4 Mariana Islands, birthright citizenship was conferred upon their inhabitants by various  
5 statutes many years after the United States acquired them. See Amicus Br. at 10-11. If the  
6 Citizenship Clause [of the Fourteenth Amendment] guaranteed birthright citizenship  
7 in unincorporated territories, these statutes would have been unnecessary. While  
8 longstanding practice is not sufficient to demonstrate constitutionality, such a practice  
9 requires special scrutiny before being set aside. See, e.g., *Jackman v. Rosenbaum Co.*, 260  
10 U.S. 22, 31 (1922) (Holmes, J.) (“If a thing has been practiced for two hundred years by  
11 common consent, it will need a strong case for the Fourteenth Amendment to affect it[.]”);  
12 *Walz v. Tax Comm’n*, 397 U.S. 664, 678 (1970) (“It is obviously correct that no one  
13 acquires a vested or protected right in violation of the Constitution by long use . . . Yet an  
14 unbroken practice . . . is not something to be lightly cast aside.”). And while Congress  
15 cannot take away the citizenship of individuals covered by the Citizenship Clause [of the  
16 Fourteenth Amendment], it can bestow citizenship upon those not within the Constitution’s  
17 breadth. See U.S. Const. art. IV, § 3, cl. 2 (“Congress shall have Power to dispose of and  
18 make all needful Rules and Regulations respecting the Territory belonging to the United  
19 States[\*\*].”); *id.* At art. I, § 8, cl. 4 (Congress may “establish a uniform Rule of  
20 Naturalization . . .”). To date, Congress has not seen fit to bestow birthright citizenship  
21 upon American Samoa, and in accordance with the law, this Court must and will respect  
22 that choice.<sup>16</sup>  
23 [Tuaua v. U.S.A., 951 F.Supp.2d. 88 (2013)]

24 Note the following in the above:

25 “If the Citizenship Clause [of the Fourteenth Amendment] guaranteed birthright  
26 citizenship in unincorporated territories, these statutes would have been unnecessary.”

27 All statutory statuses in Title 8 are therefore POLITICAL statuses rather than CIVIL statuses. For the meaning of "civil  
28 status", see:

Civil Status (Important!)-SEDM  
<https://sedm.org/litigation-main/civil-status/>

29 However, the political status imputed in Title 8 ("citizen" and/or "national") is not that mentioned in the Constitution. The  
30 constitution does not apply on federal territory with the exception of Article 1, Section 8, Clause 17 except insofar as Congress  
31 legislatively allows it to apply. Once it is made to apply, that constitutional provision which is legislatively applied cannot be  
32 legislatively revoked, because Constitutional rights cannot be legislatively revoked and are private property.

33 “[T]he Constitution is applicable to territories acquired by purchase or conquest only  
34 when and so far as Congress shall so direct”  
35 [Downes v. Bidwell, 182 U.S. 244, 279 (1901)]

36 All titles of the U.S. Code OTHER than Title 8 and which are CIVIL in nature limit themselves to domiciled parties against  
37 whom statutory civil law may lawfully be enforced per Federal Rule of Civil Procedure 17(b). The origin of civil statutory  
38 enforcement authority is domicile on federal territory or representing an entity or office domiciled there (such as "person").  
39 Thus, all such parties must be at least domiciled on federal territory to civilly enforce. And, one can't have a domicile without  
40 physical presence there at some point in time. See:

Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002  
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

### 3.18 Constitutional

The term "constitutional" when used as a prefix to any other term, means that the term it precedes pertains only to land, property, rights, or privileges under the exclusive jurisdiction of a state of the Union and not within the civil or criminal jurisdiction of the national government.

### 3.19 Law Practice

The terms "law practice" or "practice of law":

1. Exclude any and all statutory references to said term in any state or federal statute.
2. Exclude any use of these terms found in any rule of court.
3. Exclude any litigation in which the party "practicing" is representing either a government instrumentality or acting as an officer for said instrumentality such as a statutory "taxpayer" (under the Internal Revenue Code), "driver" (under the vehicle code), "spouse" (under the family code), or "benefit recipient" (under any entitlement program, including Social Security).
4. Include litigation involving ONLY the protection of EXCLUSIVELY PRIVATE rights beyond the jurisdiction of any de jure government.

### 3.20 Sovereign

The word "sovereign" when referring to humans or governments means all the following:

1. A human being and NOT a "government". Only human beings are "sovereign" and only when they are acting in strict obedience to the laws of their religion. All powers of government are delegated from the PEOPLE and are NOT "divine rights". Those powers in turn are only operative when government PREVENTS the conversion of PRIVATE rights into PUBLIC rights. When that goal is avoided or undermined or when law is used to accomplish involuntary conversion, we cease to have a government and instead end up with [a private, de facto for profit corporation that has no sovereign immunity and cannot abuse sovereign immunity to protect its criminal thefts from the people](#).
2. EQUAL in every respect to any and every government or actor in government. All governments are legal "persons" and under our Constitutional system, ALL "persons" are equal and can only become UNEQUAL in relation to each other WITH their EXPRESS and NOT IMPLIED consent. Since our Constitutional rights are unalienable per the Declaration of Independence, then we can't become unequal in relation to any government, INCLUDING through our consent.
3. Not superior in any way to any human being within the jurisdiction of the courts of any country.
4. Possessing the EQUAL right to acquire rights over others by the same mechanisms as the government uses. For instance, if the government encourages the filing of FALSE information returns that essentially "elect" people into public office without their consent, then we have an EQUAL right to elect any and every government or officer within government into our PERSONAL service as our PERSONAL officer without THEIR consent. See:

*Correcting Erroneous Information Returns*, Form #04.001  
<http://sedm.org/Forms/04-Tax/0-CorrErrInfoRtns/CorrErrInfoRtns.pdf>

5. Subject to the criminal laws of the jurisdiction they are physically situated in, just like everyone else. This provision excludes "quasi criminal provisions" within civil franchises, such as tax crimes.
6. The origin of all authority delegated to the government per the Declaration of Independence.
7. Reserving all rights and delegating NONE to any and every government or government actor. U.C.C. 1-308 and its predecessor, U.C.C. 1-207.
8. Not consenting to any and every civil franchise offered by any government.
9. Possessing the same sovereign immunity as any government. Hence, like the government, any government actor asserting a liability or obligation has the burden of proving on the record of any court proceeding EXPRESS WRITTEN consent to be sued before the obligation becomes enforceable.
10. Claiming no civil or franchise status under any statutory franchise, including but not limited to "citizen", "resident", "driver" (under the vehicle code), "spouse" (under the family code), "taxpayer" (under the tax code). Any attempt to associate a statutory status and the public rights it represents against a non-consenting party is THEFT and SLAVERY and INJUSTICE.
11. Acting as a fiduciary, agent, and trustee on behalf of God 24 hours a day, seven days a week as an ambassador of a legislatively foreign jurisdiction and as a public officer of "Heaven, Inc.", a private foreign corporation. God is the ONLY "sovereign" and the source of all sovereignty. We must be acting as His agent and fiduciary before we can

exercise any sovereignty at all. Any attempt by so-called "government" to interfere with our ability to act as His fiduciaries is a direct interference with our right to contract and the free exercise of religion. See:

*Delegation of Authority Order from God to Christians*, Form #13.007

<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/DelOfAuthority.pdf>

12. Capable of being civilly sued ONLY under the common law and equity and not under any statutory civil law. All statutory civil laws are law for government and public officers, and NOT for private human beings. They are civil franchises that only acquire the "force of law" with the consent of the subject. See:

*Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037

<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

13. Protected from the civil statutory law by the First Amendment requirement for separation of church and state because we Christians are the church and our physical body is the "temple" of the church. See: [1 Cor. 6:19](#).

14. Responsible for all the injuries they cause to every other person under equity and common law ONLY, and not under civil statutory law.

### 3.21 Anarchy

The term "anarchy" implies any one or more of the following, and especially as regards so-called "governments". An important goal of this site it to eliminate all such "anarchy":

1. Are superior in any way to the people they govern UNDER THE LAW.
2. Are not directly accountable to the people or the law. They prohibit the PEOPLE from criminally prosecuting their own crimes, reserving the right to prosecute to their own fellow criminals. Who polices the police? THE CRIMINALS.
3. Enact laws that exempt themselves. This is a violation of the Constitutional requirement for equal protection and equal treatment and constitutes an unconstitutional Title of Nobility in violation of Article 1, Section 9, Clause 8 of the United States Constitution.
4. Only enforce the law against others and NOT themselves, as a way to protect their own criminal activities by persecuting dissidents. This is called "selective enforcement". In the legal field it is also called "professional courtesy". Never kill the goose that lays the STOLEN golden eggs.
5. Break the laws with impunity. This happens most frequently when corrupt people in government engage in "selective enforcement", whereby they refuse to prosecute or interfere with the prosecution of anyone in government. The Department of Justice (D.O.J.) or the District Attorney are the most frequent perpetrators of this type of crime.
6. Are able to choose which laws they want to be subject to, and thus refuse to enforce laws against themselves. The most frequent method for this type of abuse is to assert sovereign, official, or judicial immunity as a defense in order to protect the wrongdoers in government when they are acting outside their delegated authority, or outside what the definitions in the statutes EXPRESSLY allow.
7. Impute to themselves more rights or methods of acquiring rights than the people themselves have. In other words, who are the object of PAGAN IDOL WORSHIP because they possess "supernatural" powers. By "supernatural", we mean that which is superior to the "natural", which is ordinary human beings.
8. Claim and protect their own sovereign immunity, but refuse to recognize the same EQUAL immunity of the people from whom that power was delegated to begin with. Hypocrites.
9. Abuse sovereign immunity to exclude either the government or anyone working in the government from being subject to the laws they pass to regulate everyone ELSE'S behavior. In other words, they can choose WHEN they want to be a statutory "person" who is subject, and when they aren't. Anyone who has this kind of choice will ALWAYS corruptly exclude themselves and include everyone else, and thereby enforce and implement an unconstitutional "Title of Nobility" towards themself. On this subject, the U.S. Supreme Court has held the following:

**"No man in this country [including legislators of the government as a legal person] is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it. It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives," 106 U.S., at 220. "Shall it be said... that the courts cannot give remedy when the Citizen has been deprived of his property by force, his estate seized and converted to the use of the government without any lawful authority, without any process of law, and without any compensation, because the president has ordered it and his officers are in possession? If such be the law of this**

country, it sanctions a tyranny which has no existence in the monarchies of Europe, nor in any other government which has a just claim to well-regulated liberty and the protection of personal rights," 106 U.S., at 220, 221.  
[United States v. Lee, 106 U.S. 196, 1 S.Ct. 240 (1882)]

10. Have a monopoly on anything, INCLUDING "protection", and who turn that monopoly into a mechanism to force EVERYONE illegally to be treated as uncompensated public officers in exchange for the "privilege" of being able to even exist or earn a living to support oneself.
11. Can tax and spend any amount or percentage of the people's earnings over the OBJECTIONS of the people.
12. Can print, meaning illegally counterfeit, as much money as they want to fund their criminal enterprise, and thus to be completely free from accountability to the people.
13. Deceive and/or lie to the public with impunity by telling you that you can't trust anything they say, but force YOU to sign everything under penalty of perjury when you want to talk to them. 26 U.S.C. §6065.

In support of the above definition of "anarchy", here is how the U.S. Supreme Court defined it:

*"Decency, security, and liberty alike demand that **government officials shall be subjected to the same rules of conduct that are commands to the citizen.** In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. **Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy.** To declare that in the administration of the criminal law the end justifies the means—to declare that the government may commit crimes in order to secure the conviction of a private criminal—would bring terrible retribution. Against that pernicious doctrine this court should resolutely set its face."*  
[Olmstead v. United States, 277 U.S. 438 (1928)]

The above requirements are a consequence of the fact that the foundation of the United States Constitution is [EQUAL protection and EQUAL treatment](#). Any attempt to undermine equal rights and equal protection described above constitutes:

1. The establishment of a state sponsored religion in violation of the First Amendment and the Religious Freedom Restoration Act, 42 U.S.C. Chapter 21B. That religion is described in: [Socialism: The New American Civil Religion, Form #05.016](#). The object of worship of such a religion is imputing "supernatural powers" to civil rulers and forcing everyone to worship and serve said rulers as "superior beings".
2. The establishment of an unconstitutional Title of Nobility in violation of [Article 1, Section 9, Clause 8 of the United States Constitution](#).

### **3.22 Political**

The term "political" as used throughout our website in reference to us or our activities:

1. Excludes the endorsement of specific candidates for political office.
2. Excludes any motivation that might result in a revocation of 26 U.S.C. §501(c)(4) status.
3. Excludes activities of public officers or agents of the government.
4. Excludes those who are "persons", "individuals", "taxpayers" under any revenue law.
5. Excludes those with a domicile or residence "in this State", meaning the government.
6. Includes efforts to educate the public about the law and the legal limits upon the jurisdiction of those in the government.
7. Includes ONLY EXCLUSIVELY PRIVATE people beyond the [civil legislative control](#) of the specific government affected by the policy.
8. Involves the protection of purely private property and private rights exclusively owned by human beings and not businesses or artificial entities of any description.
9. Includes activities undertaken ONLY in the fulfillment of [purely religious goals as a full time fiduciary of God under the Bible trust indenture](#).



### 3.23 Non-citizen national

The term "non-citizen national" MEANS a human being born in a constitutional state and domiciled or at least physically present there. These people are described in [8 U.S.C. §1101\(a\)\(21\)](#). They are STATUTORY "non-resident non-persons" as described in [Non-Resident Non-Person Position, Form #05.020](#). It DOES NOT mean or include those who are:

1. [Domiciled](#) either abroad or on federal territory.
2. Statutory "nationals and citizens of the United States[\*\*] at birth" per [8 U.S.C. §1401](#). These people are born in federal territories exclusively.
3. Statutory "national but not citizen of the United States[\*\*] at birth"" per [8 U.S.C. §1408](#). These people are born in federal possessions such as Puerto Rico.
4. Statutory "citizens of the United States[\*\*]" per [8 U.S.C. §1101\(a\)\(22\)\(A\)](#).
5. Statutory "national of the United States [\*\*]" per [8 U.S.C. §1101\(a\)\(22\)](#).

### 3.24 State national

The term "state national" means those who are born in a Constitutional but not Statutory "State" as described in the Fourteenth Amendment. Equivalent to a "non-citizen national of the United States OF AMERICA". EXCLUDES any of the following:

1. STATUTORY "person" under [26 U.S.C. §6671\(b\)](#) and [§7343](#).
2. Statutory "national and citizen of the United States\*\* at birth" as defined in [8 U.S.C. §1401](#). This is a territorial citizen rather than a state citizen.
3. "citizen of the United States\*\*[federal zone]" under [26 U.S.C. §911](#), 26 U.S.C. §3121(e), or [26 C.F.R. §1.1-1\(c\)](#).
4. "National but not citizen of the United States\*\* at birth" under [8 U.S.C. §1408](#). This is a person born in a federal possession RATHER than a state of the Union.
5. "U.S.[\*\*] non-citizen national" under [8 U.S.C. §1452](#). This is a person born in a federal possession RATHER than a state of the Union.
6. STATUTORY "U.S. person" as defined in [26 U.S.C. §7701\(a\)\(30\)](#), which is a human being born and domiciled on federal territory not within the exclusive jurisdiction of any Constitutional state.

### 3.25 "Non-Person" or "Non-Resident Non-Person"

The term "[non-person](#)" or "[non-resident non-person](#)" ([Form #05.020](#)) as used on this site we define to be a human who is all of the following:

1. Tax status:
  - 1.1. Is NOT a STATUTORY "nonresident alien individual" as defined in [26 U.S.C. §1441\(e\)](#) and [26 C.F.R. §1.1441-1\(c\)\(3\)\(ii\)](#), both of which are alien residents of Puerto Rico AND NO ONE ELSE.
  - 1.2. Because they are "nonresident aliens" but not "nonresident alien individuals", then they are not a statutory "person". You must be an statutory "individual" to be a statutory "[person](#)" per [26 U.S.C. §7701\(a\)](#) if you are a man or woman.  
More on this at: [Tax Status Presentation, Form #12.043](#).
2. Not domiciled on federal territory and not representing a corporate or governmental office that is so domiciled under [Federal Rule of Civil Procedure 17](#). See [Form #05.002](#) for details.
3. Not engaged in a public office within any government. This includes the civil office of "person", "individual", "citizen", or "resident". See [Form #05.037](#) and [Form #05.042](#) for court-admissible proof that statutory "persons", "individuals", "citizens", and "residents" are public offices.
4. Not "purposefully or consensually availing themself" of commerce with any government. Therefore, they do not waive sovereign immunity under the [Foreign Sovereign Immunities Act \(FSIA\), 28 U.S.C. Chapter 97](#).
5. Obligations and Rights in relation to Governments:
  - 5.1. Waives any and all privileges and immunities of any civil status and all rights or "entitlements" to receive "benefits" or "civil services" from any government. It is a maxim of law that [REAL de jure governments \(Form #05.043\)](#) MUST give you the right to not receive or be eligible to receive "benefits" of any kind. See Form #05.040 for a description of the SCAM of abusing "benefits" to destroy sovereignty. The reason is because they MUST guarantee your right to be self-governing and self-supporting:

*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/BouviersMaxims.htm/>

- 5.2. Because they are not in receipt of or eligible to receive property or benefits from the government, they owe no CIVIL STATUTORY obligations to that government or any STATUTORY "citizen" or STATUTORY "resident", as "obligations" are described in [California Civil Code Section 1428](#). This means they are not party to any contracts or compacts and have injured NO ONE as injury is defined NOT by statute, but by the common law. See [Form #12.040](#) for further details on the definition of "obligations".
- 5.3. Because they owe no statutory civil obligations, the definition of "justice" REQUIRES that they MUST be left alone by the government. See [Form #05.050](#) for a description of "justice".
6. For the purposes of citizenship on government forms:
  - 6.1. Does NOT identify as a STATUTORY "citizen" ([8 U.S.C. §1401](#) and [26 C.F.R. §1.1-1\(c\)](#)), "resident" (alien under [26 U.S.C. §7701\(b\)\(1\)\(A\)](#)), "U.S. citizen" (not defined in any statute), "U.S. resident" (not defined in any statute), or "U.S. person" ([26 U.S.C. §7701\(a\)\(30\)](#)).
  - 6.2. Identifies himself as a "national" per [8 U.S.C. §1101\(a\)\(21\)](#) and per common law by virtue of birth or naturalization within the CONSTITUTIONAL "United States\*\*\*".
7. Earnings originate from outside:
  - 7.1. The [STATUTORY "United States\\*\\*"](#) as defined in [26 U.S.C. §7701\(a\)\(9\) and \(a\)\(10\)](#) (federal zone) and
  - 7.2. The U.S. government federal corporation as a privileged legal fiction.  
Thus, their earnings are not includible in "gross income" under [26 U.S.C. §871](#) and are a "foreign estate" under [26 U.S.C. §7701\(a\)\(31\)](#). See [26 U.S.C. §872](#) and [26 C.F.R. §1.872-2\(f\)](#) and [26 C.F.R. §1.871-7\(a\)\(4\)](#) and [26 U.S.C. §861\(a\)\(3\)\(C\)\(i\)](#) for proof.
8. Does not and cannot earn STATUTORY "wages" as defined in [26 U.S.C. §3401\(a\)](#) for services performed outside the [STATUTORY "United States\\*\\*"](#) as defined in [26 U.S.C. §7701\(a\)\(9\) and \(a\)\(10\)](#) (federal zone) and the CORPORATION "United States" as a legal fiction. Not subject to "wage" withholding of any kind for such services per:
  - 8.1. [26 C.F.R. §31.3401\(a\)\(6\)-1\(b\)](#) in the case of income tax.
  - 8.2. [26 C.F.R. §31.3121\(b\)-3\(c\)\(1\)](#) in the case of Social Security.
9. Expressly exempt from income tax reporting under:
  - 9.1. [26 C.F.R. §1.1441-1\(b\)\(5\)\(i\)](#).
  - 9.2. [26 C.F.R. §1.1441-1\(e\)\(1\)\(ii\)\(A\)\(1\)](#).
  - 9.3. [26 C.F.R. §1.6041-4\(a\)\(1\)](#).
10. Exempt from backup withholding because earnings are not reportable by [26 U.S.C. §3406](#). Only "reportable payments" are subject to such withholding.
11. Because they are exempt from income tax reporting and therefore withholding, they have no "taxable income".
  - 11.1. Only reportable income is taxable.
  - 11.2. There is NO WAY provided within the Internal Revenue Code to make earnings not connected to a [statutory "trade or business"/public office \(Form #05.001\)](#) under [26 U.S.C. §6041](#) reportable.
  - 11.3. The only way to make earnings of a nonresident alien not engaged in the "trade or business" franchise taxable under [26 U.S.C. §871\(a\)](#) is therefore only when the PAYOR is lawfully engaged in a "trade or business" but the PAYEE is not. This situation would have to involve the U.S. government ONLY and not private parties in the states of the Union. The information returns would have to be a [Form 1042s](#). It is a crime under [18 U.S.C. §91](#) for a private party to occupy a public office or to impersonate a public office, and Congress cannot establish public offices within the exclusive jurisdiction of the states of the Union to tax them, according to the [License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 68 S.Ct. 331 \(1866\)](#).



