

January 2017

From: American Citizen
123 Independence Way
Liberty, VA 07067

To: My Congressional Representative
Ford House Office Building
Washington, D.C. 20510

Dear Representative,

Some time ago it came to my attention that a gentleman by the name of Joseph R. Banister, a former agent with the IRS Criminal Investigation Division (CID), had conducted a personal investigation into the Income Tax laws and discovered some startling revelations. Before sharing with you the information Mr. Banister discovered, I would like to briefly relate to you Mr. Banister's credentials.

Mr. Banister graduated in 1986 from San Jose University with a Bachelor's degree in accounting. He spent three years as a professional tax specialist with KPMG Peat Marwick. Furthermore, Mr. Banister spent two years in the venture capital industry where he became a licensed Certified Public Accountant in the State of California. In 1993 he left the private business world and became a special agent for the Department of Treasury, Internal Revenue Service, Criminal Investigation Division in San Jose, California.

Mr. Banister resigned from the Criminal Investigation Division on February 25, 1999 after the top levels of management of the IRS and Department of Treasury refused to refute his 90-page report, relating to his investigation into the Federal Income Tax and the application thereof.

Because the IRS's management had utterly refused to refute Mr. Banister's findings in any way, Mr. Banister had to seriously consider the oath he took to God to "defend and protect the U.S. Constitution from all enemies, domestic or foreign". Mr. Banister realized that he could not uphold his oath of office while knowing he was violating this very law by continuing to enforce a non-existent tax liability.

As you can see, Mr. Banister is not only trained in tax law but is also an experienced Federal Criminal Investigator skilled in investigating and identifying criminal activity. In the report submitted by Mr. Banister to the government, he came to three very important conclusions:

1. Filing tax returns and paying individual income taxes was purely voluntary.

2. There exists irrefutable proof that the Sixteenth (purported income tax) Amendment to the United States Constitution was never properly ratified.
3. The United States Government finances its operations from the creation of unconstitutional fiat money and not from the income taxes collected from the people.

Mr. Banister not only made an independent investigation into the Income Tax laws and the application thereof, he also went to several sources in an attempt to refute the conclusions he came to as set forth above. Originally, Mr. Banister's mission was to prove that the above outlined conclusions were wrong. By doing the research he thought he would be able to correctly counsel misguided "illegal tax protestors" in an intelligent and concise manner as to why they were wrong. His hope was to show them the errors of their ways and bring them into compliance with what he'd been taught was the law.

What Mr. Banister discovered defied everything he had been taught about the individual Income Tax Laws. After completing his investigation, Mr. Banister submitted the aforementioned report fully expecting the United States government to either resolve these issues and present the law and evidence which would prove his conclusions to be erroneous or admit to the truth of his report and take the appropriate steps to prevent any further government abuse under the guise of the purported Income Tax laws.

The IRS response to Mr. Banister's report was absolutely shocking. The highest levels of the IRS in Washington, D.C. blatantly refused to even attempt to respond and refute any of the amazing findings of Mr. Banister's report. This action of the IRS removed any reservations and doubts that Mr. Banister had about the conclusions contained within his report.

Mr. Banister contacted such people as Mr. Bill Benson, a former criminal investigator for the state of Illinois tax department. Mr. Benson's criminal expertise was in the area of tax fraud. Mr. Benson was the gentleman responsible for collecting over 17,000 documents evidencing the fraud behind the ratification of the Sixteenth Amendment along with the fact that the amendment had never received 75% of the States required for ratification of an amendment to the U.S. Constitution.

Mr. Banister also contacted other persons such as Bill Conklin, a tax expert in Colorado who has litigated many cases against the IRS to a successful conclusion. Mr. Conklin is not only a trained and experienced paralegal and researcher, but he is also an English expert. Mr. Banister also accumulated information from tax experts such as Devvy Kidd, Free Enterprise Society, and Freedom Law School to name a few. In a nutshell Mr. Banister's investigation was professional, thorough, and to the point as well as completely supported by the U.S. Constitution, IRS Codes, regulations, manuals, and court cases.

Mr. Banister became painfully aware that there was indeed an enormous misapplication and misunderstanding of the Sixteenth Amendment and Income Tax laws by the IRS on the American People. He became acutely aware as to how deeply the American people have been misinformed and misled about the nature and application of the U.S. Constitution and Income Tax Laws.

Given the information I have submitted to you, I believe it to be your duty to conduct an independent investigation into the investigative report submitted to the government by Mr. Banister, although I fully believe that the issues raised by Mr. Banister are legal questions that should have been ruled upon by the courts. However, to my amazement the courts in cases such as U.S. v. Stahl, 792 F .2d 1438, 1440 (9th Cir, 1986), under the excuse that judicial ruling on these issues “is forbidden by the respect due to coordinate a branch of the government”, have ruled that these issues are not legal questions but “political questions” that should be resolved by our legislatures.

