

An Open Letter To The President's Advisory Panel On Federal Tax Reform:

It's Time To Stop All Direct Taxes On Labor And End The Income Tax Fraud. Either America Still Has A Constitution And Bill Of Rights, Or It Doesn't.

Direct, Non-Apportioned Taxes On Labor Are Strictly Prohibited By The United States Constitution.

Article 1, Section 2, Clause 3:

"Representatives and **Direct Taxes shall be apportioned** among the several States which may be included within this Union, according to their respective Numbers...."

Article 1, Section 9, Clause 4:

"No Capitation, or other **direct Tax** shall be laid, **unless in Proportion** to the Census or Enumeration herein before directed to be taken."

Every Related Supreme Court Decision Confirms This Irrefutable Fact.

Pollock v. Farmers' Loan and Trust Co., 158 U.S. 601 (1895)
Stanton v. Baltic Mining Co., 240 U.S. 103 (1916)
Doyle v. Mitchell Bros. Co., 247 US 179 (1918)
Butchers' Union Co. v. Crescent City Co., 111 U.S. 746

Brushaber v. Union Pacific R.R. Co., 240 U.S. 1 (1916)
Flint v. Stone Tracy Co., 220 U.S. 107
Eisner v. Macomber, 252 US 189 (1920)

Despite A Substantial Body Of Legal Evidence Directly Challenging Its Authority, The Internal Revenue Service, (With the Direct Support Of The President, U.S. Congress And Federal Courts,) Continues To Enforce This Unlawful and Immoral "Slave Tax" On The Working People Of America.

There Can Be NO Meaningful Tax Reform Until The Government Answers Fundamental Questions Regarding The Constitutional Authority Of The IRS.

Here Are Some Of The Questions Put Forth to the President on May 10, 2004:

(For the May 2004 WTP letter to the President go to: www.GiveMeLiberty.org/TaxReform.htm)

ADMIT OR DENY That the current tax on the wages of ordinary Americans is an unapportioned direct tax.

ADMIT OR DENY That one more than half of the federal Appeals courts have ruled that the current tax on wages of ordinary Americans is an unapportioned direct tax while the remaining Appeals courts have ruled the same tax to be an un-apportioned indirect tax.

ADMIT OR DENY That generically speaking, taxes on "income" have been classified as excise taxes by the Supreme Court in *Brushaber v Union Pac. R.R. Co.*, 240 U.S. 1 (1916).

ADMIT OR DENY That the United States Supreme Court defined "income" to mean the following:

ADMIT OR DENY That the Supreme Court, in *Brushaber v Union Pac. R.R. Co.*, 240 U.S. 1 (1916), rejected the idea that the 16th Amendment granted to the government the power to impose an unapportioned direct tax, such as the current tax on wages.

"... Whatever difficulty there may be about a **precise scientific definition of 'income'**, it imports, as used here, something entirely distinct from principal or capital either as a subject of taxation or as a measure of the tax; **conveying rather the idea of gain or increase arising from corporate activities.**"

ADMIT OR DENY That the Supreme Court, in *Brushaber v Union Pac. R.R. Co.*, 240 U.S. 1 (1916), ruled that any contention that the 16th Amendment treats a tax on income as a direct tax is wholly without foundation.

"This court had decided in the Pollock Case that the income tax law of 1894 amounted in effect to a direct tax upon property, and was invalid because not apportioned according to populations, as prescribed by the Constitution. The act of 1909 avoided this difficulty by imposing **not an income tax**, but an **excise tax upon the conduct of business in a corporate capacity**, measuring, however, the amount of tax by the income of the corporation..." *Flint v. Stone Tracy Co.*, 220 U.S. 107, 55 L.Ed. 389, 31 Sup.Ct.Rep. 342, Ann. Cas."

ADMIT OR DENY That the Supreme Court, in *Stanton v. Baltic Mining Co.*, 240 U.S. 103 (1916), ruled that 16th Amendment did not confer any new power of taxation, (as would be a power to impose an unapportioned direct tax on the wages of ordinary Americans,) but merely prohibited the complete and plenary power to tax income derived from labor or capital from being taken out of the category of un-apportioned indirect taxation to which it inherently belonged.

Here Are More Facts:

(For additional details please go to: www.GiveMeLiberty.org/TaxReform.htm)

FACT: The Constitution guarantees that no person can be deprived of his or her property except by due process of law. However, the Internal Revenue Service, the Department of Justice, and the Federal Courts, routinely and systematically conspire to enforce the income tax through intimidation, coercion and outright fraud.

FACT: For the past five years, the President, United States Congress, Department of Justice and Internal Revenue Service have steadfastly REFUSED to answer specific legal questions directly challenging the lawful authority of the U.S. Government to impose and enforce a direct, non-apportioned tax on the wages and salaries of American workers.

For a disturbing example of these prosecutorial practices, read the trial transcript and criminal appeal of Texas businessman Dick Simkanin who was finally convicted in 2004 of willful failure to withhold taxes from his workers after three grand juries, two criminal trials, and a federal judge who 1) denied his attorneys the right to enter a single piece of paper in his defense, 2) never required the DOJ to cite ANY law that imposed a specific legal duty upon Simkanin to file or withhold, and 3) effectively directed the jury to find Simkanin guilty.

FACT: The We The People Foundation, along with several thousand ordinary Americans, have been forced to bring a lawsuit against our own government to finally expose the truth about America's fraudulent income tax system. USDC (DC) Case No. 04-CV-01211

FACT: In recent court filings, the U.S. Government has taken the position that it has "no legal obligation" to answer, respond to or even READ the Peoples First Amendment Petitions for Redress of Grievances, which thoroughly document the federal income tax fraud.

Is This The Tax System of a Free Nation?

Does This Sound Like A "Servant" Government Created Of, By and For The People?

Learn More About Our Efforts To Restore Constitutional Order To America's Tax System

-And-

The Landmark "Right-To-Petition" Lawsuit To Force Our Government To Answer:

"No Answers, NO Taxes."

www.GiveMeLiberty.org

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Robert L. Schulz, Chairman

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