12. Continue to be a "[national of the United States](#)" ([Form #05.006](#)) and not lose their CONSTITUTIONAL citizenship while filing form 1040NR. See [26 U.S.C. §873\(b\)\(3\)](#). They do NOT need to "expatriate" their nationality to file as a "nonresident alien" and will not satisfy the conditions in [26 U.S.C. §877](#) (expatriation to avoid tax). Expatriation is loss of NATIONALITY, and NOT loss of STATUTORY "citizen" status under [8 U.S.C. §1401](#).
13. If they submit a Form W-8BEN to control withholding and revoke their Form W-4, then they:
- 13.1 Can submit [SSA Form 7008](#) to correct your SSA earnings to zero them out. See [SEDM Form #06.042](#).
- 13.2 Can use [IRS Form 843](#) to request a full refund or abatement of all FICA and Medicare taxes withheld if the employer or business associate continues to file W-2 forms or withhold against your wishes. See [SEDM Form #06.043](#).
14. Are eligible to replace the SSN with a TEMPORARY International Taxpayer Identification Number (ITIN) that expires AUTOMATICALLY every year and is therefore NOT permanent and changes. If you previously applied for an SSN and were ineligible to participate, you can terminate the SSN and replace it with the ITIN. If you can't prove you were ineligible for Social Security, then they will not allow you to replace the SSN with an ITIN. See:
- 14.1. [Form W-7](#) for the application.
- 14.2. [Understanding Your IRS Individual Taxpayer Identification Number, Publication 1915](#)
- 14.3. [Why You Aren't Eligible for Social Security, Form #06.001](#) for proof that no one within the exclusive jurisdiction of a constitutional state of the Union is eligible for Social Security.
15. Must file the paper version of IRS Form 1040NR, because there are no electronic online providers that automate the preparation of the form or allow you to attach the forms necessary to submit a complete and accurate return that correctly reflects your status. This is in part because the IRS doesn't want to make it easy or convenient to leave their slave plantation.
16. Is a SUBSET of "[nonresident aliens](#)" who are not required to have or to use Social Security Numbers (SSNs) or Taxpayer Identification Numbers (TINs) in connection with tax withholding or reporting. They are expressly exempted from this requirement by:
- 16.1. [31 C.F.R. §1020.410\(b\)\(3\)\(x\)](#) .
- 16.2. [26 C.F.R. §301.6109-1\(b\)\(2\)](#).
- 16.3. [W-8BEN Inst. p. 1,2,4,5 \(Cat 25576H\)](#).
- 16.4. [Instructions for the Requesters of Forms W-8BEN, W-8BEN-E, W-8ECI, W-8EXP, and W-8IMY, p. 1,2,6 \(Cat 26698G\)](#).
- 16.5. [Pub 515 Inst. p. 7 \(Cat. No 16029L\)](#).
- More on SSNs and TINs at:
- [About SSNs and TINs on Government Forms and Correspondence, Form #05.012](#)  
<https://sedm.org/Forms/05-MemLaw/AboutSSNsAndTINs.pdf>  
[About SSNs and TINs on Government Forms and Correspondence, Form #04.104](#)  
<https://sedm.org/Forms/04-Tax/1-Procedure/AboutSSNs/AboutSSNs.htm>

They are "non-persons" BY VIRTUE of not benefitting from any civil statutory privilege and therefore being "PRIVATE". By "privilege", we mean ANY of the things described in [5 U.S.C. 553\(a\)\(2\)](#):

[5 U.S. Code § 553 - Rule making](#)

*(a) This section applies, according to the provisions thereof, except to the extent that there is involved—*

*[. . .]*

*(2) a matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts.*

The above items all have in common that they are PROPERTY coming under [Article 4, Section 3, Clause 2](#) of the Constitution that is loaned or possessed or granted temporarily to a human being with legal strings attached. Thus, Congress has direct legislative jurisdiction not only over the property itself, but over all those who USE, BENEFIT FROM, or HAVE such property physically in their custody or within their temporary control. We remind the reader that Congress enjoys control over their own property NO MATTER WHERE it physically is, including states of the Union, and that it is the MAIN source of their legislative jurisdiction within the exclusive jurisdiction of Constitutional states of the Union!:

[United States Constitution](#)  
[Article 4, Section 3, Clause 2](#)

1           *The Congress shall have Power to dispose of and make all needful Rules and Regulations*  
2           *respecting the Territory or other Property belonging to the United States; and nothing in*  
3           *this Constitution shall be so construed as to Prejudice any Claims of the United States, or*  
4           *of any particular State.*

5  
6           **“The Constitution permits Congress to dispose of and to make all needful rules and**  
7           **regulations respecting the territory or other property belonging to the United States.**  
8           **This power applies as well to territory belonging to the United States within the States,**  
9           **as beyond them. It comprehends all the public domain, wherever it may be. The**  
10           **argument is, that the power to make ‘ALL needful rules and regulations’ ‘is a power**  
11           **of legislation,’ ‘a full legislative power;’ ‘that it includes all subjects of legislation in**  
12           **the territory,’ and is without any limitations, except the positive prohibitions which**  
13           **affect all the powers of Congress. Congress may then regulate or prohibit slavery upon**  
14           **the public domain within the new States, and such a prohibition would permanently affect**  
15           **the capacity of a slave, whose master might carry him to it. And why not? Because no**  
16           **power has been conferred on Congress. This is a conclusion universally admitted. But the**  
17           **power to ‘make rules and regulations respecting the territory’ is not restrained by**  
18           **State lines, nor are there any constitutional prohibitions upon its exercise in the**  
19           **domain of the United States within the States; and whatever rules and regulations**  
20           **respecting territory Congress may constitutionally make are supreme, and are not**  
21           **dependent on the situs of ‘the territory.’”**  
22           *[Dred Scott v. Sandford, 60 U.S. 393, 509-510 (1856)]*

23       By property, we mean all the things listed in [5 U.S.C. §553\(a\)\(2\)](#) such as SSNs (property of the government per [20 C.F.R.](#)  
24       [§422.103\(d\)](#)), contracts (which are property), physical property, chattel property, "benefits", "offices", [civil statuses](#),  
25       privileges, civil statutory remedies, etc. A "[public office](#)" is, after all, legally defined as someone in charge of the PROPERTY  
26       of the "public",

27           **“Public office. The right, authority, and duty created and conferred by law, by which for**  
28           **a given period, either fixed by law or enduring at the pleasure of the creating power, an**  
29           **individual is invested with some portion of the sovereign functions of government for the**  
30           **benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58. An agency for the**  
31           **state, the duties of which involve in their performance the exercise of some portion of the**  
32           **sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R.**  
33           **1239; Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377,**  
34           **214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 Ind.App. 493, 129 N.E. 878. State ex**  
35           **rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486. Where,**  
36           **by virtue of law, a person is clothed, not as an incidental or transient authority, but**  
37           **for such time as de- notes duration and continuance, with Independent power to**  
38           **control the property of the public, or with public functions to be exercised in the**  
39           **supposed interest of the people, the service to be compensated by a stated yearly salary,**  
40           **and the occupant having a designation or title, the position so created is a public office.**  
41           *State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593.*  
42           *[Black’s Law Dictionary, Fourth Edition, p. 1235]*

43       Even the public office ITSELF is property of the national government, so those claiming any civil statutory status are claiming  
44       a civil office within the government. It is otherwise unconstitutional to regulate private property or private rights. The only  
45       way you can surrender your private status is voluntarily adopt an office or civil status or the "benefits", "rights", or privileges  
46       attaching to said office or status, as we prove in:

- 47       1. [Civil Status \(Important!\)-SEDM](#)  
48       <https://sedm.org/litigation-main/civil-status/>  
49       2. [Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008](#)  
50       <https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>  
51       3. [Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037](#)  
52       <https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

1 It is custody or "benefit" or control of government/public property that grants government control over those handling or  
2 using such property:

3 *"The State in such cases exercises no greater right than an individual may exercise over*  
4 *the use of his own property when leased or loaned to others. The conditions upon which*  
5 *the privilege shall be enjoyed being stated or implied in the legislation authorizing its*  
6 *grant, no right is, of course, impaired by their enforcement. The recipient of the privilege,*  
7 *in effect, stipulates to comply with the conditions. It matters not how limited the privilege*  
8 *conferred, its acceptance implies an assent to the regulation of its use and the*  
9 *compensation for it."*  
10 [\[Munn v. Illinois, 94 U.S. 113 \(1876\)\]](#)

11  
12 *"The rich rules over the poor,*  
13 *And the borrower is servant to the lender."*  
14 [\[Prov. 22:7, Bible, NKJV\]](#)

15  
16 ***Curses of Disobedience [to God's Laws]***

17 *"The alien [\[Washington, D.C. is legislatively "alien" in relation to states of the Union\]](#)*  
18 *who is among you shall rise higher and higher above you, and you shall come down*  
19 *lower and lower [\[malicious destruction of EQUAL PROTECTION and EQUAL](#)*  
20 *TREATMENT by abusing FRANCHISES]. He shall lend to you [\[Federal Reserve](#)*  
21 *counterfeiting franchise], but you shall not lend to him; he shall be the head, and you*  
22 *shall be the tail.*

23 *"Moreover all these curses shall come upon you and pursue and overtake you, until you*  
24 *are destroyed, because you did not obey the voice of the Lord your God, to [keep His](#)*  
25 *commandments and His statutes which He commanded you. And they shall be upon you*  
26 *for a sign and a wonder, and on your descendants forever.*

27 *"Because you did not serve [ONLY] the Lord your God with joy and gladness of heart, for*  
28 *the abundance of everything, therefore you shall serve your [covetous thieving lawyer]*  
29 *enemies, whom the Lord will send against you, in hunger, in thirst, in nakedness, and in*  
30 *need of everything; and He will put a yoke of iron [\[franchise codes\]](#) on your neck until He*  
31 *has destroyed you. The Lord will bring a nation against you from afar [the District of*  
32 *CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle],*  
33 *a nation [whose language \[LEGALESE\] you will not understand](#), a nation of fierce*  
34 *[coercive and fascist] countenance, which does not respect the elderly [assassinates them*  
35 *by denying them healthcare through bureaucratic delays on an Obamacare waiting list]*  
36 *nor show favor to the young [destroying their ability to learn in the public FOOL system].*  
37 *And they shall eat the increase of your livestock and the produce of your land [\[with "trade](#)*  
38 *or business" franchise taxes], until you [and all your property] are destroyed [\[or](#)*  
39 *[STOLEN/CONFISCATED\]](#); they shall not leave you grain or new wine or oil, or the*  
40 *increase of your cattle or the offspring of your flocks, until they have destroyed you.*  
41 [\[Deut. 28:43-51, Bible, NKJV\]](#)

42 You cannot MIX or comingle PRIVATE property with PUBLIC property without converting the PRIVATE property  
43 ownership from absolute to qualified. You must keep them SEPARATE at all times and it is the MAIN and MOST  
44 IMPORTANT role of government to maintain that separation. Governments, after all, are created ONLY to protect private  
45 property and the FIRST step in that protection is to protect PRIVATE property from being converted to PUBLIC property.  
46 For proof, see:

[Separation Between Public and Private Course, Form #12.025](#)  
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

What Congress is doing is abusing its own property to in effect create "de facto public offices" within the government, in violation of [4 U.S.C. §72](#), as is proven in:

*Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union*, Form #05.052  
<https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf>

This is how we describe the reason why people should avoid privileges and thereby avoid possession, custody, use, or "benefit" of government/public property on the opening page of our site:

*"People of all races, genders, political beliefs, sexual orientations, and nearly all religions are welcome here. All are treated equally under REAL "law". The only way to remain truly free and equal under the civil law is to avoid seeking government civil services, benefits, property, special or civil status, exemptions, privileges, or special treatment. All such pursuits of government services or property require individual and lawful consent to a franchise and the surrender of inalienable constitutional rights AND EQUALITY in the process, and should therefore be AVOIDED. The rights and equality given up are the "cost" of procuring the "benefit" or property from the government, in fact. Nothing in life is truly "free". Anyone who claims that such "benefits" or property should be free and cost them nothing is a thief who wants to use the government as a means to STEAL on his or her behalf. All just rights spring from responsibilities/obligations under the laws of a higher power. If that higher power is God, you can be truly and objectively free. If it is government, you are guaranteed to be a slave because they can lawfully set the cost of their property as high as they want as a Merchant under the U.C.C. If you want it really bad from people with a monopoly, then you will get it REALLY bad. Bend over. There are NO constitutional limits on the price government can charge for their monopoly services or property. Those who want no responsibilities can have no real/PRIVATE rights, but only privileges dispensed to wards of the state which are disguised to LOOK like unalienable rights. Obligations and rights are two sides of the same coin, just like self-ownership and personal responsibility. For the biblical version of this paragraph, read 1 Sam. 8:10-22. For the reason God answered Samuel by telling him to allow the people to have a king, read Deut. 28:43-51, which is God's curse upon those who allow a king above them. [Click Here](#) (<https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>) for a detailed description of the legal, moral, and spiritual consequences of violating this paragraph."*  
[SEDM Opening Page: <http://sedm.org>]

"Non-resident Non-Person" or "non-person" are synonymous with "transient foreigner", "in transitu", and "stateless" (in relation to the national government). We invented this term. The term does not appear in federal statutes because statutes cannot even define things or people who are not subject to them and therefore foreign and sovereign. The term "non-individual" used on this site is equivalent to and a synonym for "non-person" on this site, even though STATUTORY "individuals" are a SUBSET of "persons" within the Internal Revenue Code. Likewise, the term "private human" is also synonymous with "non-person". Hence, a "non-person":

1. Retains their sovereign immunity. They do not waive it under the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97 or the longarm statutes of the state they occupy.
2. Is protected by the United States Constitution and not federal statutory civil law.
3. May not have federal statutory civil law cited against them. If they were, a violation of Federal Rule of Civil Procedure 17 and a constitutional tort would result if they were physically present on land protected by the United States Constitution within the exterior limits of states of the Union.
4. Is on an equal footing with the United States government in court. "Persons" would be on an UNEQUAL, INFERIOR, and subservient level if they were subject to federal territorial law.

Don't expect vain public servants to willingly admit that there is such a thing as a human "non-person" who satisfies the above criteria because it would undermine their systematic and treasonous plunder and enslavement of people they are supposed to be protecting. However, the U.S. Supreme Court has held that the "right to be left alone" is the purpose of the constitution. *Olmstead v. United States*, 277 U.S. 438. A so-called "government" that refuses to leave you alone or respect or protect your sovereignty and equality in relation to them is no government at all and has violated the purpose of its creation described in

the Declaration of Independence. Furthermore, anyone from the national or state government who refuses to enforce this status, or who imputes or enforces any status OTHER than this status under any law system other than the common law is:

1. "purposefully availing themselves" of commerce within OUR jurisdiction.
2. STEALING, where the thing being STOLEN are the public rights associated with the statutory civil "status" they are presuming we have but never expressly consented to have.
3. Engaging in criminal identity theft, because the civil status is associated with a domicile in a place we are not physically in and do not consent to a civil domicile in.
4. Consenting to our Member Agreement.
5. Waiving official, judicial, and sovereign immunity.
6. Acting in a private and personal capacity beyond the statutory jurisdiction of their government employer.
7. Compelling us to contract with the state under the civil statutory "social compact".
8. Interfering with our First Amendment right to freely and civilly DISASSOCIATE with the state.
9. Engaged in a constitutional tort.

If freedom and self-ownership or "ownership" in general means anything at all, it means the right to deny any and all others, including governments, the ability to use or benefit in any way from our body, our exclusively owned private property, and our labor.

*"We have repeatedly held that, as to property reserved by its owner for private use, "the right to exclude [others is] `one of the most essential sticks in the bundle of rights that are commonly characterized as property.' "* [\*Loretto v. Teleprompter Manhattan CATV Corp.\*, 458 U.S. 419, 433 \(1982\)](#), quoting [\*Kaiser Aetna v. United States\*, 444 U.S. 164, 176 \(1979\)](#).

*"*  
*[Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]*

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*"In this case, we hold that the "right to exclude," so universally held to be a fundamental element of the property right,[11] falls within this category of interests that the Government cannot take without compensation."*  
*[Kaiser Aetna v. United States, 444 U.S. 164 (1979)]*

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#### FOOTNOTES:

*[11] See, e. g., [\*United States v. Pueblo of San Ildefonso\*, 206 Ct.Cl. 649, 669-670, 513 F.2d. 1383, 1394 \(1975\)](#); [\*United States v. Lutz\*, 295 F.2d. 736, 740 \(CA5 1961\)](#). As stated by Mr. Justice Brandeis, "[a]n essential element of individual property is the legal right to exclude others from enjoying it." [\*International News Service v. Associated Press\*, 248 U.S. 215, 250 \(1918\) \(dissenting opinion\)](#).*

### 3.26 "Advice" or "legal advice"

The term "advice" or "legal advice" means education about tools, facts, remedies, and options for making your own informed choice. It does not include any method of: 1. Transferring liability or responsibility from the person asking to the person responding; 2. Anything that could be classified as "legal advice" or "law practice" as used in any statute or enacted law; 3. Anything that could be classified as factual or a basis for belief or reliance upon the person asked in connection with commercial speech subject to government protection or regulation.

### 3.27 Socialism

The term "socialism" means any attempt by any government to use civil legislation to abolish private property or to convert private property ownership to public property, public rights, or privileges, whether by consent or by theft. "Ownership" and "control" are synonymous for the purpose of this definition. Such property includes land, labor, physical objects, chattel property, or constitutional rights.



Examples of the implementation of socialism include the following activities by government:

1. Government Franchises and licensing. See:

*Government instituted Slavery Using Franchises*, Form #05.030

<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

2. Civil statutes when enforced against those not consensually serving WITHIN the government. See:

*Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037

<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

3. Domicile, which is a civil statutory protection franchise. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002

<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

4. Income and excise taxation. See:

*The "Trade or Business" Scam*, Form #05.001

<https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf>

5. Extraterritorial civil enforcement under the COLOR, but without the actual AUTHORITY of law, against parties not domiciled within the jurisdiction or venue doing the enforcement. See:

*Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union*, Form #05.052

<https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf>

6. Any attempt to change the [civil status \(Form #13.008\)](#) of parties situated extraterritorially without the exclusive jurisdiction of the lawmaker with or without their express or implied [consent \(Form #05.003\)](#). The result is that they are made to APPEAR as parties domiciled within the civil jurisdiction or venue of the lawmaker. See:

*Government Identity Theft*, Form #05.046

<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

7. Any attempt to offer a "benefit" or franchise without recognizing or enforcing the right to NOT participate or to quit on any and every form administering the program. Thus, the program is TREATED as mandatory by fiat but in fact is voluntary. This violates the common law maxim that you have a right to refuse a "benefit". See:

*Avoiding Traps in Government Forms Course*, Form #12.023

<https://sedm.org/LibertyU/AvoidingTrapsGovForms.pdf>

The result of implementing socialism through civil legislation is ultimately to abolish constitutional or common law protections for property, and to replace them with legislatively granted civil privileges that come with obligations and a corresponding surrender of said rights. Below is how we describe this process on the opening page of our website:

"People of all races, genders, political beliefs, sexual orientations, and nearly all religions are welcome here. All are treated equally under REAL "law". The only way to remain truly free and equal under the civil law is to avoid seeking government civil services, benefits, property, [special or civil status](#), exemptions, privileges, or special treatment. All such pursuits of government services or property require [individual and lawful consent to a franchise](#) and the surrender of [inalienable constitutional rights](#) AND [EQUALITY](#) in the process, and should therefore be AVOIDED. The rights and equality given up are the "cost" of procuring the "benefit" or property from the government, in fact. Nothing in life is truly "free". Anyone who claims that such "benefits" or property should be free and cost them nothing is a thief who wants to use the government as a means to STEAL on his or her behalf. All [just rights](#) spring from responsibilities/obligations under the [laws of a higher power](#). If that higher power is God, you can be [truly and objectively free](#). If it is government, you are [guaranteed to be a slave](#) because they can lawfully set the cost of their property as high as they want as a Merchant under the U.C.C. [If you want it really bad from people with a monopoly, then you will get it REALLY bad. Bend over.](#) There are NO constitutional limits on the price government can charge for their monopoly services or property. Those who want no responsibilities can have no [real/PRIVATE rights](#), but only privileges dispensed to wards of the state which are disguised to LOOK like unalienable rights. Obligations and rights are two sides of the same coin, just like self-ownership and personal responsibility. For the biblical version of this paragraph, read [1 Sam. 8:10-22](#). For the reason God answered Samuel by telling him to allow the people to have a king, read [Deut. 28:43-51](#), which is God's curse upon those who allow a king above them. [Click Here](#) (<https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>)

for a detailed description of the legal, moral, and spiritual consequences of violating this paragraph.”  
[SEDM Website Opening Page; <http://sedm.org>]

For the purpose of this definition "socialism" does NOT include "social control over the means of production" as most contemporary reference sources FALSELY identify it. Early dictionaries defined it consistent with our definition but over the years, the word has fairly recently been redefined to REMOVE the mention of abolition of private property from the definition. This was done so that statists would conveniently stop having to APOLOGIZE for government theft through the legislative process. For examples of this phenomenon, see:

[Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "socialism"](https://famguardian.org/TaxFreedom/CitesByTopic/Socialism.htm)  
<https://famguardian.org/TaxFreedom/CitesByTopic/Socialism.htm>

It is important to emphasize here that when you want to stop public opposition to a government activity such as theft or conversion of private property, the easiest way is to redefine terms so that there is no word that accurately refers to the activity that is being opposed. The result is that you have eliminated vocabulary that could describe the thing being opposed, and thus to eliminate the political opposition entirely. This approach, in fact, is the heart of the modern phenomenon of "[Identity politics](#)": Control public opinion and public opposition by controlling language.

An important goal of this website is to ELIMINATE all forms of socialism as defined here, and thus to restore the supremacy of individual rights over governmental rights to our political and democratic processes and institutions. For details on the evils of socialism, see:

1. *Socialism: The New American Civil Religion*, Form #05.016  
<https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf>
2. *Social Security: Mark of the Beast*, Form #11.407  
<http://famguardian.org/Publications/SocialSecurity/TOC.htm>

### 3.28 “Grant” or “loan”

The term "grant" or "loan", in the context of this website and especially in relation to any type of property or right or to "franchises" generally, means a temporary conveyance or transfer of physical custody or possession of absolutely owned property with legal strings or conditions attached by the grantor in which there are no moities or usufructs over the property held or reserved by the party to whom the property is loaned or temporarily conveyed.

1. The grantor or lender is the "Merchant" under U.C.C. §2-104(1).
2. The recipient or borrower of the property conveyed is the "Buyer" under U.C.C. §2-103(1)(a).
3. The property loaned can include land, physical/chattel property, rights, or privileges.
4. The legal relation or "privity" created between the grantor and the borrower or recipient is referred to as a "franchise". All franchises are contracts or agreements of one kind or another. Franchises are defined as "a privilege [meaning "property"] in the HANDS of a subject". Receipt of the property by the Buyer, in fact is what MAKES them the "subject"

In the context of GOVERNMENT grants of property:

1. This conveyance of property is the foundation of ALL governmental civil statutory privileges and most civil statutory law, as explained in [Why Civil Statutory Law is Law for Government and Not Private Persons, Form #05.037](#).
2. The constitutional authority for such grants is [Article 4, Section 3, Clause 2](#) of the U.S. Constitution, which allows Congress to "dispose of and make all needful rules and Regulations respecting the Territory or other property belonging to the United States".
3. Those receiving the granted property and the associated privileges essentially waive their constitutional rights under the Brandeis Rules of the U.S. Supreme Court, [Ashwander v. Tennessee Valley Authority, 297 U.S. 288, 56 S.Ct. 466 \(1936\)](#).
4. Individual agencies of the government are created to manage the SPECIFIC property and franchises and privileges loaned or granted, and such agencies DO NOT have jurisdiction over PRIVATE parties NOT in receipt or eligible to receive said property. These agencies are referred to as "the administrative state". [Click here](#) for details on the "Administrative State".
5. Types of property that may be loaned must fit within [5 U.S.C. §553\(a\)\(2\)](#).



6. In the context of GOVERNMENT property so granted or loaned to the public, the party in temporary custody of the property is legally defined as a "public officer" subject to DIRECT legislative control of Congress WITHOUT the need for implementing regulations pursuant to [5 U.S.C. §553\(a\)](#), and [44 U.S.C. §1505\(a\)\(1\)](#).

*"**Public office.** The right, authority, and duty created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of government for the benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58. An agency for the state, the duties of which involve in their performance the exercise of some portion of the sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239; Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377, 214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 Ind.App. 493, 129 N.E. 878. State ex rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486. **Where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for such time as de- notes duration and continuance, with Independent power to control the property of the public,** or with public functions to be exercised in the supposed interest of the people, the service to be compensated by a stated yearly salary, and the occupant having a designation or title, the position so created is a public office. State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593.  
[Black's Law Dictionary, Fourth Edition, p. 1235]*

7. Jurisdiction over government property extends EXTRATERRITORIALLY and INTERNATIONALLY, and thus grants can occur anywhere in the world and may cross state borders and reach into a Constitutional state of the Union.
8. There is NO CONSTITUTIONAL AUTHORITY EXPRESSLY GRANTED that allows government to abuse government property to CREATE new public offices. This is a usurpation and an invasion of the states in violation of [Article 4, Section 4](#) of the Constitution.
9. This source of jurisdiction is the MAIN source of jurisdiction in the case of the income tax, which is an excise tax and a franchise tax upon federal offices legislatively created by Congress but usually implemented ILLEGALLY and UNCONSTITUTIONALLY within states of the Union, as described in [Challenge to Income Tax Enforcement Authority within Constitutional States of the Union, Form #05.052](#).

*"Thus, Congress having power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes, may, without doubt, provide for **granting** coasting **licenses**, licenses to pilots, licenses to trade with the Indians, and any other **licenses** necessary or proper for the exercise of that great and extensive power; and the same observation is applicable to every other power of Congress, to the exercise of which the granting of licenses may be incident. All such licenses confer authority, and give rights to the licensee.*

*But very different considerations apply to the **internal commerce or domestic trade** of the States. Over this commerce and trade Congress has **no power of regulation nor any direct control**. This power belongs **exclusively** to the States. **No interference by Congress with the business of citizens transacted within a State is warranted by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the legislature.** The power to authorize a business within a State is plainly repugnant to the exclusive power of the State over the same subject. It is true that the power of Congress to tax is a very extensive power. It is given in the Constitution, with only one exception and only two qualifications. Congress cannot tax exports, and it must impose direct taxes by the rule of apportionment, and indirect taxes by the rule of uniformity. Thus limited, and thus only, it reaches every subject, and may be exercised at discretion. But, it reaches only existing subjects. **Congress cannot authorize [e.g. LICENSE using a Social Security Number] a trade or business within a State in order to tax it."**  
[License Tax Cases, [72 U.S. 462](#), 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866) ]*

God vehemently forbids Christians from participating in any grants or loans of government property and warns Christians that they will be CURSED if they participate. This curse is the STRONGEST and SCARRIEST curse in all the bible:

#### ***Curses of Disobedience [to God's Laws]***

1 *"The alien [Washington, D.C. is legislatively "alien" in relation to states of the Union]*  
2 *who is among you shall rise higher and higher above you, and you shall come down*  
3 *lower and lower [malicious destruction of EQUAL PROTECTION and EQUAL*  
4 *TREATMENT by abusing FRANCHISES]. He shall lend to you [Federal Reserve*  
5 *counterfeiting franchise], but you shall not lend to him; he shall be the head, and you*  
6 *shall be the tail.*

7 *"Moreover all these curses shall come upon you and pursue and overtake you, until you*  
8 *are destroyed, because you did not obey the voice of the Lord your God, to keep His*  
9 *commandments and His statutes which He commanded you. And they shall be upon you*  
10 *for a sign and a wonder, and on your descendants forever.*

11 *"Because you did not serve [ONLY] the Lord your God with joy and gladness of heart, for*  
12 *the abundance of everything, therefore you shall serve your [covetous thieving lawyer]*  
13 *enemies, whom the Lord will send against you, in hunger, in thirst, in nakedness, and in*  
14 *need of everything; and He will put a yoke of iron [franchise codes] on your neck until He*  
15 *has destroyed you. The Lord will bring a nation against you from afar [the District of*  
16 *CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle],*  
17 *a nation whose language [LEGALESE] you will not understand, a nation of fierce*  
18 *[coercive and fascist] countenance, which does not respect the elderly [assassinates them*  
19 *by denying them healthcare through bureaucratic delays on an Obamacare waiting list]*  
20 *nor show favor to the young [destroying their ability to learn in the public FOOL system].*  
21 *And they shall eat the increase of your livestock and the produce of your land [with "trade*  
22 *or business" franchise taxes], until you [and all your property] are destroyed [or*  
23 *STOLEN/CONFISCATED]; they shall not leave you grain or new wine or oil, or the*  
24 *increase of your cattle or the offspring of your flocks, until they have destroyed you.*  
25 *[Deut. 28:43-51, Bible, NKJV]*

26 The reason God forbids becoming and borrower of government property is that the legal relation created by the transaction,  
27 being a franchise or contract or agreement, causes conflicts of interest and allegiance and sin.

28 *"The rich rules over the poor,*  
29 *And the borrower is servant to the lender."*  
30 *[Prov. 22:7, Bible, NKJV]*

31  

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

39  

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40 *"I [God] brought you up from Egypt [slavery] and brought you to the land of which I swore*  
41 *to your fathers; and I said, 'I will never break My covenant with you. And you shall make*  
42 *no covenant [contract or franchise or agreement of ANY kind] with the inhabitants of*  
43 *this [corrupt pagan] land; you shall tear down their [man/government worshipping*  
44 *socialist] altars.' But you have not obeyed Me. Why have you done this?*

45 *"Therefore I also said, I will not drive them out before you; but they will become as*  
46 *thorns [terrorists and persecutors] in your side and their gods will be a snare [slavery!]*  
47 *to you."*

1                   *So it was, when the Angel of the LORD spoke these words to all the children of Israel, that*  
2                   *the people lifted up their voices and wept.*  
3                   *[Judges 2:1-4, Bible, NKJV]*

4       God also says that the only thing that Christians are allowed to be in relation to any and all governments is Merchants.

5                   *"For the Lord your God will bless you just as He promised you; **you shall lend to many***  
6                   ***nations, but you shall not borrow**; you shall reign over many nations, but they shall not*  
7                   *reign over you."*  
8                   *[Deut. 15:6, Bible, NKJV]*

9                   *"The Lord will open to you His good treasure, the heavens, to give the rain to your land in*  
10                  *its season, and to bless all the work of your hand. **You shall lend to many nations, but***  
11                  ***you shall not borrow**."*  
12                  *[Deut. 28:12, Bible, NKJV]*

13                  *"**You shall not charge interest to your brother**--interest on money or food or anything that*  
14                  *is lent out at interest."*  
15                  *[Deut. 23:19, Bible, NKJV ]*

16                  *"To a foreigner you may charge interest, but to your brother you shall not charge interest,*  
17                  *that the Lord your God may bless you in all to which you set your hand in the land which*  
18                  *you are entering to possess."*  
19                  *[Deut. 23:20, Bible, NKJV]*

20       For more information on the subject of franchises and their perils and pitfalls, see:

- 21       1. Government Franchises Course, Form #12.012  
22           <https://sedm.org/Forms/FormIndex.htm>
- 23       2. Government Instituted Slavery Using Franchises, Form #05.030  
24           <https://sedm.org/Forms/FormIndex.htm>
- 25       3. How Scoundrels Corrupted Our Republican Form of Government, Family Guardian Fellowship (OFFSITE LINK)  
26           <https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>

27       For tools and tactics to FIGHT the EXTRATERRITORIAL abuse of franchises and the UNCONSTITUTIONAL grants of  
28       government property that implement them, see:

- 29       1. Path to Freedom, Form #09.015, Sections 5.3 through 5.8  
30           <https://sedm.org/Forms/FormIndex.htm>
- 31       2. Separation Between Public and Private Course, Form #12.025  
32           <https://sedm.org/Forms/FormIndex.htm>
- 33       3. Private Right or Public Right? Course, Form #12.044  
34           <https://sedm.org/Forms/FormIndex.htm>
- 35       4. Lawfully Avoiding Government Obligations Course, Form #12.040  
36           <https://sedm.org/Forms/FormIndex.htm>
- 37       5. Proof of Claim: Your Main Defense Against Government Greed and Corruption, Form #09.073  
38           <https://sedm.org/Forms/FormIndex.htm>
- 39       6. Federal Enforcement Authority Within States of the Union, Form #05.032  
40           <https://sedm.org/Forms/FormIndex.htm>
- 41       7. Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union, Form #05.052  
42           <https://sedm.org/Forms/FormIndex.htm>
- 43       8. Administrative State: Tactics and Defenses Course, Form #12.041  
44           <https://sedm.org/Forms/FormIndex.htm>

### 45       **3.29 Rules for interpreting words or terms that are not expressly defined**

46       ***Other than the words defined above, all words used on this website and in the materials on it shall:***

1. Have only the common meaning ascribed to them.
2. Be associated with the EXCLUSIVELY PRIVATE status beyond the reach of civil statutory law.
3. NOT be construed in any way to have the statutory meaning found in any federal or state law.
4. NOT be associated with a "public office", "publici juris", or "public interest", or anything within the CIVIL jurisdiction of any state or federal court.
5. Be subject to enforcement only in the context of the common law where perfect equity and equality is enforced between the government and any and every human being.

The only exception to this rule is that when a word is surrounded in quotation marks and preceded or succeeded by an indication of the legal definition upon which it is based, then and only then will it assume the legal definition.

The legal or statutory definitions for words used by this ministry in turn:

1. Shall be based FIRST upon statutory definitions provided.
2. Shall conclusively be presumed to EXCLUDE the ordinary or EXCLUSIVELY PRIVATE civil context for the meaning of words. This is because the ability to regulate EXCLUSIVELY PRIVATE conduct is REPUGNANT TO THE CONSTITUTION as held by the U.S. Supreme Court.
3. Shall rely FIRST on the [Sovereignty Forms and Instructions Online, Form #10.004, Cites By Topic](http://famguardian.org/TaxFreedom/FormsInstr-Cites.htm) for the statutory definitions.
4. May not ADD anything not EXPRESSLY appearing in any statute in which they are defined, if a statutory definition is provided. Any attempt to do so shall be interpreted as TREASON by the judge or government prosecutor who attempts it.

**"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)]

The purpose of this requirement is to [eliminate ALL presumptions](#) from any legal proceeding about what we might write or say so that such false and unauthorized presumptions *cannot* be used to discredit or slander us or prejudice our rights or sovereignty. For instance, here are two examples:

Statement from this website	Meaning
Wages are not taxable	Earnings from labor of a human being that <i>do not</i> fit the description of "wages" defined in <a href="#">26 U.S.C. §3401(a)</a> and <a href="#">26 C.F.R. §31.3401(a)-3</a> are not taxable without the consent of the subject.
"Wages" are taxable	Wages as defined in <a href="#">26 U.S.C. §3401(a)</a> and <a href="#">26 C.F.R. §31.3401(a)-3</a> ARE taxable because they fit the legal description of " <a href="#">wages</a> ".

**Key to Capitalization Conventions within Laws.** Whenever you are reading a particular law, including the [U.S. Constitution](#), or a statute, the Sovereign referenced in that law, who is usually the author of the law, is referenced in the law with the first letter of its name capitalized. For instance, in the U.S. Constitution the phrase "**W**e the **P**eople", "**S**tate", and "**C**itizen" are all capitalized, because these were the sovereign entities who were writing the document residing in the **S**tates. This document formed the federal government and gave it its authority. Subsequently, the federal government wrote statutes to implement the intent of the Constitution, and it became the Sovereign, but only in the context of those territories and lands ceded to it by the union states. When that federal government then refers in statutes to federal "States", for instance in [26 U.S.C. §7701\(a\)\(10\)](#) or [4 U.S.C. §110\(d\)](#), then these federal "States" are Sovereigns because they are part of the territory

controlled by the Sovereign who wrote the statute, so they are capitalized. Foreign states referenced in the federal statutes then must be in lower case. The sovereign 50 union states, for example, must be in lower case in federal statutes because of this convention because they are foreign states. *Capitalization is therefore always relative to who is writing the document, which is usually the Sovereign and is therefore capitalized.* The exact same convention is used in the Bible, where all appellations of God are capitalized because they are sovereigns: “Jesus”, “God”, “Him”, “His”, “Father”. These words aren’t capitalized because they are proper names, but because the entity described is a sovereign or an agent or part of the sovereign. The only exception to this capitalization rule is in state revenue laws, where the state legislators use the same capitalization as the Internal Revenue Code for “State” in referring to federal enclaves within their territory because they want to scam money out of you. In state revenue laws, for instance in the California Revenue and Taxation Code (R&TC) sections 17018 and 6017, “State” means a federal State within the boundaries of California and described as part of the Buck Act of 1940 found in [4 U.S.C. §§105-113](#).

**Terms in Quotation Marks:** Whenever a term appears in quotation marks, we are using the statutory or regulatory definition of the term *instead* of the layman’s or dictionary definition. We do this to clarify which definition we mean and to avoid creating the kind of confusion with definitions that our government and the unethical lawyers who work in it are famous for. For instance, when we use say “employee”, we mean the statutory definition of that term found in [26 U.S.C. §3401\(c\)](#) and [26 C.F.R. §31.3401\(c\)-1](#) rather than the common definition everyone uses, which means anyone who receives compensation for their labor. “Employees” are much more narrowly defined in the Internal Revenue Code to mean elected or appointed officers of the U.S. government only. We also put terms in quotation marks if they are new or we just introduced the term, to emphasize that we are trying to explain what the word means.

**Geographical terms:** The following geographical definitions apply within the context of discussions about law.

Law	Federal constitution	Federal statutes	Federal regulations	State constitutions	State statutes	State regulations
Author	Union States/ “We The People”	Federal Government		“We The People”	State Government	
“state”	Foreign country	Union state or foreign country	Union state or foreign country	Other Union state or federal government	Other Union state or federal government	Other Union state or federal government
“State”	Union state	Federal state	Federal state	Union state	Union state	Union state
“in this State” or “in the State” <sup>[1]</sup>	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
“State” <sup>[2]</sup> (State Revenue and taxation code only)	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
“several States”	Union states collectively <sup>[3]</sup>	Federal “States” collectively	Federal “States” collectively	Federal “States” collectively	Federal “States” collectively	Federal “States” collectively
“United States”	states of the Union collectively	Federal United States**	Federal United States**	United States* the country	Federal United States**	Federal United States**

What the above table clearly shows is that the word “State” in the context of federal statutes and regulations means (not includes!) federal States only under [Title 48 of the U.S. Code](#)<sup>[4]</sup>, and these areas do not include any of the 50 Union States. This is true in *most cases and especially in the Internal Revenue Code*. The lower case word “state” in the context of federal statutes and regulations means one of the 50 union states, which are “foreign states”, and “foreign countries” with respect to the federal government as clearly explained in section 5.2.11 of the [Great IRS Hoax, Form #11.302](#) book. In the context of the above, a “Union State” means one of the 50 Union states of the United States\* (the country, not the federal United States\*\*) mentioned in the Constitution for the United States of America.

#### FOOTNOTES:

- <sup>[1]</sup> See California Revenue and Taxation Code, section 6017.  
<sup>[2]</sup> See California Revenue and Taxation Code, section 17018.  
<sup>[3]</sup> See, for instance, U.S. Constitution Article IV, Section 2.  
<sup>[4]</sup> See <https://www.law.cornell.edu/uscode/text/48>



#### 4 Significance of Identifying Numbers Used in Correspondence between Protected Party and either Government or Government Actor

Parties to this agreement stipulate the following facts in connection with all of their interactions:

1. Pursuant to 26 C.F.R. §1.1441-1(c)(3), all “individuals” are “taxpayers” and statutory “aliens”. Consequently, SSNs may only lawfully be used as a substitute for TINs in the case of a statutory but not constitutional alien. Since Protected Person is NOT a statutory alien or statutory “individual” in relation to the national government as a person born within and/or domiciled within the constitutional but not statutory “United States”, then Protected Person would be committing fraud to either obtain or to use a Taxpayer Identification Number from the IRS or to use an SSN in place of a TIN.
2. Statutory “Nonresident aliens” not engaged in the “trade or business”/public office franchise such as myself are not required to have or to use Taxpayer Identification Numbers or Social Security Numbers in connection with any financial arrangement or transaction pursuant to the following:

##### 31 C.F.R. §306.10

*<sup>2</sup> Taxpayer identifying numbers are not required for foreign governments, nonresident aliens not engaged in **trade or business** within the United States, international organizations and foreign corporations not engaged in **trade or business** and not having an office or place of business or a financial or paying agent within the United States, and other persons or organizations as may be exempted from furnishing such numbers under regulations of the Internal Revenue Service.*

3. The terms “Social Security Number”, “SSN”, “Employer Identification Number”, “EIN”, “Taxpayer Identification Number”, or “TIN” as used on any government forms and all correspondence means “Nontaxpayer Identification Number (NIN)”, signifying that the Protected party is a “nontaxpayer” who does not meet the definition of “taxpayer” found in 26 U.S.C. §7701(a)(14), who is not subject to any provision within the Internal Revenue Code, who is a “nonresident alien” not engaged in a “trade or business”, and who has no earnings from within the “United States” as described in 26 U.S.C. §871.
4. The term “Social Security Number” or “SSN” as used on the attached government forms ***IS NOT*** the number issued under the authority of 20 C.F.R. §422.104, which can only lawfully be issued to federal employees, agents, and benefit recipients, none of which describe the Protected Party. See and rebut the following if you disagree:  

Resignation of Compelled Social Security Trustee, Form #06.002  
<http://sedm.org/Forms/FormIndex.htm>
5. The term “Employer Identification Number” or “EIN” as used on all government forms ***IS NOT*** the number issued under the authority of 26 U.S.C. §6109 or any other Act of Congress. Instead, it means a “Nontaxpayer Identification Number” or “NIN” as defined above.
6. The term “Taxpayer Identification Number” or “TIN” as used on the All government forms and correspondence ***IS NOT*** the number issued under the authority of either 26 U.S.C. §6109 or any other Act of Congress. Instead it means a “Nontaxpayer Identification Number” or “NIN” as defined above.
7. All “Nontaxpayer Identification Numbers” or “NINs”, or any other synonym described in this section and included in any form or attachment included herein or submitted on any previous government form are the exclusive, licensed, copyrighted intellectual property of the Protected Party. They are protected by the Copyright Act codified in Title 17 of the U.S. Code and this license agreement. Any use by the government of this property for any commercial or government purpose, including tax collection, is STRICTLY PROHIBITED. Each unauthorized use is punishable by a penalty of \$100,000 per incident plus any tax or penalty assessment associated with the unauthorized use.
8. Providing any kind of identifying number on any government form shall NOT be evidence of consent to engage in a privileged “trade or business” franchise as described in 26 U.S.C. §7701(a)(26). Instead, it shall be evidence of NON-consent to engage in said franchise and a formal request to criminally prosecute the company, financial institution, and/or government entity associated with the submission for criminal racketeering in violation of 18 U.S.C. §1956 and “extortion under the color of law” for compelling the use of said identifying number in violation of 42 U.S.C. §408.

**WARNING!** You may not lawfully use any government issued identifying number in connection with the Protected Party, such as a Social Security Number (SSN) as defined in 20 C.F.R. §422.103(d), Taxpayer Identification Number (TIN) as defined in 26 U.S.C. §6109, or Employer Identification Number (EIN) as defined in 26 U.S.C. §6109. Protected Party:



1. Does not participate and is not lawfully eligible to participate in Social Security or the “trade or business” excise taxable franchise described in 26 U.S.C. Subtitle A.
2. Is not a statutory “U.S. person” ([26 U.S.C. §7701](#)(a)(30)) for which a “Taxpayer Identification Number” may lawfully be used pursuant to [26 U.S.C. §6109](#) and 26 C.F.R. §301.6109-1.
3. May not lawfully use or possess any government identifying number because it is “public property” which belongs to the government pursuant to 20 C.F.R. §422.103(d). Only “public officers” on official business may lawfully use public property, and only in strict accordance with law for the benefit of the government and not them as private individuals.
4. Is appearing here as a PRIVATE HUMAN BEING and not a PUBLIC OFFICER. If you compel me to use a government identifying number, you are an accessory to criminal conversion of private property to a public use and a public purpose if you connect me or my assets with a public number in violation of [18 U.S.C. §654](#). You could end up in jail for up to ten years if you put an identifying number on any records pertaining to me or my property, assets, or my earnings from PRIVATE employment.
5. Has been a victim of identity theft, compelled association, and conversion by the government and its agents in banks and financial institutions in the past by unlawfully and involuntarily connecting him/her with knowingly false and fraudulent identifying numbers in criminal violation of [18 U.S.C. §1028](#)(a)(7), [18 U.S.C. §1028A](#), and a civil violation of [42 U.S.C. §408](#)(a)(7) and [42 U.S.C. §405](#)(c)(2)(C)(i). He/she would like to prevent a recurrence of this behavior again.
6. Will file a criminal complaint in connection with the use of any government issued identifying number connected with his exclusively PRIVATE life, property, and liberty and vociferously prosecute all those who unlawfully compel him to use a knowingly false number or any number at all in order to obtain any service or product in violation of [42 U.S.C. §408](#).

If the number “000-00-0000” appears in the TIN or SSN block on the attached government form, then it means that Protected Person doesn’t have a validly issued STATUTORY SSN or TIN. Consequently, Protected Person is not “federal personnel” as indicated in [5 U.S.C. §552a](#)(a)(13) .

If a number other than “000-00-0000” for the SSN/TIN was provided on the attached government form:

1. It was provided under unlawful duress because the agent accepting the form threatened to withhold issuance of the passport if Protected Person would not provide a number. It is a CRIME to compel the use of such numbers per [42 U.S.C. §408](#)(a)(8) .
2. The number shall be treated AS IF it were “000-00-0000”, regardless of what it says.
3. The acceptance agent, by instituting duress in compelling the use of government numbers, is attempting to convert constitutional rights into statutory privileges and franchises, which is a CRIMINAL CONSPIRACY against my rights punishable under [18 U.S.C. §241](#). Anyone who does any of the following is party to said conspiracy:
  - 3.1. Anyone he or she talked to about how to circumvent my attempts to avoid enumeration is party to said conspiracy.
  - 3.2. Anyone who fails or omits deliberately to prosecute the crimes indicated herein.
4. The number provided is NOT the number described in [26 U.S.C. §6109](#), [20 C.F.R. §422.103](#)(d), or any other federal law, statute, or regulation. Hence, it is not subject to being either true, false, factual, or consistent with any record in possession of any government. The clerk said it was their “POLICY” (not LAW, but POLICY) to require a number and could show me no law. Well, if he or she can invent such policy, then Protected Person can INVENT a Nonstatutory number that conforms with the POLICY but also is equally not subject to or susceptible to the requirements of the law. The constitution protects the equality of ALL PERSONS, and hence, Protected Person has the EQUAL right to make “POLICY” to counteract the DOS’s policy to prevent injury to his/her own private rights.
5. The applicant, being under unlawful, criminal duress, does not vouch for the accuracy of said number. Instead, it is:
  - 5.1. NONFACTUAL political beliefs and opinions that are not admissible as evidence in any legal proceeding and not legally actionable in any manner.
  - 5.2. NOT the “Social Security Number” defined in [20 C.F.R. §422.103](#).
  - 5.3. NOT the “Taxpayer Identification Number” (TIN) described in [26 U.S.C. §6109](#).
6. The applicant does not “have” a number described in [26 U.S.C. §6109](#), [20 C.F.R. §422.103](#)(d) and cannot legally “have” such a number. One can only “have” something that they own and control. Protected Person doesn’t control the number because if he/she did, he/she could tell the government they CANNOT use it, so it must not be mine. The notion of “property” implies the right to FORBID other people from using or benefitting from something so I must not “OWN” a government number. Both the Social Security Card and [20 C.F.R. §422.103](#)(d) say the card and the number belong to the GOVERNMENT and not the applicant, and therefore it is a legal and rational impossibility for me to “have” government property unless Protected Person is a public officer managing government property and serving in an official capacity. In fact, Protected Person DOES NOT consent to represent a public office in the government and it is a crime to unilaterally elect or appoint myself into such an office. Furthermore, filling out an SS-5 form or W-9 form and asking

for such a number cannot and does not CREATE any public office in the government and any attempt to use it for that purpose is a violation of [18 U.S.C. §912](#). It is acknowledged as a CRIME to use government property such as a statutory SSN or TIN for a private purpose or personal benefit. Hence, the number provided MUST be described herein as NOT corresponding with anything described in any federal law and NOT to be used for any enforcement or government purpose because not connected with any existing application the government has ever received.

7. The power to create is the power to define, and since Protected Person created the form being processed, then Protected Person is the only one who can define both the meaning or the intended meaning of every word or phrase on the form. I must do so in order to avoid being victimized by the self-serving and usually FALSE presumptions of others or conferring undue discretion to a government bureaucrat or judge to INVENT a meaning I didn't intend.

If a Social Security Number (SSN) or Taxpayer Identification Number (TIN) other than "000-00-0000" was provided on the application, recipient of this form is requested to prosecute the acceptance agent for:

1. Compelled use of Social Security Numbers under [42 U.S.C. §408\(a\)\(8\)](#).
2. Identity theft under the following for the commercial abuse of my identity for personal gain without my consent:
  - 2.1. [42 U.S.C. §405\(c\)\(2\)\(C\)\(i\)](#)
  - 2.2. [42 U.S.C. §408\(a\)\(7\)](#)
  - 2.3. [18 U.S.C. §1028\(a\)\(7\)](#)
  - 2.4. [18 U.S.C. §1028A](#).
  - 2.5. Equivalent state statutes indicated in:  
<https://sedm.org/litigation-main/sedm-jurisdiction-online/>

## 5 Parties

The two parties to this agreement include:

1. The private party, hereinafter called the Protected Party, who sent the Government Actor this franchise and agreement or referenced it in their correspondence with government actors. This person is the ONLY Merchant under U.C.C. §2-104(1) in the context of any and every interaction with any or every government.
2. The government officer or agency, hereinafter called the Government Actor. This legal person is the Buyer under U.C.C. §2-103(1)(a) in relation to the Protected Party. This party fits one or more of the following criteria:
  - 2.1. Initiated communication with the Protected Party requiring a response or ..
  - 2.2. Made any demands upon the time or property of the Protected Party. or..
  - 2.3. Made the Protected Party the target of enforcement for any government franchise, including but not limited to Income taxes under Internal Revenue Code, Subtitles A through C, Social Security, Vehicle Code, Family Code, or any other government franchise or debt. . . .or
  - 2.4. Is acting as a withholding agent pursuant to 26 U.S.C. §7701(a)(16) or filing any kind of information return against the Protected Party. Information returns include those submitted under the authority of 26 U.S.C. §6041.

## 6 Consideration

1. Consideration provided by Protected Party to Government Actor:
  - 1.1. Responses to unwelcome correspondence sent by Government Actor.
  - 1.2. The use of any information from, to, or about the Protected Party, and especially involving anything having a commercial consequence.
  - 1.3. Services of Protected party to effect actions required to enforce this agreement.
  - 1.4. Receiving temporary use, custody, and control of any and all monies withheld by anyone from my earnings and paid ultimately to the government. I am a man or woman or entity that is: 1. A nonresident not engaged in the "trade or business" franchise; 2. With no statutory "income" from the statutory "United States"; 3. Who never consented to withholding; 4. And against whom all information return reporting is FALSE. As such, any withholdings or reportings are under protest, under duress, are the product of constructive FRAUD and CRIMINAL misconduct on the part of the government, and are unlawfully withheld and paid. FRAUD has occurred because this franchise makes all statements of the recipient and/or government factual and material relating to tax reporting and withholding, and omissions and misfeasance by the government cause conduct that is inconsistent with and a violation of the written law. These monies may therefore not lawfully be retained either by you or the government without you being guilty of criminal money laundering and being an accessory after the fact to the crimes documented herein. I don't have to become a privileged franchisee called a "taxpayer" or

pursue a statutory “refund” in order to get these monies back, because they are *laundered monies* resulting from CRIMINAL RACKETEERING, EXTORTION, and FRAUD that are due back WITHOUT even requesting them back.

*“A claim against the United States is a right to demand money from the United States. <sup>14</sup> Such claims are sometimes spoken of as gratuitous in that they cannot be enforced by suit without statutory consent. <sup>15</sup> **The general rule of non-liability of the United States does not mean that a citizen cannot be protected against the wrongful governmental acts that affect the citizen or his or her property.** <sup>16</sup> **If, for example, money or property of an innocent person goes into the federal treasury by fraud to which a government agent was a party, the United States cannot [lawfully] hold the money or property against the claim of the injured party.** <sup>17</sup>”*  
[American Jurisprudence 2d, United States, §45 (1999)]

*“When the Government has illegally received money which is the property of an innocent citizen and when this money has gone into the Treasury of the United States, there arises an implied contract on the part of the Government to make restitution to the rightful owner under the Tucker Act and this court has jurisdiction to entertain the suit.*

*[90 Ct.Cl. at 613, 31 F.Supp. at 769.”](#)*  
*[\[Gordon v. U. S., 227 Ct.Cl. 328, 649 F.2d. 837 \(Ct.Cl., 1981\)\]](#)*

California Civil Code  
Section 2224

*“One who gains a thing by fraud, accident, mistake, undue influence, the violation of a trust, or other wrongful act, is, unless he or she has some other and better right thereto, an involuntary trustee of the thing gained, for the benefit of the person who would otherwise have had it.”*

***“The United States, we have held, cannot, as against the claim of an innocent party, hold his money which has gone into its treasury by means of the fraud of its agent. While here the money was taken through mistake without element of fraud, the unjust retention is immoral and amounts in law to a fraud of the taxpayer’s rights. What was said in the State Bank Case applies with equal force to this situation. ‘An action will lie whenever the defendant has received money which is the property of the plaintiff, and which the defendant is obligated by natural justice and equity to refund. The form of the indebtedness or the mode in which it was incurred is immaterial.’***  
*[\[Bull v. United States, 295 U.S. 247, 261, 55 S.Ct. 695, 700, 79 L.Ed. 1421\]](#)*

## 2. Consideration provided by Government Actor:

- 2.1. Obedience to this franchise contract.
- 2.2. Implementation of the goals of their oath as a public officer to support and defend the Constitution against domestic enemies, which their employer constitutes by either:
  - 2.2.1. Offering or enforcing franchises outside of federal territory or within the borders of a state of the Union.
  - 2.2.2. Instituting any of the behaviors associated with the definition of “de facto government” found earlier in section 3.4, the definitions section.

<sup>14</sup> United States ex rel. Angarica v. Bayard, 127 U.S. 251, 32 L.Ed. 159, 8 S.Ct. 1156, 4 A.F.T.R. 4628 (holding that a claim against the Secretary of State for money awarded under a treaty is a claim against the United States); Hobbs v. McLean, 117 U.S. 567, 29 L.Ed. 940, 6 S.Ct. 870; Manning v. Leighton, 65 Vt. 84, 26 A. 258, motion dismd 66 Vt. 56, 28 A 630 and (disapproved on other grounds by Button’s Estate v. Anderson, 112 Vt. 531, 28 A.2d. 404, 143 A.L.R. 195).

<sup>15</sup> Blagge v. Balch, 162 U.S. 439, 40 L.Ed. 1032, 16 S.Ct. 853.

<sup>16</sup> Wilson v. Shaw, 204 U.S. 24, 51 L.Ed. 351, 27 S.Ct. 233.

<sup>17</sup> Bull v. United States, 295 U.S. 247, 79 L.Ed. 1421, 55 S.Ct. 695, 35-1 U.S.T.C. ¶ 9346, 15 A.F.T.R. 1069; United States v. State Bank, 96 U.S. 30, 96 Otto. 30, 24 L.Ed. 647.

## 7 Authority and even OBLIGATION for Establishment of this Agreement

The origin of ALL of the national government's authority to enact civil legislation regulating or controlling otherwise PRIVATE property is if the property is either absolutely owned by them or ownership is shared with them. This is made clear by the language of Article 4, Section 3, Clause 2:

*United States Constitution*

*Article 4, Section 3*

*The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.*

The above process goes BOTH ways. PRIVATE people can make rules for the government if it is in temporary possession of THEIR property, and ESPECIALLY if that possession was never expressly consented to. The government of the United States is a government of delegated powers ALONE.

*"The Government of the United States is one of delegated powers alone. Its authority is defined and limited by the Constitution. All powers not granted to it by that instrument are reserved to the States or the people."*  
[United States v. Cruikshank, 92 U.S. 542 (1875)]

The people AS INDIVIDUALS cannot delegate to a collective called "government" any power that they personally do not also individually possess:

*"Derivativa potestas non potest esse major primitive. Wing. Max. 36; Pinch. Law, b.1. c.3, p.11.*  
*The power [sovereign immunity in this case] which is derived cannot be greater than that from which it is derived."*  
[Bouvier's Law Dictionary Unabridged, 8<sup>th</sup> Edition, pg. 2131]

*"Nemo potest facere per obliquum quod non potest facere per directum.1 Eden 512.*  
*No one can do that indirectly which cannot be done directly."*  
[Bouvier's Law Dictionary Unabridged, 8<sup>th</sup> Edition, pg. 2147]

*"Quod per me non possum, nec per alium..4 Co. 24 b: 11 id. 87a.*  
*What I cannot do in person, I cannot do through the agency of another."*  
[Bouvier's Law Dictionary Unabridged, 8<sup>th</sup> Edition, pg. 2159]

The power to make rules for property that the government has an absolute or qualified interest in is such a delegated power, for instance. As such, if they can use THEIR power to make rules to control YOUR property, then YOU can do the same thing to them under the concept of equal protection and equal treatment.

To impute this power ONLY to government and deprive the people as natural humans of it is to, in effect, enforce "superior or supernatural" powers to the government, meaning to make them ABOVE you as the "natural", to implement religious idolatry, and to establish the "state" as a civil religion as described below:

<i>Socialism: The New American Civil Religion</i> , Form #05.016 <a href="https://sedm.org/Forms/FormIndex.htm">https://sedm.org/Forms/FormIndex.htm</a>
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The purpose of establishing government is to protect PRIVATE property. The FIRST step in that protection is to prevent it from being converted to PUBLIC property or PUBLIC rights without the EXPRESS WRITTEN CONSENT of the original absolute human owner, as described in:

Since a covetous mafia of thieves/plunderers masquerading as “government” or “de facto government”<sup>18</sup> REFUSES to do the ONLY job it was created to do of protecting PRIVATE property and keeping it separate from PUBLIC property, then I have a CONSTITUTIONAL and BIBLICAL obligation to ensure they do it by enacting this agreement as a precondition to the use or “benefit” of my PRIVATE property. Below is WHY I must do this and even HOW to do this, DIRECT from the actual literal physical AUTHOR of the Constitution from whose notes the Constitution was assembled:

*“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; More quotes like this later in Form #05.016, Section 5.1]*

Below is the mechanism for doing that explained by a famous law professor:

*“How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. **But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.** The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) **a personal obligation with respect to the property; and accordingly this is what equity does.** It is in this way that all trusts are created, and all equitable charges made (i. e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. **In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained.**”*

<sup>18</sup> See: *De Facto Government Scam*, Form #05.043; <https://sedm.org/Forms/05-MemLaw/DeFactoGov.pdf>.



The only requirement that Protected Party therefore has to meet in order to lawfully impose a duty upon Government Actor is that he/she/it:

1. Conveys rights or property to a Government Actor.
2. Gives Government Actor formal, timely, and reasonable notice of the terms and conditions under which Government Actor receives the property or rights constituting the consideration specified in this agreement.

This agreement shall therefore and henceforth serve as “reasonable notice” of the terms of receipt of said PRIVATE property in the temporary custody of Government Actor and/or his agents or assigns. Notice to the agent shall also serve as notice to the principal. This means that:

1. If you are working for a government in corresponding or interacting with me, you also implicitly agree to notify all others who might interact with me in that same government that they are similarly bound by the terms of this franchise and agreement.
2. In the event that you do not, you also agree to act as personal surety and an officer for any and all other human beings who also communicate or interact with me beyond the point that you have initiated this contact or interaction.

The above tactic is the same tactic the government uses against private people, whereby they use the tax system franchise to make innocent and unaware person into surety for endless and irresponsible deficit spending and public debt by career politicians. Hence, I am entitled to equal protection and equal treatment.

This franchise agreement operates the same as the federal government’s franchises: and Protected Party is entitled to equal protection and equal treatment:

1. Income tax “trade or business” franchise:

- 1.1. The agreement operates as a “quasi-contract”, like the income tax itself. See *Milwaukee v. White*, [296 U.S. 268](#) (1935).
- 1.2. Consent to the franchise agreement codified in Internal Revenue Code, Subtitle A is based upon unsigned, hearsay third party evidence called an “information return” (W-2, 1042-S, 1098, and 1099) that is usually false because the subject is not engaged in the “public office” franchise and receives no “benefits” thereby. In the case of my/this franchise, such third party hearsay reports consist of any and all administrative correspondence sent by you to me as well as legal pleadings filed in this case containing licensed information about me or relating to commercial/tax transactions, such as my name, address, facts about my conduct, or information illegally seized from a place outside of federal territory.
- 1.3. Using government property called a “Social Security Number” or “Taxpayer Identification Number” in association with someone, which 20 C.F.R. §422.103(d) identifies as property of the Social Security Administration and NOT the user, constitutes constructive consent by the person so associated to the terms of the franchise agreement. In that sense, associating the subject with specific information owned by another in the form of an identifying number acts as a prima facie license number to engage in the franchise. In the case of MY franchise, information about me is MY PRIVATE PROPERTY and use of this licensed information makes those using or abusing it into my private officers and agents. In law, all rights are “property”, and the Fourth Amendment protects my right to privacy and thereby makes all information about me into “property” which I have a right to exclusive use and control over as “property”.
- 1.4. The government’s “trade or business” franchise confers a “benefit”, which is a reduced or graduated rate of tax under [I.R.C. §1](#), earned income credit under [I.R.C. §32](#), and “trade or business” deductions under [I.R.C. §162](#). Likewise, my/this franchise confers a similar “benefit”, which is the right to invade my privacy, engage in commercial relationships with me, and impose involuntary uncompensated duties upon me by abusing a legal system against me that otherwise has no jurisdiction over me as a human being and not a legal “person” not domiciled or resident on federal territory.
- 1.5. The franchise is based on an “activity”, which is that of a “public office” in the U.S. government ([I.R.C. §7701\(a\)\(26\)](#)). The result is agency on behalf of the government by the de facto licensee. Likewise, my franchise agreement also creates agency and fiduciary duty on your part towards me as a private party, which I describe as a “private office” representing my wishes as documented herein.

2. Social Security Franchise:

- 2.1. The SSA Form SS-5 is an application for a “card” and associated number, not for “benefits”.



- 2.2. The SS card is identified in 20 C.F.R. §422.103(d) as property of the government and not the holder, even AFTER it is received. The back of the card also affirms this relationship and says it must be returned upon request.
- 2.3. The back of the card and the regulations governing its use say that use of the card constitutes effective consent to the statutes regulating use of the property, including penalties.

If in defense Government Actor claims any of the following:

1. That Protected Party may not acquire rights by the same method as the government, as in Social Security or the "trade or business" franchise...OR
2. That Government Actor has no delegated authority to waive sovereign immunity or to consent by anything other than by an act of legislation.

. . .then Protected Party invokes and claims the SAME EQUAL right and therefore cannot be and is not subject to any government franchise, nor can he or she become the lawful subject of any enforcement action under said franchise. Furthermore, any and all funds contributed to any such franchise also shall constitute a LOAN and not a GIFT of any kind. All such loans of property also constitute consideration under the terms of this anti-franchise franchise.

Further, Christians such as myself are forcefully commanded by [God's Holy Law](#) ([Deut. 15:6](#), [Exodus 23:32-33](#), [Judges 2:1-4](#), [Deut. 28:43-51](#)) to act ONLY as "Merchants" ([U.C.C. §2-104\(1\)](#)) under the [Uniform Commercial Code \(U.C.C.\)](#) and NEVER as "Buyers" ([U.C.C. §2-103\(1\)](#)) in the context of all "[commerce](#)" or "intercourse" with any and every government. Any other approach makes us a harlot in God's eyes ([Isaiah 1:1-26](#)). Black's Law Dictionary defines "[commerce](#)" as "intercourse". The Bible defines "the Beast" as the "kings of the earth"/political rulers in [Rev. 19:19](#):

**"Commerce. ...Intercourse** *by way of trade and traffic between different peoples or states and the citizens or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it is carried on...*"  
[Black's Law Dictionary, Sixth Edition, p. 269]

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**"Come, I will show you the judgment of the great harlot [the atheist totalitarian democracy] who sits on many waters [which are described as seas and multitudes of people in [Rev. 17:15](#)], with whom the kings of the earth [political rulers of today] committed fornication [intercourse], and the inhabitants of the earth were made drunk with the wine of her fornication [intercourse, usurious and harmful commerce]."**

*So he carried me away in the Spirit into the wilderness. And I saw a woman sitting on a scarlet beast which was full of names of blasphemy, having seven heads and ten horns. The woman was arrayed in purple and scarlet, and adorned with gold and precious stones and pearls, having in her hand a golden cup full of abominations and the filthiness of her fornication [intercourse]. And on her forehead a name was written: MYSTERY, BABYLON THE GREAT, THE MOTHER OF HARLOTS AND OF THE ABOMINATIONS OF THE EARTH.*

*I saw the woman, drunk with the blood of the saints and with the blood of the martyrs of Jesus. And when I saw her, I marveled with great amazement."*  
[[Rev. 17:1-6](#), Bible, NKJV]

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*"And I saw the beast, the kings [heathen political rulers and the unbelieving democratic majorities who control them] of the earth [controlled by Satan], and their armies, gathered together to make war against Him [God] who sat on the horse and against His army."*  
[[Revelation 19:19](#), Bible, NKJV]

For an article on what happens to nations and people who do NOT follow this requirement of God's Law, see:

This admonition by God is consistent with the [Foreign Sovereign Immunities Act](#) found in [28 U.S.C. §1605\(a\)\(2\)](#), which says that those who conduct "[commerce](#)" with the "[United States](#)" federal corporation within its legislative jurisdiction thereby surrender their sovereignty.

## **8 Evidence of Consent to this Offer/Agreement**

The following subsections deal with conditions in which the Protected Party is a target of criminal activity by specific public servants and the result of the activity is the ILLEGAL CONVERSION of PRIVATE property to public use or control by civil statutes or a government officer against the consent of the owner. For the purposes of this discussion the term "private" is that defined earlier in section 3.3 and the term "private property" is that protected by the following mandatory presumption:

*"All rights and property are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the control of government or the CIVIL statutory franchise codes unless and until the government meets the burden of proving, WITH EVIDENCE, on the record of the proceeding that:*

*1. A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property to PUBLIC property.*

*2. The owner was either abroad, domiciled on, or at least PRESENT on federal territory NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a Constitutional right or relieve a public servant of the fiduciary obligation to respect and protect the right. Those physically present but not necessarily domiciled in a constitutional but not statutory state protected by the constitution cannot lawfully alienate rights to a real, de jure government, even WITH their consent.*

*3. If the government refuses to meet the above burden of proof, it shall be CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an EQUAL footing with every other private corporation and which is therefore NOT protected by official, judicial, or sovereign immunity."*

As a consequence of the illegal use or control over PRIVATE property, government actors or the government itself is subject to control or regulation of the rightful owner under the terms of this agreement, which is a LOAN agreement.

*"How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. **But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.** The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) **a personal obligation with respect to the property; and accordingly this is what equity does.** It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. **In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal***

obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained."

[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]

"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."

[Bouvier's Maxims of Law, 1856;

SOURCE:

<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]

"The rich rules over the poor,

And **the borrower is servant to the lender.**"

[Prov. 22:7, Bible, NKJV]

"When the Government has illegally received money which is the property of an innocent citizen and when this money has gone into the Treasury of the United States, **there arises an implied contract on the part of the Government to make restitution to the rightful owner** under the Tucker Act and this court has jurisdiction to entertain the suit.

90 Ct.Cl. at 613, 31 F.Supp. at 769."

[Gordon v. U. S., 227 Ct.Cl. 328, 649 F.2d. 837 (Ct.Cl., 1981) ]

**"The United States, we have held, cannot, as against the claim of an innocent party, hold his money which has gone into its treasury by means of the fraud of its agent. While here the money was taken through mistake without element of fraud, the unjust retention is immoral and amounts in law to a fraud of the taxpayer's rights. What was said in the State Bank Case applies with equal force to this situation. 'An action will lie whenever the defendant has received money which is the property of the plaintiff, and which the defendant is obligated by natural justice and equity to refund. The form of the indebtedness or the mode in which it was incurred is immaterial."**

**[Bull v. United States, 295 U.S. 247, 261, 55 S.Ct. 695, 700, 79 L.Ed. 1421]**

All government franchises are based upon loans of government property with conditions as described in:

Government Instituted Slavery Using Franchises, Form #05.030

<http://sedm.org/Forms/FormIndex.htm>

Since the United States government is one of delegated powers ALONE, according to the U.S. Supreme Court, then the PRIVATE humans delegating this NATURAL power such as the Protected Party must also have the SAME power to create franchises and use them against the government as a defense against illegal enforcement of government franchises against them. Such franchises include the Internal Revenue Code Subtitle A "public officer"/"trade or business" franchise, Social Security, and every other government benefit.

Every attempt by anyone in government to alienate rights that the Declaration of Independence says are UNALIENABLE is hereby stipulated under this agreement as "PRIVATE BUSINESS ACTIVITY" that cannot be protected by sovereign, official, or judicial immunity. So called "government" cannot make a [profitable business or franchise](#) out of alienating inalienable rights without ceasing to be a classical/de jure government and instead becoming in effect an [economic terrorist and de facto government in violation of Article 4, Section 4](#).

"No servant [or government or biological person] can serve **two masters**; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. **You cannot serve God and mammon [government]."**

[[Luke 16:13](#), Bible, NKJV]

For a detailed exposition of the rules of lawfully converting property from PRIVATE to PUBLIC, see and rebut:

**Injury Defense Franchise and Agreement**

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EXHIBIT: \_\_\_\_\_

## 8.1 Generally

Pursuant to U.C.C. §1-303, Course of Usage and Trade, evidence of unconditional consent to this agreement shall include any one or more of the following actions in a general sense:

1. Signing this agreement.
2. Making any demands upon the valuable time, resources, or property of the Protected Party.
3. Claiming a right or interest to any of the property of the Protected Party.
1. Adversely affecting constitutionally protected rights of the Protected Party.
4. Treating Protected Party as a “citizen”, “resident”, or domiciliary under any federal law and thus moving his identity to the District of Columbia under any franchise agreement, such as that codified at [26 U.S.C. §7408\(d\)](#) and [26 U.S.C. §7701\(a\)\(39\)](#).
5. Engaging in or attempting to engage in any kind of commercial relationship with Protected Party or using his/her/its name in connection with a commercial obligation, which thereby causes an implied surrender of sovereign, official, and judicial immunity of the Government Actor in relation to the Protected Party pursuant to [28 U.S.C. §1605](#). This includes instituting penalties, sending bills, or making any kind of financial demands upon the Protected Party.

*CALIFORNIA CIVIL CODE  
DIVISION 3. OBLIGATIONS  
PART 2. CONTRACTS  
CHAPTER 3. CONSENT  
Section 1589*

*1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

6. Associating the Protected Party with a statutory status under any government franchise, including but not limited to:
  - 6.1. “driver” under the vehicle code of any state of the Union.
  - 6.2. “spouse” under the family code of any state of the Union.
  - 6.3. “taxpayer”, “person”, or “individual” under the revenue code of any state of the Union.
  - 6.4. “taxpayer”, “person”, “individual”, “citizen”, or “resident” under the Internal Revenue Code, Title 26 of the United States Code.
  - 6.5. “citizen of the United States” under 8 U.S.C. §1401, 26 U.S.C. §3121(e), or 26 C.F.R. §1.1-1(c).
  - 6.6. “person” or “individual” under the Social Security Act, 42 U.S.C. Chapter 7.
  - 6.7. “person” or “individual” under any government healthcare or tax law.
7. Claiming that any aspect of the interactions between Protected Party and Government Actor is a “benefit” as legally defined or characterizing any aspect of the relationship between parties as falling within the ambit of 5 U.S.C. §553(a)(2), which permits direct legislative regulation of the Protected Party. The definition of “benefit” is limited to that provided herein. It does not include any attempt by Government Actor or his employer to define or REDEFINE such a term. See:

*The Government “Benefits” Scam*, Form #05.040  
<https://sedm.org/Forms/FormIndex.htm>

All the above activities are hereby stipulated by all parties concerned to be an act of CRIMINAL identity theft as documented in:

*Government Identity Theft*, Form #05.046  
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

This document shall serve as the equivalent of a “license” to engage in such activities against the Protected Party. A “license”, after all, is legally defined as permission to engage in that which would otherwise be harmful or illegal.

## 8.2 Attorneys

The following activities by attorneys litigating against the Protected Party constitute consent to this franchise and agreement:

1. Acting as a fact witness in any dispute in court. Attorneys are NOT authorized to act as fact witnesses.
2. Expunging or removing or striking pleadings filed by the Protected Party from the record of any legal proceeding, and especially at the request or under the direction of any government officer such as the judge or opposing counsel. This is criminal obstruction of justice.
3. Citing irrelevant caselaw against the Protected Party as a point and authority. By “irrelevant” we mean case law involving a party who was not “similarly situated” in terms of legal status to that of the Protected Party. For instance, citing rulings involving “taxpayers” against the Protected Party, who is a NONTAXPAYER not subject to the Internal Revenue Code. The result is CRIMINAL identity theft as described in:

Government Identity Theft, Form #05.046  
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

### 8.3 Judges

Any of the following activities by judges are beyond their delegated authority and shall therefore constitute consent to this agreement:

1. Ignoring or refusing to address any issue raised by the Protected Party that would result in a judgment against the government in litigation involving the government. This is criminal obstruction of justice by omission. Any and all factual statements made by the Protected Party verified under penalty of perjury and not expressly denied by either the judge or the opposing party WITH admissible evidence are stipulated by all parties concerned to be:
  - 1.1. Truthful under Federal Rule of Civil Procedure 8(b)(6).
  - 1.2. Admitting into evidence for examination by the jury in any litigation involving the Protected Party.
2. Holding the Protected Party legally accountable for the consequences of a false statement submitted to the government under the influence of duress indicated in this agreement.

*“An agreement [consensual contract] obtained by duress, coercion, or intimidation is invalid, since the party coerced is not exercising his free will, and the test is not so much the means by which the party is compelled to execute the agreement as the state of mind induced.”<sup>19</sup> Duress, like fraud, rarely becomes material, except where a contract or conveyance has been made which the maker wishes to avoid. As a general rule, duress renders the contract or conveyance voidable, not void, at the option of the person coerced,<sup>20</sup> and it is susceptible of ratification. Like other voidable contracts, it is valid until it is avoided by the person entitled to avoid it.<sup>21</sup> However, duress in the form of physical compulsion, in which a party is caused to appear to assent when he has no intention of doing so, is generally deemed to render the resulting purported contract void.<sup>22</sup>”*  
*[American Jurisprudence 2d, Duress, §21 (1999)]*

3. Identifying a return of PRIVATE property rightfully owned by the Protected Party as a “benefit”. Justice cannot be a franchise or it is an INJUSTICE as legal “justice” is defined in section 2 of this document.
4. Attempting to judge the law in cases where the judge has a financial conflict of interest as described in 28 U.S.C. §§144 or 455 or 18 U.S.C. §208 and refuses to recuse him or herself. This includes judges ruling on tax matters as statutory “taxpayers”, whereby they can have their salary effectively reduced by those before them who refuse to pay their “fair share”, even though being a NONTAXPAYER is perfectly lawful. In such a case, the Founding Fathers held that the only proper approach is to allow an IMPARTIAL jury NOT receiving government “benefits” to rule on both the law AND the facts and to ensure that they are not told that they will have to pay the taxes that the defendant or plaintiff refuses to pay:

<sup>19</sup> Brown v. Pierce, 74 U.S. 205, 7 Wall 205, 19 L.Ed. 134

<sup>20</sup> Barnette v. Wells Fargo Nevada Nat’l Bank, 270 U.S. 438, 70 L.Ed. 669, 46 S.Ct. 326 (holding that acts induced by duress which operate solely on the mind, and fall short of actual physical compulsion, are not void at law, but are voidable only, at the election of him whose acts were induced by it); Faske v. Gershman, 30 Misc.2d. 442, 215 N.Y.S.2d. 144; Glenney v. Crane (Tex Civ App Houston (1st Dist)), 352 S.W.2d. 773, writ ref n r e (May 16, 1962); Carroll v. Fetty, 121 W.Va. 215, 2 S.E.2d. 521, cert den 308 U.S. 571, 84 L.Ed. 479, 60 S.Ct. 85.

<sup>21</sup> Faske v. Gershman, 30 Misc.2d. 442, 215 N.Y.S.2d. 144; Heider v. Unicume, 142 Or. 416, 20 P.2d. 384; Glenney v. Crane (Tex Civ App Houston (1st Dist)), 352 S.W.2d. 773, writ ref n r e (May 16, 1962)

<sup>22</sup> Restatement 2d, Contracts §174, stating that if conduct that appears to be a manifestation of assent by a party who does not intend to engage in that conduct is physically compelled by duress, the conduct is not effective as a manifestation of assent.



*"It is left... to the juries, if they think the permanent judges are under any bias whatever in any cause, to take on themselves to judge the law as well as the fact. They never exercise this power but when they suspect partiality in the judges; and by the exercise of this power they have been the firmest bulwarks of English liberty."*  
[Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283 ]

5. Refusing to identify whether the SPECIFIC capacity in which the Protected Party is acting is a public office or government agency when he or she is the target of civil statutory enforcement by the government. Only those who are agents and officers of the government may lawfully become the target of such enforcement. The government has the burden of proving with evidence that the Protected Party was lawfully elected or appointed to government office and is acting as an agent of government before it may lawfully enforce civil statutes against him/her. Failure to do so constitutes aiding or abetting criminal identity theft. For proof, see:
  - 5.1. Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037  
<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>
  - 5.2. Proof That There Is a "Straw Man", Form #05.042  
<https://sedm.org/Forms/05-MemLaw/StrawMan.pdf>
  - 5.3. Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes, Form #05.008  
<https://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>
  - 5.4. Government Identity Theft, Form #05.046  
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>
6. Interfering with, sanctioning, convicting, or penalizing Protected Party for any activity that the government can and does lawfully do to him or her or it. This includes but is not limited to administrative liens and levies under his/her own franchise agreement such as this one, just like the IRS does under the "trade or business"/public officer franchise. All such activities are a violation of the constitutional requirement for equal protection and equal treatment as describe in:

Requirement for Equal Protection and Equal Treatment, Form #05.033  
<https://sedm.org/Forms/FormIndex.htm>
7. Proceeding with a summary judgment where the party litigating against the government has ANY dispute with the government counsel over the facts.
8. In cases against the government, telling the party opposing the government or the jury that they may NOT talk about or quote the law to the jury.
9. Sealing the court record or making it unpublished in cases against the government, and especially where the party opposing the government won the case. This prejudices further litigation against the government on the same subject matter.
10. Refusing to recognize or discuss violation of private property rights by the government in cases against the government involving illegal enforcement or taking of property of any kind. See:

Separation Between Public and Private Course, Form #12.025  
<https://sedm.org/Forms/FormIndex.htm>
11. Excluding evidence of parties litigating against the government who are the target of government enforcement. All such parties are public officers according to the State Action Doctrine and therefore, their evidence CANNOT lawfully be excluded under Federal Rule of Evidence 803(8).
12. Acting as a fact witness by, for instance, representing anything BUT written positive law as "law" to a jury.
13. Legal deception, including:
  - 13.1. Equivocation of geographical terms.
  - 13.2. Refusing to allow jurors to hear the definition of terms.
  - 13.3. Interfering with the admission of evidence of the definition of a statutory term by parties litigating against the government.
  - 13.4. Expanding the statutory definition of terms beyond what is clearly stated.
  - 13.5. Making presumptions about the definitions of terms.
  - 13.6. Using the ORDINARY definition of the term instead of the STATUTORY definition of terms in cases against the government.
  - 13.7. Violating the rules of statutory construction.For details on the above, see:

Legal Deception, Propaganda, and Fraud, Form #05.014  
<https://sedm.org/Forms/FormIndex.htm>
14. Interfering with jurors reading or hearing the statutory law being enforced EXACTLY AS WRITTEN by, for instance:
  - 14.1. Preventing them from visiting the courthouse law library or any law library.
  - 14.2. Refusing requests by the jury panel to receive the written statutes being enforced.



15. Representing any government publication that is NOT published in the government statutes as “law” to the jury. This unconstitutionally delegates legislative power to the judge. See:

Reasonable Belief About Income Tax Liability, Form #05.007

<https://sedm.org/Forms/FormIndex.htm>

16. Entering a plea on behalf of a criminal defendant who is challenging jurisdiction BEFORE he or she makes a plea. This constitutes unlawfully “practicing law” while on the bench.

17. Tampering with the court record by ordering the court clerk to modify written testimony.

18. Compelling or enticing the surrender of rights in exchange for privileges or perks. This is a violation of the Unconstitutional Conditions Doctrine as described in:

Government Instituted Slavery Using Franchises, Form #05.030, Section 28.2

<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

19. Expunging or removing or striking pleadings filed by the Protected Party from the record of any legal proceeding, and especially at the request or under the direction of any government officer such as the judge or opposing counsel. This is criminal obstruction of justice.

20. Citing irrelevant caselaw against the Protected Party as a point and authority. By “irrelevant” we mean case law involving a party who was not “similarly situated” in terms of legal status to that of the Protected Party. For instance, citing rulings involving “taxpayers” against the Protected Party, who is a NONTAXPAYER not subject to the Internal Revenue Code. The result is CRIMINAL identity theft as described in:

Government Identity Theft, Form #05.046

<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

## 8.4 Government employees

*“As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer.”<sup>23</sup> **Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.**<sup>24</sup> **That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.**<sup>25</sup> **and owes a fiduciary duty to the public.**<sup>26</sup> **It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.**<sup>27</sup> **Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual [PRIVATE] rights is against public policy.**<sup>28</sup>”*

*[63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]*

Government employees consent to this agreement by any of the following activities that are beyond their delegated authority:

1. Performing acts outside their written delegation order.

<sup>23</sup> State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

<sup>24</sup> Georgia Dep’t of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist), 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

<sup>25</sup> Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

<sup>26</sup> United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L.Ed.2d. 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L.Ed.2d. 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass), 898 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).

<sup>27</sup> Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

<sup>28</sup> Indiana State Ethics Comm’n v. Nelson (Ind App), 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

2. Refusing to recognize or discuss the legal or constitutional limits upon their authority, which the Congress defines as the essence of COMMUNISM itself:

[TITLE 50](#) > [CHAPTER 23](#) > [SUBCHAPTER IV](#) > Sec. 841.  
[Sec. 841. - Findings and declarations of fact](#)

*The Congress finds and declares that the Communist Party of the United States [consisting of the IRS, DOJ, and a corrupted federal judiciary], although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the [de jure] Government of the United States [and replace it with a de facto government ruled by the judiciary]. It constitutes an authoritarian dictatorship [IRS, DOJ, and corrupted federal judiciary in collusion] within a [constitutional] republic, demanding for itself the rights and [FRANCHISE] privileges [including immunity from prosecution for their wrongdoing in violation of Article 1, Section 9, Clause 8 of the Constitution] accorded to political parties, but denying to all others the liberties [Bill of Rights] guaranteed by the Constitution [Form #10.002]. Unlike political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly [by corrupt judges and the IRS in complete disregard of, Form #05.014, the tax franchise "codes", Form #05.001] prescribed for it by the foreign leaders of the world Communist movement [the IRS and Federal Reserve]. Its members [the Congress, which was terrorized to do IRS bidding by the framing of Congressman Traficant] have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of political parties, members of the Communist Party are recruited for indoctrination [in the public FOOL system by homosexuals, liberals, and socialists] with respect to its objectives and methods, and are organized, instructed, and disciplined [by the IRS and a corrupted judiciary] to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike political parties, the Communist Party [thanks to a corrupted federal judiciary] acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members [ANARCHISTS!, Form #08.020]. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to; force and violence [or using income taxes]. Holding that doctrine, its role as the agency of a hostile foreign power [the Federal Reserve and the American Bar Association (ABA)] renders its existence a clear present and continuing danger to the security of the United States. It is the means whereby individuals are seduced [illegally KIDNAPPED via identity theft!, Form #05.046] into the service of the world Communist movement [using FALSE information returns and other PERJURIOUS government forms, Form #04.001], trained to do its bidding [by FALSE government publications and statements that the government is not accountable for the accuracy of, Form #05.007], and directed and controlled [using FRANCHISES illegally enforced upon NONRESIDENTS, Form #05.030] in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed*

3. Penalizing or attempting illegally to penalize Protected Party illegally when he or she does NOT satisfy the statutory definition of "person", such as in 26 U.S.C. §6671(b). For details, see:

Why Penalties are Illegal for Anything But Government Franchisees, Employees, Contractors, or Agents, Form #05.010  
<https://sedm.org/Forms/FormIndex.htm>

4. Enforcing or attempting to enforce the penal or criminal statutes illegally against Protected Party when he or she does NOT satisfy the statutory definition of "person", such as in 26 U.S.C. §7343.
5. Refusing to provide their delegation order.

6. Refusing to sign all correspondence under penalty of perjury, as required by 26 U.S.C. §6065. Government cannot exempt itself from this rule without attributing to itself in effect an unconstitutional “Title of Nobility” not available to ordinary Americans and erecting an illegal civil religion where they are the object of worship.
7. Interfering with administrative or legal discovery useful in cases against the government.
8. Refusing to authenticate documents obtained through FOIA or Privacy Act discovery as a way to make the data inadmissible in pending or actual litigation.
9. Using any written publication OTHER than positive law and the regulations implementing it in taking an action that adversely affects the private property of the Submitter. See:  

Reasonable Belief About Income Tax Liability, Form #05.007  
<https://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>
10. Taking any action adversely affecting the private property interest of the Submitter in the presence of financial conflict of interest that violates 18 U.S.C. §208.
11. Ignoring or suppressing from evidence any correspondence dealing with violations of law by government workers that jeopardizes the private property interests of someone litigating against the government.

## **9 Rights acquired by Protected Party Against Government Actor**

Parties acquire the following private rights and private property against the other party under the terms of this franchise and agreement.

### **9.1 Return of Any and all Property of Protected Party Acquired by Government Actor or his Employer**

Government Actor agrees to be responsible to return any and all property of Protected Party acquired through enforcement or collection activity of any government franchise by either the Government Actor or his/her employer. Property must be returned within 30 days upon receipt and upon written notice to the Government Actor. Failure to return property of Protected Party collected by Government Actor or his/her Employer shall incur a financial liability of TEN TIMES the value of said property.

Parties agree that any and all property of Protected Party collected by the Government Actor or his/her employer:

1. Shall be characterized as a temporary grant or loan AT INTEREST by Protected Party to Government Actor.
2. Shall make the property custodian into a bailee and transferee over property of Protected Party. This is similar to how the Internal Revenue Code works, in which all “taxpayers” are, in fact, public officers and transferees over public property per 26 U.S.C. §6901.
3. Shall subject any and all government custodians of the loaned property into agents and officers and consenting parties under this agreement. Government Actor agrees to give timely notice of the existence of this agreement to any and all OTHER government actors who may be in temporary possession of property of the Protected Party.

Protected Party shall have the authority to exercise any and all means necessary to secure the return of his/her/its property under this section as indicated later in section 9.8. This includes, but is not limited to, filing non-judicial liens against Government Actor to include both administrative notices and U.C.C. 1 Financing Statements, with both the county recorder and the secretary of state.

Authority for this provision of law is the SAME authority as that used in the issuance of Social Security Cards. The Card itself and the regulations thereunder at 20 C.F.R. §422.103(d) both confirm that even after the card is sent to someone, it continues to be government property, and that possession and use of said card is the authority for instituting penalties and subjecting the applicant to the regulations governing Social Security. The following additional authority confirms this:

*“How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. **But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.** The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the*

objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) **a personal obligation with respect to the property; and accordingly this is what equity does.** It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. **In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained.**

[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]

Parties to this agreement also stipulate that any use of identifying numbers in connection with their relationship shall NOT mean any number issued under the authority of any federal statute, but instead shall be the license issued from the Protected Party to the Government Actor under the authority of this agreement. This includes "Taxpayer Identification Numbers", "Social Security Numbers", etc.

## **9.2 Agency Established**

This agreement establishes agency on the part of both parties in relation to the other party in delivering the consideration promised by the agreement. This agency supersedes any and all other agency exercised by either party. In the case of the Government Agent, that agency shall be referred to as a "anti-public office" under the terms of this anti-franchise franchise.

## **9.3 Waiver of Full Payment Rule, Anti-Injunction Act, Exceptions to Declaratory Judgment Act, Need to Exhaust Administrative Remedies, and ability to remove to Federal Court**

For the purposes of this interaction, the parties stipulate that all of the following ordinary requirements are waived for the purposes of their interactions in administering this agreement:

1. The Anti-Injunction Act, 26 U.S.C. §7421, does not apply to the recovery of any damages or property by the Protected Party against Government Actor. Parties stipulate that monies collected are not "taxes" as legally defined. See Section 3.13 earlier for the definition of "taxes".
2. The exceptions to the Declaratory Judgments Act, 28 U.S.C. §2201 relating to taxation do not apply to the settlement of any disputes between the parties. Parties stipulate that monies collected are not "taxes" as legally defined. See Section 3.13 earlier for the definition of "taxes".
3. The Full Payment Rule established in [Flora v. United States, 357 U.S. 63, 78 S.Ct. 1079, 2 L.Ed.2d. 1165 \(1958\)](#) and described in [Laing v. U.S., 423 U.S. 161, 96 S.Ct. 473 \(U.S.Ky. 1976\)](#) does not apply. Parties stipulate that monies collected are not "taxes" as legally defined. See Section 3.13 earlier for the definition of "taxes".
4. The requirement to exhaust administrative remedies do not apply to the Protected Party in suits against the Government Actor. This only administrative remedy available to a non-resident non-person not subject to the exclusive jurisdiction of Congress is to notify them to return absolutely owned private property or its equivalent value STOLEN by Government Actor. This document accomplishes that. Beyond that constitutionally required reasonable notice, suit can immediately commence against government actor.
5. Government Actor also agrees per this agreement NOT to remove any suit brought against him or her or it to a federal court if it was first filed in a state court by the Protect Party. If Government Actor files a Notice of Removal, that notice shall be interpreted as a stipulation to agree to everything in the complaint filed against him or her or it in the state court and a demand for summary judgment.

Any similar statutes or court doctrines which operate similar to the above at the state level are also to be treated the SAME for the purposes of this agreement.

#### 9.4 Information about Protected Party is PRIVATE Property Subject to Non-Disclosure

Any and all information about Protected Party shall be considered private property which shall:

1. Not be subject to retention by not subject to disclosure to any government.
2. Not be shared outside the agency which received it.
3. Shall be purged in its entirety from all government records upon written notice and demand sent by Protected Party to either Government Actor or his/her employer.
4. May not be employed for any purpose which could directly or indirectly benefit Government Actor financially, or his/her employer.

#### 9.5 Waiver of Government Agency, Official, and Judicial Immunity on the Part of Government Actor

Parties stipulate that their duty and allegiance to abide by this agreement is *superior to* their employment duties and any other agency they may claim to be exercising on behalf of any other entity or government. All parties to this agreement hereby perpetually waive judicial, sovereign, or official immunity associated with any government position or agency they may otherwise occupy in the context of enforcing any provision of this franchise and/or agreement.

Protected Party shall have witness immunity pursuant to [18 U.S.C. §6002](#) for all interactions with any government.

Parties hereby stipulate to grant the SAME sovereign immunity to the Protected Party as the government asserts in any litigation between either the recipient or the government and the Protected Party pursuant to the Foreign Sovereign Immunities Act, [28 U.S.C. §1603](#) et seq.

#### 9.6 Waiver of Sovereign Immunity

Parties stipulate the following facts and agreements affecting sovereign immunity under the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97:

1. The parties stipulate that everything in the following documents relating to civil franchises is true:
  - 1.1. *Government Franchises Course*, Form #12.012  
<https://sedm.org/Forms/FormIndex.htm>
  - 1.2. *Government Instituted Slavery Using Franchises*, Form #05.030  
<https://sedm.org/Forms/FormIndex.htm>
2. The United States government is not exempted from the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97, for the purposes of their interactions with states of the Union.
3. Any attempt to offer or enforce any kind of civil franchise within a constitutional state is an attempt to alienate PRIVATE rights that the Declaration of Independence says are UNALIENABLE, meaning that those who possess them are legally incapable of consenting to surrender them to a real de jure government. See Form #05.043.
4. Any attempt to offer or enforce any kind of civil franchise within a constitutional state is stipulated to be strictly commercial activity that results in a waiver of sovereign immunity.
5. The ONLY place where civil franchises can lawfully be offered WITHOUT alienating rights that are unalienable is:
  - 5.1. Among those domiciled and physically present abroad.
  - 5.2. Among those domiciled on federal territory where the protections of the Constitution do not apply.For details on the above, see:

*Unalienable Rights Course*, Form #12.038  
<https://sedm.org/Forms/FormIndex.htm>
6. The following subject matters are commercial franchises subject to waiver of sovereign immunity by the national government in relation to the states of the Union:
  - 6.1. Social Security. See

*Why You Aren't Eligible for Social Security*, Form #06.001  
<https://sedm.org/Forms/FormIndex.htm>
  - 6.2. Income tax. See:

*The "Trade or Business" Scam*, Form #05.001  
<https://sedm.org/Forms/FormIndex.htm>
  - 6.3. Driver licensing compacts between the states. See Form #06.010.



6.4. Disability insurance.

6.5. Medicare.

7. Government identifying numbers including but not limited to Social Security Numbers and Taxpayer Identification Numbers:

7.1. Are what the Federal Trade Commission (F.T.C.) calls a “franchise mark”:

*“...a commercial business arrangement is a “franchise” if it satisfies three definitional elements. Specifically, the franchisor must:*

*(1) promise to provide a trademark or other commercial symbol;*

*(2) promise to exercise significant control or provide significant assistance in the operation of the business; and*

*(3) require a minimum payment of at least \$500 during the first six months of operations.”*

*[FTC Franchise Rule Compliance Guide, May 2008, p. 1;*

*SOURCE: <http://business.ftc.gov/documents/bus70-franchise-rule-compliance-guide>]*

7.2. Are property of the government issuer.

7.3. Because they are property, the issuer is liable in state court for their use in alienating, converting to public, or damaging any constitutional or PRIVATE right. This is a consequence of the same criteria applied by the government against private companies called “product liability”.

7.4. Anyone using or benefitting in any way from the use of said numbers is a government actor and a public officer. The definition of “public office” confirms that a public officer is someone in charge of the property of the public, including government identifying numbers.

*“**Public office.** The right, authority, and duty created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of government for the benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58. An agency for the state, the duties of which involve in their performance the exercise of some portion of the sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239; Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377, 214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 Ind.App. 493, 129 N.E. 878. State ex rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486. **Where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for such time as de- notes duration and continuance, with Independent power to control the property of the public,** or with public functions to be exercised in the supposed interest of the people, the service to be compensated by a stated yearly salary, and the occupant having a designation or title, the position so created is a public office. State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593.*

*[Black’s Law Dictionary, Fourth Edition, p. 1235]*

7.5. Because private and constitutional rights are unalienable within a constitutional state, any use of government identifying numbers to alienate private or constitutional rights shall be deemed:

7.5.1. Private commercial activity by the government.

7.5.2. Not consensual on the part of the non-governmental party using said number. This is especially true if the status of the number cannot be changed to reflect the fact that the participant is NOT a franchisee or a public officer and is immune from the civil jurisdiction of the national government under the terms of any and every civil franchise.

7.5.3. Not within the delegated authority of the government actor requesting or compelling their use. Therefore 28 U.S.C. §2679 does NOT apply and the Department of Justice has NO delegated authority to determine otherwise.

7.5.4. A criminal attempt to solicit a bribe to a government actor to treat the otherwise private party compelled to use them as a de facto public officer in criminal violation of 18 U.S.C. §§210 and 211.

7.5.5. A criminal attempt to tamper with a witness, because most government forms have perjury statements and are signed under penalty of perjury and constitute testimony of a witness. A failure to use a number on a government form or a refusal to accept a form without a number is tampering with the witness by compelling them to procure a public office in order to have their form accepted or processed. 18 U.S.C. §1512.



7.5.6. Not a government function but an ANTI-GOVERNMENT function of a de facto government. See:

De Facto Government Scam, Form #05.043

<https://sedm.org/Forms/FormIndex.htm>

8. Any attempt to offer or enforce taxable or regulatable civil franchises within states of the Union is stipulated by the parties to be an “invasion” within the meaning of Article 4, Section 4 of the United States Constitution:

*United States Constitution*

*Section 4. Obligations of United States to States*

*The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.*

The first and most important function of any government is to maintain a perpetual and inviolable separation between PUBLIC and PRIVATE. All of the above criminal tactics by de facto government actors break down that separation, as described in:

Separation Between Public and Private Course, Form #12.025

<https://sedm.org/Forms/FormIndex.htm>

## **9.7 Presumptions Established and Stipulated by All Parties**

For the purposes of any dispute relating to this or any other government franchise or civil law:

1. Parties stipulate that any attempt to enforce this agreement by Protected Party and against the Government Actor shall NOT be classified and IS NOT classified as:
  - 1.1. A criminal obstruction of justice of any kind.
  - 1.2. Any form of witness tampering, if the Government Actor is a witness in the action.Any claim to the contrary by Government Actor or any third party is hereby stipulated by parties to this agreement to be FALSE, PERJURIOUS, and FRAUDULENT. If any government attempts to prosecute the above types of crimes against the Protected Party and in conflict with the above, then the Government Actor agrees to become the substitute Defendant in such an action and hold the Protected Party harmless..
2. All parties shall be presumed to be innocent until proven guilty with physical evidence and not presumption. This means that they are presumed to be all the following until evidence of consent to acquire a different status is introduced on the record of the proceeding:
  - 2.1. “nontaxpayer” and other than a statutory “taxpayer” per 26 U.S.C. §7701(a)(14).
  - 2.2. “national” under 8 U.S.C. §1101(a)(21) but not a statutory “citizen” under 8 U.S.C. §1401.
  - 2.3. Equal in every respect in rights in relation to every state and federal government until evidence of consent to become UNEQUAL is established on the record of the proceeding.
3. All government tax forms sent by Protected Party to Government Agent and/or his employer shall be subject to the terms and conditions described in the following form and the definitions appearing in section 0 earlier:

Tax Form Attachment, Form #04.201

<http://sedm.org/Forms/FormIndex.htm>

4. All parties are presumed to be equal under the law with the following exceptions:
  - 4.1. Parties may only become UNEQUAL through their EXPRESS WRITTEN CONSENT.
  - 4.2. All parties are human beings protected by the Bill of Rights and state Constitutions. Government as an artificial being has no constitutional rights.
  - 4.3. All parties have no delegated authority to consent to government franchises and therefore may not have any government franchise enforced against them in the context of these proceedings. Even written evidence of an application shall not constitute consent. Franchises include the income tax, Social Security, Medicare, Unemployment insurance, government healthcare, driver’s licenses, marriage licenses, vehicle registration, contractor’s licenses, and professional licenses.
5. Any right or method of acquiring rights asserted by any government shall also be possessed by all parties to this agreement. For instance:

- 5.1. If the government claims the right to assert sovereign, judicial, or official immunity, then parties shall also have the same right as an officer and fiduciary of God's government and his family's government under the Holy Bible trust indenture and the family private articles of incorporation.
- 5.2. If the government claims the right to allow third parties to elect either party into a public office within a franchise without the express written consent of the Party, then that Party retains the same right against the government and all parties representing the government as individual human beings. An example of this phenomenon is the filing of information returns such as IRS Forms W-2, 1042-S, 1098, and 1099.
- 5.3. If the government claims the right to reclassify his/her speech from nonfactual to factual and actionable, then the Parties shall have the same right and may classify the court's orders or the statements of government as nonfactual, political, and IRRELEVANT.
- 5.4. If the government alleges or asserts any of the following, then the Parties assert the same EQUAL right to make the government into a consenting party and therefore "resident" under this franchise.
- 5.4.1. That the Protected Party is a "resident" or "citizen" under any federal or state law.
- 5.4.2. That the Protected Party "purposefully availed" themselves of commerce within the jurisdiction of any federal or state court.
- 5.4.3. That the Protected Party availed themselves of any alleged commercial "benefit" or privilege offered by any government.
- 5.4.4. Government or court or judge redefines any word within used by the Protected Party on any government form or commercial correspondence to mean anything OTHER than that expressly defined here.
6. The declared nationality and domicile status declared by either party shall not be challenged or disputed by the other party. It shall be presumed to be accurate, correct, and conclusive as they declare it.
7. All property of the Protected Party shall be presumed to be absolutely owned PRIVATE property until evidence is introduced into the record that:
- 7.1. The Protected Party, IN WRITING, expressly consented to donate said private property to a public use, public purpose, and public office in the mode that he/she/it and not the court or the opposing party, specifies. . AND
- 7.2. The Protected Party was domiciled outside of land protected at the time he or she or it consented. Rights protected by the Constitution are unalienable, according to the Declaration of Independence, and therefore one CANNOT lawfully consent to give them away.
8. All human beings shall presumed to be sovereign and no amenable to civil suit or judgment under anything other than the common law and the constitution. Human beings are the fountain and source of ALL political and legal power in the American form of government, as declared by the U.S. Supreme Court. If the other party to the litigation is the government, then:
- 8.1. The government must prove that the Protected Party EXPRESSLY CONSENTED to suit IN WRITING in the mode that he and not the court specifies.
- 8.2. No implied contracts may be presumed.
- 8.3. No right documented in the state or federal constitutions may be contracted away, alienated, or surrendered, even with consent of the Protected Party, because all such rights are identified in the Declaration of Independence as "unalienable", meaning that they cannot lawfully be sole, bargained away, or transferred in relation to a REAL, de jure government.
9. Protected Party is a Christian is acting as an agent, fiduciary, trustee over God's property, which is him/her self and all the Earth and has no delegated authority to either contract or consent to contract with any Earthly government.

*"Do you not know that friendship with the world is enmity with God? **Whoever therefore wants to be a friend ["citizen", "resident", "taxpayer", "inhabitant", or "subject" under a king or political ruler] of the world [or any man-made kingdom other than God's Kingdom] makes himself an enemy of God.**"*  
*[James 4:4, Bible, NKJV]*

***"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" in the process of contracting with them], lest they make you sin against Me [God]. For if you serve their gods [under contract or agreement or franchise], it will surely be a snare to you."***  
*[Exodus 23:32-33, Bible, NKJV]*

1 "Pure and undefiled religion before God and the Father is this: to visit orphans and widows  
2 in their trouble, and to keep oneself unspotted from the world [the obligations and  
3 concerns of the world]."

4 [[James 1:27](#), Bible, NKJV]  
5

6 "You shall have no other gods [including political rulers, governments, or Earthly laws]  
7 before Me [or [My commandments](#)]."

8 [[Exodus 20:3](#), Bible, NKJV]  
9

10 "Then all the elders of Israel gathered together and came to Samuel [the priest in a  
11 Theocracy] at Ramah, and said to him, 'Look, you [the priest within a theocracy] are old,  
12 and your sons do not walk in your ways. Now make us a king [or political ruler] to judge  
13 us like all the nations [and be OVER them]'.

14 "But the thing displeased Samuel when they said, 'Give us a king [or political ruler] to  
15 judge us.' So Samuel prayed to the Lord. And the Lord said to Samuel, 'Heed the voice  
16 of the people in all that they say to you; for they have rejected Me [God], that I should  
17 not reign over them. According to all the works which they have done since the day that I  
18 brought them up out of Egypt, even to this day—with which they have forsaken Me [God  
19 as their ONLY King, Lawgiver, and Judge] and served other gods—so they are doing to  
20 you also [government or political rulers becoming the object of idolatry]."

21 [[1 Sam. 8:4-8](#), Bible, NKJV]  
22

23 "Do not walk in the [statutes of your fathers](#) [the heathens], nor observe their judgments,  
24 nor defile yourselves with their [pagan government] idols. I am the LORD your God: Walk  
25 in [My statutes](#), keep My judgments, and do them; hallow My Sabbaths, and they will be a  
26 sign between Me and you, that you may know that I am the LORD your God."

27 [[Ezekial 20:10-20](#), Bible, NKJV]  
28

29 "And have no fellowship [or association] with the unfruitful works of [government]  
30 darkness, but rather reprove [rebuke and expose] them."

31 [[Eph. 5:11](#), Bible, NKJV]  
32

33 "But if you are led by the Spirit, you are not under the law [man's law]."

34 [[Gal. 5:18](#), Bible, NKJV]  
35

36 "Shall the throne of iniquity [the U.S. Congress and the federal judiciary], which devises  
37 evil by [obfuscating the] law [to expand their jurisdiction and consolidate all economic  
38 power in their hands by taking it away from the states], have fellowship with You? They  
39 gather together against the life of the righteous, and condemn innocent blood [of  
40 "nontaxpayers" and [persons outside their jurisdiction](#), which is an act of extortion and  
41 racketeering]. But the Lord has been my defense, and my God the rock of my refuge. He  
42 has brought on them their own iniquity, and shall cut them off in their own wickedness; the  
43 Lord our God [and those who obey Him and His word] shall cut them off [from power  
44 and from receiving illegal bribes cleverly disguised by an obfuscated law as legitimate  
45 "taxes"]."

46 [[Psalm 94:20-23](#), Bible, NKJV. QUESTION FOR DOUBTERS: Who else BUT Congress  
47 and the judiciary can devise "evil by law"?]  
48

49 "Come out from among them [the unbelievers and [government idolaters](#)]  
50 And be separate, says the Lord."

**Do not touch [or contract with] what is unclean,**  
And I will receive you.  
I will be a Father to you,  
And you shall be my sons and daughters,  
Says the Lord Almighty."  
[\[2 Corinthians 6:17-18, Bible, NKJV\]](#)

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"Nevertheless, God's solid foundation stands firm, sealed with this inscription: 'The Lord knows those who are His,' and, 'Everyone who confesses the name of the Lord **must turn away from [not associate with or subsidize] wickedness [wherever it is found, and especially in government].**' "  
[\[2 Tim. 2:19, Bible, NKJV\]](#)

Not "walking in the statutes of your fathers" means not participating in government franchises or statutory law that is for GOVERNMENT and its officers only, but rather proceeding ONLY under the common law and in EQUITY. The government does the same thing, wherein it asserts "sovereign immunity" and requires "express written consent to be sued" before a suit against it can be entertained.

The above are the same requirements that governments imposes upon those who wish to sue it/them.

## **9.8 Enforcement Authority of Protected Party Against Government Actor**

Government Actor consents to allow Protected Party or his agents or assigns to take any one or more of the following actions to enforce this franchise and agreement for any liabilities which might result from violations of the franchise and agreement:

1. File an administrative lien upon real property owned by Government Actor in the county recorder of any county.
2. Place a UCC lien against the name of Government Actor in one or more states of the Union.
3. Make withdrawals from any and all financial accounts in the name of the Government Actor.
4. Place an administrative lien against the government pay and benefits of the Government Actor.

Legal evidence of authority to take any of the enforcement above actions indicated above shall consist in presentation all of the following proofs:

1. Receipt of correspondence signed by the Government Actor or indicating the name of the Government Actor.
2. Presentation of a Certificate of Service showing that this signed agreement was served upon the Government actor.

## **9.9 Issues not subject to dispute, default answers stipulated**

Government Actor agrees not to accuse Protected Party of making or relying upon any of flawed arguments identified in the following publications or raise them as an issue in any dispute between the parties:

1. Policy Document: Rebutted False Arguments Against This Website, Form #08.011  
<http://sedm.org/Forms/FormIndex.htm>
2. Policy Document: Rebutted False Arguments About Sovereignty, Form #08.018  
<http://sedm.org/Forms/FormIndex.htm>
3. Flawed Tax Arguments to Avoid, Form #08.004  
<http://sedm.org/Forms/FormIndex.htm>
4. Rebutted Version of the IRS "The Truth About Frivolous Tax Arguments", Form #08.005  
<http://sedm.org/Forms/FormIndex.htm>
5. Rebutted Version of "Tax Resister Frequently Asked Questions", Form #08.007  
<http://sedm.org/Forms/FormIndex.htm>
6. Rebutted Version of CRS Report 97-59A: "Frequently Asked Questions Concerning the Federal Income Tax", Form #08.006  
<http://sedm.org/Forms/FormIndex.htm>

Parties stipulate that any allegation about Protected Party that is inconsistent with any of the above shall be interpreted as actionable fraud and slander.

Government Actor agrees not to impute or allege any obligation to any government or de facto government on the part of Protected Party, including any government, that the Protected Party did not expressly request and consent to in writing in the manner that Protected Party and no one else specifies.

Government Actor furthermore stipulates to the default answer to any and all admissions provided at the end of the Memorandums of Law appearing in the following:

SEDM Forms Page, Section 1.5, Memorandums of Law  
<http://sedm.org/Forms/FormIndex.htm>

Government Actor may dispute the default answer to any of the above by providing evidence consistent with that permitted under this agreement.

### **9.10 Authority conferred by Government Actor upon Protected Party**

1. Government Actor delegates exclusive authority to Protected Party to declare and determine whether any government franchise or private law to which Protected Party is alleged to be a party is in fact a “benefit”. If Protected Party deems that it is not, no provision of the specific franchise may or shall lawfully be enforced against him or her. Such franchises include Social Security, income taxes, Medicare, unemployment compensation, welfare, etc.
2. Power of Attorney to Correct False Information Returns Filed Against Protected Party by Government Actor. Government Actor consents to allow Protected Party of this form to submit corrected information returns to the IRS or state revenue agencies which zero out any report of “trade or business” earnings and to sign said forms under power of attorney from the Government Actor. This includes, but is not limited to IRS Forms W-2C, W-3, 1042-S, 1096, 1098, 1099, and 8300.
3. Power of Attorney to Execute IRS Form 56: Government Actor consents to allow the Protected Party of this form to submit [IRS Form 56](#) on their behalf and under power of attorney, making the Government Actor liable and surety for all debts or obligations created by the unauthorized use, or abuse of information about him in the possession of Government Actor or his/her agents or assigns, including any attempts to use such information for a commercial or governmental purpose. This will make the Government Actor into the target for all collection notices directed at the “public office” fraudulently created by the duress, coercion, and unlawful actions of the Government Actor of this notice. Government Actor waives any right to disclaim liability for the [IRS Form 56](#) so filed and agrees NOT to file an IRS Form 56 making Protected Party of this Notice liable for any of the taxes, debts, or other obligations that arise out of this correspondence, any of the attachments, or any of the alleged obligations that might arise out of the franchise established herein. If Government Actor files an IRS Form 56 to remove responsibility for his unlawful actions, he agrees to reimburse Protected Party for TWICE any monetary damages or injuries sustained by filing such a form.
4. Power of Attorney to Execute IRS Form 8822: Government Actor consents to allow the Protected Party to complete an IRS Form 8822 changing the address to his/her/its address, making the Government Actor liable and surety for collection notices and actions in connection with any tax liabilities that may be enforced against the Protected Party as a consequence of reports, actions, or omissions filed against Protected Party by Government Actor. This will make the Government Actor into the target for all collection notices directed at the “public office” fraudulently created by the duress, coercion, and unlawful actions of the Government Actor of this notice. Government Actor waives any right to disclaim liability for the [IRS Form 8822](#) so filed and agrees NOT to file an IRS Form 8822 making Protected Party of this Notice liable for any of the taxes, debts, or other obligations that arise out of this correspondence, any of the attachments, or any of the alleged obligations that might arise out of the franchise established herein. If Government Actor files an IRS Form 8822 to remove responsibility for his unlawful actions, he agrees to reimburse Protected Party for TWICE any monetary damages or injuries sustained by filing such a form.

### **9.11 Stipulations regarding communications between Protected Party and Government Actor**

1. All Statements Made by Government Actor are Material, Factual, Truthful, and Actionable Under Penalty of Perjury: Pursuant to [18 U.S.C. §1001](#), Materiality, the Government Actor of this form agrees to take complete, private, personal, and exclusive responsibility for the truthfulness and accuracy of the entire content of any correspondence sent by him or her or his or her employer as true, correct, and complete UNDER PENALTY OF PERJURY. This provision thereby circumvents the disclaimer found on the IRS website and makes it of no effect: [Internal Revenue Manual \(I.R.M.\)](#).



[Section 4.10.7.2.8](#). The Government Actor described in this document as a private party, by virtue of accepting the “benefits” of this franchise, instead agrees to exercise their right to contract under this franchise agreement as a means to make their employer, the IRS, IRRELEVANT and agrees that all correspondence from them or their employer becomes their exclusive, personal, and private responsibility under this contract or agreement. This will prevent judicial tribunals from protecting and rewarding IRS agents and those representing the government such as “withholding agents” from telling lies or untruths to those they are supposed to have a fiduciary duty to help and protect the rights of. Your “trade or business” franchise turns me into a “public officer” without my consent, and likewise, my franchise changes YOU from a public officer into a private individual so you can be sued and have to take personal responsibility for your actions and cannot claim immunity of any kind. What is good for the goose is good for the gander.

2. Consent to recording of all audio conversations. Government Actor consents to recording of all audio communications, including but not limited to IRS summons hearings, examinations, visitations, court appearances, and telephonic communication, and recording mentioned in 26 U.S.C. §7521(a). This correspondence shall also constitute an advanced notification that all such recording shall be done in satisfaction of ten day period identified in 26 U.S.C. §7521. Protected Party is NOT the “taxpayer” mentioned in this statute, however, and is a “nontaxpayer” NOT subject to ANY provision of the Internal Revenue Code, Subtitles A through C.

## 9.12 Use of Information About Protected Party

Any unauthorized use and especially commercial use of information pertaining to the Protected Party and contained on this form, any attached form, or any information previously submitted to the government is subject to a \$100,000 penalty per incident plus any tax or penalty liability that might result from the unauthorized use of said information. Authority to store or use all such information for any purpose MUST be procured in a writing signed by the Protected Party in advance of the disclosure or it does not exist. Unauthorized uses include:

1. Mailing any kind of notices other than abatement notices.
2. Sharing information with ANY agency or bureau OTHER than the one the Government Actor works for.
3. Performing tax or penalty assessment with the information.
4. Conveying any “benefit” to the Protected Party that might make him/her/it subject to any type of government franchise, license, or “public right”, including but not limited to the following:
  - 4.1. A graduated or reduced rate of tax pursuant to [26 U.S.C. §1](#).
  - 4.2. Earned income credits pursuant to [26 U.S.C. §32](#).
  - 4.3. “Trade or Business” deductions pursuant to [26 U.S.C. §162](#). I am NOT engaged and never have voluntarily engaged in a “trade or business”, which is defined in [26 U.S.C. §7701](#)(a)(26) as “the functions of a public office”.
  - 4.4. Treaty benefits under an income tax treaty with a foreign country.
  - 4.5. Any benefit, privilege, or immunity conferred by any provision within the Internal Revenue Code.
  - 4.6. A statutory refund pursuant to any provision within the Internal Revenue Code. There is no provision within the Internal Revenue Code that authorizes refunds of unlawfully withheld taxes or taxes paid under protest of “nontaxpayers” who are not subject to the Internal Revenue Code. All monies paid to the government have been paid ILLEGALLY and UNDER PROTEST and therefore are not as “taxes”. These unlawfully collected monies are therefore due back NOT because of any provision within the Internal Revenue Code, but ONLY under principles of justice and equity. It is NOT a “privilege” or “franchise” or “public right” to expect the government to RETURN money that was UNLAWFULLY STOLEN and sent to the government and which the government is not lawfully entitled to hold as the “transferee” or “fiduciary” over other people’s money. Keeping such proceeds would cause the government to be engaging in criminal money laundering and make the government into a protection racket rather than a protector.

*“A claim against the United States is a right to demand money from the United States.”<sup>29</sup> Such claims are sometimes spoken of as gratuitous in that they cannot be enforced by suit without statutory consent.<sup>30</sup> The general rule of non-liability of the United States does not mean that a citizen cannot be protected against the wrongful governmental acts that affect the citizen or his or her property.<sup>31</sup> If, for example, money or property of an*

<sup>29</sup> United States ex rel. Angarica v. Bayard, 127 U.S. 251, 32 L.Ed. 159, 8 S.Ct. 1156, 4 A.F.T.R. 4628 (holding that a claim against the Secretary of State for money awarded under a treaty is a claim against the United States); Hobbs v. McLean, 117 U.S. 567, 29 L.Ed. 940, 6 S.Ct. 870; Manning v. Leighton, 65 Vt. 84, 26 A. 258, motion dismd 66 Vt. 56, 28 A 630 and (disapproved on other grounds by Button’s Estate v. Anderson, 112 Vt. 531, 28 A.2d. 404, 143 A.L.R. 195).

<sup>30</sup> Blagge v. Balch, 162 U.S. 439, 40 L.Ed. 1032, 16 S.Ct. 853.

<sup>31</sup> Wilson v. Shaw, 204 U.S. 24, 51 L.Ed. 351, 27 S.Ct. 233.



*innocent person goes into the federal treasury by fraud to which a government agent was a party, the United States cannot [lawfully] hold the money or property against the claim of the injured party.*<sup>32</sup>”

[American Jurisprudence 2d, United States, §45 (1999)]

4.7. An “election” to be treated as a “resident alien” and obtain a reduced tax liability pursuant to [26 U.S.C. § 7701\(b\)\(4\)\(B\)](#), or [6013\(g\)](#) or (h).

5. Initiating civil or criminal litigation against the Protected Party.

6. Associating the Protected Party with any federally issued identifying number, including but not limited to Social Security Numbers as described in 20 C.F.R. §422.103(d), Taxpayer Identification Numbers as described in [26 U.S.C. §6109](#), or Employer Identifying Numbers as described in [26 U.S.C. §6109](#). Protected Party does not consent to take custody of these forms of public property, which 20 C.F.R. §422.103(d) says belongs to the government and not Protected Party. This would represent compelled association in violation of the First Amendment and involuntary servitude in violation of the Thirteenth Amendment. Government Actor is reminded that Protected Party does not possess, voluntarily use, nor have a Social Security Number or Taxpayer Identification Number and never lawfully requested one.

### **9.13 Materiality of any perjury statements signed by Protected Party in the context of criminal enforcement by Government Actor**

In order for a perjury statement to be material and result in successful criminal enforcement against the party who signed it, there must be a provable physical injury, property damage, or property loss that results from reliance upon it which can form the basis for standing to sue.

**MATERIAL EVIDENCE.** *Such as is relevant and goes to the substantial matters in dispute, or has a legitimate and effective influence or bearing on the decision of the case. Porter v. Valentine, 18 Misc. 213, 41 N.Y.S. 507; Connecticut Fire Ins. Co. of Hartford, Conn. v. George, 52 Okl. 432, 153 P. 116, 119. "Materiality," with reference to evidence does not have the same signification as "relevancy." Pangburn v. State, Tex.Cr.App., 56 S.W. 72, 73.*

**MATERIAL FACT.** *(In contracts.) One which constitutes substantially the consideration of the contract, or without which it would not have been made. Lyons v. Stephens, 45 Ga. 143.*

*(In pleading and practice.) One which is essential to the case, defense, application, etc., and without which it could not be supported. Sandheger v. Hosey, 26 W.Va. 223; Davidson v. Hackett, 49 Wis. 186, 5 N.W. 459; Hansen v. Sandvik, 128 Wash. 60. 222 P. 205. 207. One which tends to establish any of issues raised. Sherwood Bros. v. Yellow Cab Co. of Philadelphia, 283 Pa. 488, 129 A. 563. 564. The "material facts" of an issue of fact are such as are necessary to determine the issue. Woolman Const. Co. v. Sampson, 219 Mich. 125, 188 N.W. 420. 422.*

*(In insurance.) A fact which, if communicated to the agent or insurer, would induce him either to decline the - .. insurance altogether, or not accept it unless a higher premium is paid. Berry v. Equitable Fire & Marine Ins. Co., Mo.ADD, 263 S.W. 884 886; Franklin Life Ins. Co. v. Dossett, Tex.Civ.App., 265 S.W. 259, 262. One which necessarily has some bearing on the subject-matter. Wittels Loan & Mercantile Co. v. American Cent. Ins. Co., Mo. APP., 273 S.W. 1084, 1086. A fact which increases the risk, or which, if disclosed, would have been a fair reason for demanding a higher premium: any fact the knowledge or ignorance of which would naturally influence the insurer in making or refusing the contract, or in estimating the degree and character of the risk, or in fixing the rate. Boaes v. Insurance Co., 30 Mo. 68; Clark v. Insurance Co., 40 N.H. 338, 77 Am.Dec. 721; Murphy v. Insurance Co., 205 Pa. 444, 55 A. 19; Penn Mut. L. Ins. Co. v. Mechanics' Sav. Bank, 19 C.C.A. 286, 72 F. 413, 38 L.R.A. 33.*

[Black's Law Dictionary, Fourth Edition, pl. 1128]

<sup>32</sup> Bull v. United States, 295 U.S. 247, 79 L.Ed. 1421, 55 S.Ct. 695, 35-1 U.S.T.C. ¶ 9346, 15 A.F.T.R. 1069; United States v. State Bank, 96 U.S. 30, 96 Otto. 30, 24 L.Ed. 647.

Parties hereby stipulate the following conditions in all their interactions which make both injury to the government and materiality of a false perjury statement by the Protected Party impossible in the context of all their legal interactions:

1. In all interactions between Protected Party and Government Actor and his /her employer, Protected Party shall be the ONLY “Merchant” (U.C.C. §2-104(1)) and the Government shall at all times be the “Buyer” (U.C.C. §2-103(1)(a)).
2. As an agent of his/her Creator 24 hours a day, seven days a week, Protected Party has NO DELEGATED AUTHORITY to consent to be anything BUT a Merchant in relation to any and all governments per their delegation of authority order as described below.<sup>33</sup> Any attempt to violate that delegation of authority order shall constitute malicious interference with First Amendment protections and criminal damage to religious property:

Delegation of Authority Order from God to Christians, Form #13.007

<https://sedm.org/Forms/FormIndex.htm>

3. No civil statutes which might impose any kind of duty or transfer of property from Protected Party to Government may be cited as authority for any type of enforcement or legal action initiated against Protected Party by Government.
4. Any legal actions by the Protected Party against Government Actor or his/her employer for recovery of sums owed under this agreement shall be filed as a qui tam action on behalf of the God he or she represents, and not in their own private person.
5. All government forms shall not be relied upon as evidence of a legal obligation owed to any government because the government itself says you can’t trust and should not rely on any and all government forms, statements, and publications. This is true EVEN after the forms are signed under penalty of perjury by Protected Party. Hence, they are of no evidentiary value in any proceeding beyond that assigned to them here, even if signed under penalty of perjury. See:

Reasonable Belief About Income Tax Liability, Form #05.007

<https://sedm.org/Forms/FormIndex.htm>

6. Any and all government forms, regardless of what they say, shall therefore be interpreted ONLY as a request by Protected Party for the immediate return all monies paid to the Government Actor and his/her employer by Protected Party plus compound interest in the amount of twice the inflation rate compounded annually. These monies are a repayment of a temporary loan at interest of property and services by the Protected Party to the Government. They are not a loan of property

<sup>33</sup> Below are the commandments preventing God’s followers from being anything other than a Merchant and NEVER a Buyer in relation to any and every government. The term “nations” means GOVERNMENTS, not individual people:

“For the Lord your God will bless you just as He promised you; **you shall lend to many nations, but you shall not borrow**; you shall reign over many nations, but they shall not reign over you.” [Deut. 15:6, Bible, NKJV]

“The Lord will open to you His good treasure, the heavens, to give the rain to your land in its season, and to bless all the work of your hand. **You shall lend to many nations, but you shall not borrow**.” [Deut. 28:12, Bible, NKJV]

“**You shall not charge interest to your brother**--interest on money or food or anything that is lent out at interest.” [Deut. 23:19, Bible, NKJV]

“To a foreigner you may charge interest, but to your brother you shall not charge interest, that the Lord your God may bless you in all to which you set your hand in the land which you are entering to possess.” [Deut. 23:20, Bible, NKJV]

God even warned His followers in the Bible what would happen if they DIDN’T follow the above commandments:

#### **Curses of Disobedience [to God’s Laws]**

“The alien [[Washington, D.C. is legislatively “alien” in relation to states of the Union](#)] who is among you shall rise higher and higher above you, and you shall come down lower and lower [[malicious destruction of EQUAL PROTECTION and EQUAL TREATMENT by abusing FRANCHISES](#)]. He shall lend to you [[Federal Reserve counterfeiting franchise](#)], but you shall not lend to him; he shall be the head, and you shall be the tail.

“Moreover **all these curses shall come upon you and pursue and overtake you, until you are destroyed, because you did not obey the voice of the LORD your God, to keep His commandments and His statutes which He commanded you**. And they shall be upon you for a sign and a wonder, and on your descendants forever.

“Because you did not serve [ONLY] the LORD your God with joy and gladness of heart, for the abundance of everything, therefore you shall serve your [covetous thieving lawyer] enemies, whom the LORD will send against you, in hunger, in thirst, in nakedness, and in need of everything; and He will put a yoke of iron [[franchise codes](#)] on your neck until He has destroyed you. The LORD will bring a nation against you from afar [the District of CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle], a nation [whose language \[LEGALESE\] you will not understand](#), a nation of fierce [coercive and fascist] countenance, which does not respect the elderly [assassinates them by denying them healthcare through bureaucratic delays on an Obamacare waiting list] nor show favor to the young [destroying their ability to learn in the public FOOL system]. And they shall eat the increase of your livestock and the produce of your land [[with “trade or business” franchise taxes](#)], until you [and all your property] are destroyed [[or STOLEN/CONFISCATED](#)]; they shall not leave you grain or new wine or oil, or the increase of your cattle or the offspring of your flocks, until they have destroyed you. [Deut. 28:43-51, Bible, NKJV]

7. Government Actor and his/her employer may NOT pay back more than the amount in item 6 above and if they do, that amount becomes a GIFT with no conditions or legal strings or “quid pro quo” attached.
8. The net result is that it is impossible to interpret any monies or services received by the Protected Party from the Government Actor his/her employer as anything more than repayment of a temporary loan from the Protected Party to the Government.
9. Parties stipulate that because these monies are repayment of a loan, they can never form standing by Government Actor or his/her employer for fraud, theft, or injury against any government.

## **9.14 Other Terms and Conditions**

Government Actor consents and agrees to:

1. Abide by this agreement in its entirety.
2. Produce evidence of consent to the surrender of the rights conveyed *in writing* with the signature of the Protected Party to any and all franchises or contracts sought to be enforced by the Government Actor as against the Protected Party and to dismiss all legal actions where this requirement is not met.
3. Accept, pay, and not remove from county records private contractual liens upon his real property, wherever situated when filed by Protected Party in order to enforce this agreement. These private contractual liens shall be filed by Protected Party under power of attorney as against the Government Actor.
4. Accept, pay, and not remove UCC contractual liens against the chattel property of Government Actor in order to enforce this agreement. These secured transactions shall be filed by Protected Party under power of attorney as against the Government Actor.
5. Respect all the provisions and constraints of the following two documents submitted previously to the recipient and the government. Proof of service upon the government is available upon request:
  - 5.1. *Legal Notice of Change of Domicile/Citizenship and Divorce from the United States*, Form #10.001  
<http://sedm.org/Forms/FormIndex.htm>
  - 5.2. *Resignation of Compelled Social Security Trustee*, Form #06.002  
<http://sedm.org/Forms/FormIndex.htm>

## **10 Dispute Resolution**

Parties stipulate to all of the following terms and conditions governing disputes under this agreement.

### **10.1 Agency and Status of Parties**

Parties under this franchise consent to be treated as all of the following in respect to federal civil jurisdiction:

1. Nonresident.
2. “Stateless person” because domiciled AND resident outside the statutory but not constitutional “United States”.
3. If the parties are domiciled in different states of the Union or foreign jurisdictions, Constitutional diversity shall apply under Article III, Section 2 and NOT statutory diversity under 28 U.S.C. §1332.
4. That described in the following:

<i>Tax Form Attachment</i> , Form #04.201 <a href="http://sedm.org/Forms/FormIndex.htm">http://sedm.org/Forms/FormIndex.htm</a>
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Protected Party has not consented and has no delegated authority to consent to represent an enfranchised or privileged government entity of any kind, including but not limited to all of the following kinds and therefore has no option but to proceed ONLY under the common law and equity:

1. Public officer of state or national governments.
2. Instrumentality or agent of any kind of state or federal governments.
3. Statutory “taxpayer” per 26 U.S.C. §7701(a)(14).
4. Statutory “driver” under state motor vehicle code.
5. Statutory “spouse” under state family code.
6. Social security participant under the Social Security Act, 42 U.S.C. Chapter 7.
7. Statutory “U.S. citizens” as described in [8 U.S.C. §1401](#) or 26 C.F.R. §1.1-1(c) or any other federal statute.
8. Statutory “U.S. resident” as described in [26 U.S.C. §7701\(b\)\(1\)\(A\)](#) or any other federal statute.

- 1 9. Statutory “U.S. persons” as defined in [26 U.S.C. §7701](#)(a)(30) or any other federal statute.
- 2 10. Statutory “person” as defined in [26 U.S.C. §6671](#)(b) or [26 U.S.C. §7343](#) or any other federal law.
- 3 11. Statutory “individual” as defined in [5 U.S.C. §552a](#)(a)(2) and 26 C.F.R. §1.1441-1(c)(3) or any other federal statute.
- 4 12. Statutory “nonresident alien individual” per 26 C.F.R. §1.1441-1(c)(3).
- 5 13. Statutory “federal personnel” as defined in [5 U.S.C. §552a](#)(a)(13).

6 Parties stipulate that any attempt to assign or presume or declare any of the above statuses or conditions to the Protected Party  
7 shall constitute:

- 8 1. FRAUD.
- 9 2. Unlawful duress.
- 10 3. Perjury, if such assertion appears in any pleading filed or evidence entered in a court of law.
- 11 4. Identity theft.
- 12 5. Compelled association.
- 13 6. Compelled contacting and/or involuntary servitude.

14 . . . with the state or federal governments.

15 Parties stipulate that neither Protected Party nor Government Actor were or are acting as an officer or “public officer” within  
16 any government or corporation in the context of their interactions or with any obligations associated with their relationship,  
17 including tax obligations.

18 *“**Private person.** Term sometimes used to refer to persons other than those holding public  
19 office or in military services.”*  
20 *[Black’s Law Dictionary, Sixth Edition, p. 1196]*

21 Parties stipulate that any of the following actions on the part of the Government Actor shall constitute criminal impersonation  
22 of a public officer (per 18 U.S.C. §912) by the Government Actor, criminal conversion of private property to a public use,  
23 and theft against the Protected Party by the Government Actor:

- 24 1. Filing any kind of information return against the protected party under the authority of 26 U.S.C. §6041, including but  
25 not limited to IRS Forms W-2, 1042-S, 1098, and 1099. All such returns shall be deemed to be false and a criminal  
26 violation of 26 U.S.C. §7206 and/or 7207.
- 27 2. Requiring the disclosure or use of:
  - 28 2.1. A Taxpayer Identification Number (T.I.N.) as defined in 26 U.S.C. §6109.
  - 29 2.2. Social Security Number (SSN) as defined in the Social Security Act in connection with their relationship as a  
30 precondition of engaging in a relationship or under threat of terminating said relationship. See 42 U.S.C.  
31 §408(a)(8).
- 32 3. Requiring that the Protected Party declare or represent his/her/its status as being anything other than that described  
33 herein as a condition of engaging in a relationship or under threat of terminating said relationship.
- 34 4. Honoring an IRS Levy or state levy under the authority of 26 U.S.C. §6331. Protected Party is not acting and does not  
35 consent to act as an agency or instrumentality of the national government subject to levy as described in 26 U.S.C.  
36 §6331(a) and it is a crime for him to act in said capacity.

37 Government Actor agrees to become the substitute defendant who is exclusively responsible for all penalty and tax  
38 assessments, or court judgments instituted against Protected Party.

39 Government Actor furthermore agrees NOT to either complain or prosecute any party to any dispute under this agreement  
40 for the “unauthorized practice of law”, and agrees to become the substitute defendant if any third party such as a government  
41 or government actor attempts to or succeeds in prosecuting any party to this agreement for the unauthorized practice of law.  
42 The term “practice of law” or “law practice” shall have the meaning prescribed earlier in section 3.19 of this franchise  
43 agreement.

## 10.2 Choice of Law

This section prescribes the choice of law which applies to all past, present, and future interactions between the Protected Party and the Government Actor. It also governs and controls all litigation in any court of justice between Protected Party and the Government Actor in both civil and criminal matters pertaining to this specific transaction:

1. Parties stipulate that the common law, the Bill of Rights, and equity and this agreement ALONE shall dictate the choice of law in any dispute between the parties.
2. Pursuant to [Federal Rule of Civil Procedure 17\(b\)](#), the choice of law which applies is ONLY the law from the domicile of each party and NOT the laws of the "United States" or any "State" as used in any federal law. [Federal Rule of Civil Procedure 17\(b\)\(2\)](#) and [\(b\)\(3\)](#) do NOT apply to this proceeding.
3. Parties stipulate that neither are party to any government franchise, "benefit", or privilege, including but not limited to government employment, Social Security, Medicare, unemployment insurance, or the [Internal Revenue Code, Subtitle A](#) income tax ("trade or business" franchise).
4. Parties stipulate that their relationship does not involve a "federal question" or any property of the national government coming under Article 4, Section 3, Clause 2 and may therefore not be removed to a federal court and must be litigated only in a state court.
5. Parties stipulate that they are not and were not domiciled or "resident" within and did not occupy any of the following during any of their interactions:
  - 5.1. Any United States judicial district as described in [28 U.S.C. Chapter 5](#).
  - 5.2. Any Internal Revenue District mentioned in [26 U.S.C. §7601](#).
  - 5.3. Any federal territory or possession.
6. Parties stipulate that they were not present in any of the following during any aspect of their interactions:
  - 6.1. The "State" defined in [26 U.S.C. §7701\(a\)\(10\)](#) or [4 U.S.C. §110\(d\)](#) or any other federal law.
  - 6.2. The "United States" as defined in [26 U.S.C. §7701\(a\)\(9\)](#) and [\(a\)\(10\)](#).
7. Parties stipulate NOT to apply any provision of federal law, including but not limited to 26 U.S.C. §7701(a)(39), 26 U.S.C. §7408(d), or Federal Rule of Civil Procedure 17(b) to kidnap or transport his/her/its legal identity to the District of Columbia. He does NOT consent to represent any entity covered by these statutes.
8. Government Actor consents to be treated as a "resident" within whatever court, tribunal, or district that Protected Party files suit in against him.

Parties stipulate that this agreement has no illegal or injurious purpose whatsoever and therefore may not be invalidated by any court. Its sole purpose is to avoid compelled association with or contracting with ALL governments, which is protected by the First Amendment and Article 1, Section 10 of the Constitution. In the event that any part of this agreement is found to be unenforceable, it is the intent of the parties that all remaining provisions shall be legally binding.

## 10.3 Venue

All disputes under this agreement shall proceed under the common law and equity RATHER than civil statutory law. A common law "court of record" shall be established and convened for the purposes of hearing this matter of PRIVATE and not PUBLIC rights:

**Courts of record and courts not of record.** *The former being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony, and which have power to fine or imprison for contempt. Error lies to their judgments, and they generally possess a seal. , Courts not of record are those of inferior dignity, which have no power to fine or imprison, and in which the proceedings are not enrolled or recorded. 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal. 225; Erwin v. U. S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio.St. 205, 117 N.E. 229, 231.*

**A "court of record" is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial.** *Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227. 229: Ex parte Gladhill, 8 Metc . Mass., 171, per Shaw, C. J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.*



Courts may be at the same time of record for some purposes and not of record for others.  
*Lester v. Redmond*, 6 Hill, N.Y., 590; *Ex parte Gladhill*, 8 Melc., Mass., 168.  
[*Black's Law Dictionary*, Fourth Edition, pp. 425-426]

Note that the distinguishing characteristic of a "court of record" is that it proceeds independently of the person of the judge or magistrate. The Sovereign who initiates the suit, who is the Plaintiff, executes the functions of the court and represents the court and the suit independent of the magistrate or judge. Final judgment is reserved for ONLY the jury, who are the ONLY true sovereigns and "the court".

"The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..."

[*Boyd v. State of Nebraska*, 143 U.S. 135 (1892)]

The distinguishing feature of a common law court is that it is convened for the enforcement of private rights and is done under equity and NOT statutory law. Parties stipulate that statutory civil law, in fact, only regulates public conduct of public officers within the government. See:

*Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037  
<http://sedm.org/Forms/FormIndex.htm>

#### 10.4 No Statutes of Limitation

No statutes of limitations shall be enforced to protect any violations of this agreement. All statutory civil law, in fact, is for government public officers and not private parties such as the Protected Party, as exhaustively proven in the following:

*Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037  
<http://sedm.org/Forms/FormIndex.htm>

The following U.S. Supreme Court ruling establishes why statutes of limitations cannot undermine the protection of private rights and private property.

*The police power cannot go beyond the limit of what is necessary and reasonable for guarding against the evil which injures or threatens the public welfare in the given case, and the legislature, under the guise of that power, cannot strike down innocent occupations and destroy private property, the destruction of which is not reasonably necessary to accomplish the needed reform; and this, too, although the legislature is the judge in each case of the extent to which the evil is to be regulated or prohibited. Where the occupation is in itself immoral, there can be no question as to the right of the legislature. 2 Kent, Comm. 340. Nor is it denied that every one holds his property subject to the proper exercise of the police power. Dill. Mun. Corp. 136; Tied. Lim. Police Power, 122, 122a; Com. v. Tewksbury, 11 Metc. 55. Nor that the legislature can destroy vested rights in the proper exercise of this power. Coates v. Mayor of New York, 7 Cow. 585. But the unqualified statement that when the legislature has exercised its right of judging, by the enactment of a [626-Continued.] prohibition, all other departments of the government are bound by the decision, which no court has a right to review, (Bish. St. Cr. 995,) cannot be true. The legislative power cannot authorize [OR PROTECT THROUGH A STATUTE OF LIMITATIONS] manifest injustice by positive enactment, or take away security for personal liberty or private property, for the protect on whereof government was established. Calder v. Bull, 3 Dall. 386. The state cannot deprive the citizen of the lawful use of his property if it does not injuriously effect others. Lake View v. Cemetery Co., 70 Ill. 191. The state cannot enact laws, not necessary to the preservation of the health and safety of the community, that will be oppressive and burdensome to the citizen. Railway Co. v. City of Jacksonville, 67 Ill. 37. The constitutional guaranty of life, liberty, and*



*pursuit of happiness is not limited by the temporary caprice of a present majority, and can be limited only by the absolute necessities of the public.* *Intoxicating Liquor Cases, (BREWER, J.), 25 Kan. 765; Tenement- House Cigar Case, 98 N. Y. 98; Cooley, Const. Lim. (5th Ed.) 110, 445, 446. No proposition is more firmly established than that the citizen has the right to adopt and follow such lawful and industrial pursuit, not injurious to the community, as he may see fit. People v. Marx, 99 N.Y. 377, 386, 2 N.E. Rep. 29. The mere existence of a brewery in operation, or of beer therein in vats, or packages not intended for consumption in the state is not in any way detrimental to the safety, health, or morals of the people of Kansas; nor can it be said that there is anything immoral in the business of brewing, or in beer itself, as in gambling or lotteries. Stone v. Mississippi, [101 U.S. 814](#)*

*There is no question that this enactment does in the sense of the law deprive appellees of their property. Pumpelly v. Green Bay Co., 13 Wall. 177; Munn v. Illinois, [94 U.S. 141](#).*

*It is a fundamental principle that where a nuisance is to be abated, the abatement must be limited by its necessities, and no wanton injury must be committed. The remedy is to stop the use to which the building is put, not to tear down or destroy the structure itself. Babcock v. City of Buffalo, 56 N. Y. 268, affirming 1 Sheld. 317; Bridge Co. v. Paige, 83 N. Y. 188-190; Wood, Nuis. 738. The nuisance here is sale within the state. To that extent alone can the legislature authorize the nuisance to be abated or the property destroyed. [[Mugler v. Kansas, 123 U.S. 623 \(1887\)](#)]*

Consequently, parties stipulate that the statutes of limitations apply ONLY to the situation where BOTH the party injured AND the party injuring are BOTH public officers and also parties to the “social compact” sought to be enforced, which neither party agrees to act on behalf of for the purposes of this agreement. If the injured party is a PRIVATE party and not a public officer, a statute of limitations can only serve to:

1. Undermine the security and protection of PRIVATE rights, property and persons.
2. Protect and even promote wrongdoing by government actors.
3. Violate the fiduciary duty of a REAL de jure government in fulfilling the ONLY purpose of its creation, which is the protection of PRIVATE rights to life, liberty, and property.

## **10.5 All governments excluded from suit, joinder of parties**

1. Government Actor agrees not to request the involvement of any government to any lawsuit against Protected Party, and to object and not consent to any involvement by any government in any suit between the two parties.
2. Government Actor agrees to disclose in full and in writing the nature and details of any and all written and verbal communication between his/her/it self and any government or government actor within one week of any such contact that might relate to or affect any dispute existing with Protected Party.
3. If Government Actor is serving on behalf of the United States Government in any capacity, he/she agrees not to allow the Attorney General to substitute the “United States” as defendant in the context of any dispute relating to the enforcement of this franchise under the authority of 28 U.S.C. §2679. Government Actor shall instead defend the case personally and out of their own funds.
4. Government Actor waives the right of reimbursement from the Secretary of the Treasury for any judgments against Government Actor by the Protected Party pursuant to [26 U.S.C. §7423](#).
5. If Government Actor is serving on behalf of any state of the Union or county government in any capacity, he/she agrees not to allow the Attorney General of his/her state or the District Attorney of his/her municipality to substitute the respective state or municipality as defendant in the context of any dispute relating to the enforcement of this franchise.

For the purposes of this section, parties stipulate that the following entities are presumed NOT to be part of any government, but instead to be PRIVATE commercial corporations interacting with the public in equity:

1. Internal Revenue Service (IRS).
2. State revenue agencies and department of revenue in those states participating in the federal income tax.
3. Social Security Administration, in the context of activities within constitutional but not statutory states of the Union.

1 The reason for the above is explained below:

Origins and Authority of the Internal Revenue Service, Form #05.005  
<http://sedm.org/Forms/FormIndex.htm>

2 Lastly, Parties to this agreement stipulate that any of the following activities by any government actor or his/her employer  
3 shall render all such activities as PRIVATE BUSINESS ACTIVITIES undertaken in equity and which may NOT be protected  
4 by any governmental law:

- 5 1. Enforcing federal civil law within the borders of a constitutional state of the Union on OTHER than federal territory.  
6 See:

Federal Enforcement Authority Within States of the Union, Form #05.032  
<http://sedm.org/Forms/FormIndex.htm>

- 7 2. Offering or enforcing any government franchise, license, or tax within the borders of a constitutional state of the Union  
8 on OTHER than federal territory. All such activities are hereby stipulated by the Parties to this agreement to be an  
9 “invasion” within the meaning of Article 4, Section 4 of the United States Constitution. See:

Government Instituted Slavery Using Franchises, Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>

- 10 3. Any attempt to alienate PRIVATE rights that the Declaration of Independence declares to be UNALIENABLE. All  
11 such activities are OPPOSITE to the purpose for which governments are established. That purpose is to protect  
12 PRIVATE rights. The first step in such protection is to prevent them from being converted into PUBLIC RIGHTS,  
13 with or without the consent of the owner.  
14 4. Any franchise or public right offered extraterritorially which:  
15 4.1. Is offered to those not domiciled on the territory of the sovereign offering the franchise.  
16 4.2. Is only available to those domiciled on the territory of the sovereign offering the franchise, but which is  
17 administered in such a way that the domicile or residence prerequisite is waived as a matter of policy and fiat and  
18 in contradiction to what the law permits.  
19 5. Any franchise or public right which is implemented with that which is not “positive law”, and therefore which can  
20 therefore only acquire the “force of law” and the status of “legal evidence” with the CONSENT of those who are  
21 subject.  
22 6. Any public right that is vindicated or protected in any court without a jury present or with a jury occupied by anyone  
23 with a commercial relation with the government. All courts that operate without the supervision of the ONLY true  
24 sovereigns, an impartial jury of We The People, are legislative franchise courts that do not operate in equity and whose  
25 officers always have a criminal and financial conflict of interest that ensures an unjust result.

26 *“franchise court. Hist. A privately held [meaning NON-GOVERNMENTAL] court that*  
27 *(usu.) exists by virtue of a royal grant [franchise privilege], with jurisdiction over a variety*  
28 *of matters, depending on the grant and whatever powers the court acquires over time. In*  
29 *1274, Edward I abolished many of these feudal courts by forcing the nobility to*  
30 *demonstrate by what authority (quo warrant) they held court. If a lord could not produce*  
31 *a charter reflecting the franchise, the court was abolished. - Also termed courts of the*  
32 *franchise.*

33 *Dispensing justice was profitable. Much revenue could come from the fees and dues, fines*  
34 *and amercements. This explains the growth of the second class of feudal courts, the*  
35 *Franchise Courts. They too were private courts held by feudal lords. Sometimes their claim*  
36 *to jurisdiction was based on old pre-Conquest grants ... But many of them were, in reality,*  
37 *only wrongful usurpations of private jurisdiction by powerful lords. These were put down*  
38 *after the famous Quo Warrant enquiry in the reign of Edward I.” W.J.V. Windeyer,*  
39 *Lectures on Legal History 56-57 (2d ed. 1949). ”*  
40 *[Black’s Law Dictionary, Seventh Edition, p. 668]*

## 41 **10.6 Stipulations Applying to all Litigation**

42 The following rules shall apply to all disagreements, whether administrative, or judicial, between parties:

- 43 1. Duress:

Parties stipulate that the following actions by any government actor shall constitute unlawful duress, theft, FRAUD, and perjury by said actor.

1.1. Imputing any statutory status to the Protected Party absent their express written consent.

1.2. Quoting or enforcing any federal civil statute against the Protected Party.

1.3. Where terms are not defined, presuming that the definition includes or affects private rights or private property. Rather, parties hereby stipulate that ALL civil statutes can and do affect ONLY PUBLIC rights and PUBLIC property and exclude private rights and private property. This is a rebuttable presumption, and the presumption can be rebutted by producing a statute that EXPRESSLY identifies PRIVATE rights and "human beings" rather than "individuals" as its intended target. By default, the term "individual" is hereby stipulated to include ONLY public officers and public entities within the government.

1.4. Adding any thing or class of thing to the statutory definition of any word that does not EXPRESSLY appear in the statute itself.

**"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 \(2000\)\]](#)

**"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."  
*[Black's Law Dictionary, Sixth Edition, p. 581]*

1.5. Reaching any inference or conclusion not based upon admissible evidence or which is based upon that which is not "positive law" and therefore legal evidence.

## 2. Judgments:

2.1. Summary judgments are not permitted because they lack impartiality. Everything will be decided by an IMPARTIAL jury panel.

2.2. Court MUST address all issues raised by either party in the final order, and especially issues relating to the jurisdiction of the government over either party.

2.3. Parties stipulate that they will not invoke exclusions within the Declaratory Judgments Act, 28 U.S.C. §2201(a), as an excuse for the Court NOT to rule on any issue before the court that might affect the protection of PRIVATE rights. All such exemptions can and do only pertain to public rights and public officers and cannot and do not constrain the court from protecting PRIVATE rights. The ONLY type of rights the Protected Party has or may exercise, consistent with his delegation of authority order from God, are PRIVATE rights.

2.4. If judge indicates that the Declaratory Judgments Act constrains him from ruling, the jury can and will still rule and parties stipulate that said jury will NOT be so constrained. Parties stipulate that disallowing the jury from ruling on any issue that might protect PRIVATE rights shall be construed both by the Jury and by all parties as a conspiracy against PRIVATE rights and a tort.

## 3. Court Officers:

3.1. The judge shall have NO private meetings or in camera meetings with the attorneys. Everything he or she says to counsel, if during trial, must ALSO be heard by the jury and submitted into evidence for the jury to examine.

3.2. Attorneys for the government shall not be regarded as the real party in interest, but rather someone from the executive branch of the government shall be the real party in interest in a case where the opposing party is a government.

4. Evidence:

- 4.1. No government publication shall be admitted into evidence in the resolution of any dispute between the parties, and especially any IRS Publication, which the IRS itself says in Internal Revenue Manual (I.R.M.), Section 4.10.7.2.8 says is untrustworthy and unreliable.
- 4.2. Evidence admitted shall not be filtered or redacted in any way. Any publication from which any excerpt is made shall be admitted IN ITS ENTIRETY with nothing lined out or redacted or censored. For instance, if an excerpt from any document available from either of the following two website is made, then THE ENTIRE website and the ENTIRE DOCUMENT from which the excerpt is made shall ALSO be admitted into evidence:
- 4.2.1. <http://sedm.org>
- 4.2.2. <http://famguardian.org>
- 4.3. No judicial proceeding from any District or Circuit Court involving the enforcement of any government franchise shall be:
- 4.3.1. Admitted as evidence of any obligation on the part of the Protected Party.
- 4.3.2. Used as a means to establish what the Protected Party knew or should have known about his/her obligations.
- 4.3.3. Used as precedent to establish any obligation on the part of the Protected Party.
- Instead, parties stipulate that there is no federal common law applying to those domiciled within a constitutional state of the Union. They also stipulate that no aspect of the arbitration of the relationship between the parties relate to a question under any federal statutory law. All U.S. District and Circuit Courts shall be regarded as franchise courts that can only hear federal questions relating to federal franchises and property, and this relationship does not involve either, but rather constitutes a PRIVATE franchise.
- 4.4. All correspondence sent by Government Actor or his/her employer to either Protected Party or to third parties but relating to Protected Party shall be deemed to be signed under penalty of perjury and actionable against the Government Actor if false, even if:
- 4.4.1. Government Actor did not prepare the correspondence or notice.
- 4.4.2. Employer of Government Actor disclaims responsibility for the accuracy of their publications, forms, or correspondence. Example: Internal Revenue Manual (I.R.M.), Section 4.10.7.2.8.
- 4.5. Litigants shall not be prohibited or prevented from discussing ANY statute, regulation, or case law in the courtroom or in front of the jury.
- 4.6. A failure to deny any assertion by either party shall constitute evidence of a conclusive admission of the thing not expressly denied. This rule shall apply to the government AS WELL as the Protected Party because inequality would result if it didn't.
- 4.7. All denials must be signed under penalty of perjury by the real party in interest. In case of disputes under the Internal Revenue Code, this is mandated by 26 U.S.C. §6065.
- 4.8. No statute or law or regulation or constitutional provision shall be prevented from being entered into evidence or prevented from being viewed by the jury.
- 4.9. No "experts" in law shall be admitted to direct the jury about what the law means or implies. The jury is the only party that may both READ and INTERPRET what any given legal provision means. Law is supposed to be written to be understandable by the common man sitting on a jury, and if it is not, then:
- 4.9.1. It is void for vagueness.
- 4.9.2. Shall be treated as unenforceable.
- 4.9.3. Turns the judge into a priest of a civil religion within a state sponsored church.
- 4.10. All evidence gathered during discovery shall be admitted at trial and in the record and NOTHING shall be filtered or restricted from viewing by the jury.
- 4.11. Parties stipulate to admit the following evidence in any judicial dispute between them involving their interactions pursuant to Federal Rule of Civil Procedure 29. They furthermore stipulate that all evidence listed shall be deemed truthful, accurate, and consistent with prevailing law except that which they individually and specifically rebut with court admissible evidence from ONLY the written law itself.
- 4.11.1. This document and all attached documents.
- 4.11.2. All correspondence between the parties.
- 4.11.3. Anything the Protected Party desires from the following website: <http://sedm.org>; <http://famguardian.org>.
- 4.11.4. All information and attachments submitted to the government by the Protected Party in any civil or criminal dispute arising between the Protected Party and either the recipient or the entity he or she works for pursuant to [Federal Rule of Civil Procedure 19](#) and the [Federal Rules of Criminal Procedure](#). This information must also be presented to any and all grand juries that might convene about the Protected Party which are initiated by either the Government Actor or his or her employer.

5. Materiality of Evidence

- 5.1. None of the forms submitted by Protected Party under any franchise at any time to any government shall be regarded as being material or actionable under the original statutory franchise agreement. They shall NOT be

considered as having ANY commercial consequence or form the basis for any injury because the Protected Party does NOT consent to participate and defines and describes any and all “benefits” as gifts rather than the product of any statutory relationship of the parties. This includes but is not limited to:

- 5.1.1. Social Security.
- 5.1.2. Income Taxes.
- 5.1.3. Property Taxes.
- 5.1.4. Government healthcare.
- 5.1.5. Vehicle code.
- 5.1.6. Family code.

5.2. The only written thing that is both factual and actionable are:

- 5.2.1. The terms of this anti-franchise franchise.
- 5.2.2. Statements of the Government Actor meant to COMPEL or unlawfully impose participation in the above franchises against the Protected Party.
- 5.2.3. Any and all statements by Protected Party and Government Actor responding to his or her duties or the enforcement of those duties in a court of law.

6. Discovery:

6.1. None of the persons called as witnesses by either side at any trial involving this Ministry may:

- 6.1.1. Work for the federal or state government.
- 6.1.2. Receive retirement benefits from the government.
- 6.1.3. Receive financial benefits of any kind from the government.
- 6.1.4. Be statutory "taxpayers", "U.S. citizens", or "U.S. residents".

This will ensure that the all witnesses called will be completely objective, neutral, and unbiased.

6.2. Each party shall pay for the cost of their own discovery and not ask the court to have the other party pay for their discovery under any circumstances.

6.3. There will be no limit upon the number of admissions, interrogatories, or Request for the Production of Documents (RFPDs), that may be served by either party against the other party. State or federal limitations such as the “Rule of 31”, for instance, shall NOT apply. All such discovery shall be timely and completely answered by either party and the answer shall be signed under penalty of perjury as required by 26 U.S.C. §6065 by a party who has legal authority to represent or obligate the government, if the party answering is the government.

6.4. All depositions prior to trial shall be conducted by deposition upon written questions and NOT using a court reporter. Responses shall be submitted under penalty of perjury by the party deposed. If the Government Actor is a federal worker, the authority for such a deposition shall be Federal Rule of Civil Procedure 31. This requirement is intended to minimize the cost of enforcing this agreement and to facilitate gathering of written evidence useful in prosecuting violations of law by Government Actor and his/her coworkers within the government he/she serves within.

6.5. Neither party to any dispute may request or receive any kind of sanctions relating to discover, excepting those involved in failure to provide information.

7. Parties who may participate as judges or jurists in litigation between the parties. None of the following criminal or unconstitutional conflicts of interest or injustices shall be permitted during any litigation between the parties:

- 7.1. Denying justice as a service to specific classes or groups of people based on some arbitrary criteria such as ethnicity, sexual orientation, gender, religious beliefs, etc.
- 7.2. Charging so much for the service that the people at the bottom of the economic ladder can’t afford it. Thus, the poor are discriminated against and can easily be abused by the rich without legal consequence.
- 7.3. Prosecuting people for failing to pay taxes that pay for police protection, while not prosecuting officers who fail to render the protection paid for. See:

*Why Domicile and Becoming a “Taxpayer” Require Your Consent*, Form #05.002, Section 8  
<https://sedm.org/Forms/FormIndex.htm>

7.4. Appointing and paying a court-appointed and court-selected attorney who is licensed and therefore beholden to the court at the expense of the best interests of the client. See:

*Petition for Admission to Practice*, Family Guardian Fellowship  
<https://famguardian.org/Subjects/LawAndGovt/LegalEthics/PetForAdmToPractice-USDC.pdf>

7.5. The judge orders the court reporter to withhold the court transcript and then orders the text changed to remove something that he said that would undermine the government, get him in trouble. That way, you as the litigant discriminated upon or treated illegally by the judge do not have proof that he is doing it. This is criminal obstruction of justice and also criminally tampers with the court reporter as a witness.

7.6. Allowing judges to serve over both CONSTITUTIONAL issues and FRANCHISE issues and to decide which of the two types of law to apply. That choice is called “choice of law” and it is discussed in Form #05.018, Section 3. Judges whose pay and benefit derives from franchises will always try to switch the choice of law from



1 CONSTITUTIONAL to STATUTORY FRANCHISE as a way to increase their own revenues or lower the taxes  
2 they pay for those franchises. For instance, allowing a state criminal judge whose revenues or commissions  
3 derive from traffic tickets to preside over a case involving unlicensed driving against someone who is PRIVATE  
4 and not a franchisee and who has CONSTITUTIONAL rights but wants not STATUTORY PRIVILEGES. This  
5 causes the judge to PRETEND that the party is subject to the statute when they are not in order to unlawfully  
6 enlarge government revenue and his own pay and benefits.

- 7 7.7. Instituting a commission program to reward police officers for writing tickets that produce revenue. This is an  
8 illegal abuse of the police power for civil or revenue purposes. See:

[Sovereignty for Police Officers](#), Form #12.022

<https://sedm.org/Forms/FormIndex.htm>

- 9 7.8. Censoring the court record by:

10 7.8.1. Telling you what to say in a pleading.

11 7.8.2. Denying the filing of specific types of pleadings.

12 7.8.3. Rejecting the pleading because it is too long.

- 13 7.9. Hearing a case where one of the litigants before the court is a friend of the judge or has a commercial relationship  
14 with him/her. Judges are required to recuse themselves in such a case.

- 15 7.10. Sanctioning people OTHER than licensed attorneys for any of their activities in the court other than contempt  
16 relating to disobeying court orders. Court rules pertain only to officers of the court, including those relating to  
17 sanctions. Private humans are not officers of the court. See Federal Rules of Civil Procedure.

- 18 7.11. Causing a surrender of any right, and especially constitutional right, against the government or a specific  
19 government actor in exchange for the ability to file suit. Examples might include:

20 7.11.1. Waiving the right of trial by jury in exchange for the PRIVILEGE of being able to file a suit. Traffic  
21 court, Tax Court, and Family Court don't have a jury or a jury box and you aren't even allowed to request  
22 one. You are presumed to have waived those rights when you signed up for the franchise, even though  
23 those rights are UNALIENABLE, according to the Declaration of Independence.

24 7.11.2. Making the rules of court arbitrary or not publishing them. This deprives litigants of the constitutional  
25 requirement for "reasonable notice" of what is expected of them and allows court officers to arbitrarily  
26 discriminate. See Form #05.022.

- 27 7.12. Instituting a conflict of interest, usually financial, among those judging the case, acting as witnesses, or serving as  
28 jurists. This would include:

29 7.12.1. Allowing judges or jurors to serve on trials involving taxes where they are either taxpayers or tax  
30 consumers.

31 7.12.2. Allowing judges to preside over trials involving companies they invested in.

32 7.12.3. Subsidizing judges with financial incentives for a specific outcome of the case, such as commissions for  
33 convictions.

34 7.12.4. Subsidizing court witnesses to testify in a way that produces a specific outcome of the case. For instance,  
35 paying witnesses a money award if their testimony produces a conviction.

36 7.12.5. Tampering with or bribing jurists by telling them, for instance, that they will or will not be audited by the  
37 IRS for testifying in a certain way.

38 7.12.6. Telling juries hearing tax cases that their tax bill will go up if they don't convict the defendant and  
39 thereby FORCE him or her to "pay their fair share".

40 7.12.7. Recruiting witnesses against you who are in jail and who are told they will be released if they testify in a  
41 certain way.

42 7.12.8. Telling a party among a group of people being convicted that they will get immunity and not be  
43 prosecuted if they testify against their cohorts.

- 44 7.13. Destroying all constitutional rights and replacing them with privileges by:

45 7.13.1. Forcing you to invoke the statutory law in order to get a remedy INSTEAD of the Constitution. See  
46 Form #05.037.

47 7.13.2. Dismissing or penalizing cases that invoke the Constitution as a remedy INSTEAD of the statutes. See  
48 Form #05.010.

49 7.13.3. Refusing to hear cases of people present on land but not domiciled on that land. See Form #05.002.

- 50 7.14. Censoring people from filing future actions in court. This happens all the time with people who use arguments in  
51 court that the courts don't want to deal with and which expose and prosecute government corruption.

- 52 7.15. Making the ruling unpublished in cases against the government where the government loses. Thus, you and other  
53 litigants may not use the win as an authority to win in future cases. This prejudices all cases in favor of the  
54 government and usually involves criminal obstruction of justice by the judge who made his ruling unpublished.  
55 See:

<http://Nonpublication.com>



- 1 7.16. Making presumptions about the litigant or his/her status without evidence on the record of the proceeding which  
2 prejudice the litigant and favor the government. For instance, PRESUMING that they are a statutory “U.S.  
3 citizen” instead of a non-resident state national, thus making them liable for every act of Congress instead of  
4 immune from acts of Congress. See:  
5 7.16.1. *Why You are a “national”, “state national”, and Constitutional but not Statutory Citizen*, Form #05.006  
6 <https://sedm.org/Forms/FormIndex.htm>  
7 7.16.2. *Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017  
8 <https://sedm.org/Forms/FormIndex.htm>  
9 7.16.3. *Non-Resident Non-Person Position*, Form #05.020  
10 <https://sedm.org/Forms/FormIndex.htm>

## 11 **10.7 Burden of Proof Upon All Government Officers**

- 12 1. If either Government Actor or his/her employer wishes to assert consent by the Protected Party to a waiver of any  
13 constitutional right, it shall have the burden of proving that:  
14 1.1. The Protected Party was domiciled and physically present on federal territory not protected by the Constitution  
15 and that therefore, the Protected Party had no unalienable rights but only privileges.  
16 1.2. The Protected Party expressly consented in writing to waive the right indicated in the mode he specifies.  
17 1.3. All the rights conveyed through the consent given are fully disclosed in the actual writing that was signed by the  
18 Protected Party.  
19 2. All property held in the name of the Protected Party shall conclusively be presumed to be PRIVATE property beyond  
20 the control of any government or any government civil or tax statute. Government actor may only assert otherwise by  
21 satisfying the following burden of proof:  
22 2.1. That the Protected Party consented in writing to donate the formerly private property to a public use, public  
23 purpose or public office.  
24 2.2. That the domicile of the Protect Party was on federal territory not protected by the United States constitution at  
25 the time consent was given.

26 The provisions of this section are intended to enforce the requirement for equal protection and equal treatment by placing the  
27 Protected Party on an equal footing with any and every government. Those who wish to civilly sue any government must  
28 provide evidence of consent to be civilly sued. The above provisions ensure that any government suing the Protected Party  
29 must meet the same requirement when trying to sue the Protected Party in a civil court.

30 If the Government Actor uses the word “law” to describe a statutory civil obligation by either party, the word “law” shall  
31 mean a voluntary civil franchise available only to those domiciled within the exclusive jurisdiction of the government grantor  
32 of the civil franchise. Government as moving party enforcing any obligation under such “law” agrees to meet the burden of  
33 proof that the party against which they are enforcing said obligation:

- 34 1. Is lawfully serving in a public office in the government granting the franchise.  
35 2. Is either consensually domiciled on federal territory or representing an entity so domiciled under [Federal Rule of Civil](#)  
36 [Procedure 17](#).  
37 3. Has the capacity to alienate Constitutional rights because either physically present on federal territory OR abroad OR  
38 occupying an office that is executed ONLY where EXPRESSLY authorized per [4 U.S.C. §72](#). They furthermore agree  
39 to provide the statute EXPRESSLY authorizing the exercise of the office in the PLACE they are trying to enforce.

40 In the absence of EXPRESSLY satisfying the above burden of proof with admissible evidence signed under penalty of  
41 perjury, both parties to any enforcement action stipulate that there is CONCLUSIVE PRESUMPTION against any civil  
42 enforcement authority of that civil statutory provision which is referred to with the term “law”. Parties also acknowledge  
43 that any attempt to enforce an obligation UNDER said franchise without the requirement of domicile is a PRIVATE  
44 contracting exercise that is NOT a government function and which may therefore NOT lawfully be protected with sovereign,  
45 official, or judicial immunity. For details, see and rebut:

<p><i>Why Statutory Civil Law is Law for Government and Not Private Persons</i>, Form #05.037 <a href="http://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf">http://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf</a></p>
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1 **10.8 Service of Process**

2 Government Actor agrees to accept service of legal process by any one or more of the following means:

- 3 1. By certified mail to the address that Government Actor last sent correspondence.  
4 2. By Certificate/Proof/Affidavit of service to the address that Government Actor last sent correspondence.  
5 3. By personal service upon the employer of the Government Actor.

6 Government Actor consents to provide a copy of their passport and driver's license and dwelling place on all correspondence  
7 with Protected Party and when requested by Protected Party in order to effect proper service of process.

8 **11 Method of Amendment**

9 This franchise and agreement may only be amended with the express, written consent of both parties to it beyond the point  
10 that consent is manifested and agreement is made.

11 Parties stipulate to be subject to all future published versions of this franchise without notice by Protected Party or SEDM  
12 when or if they become available. Protected Party shall have discretion to modify, amend, or add any provision he or she  
13 sees fit to this agreement at any time without notice to the Government Actor, just like the government does with its franchise.

14 *"We must conclude that **a person covered by the Act has not such a right in benefit***  
15 ***payments ... This is not to say, however, that Congress may exercise its power to modify***  
16 ***the statutory scheme free of all constitutional restraint.**"*  
17 *[Flemming v. Nestor, [363 U.S. 603](#) (1960)]*

18  
19 **12 Severability and Affirmation**

20 In the event that any part of this agreement is found to be unenforceable, it is my intent and the intent of the parties that all  
21 remaining provisions shall be legally binding.

22 I acknowledge that the obligations of this agreement are perpetual, supersede enacted law, and are superior to it. I voluntarily  
23 waive any and all benefit or immunity resulting from any statute of limitations, official, judicial, or sovereign immunity that  
24 might limit or destroy remedies or damages that could be claimed under this agreement in any court of law.

25 I voluntarily declare under penalty of perjury under the laws of the state I am domiciled in and from without the "United  
26 States" identified in [26 U.S.C. §7701](#)(a)(9) and (a)(10) and under [28 U.S.C. §1746](#)(1) that the foregoing facts are true and  
27 correct to the best of my knowledge and belief, so help me God.

28

PROTECTED PARTY	
Signature:	Date:
Phone:	Email address:
GOVERNMENT ACTOR	
Signature:	Date:
Phone:	Email address:

29