Therefore I trust that you will begin a serious and independent investigation in the above matters consistent with your oath of office. To uphold and defend the U.S. Constitution.

The IRS misnamed “The Truth About Frivolous Tax Arguments” changes the questions which have been raised by Mr. Banister and others in the past about the Income Tax and fails to address the issues. Therefore, I ask you not to simply rely upon or send me a copy of that incomplete and misguided report.

I respectfully request that you not pass your obligations on to the IRS either but, rather, conduct the investigation with personnel from your office, without reliance upon IRS’s canned answers, which fail to address the questions at hand. You can check into Mr. Banister’s report and contact him through his (appropriately named) website, www.freedomabovefortune.com. I would like you to inform me **of your findings** on Mr. Banister’s report and the **actions which you intend to take as the result of your findings** as soon as possible.

PART 2

On July 2, 1999, a non-profit educational foundation named We the People Foundation For Constitutional Education, arranged a debate in Washington, D.C. with Joe Banister, Bill Conklin, Bill Benson, and Larry BeCraft representing tax honesty and the IRS and the federal government opposing tax honesty. This debate was shown on C-Span live, and aired several times in replay. To my shock and dismay, NO ONE from the IRS or from the federal government showed up to refute these people and their assertions!

Mr. Bill Benson claimed that he has proof that the 16th Amendment of the U.S. Constitution (the so-called Income Tax Amendment) was never lawfully ratified and added to the U.S. Constitution. In other words the federal Income Tax is completely unconstitutional.

Mr. Benson declared on C-Span that he had not filed a 1040 Income Tax return since 1982. He held up the book, THE LAW THAT NEVER WAS, which documents the non-ratification of the 16th Amendment, in his hands and defiantly challenged and invited the IRS and the Federal Government to charge him for the alleged crime of willful failure to file a tax return.

If Mr. Benson is a con-artist, a fraud, then why does the IRS let him openly claim such a big lie right under their noses, just a few blocks from the White House, the U.S. Capital and the IRS headquarters in Washington, D.C.? Is Benson telling the truth or lying?

The evidence of Mr. Benson was so strong that it led Joe Banister to resign from the IRS. This evidence is so compelling to me that I felt urgency on your part to tell me if Mr. Benson is right or wrong. Who is the real criminal here? Mr. Benson and Mr. Banister?

Or is it the Congressmen, Senators, President, and Judges of the federal government who in a silent and tacit conspiracy to protect and preserve their major source of revenue and power deliberately IGNORE the unconstitutionality of the federal Income Tax and keep me and other hard working Americans *enslaved* to this Income Tax? **I want a clear answer from YOU!**

We the People Foundation set up several other debates between various tax experts and the U.S. Government in Washington, D.C. during the following months. As with the first appearance, the head of the House of Representatives, the Majority Leader of the U.S. Senate, the U.S. Treasury Department and the IRS were invited by Certified Return Receipt Mail to show up and refute these tax experts' claim that the federal Income Tax is forced on the American People in violation of the U.S. Constitution and laws.

However, the people in the Federal Government once again chose to not show up. Why is it that the IRS could not send one lawyer or agent with the copy of the IRS Code that requires us all to file and pay Federal Income Tax and settle this issue once and for all? Could it be that there is NO LAW that requires any working American to file and pay Federal Income Tax? I want a clear and direct answer. If there is a law, show me a copy of the law.

On July 7, 2000, We the People Foundation paid for a full-page ad in USA TODAY and other prominent national newspapers to expose the illegality of the federal Income Tax and to challenge the government to prove Joe Banister and other tax experts who claim the Federal Income Tax is unconstitutional to be wrong.

On the first column of this ad, it is stated that Mr. Jason Furman, the Senior Director and Senior Economic Advisor of the National Economic Council on behalf of the Clinton Administration told Mr. Bob Schulz, Chairman of We the People Foundation:

“The legality of the Income Tax is not a high priority item at the White House, and we will not participate in any conference on the subject.”

Please feel free to call me naïve, simple-minded, or gullible. All my life, going through childhood, high school, and adult life, I have been under the very strong impression and belief that the proper role of the Government is to enforce the law BY FOLLOWING THE LAW ITSELF! And that in these 50 United States, we do indeed have a government of the People, by the People, and for the People. Why is it that the people who are running the government, brazenly and without shame, are openly admitting that THEY DO NOT CARE IF THEIR ACTIONS ARE LEGAL OR ILLEGAL? Where in the U.S. Constitution does it say that the people in the government can break the laws themselves at will?

If, over the last two hundred and plus years since the Declaration of Independence, we have sunk into having an OUTLAW GOVERNMENT, then would it be unfair, unjust, and inaccurate to call this new government a Federal Mafia? The Mafia requires its followers to follow its orders, no matter how evil or illegal they might be.

If the statement of Mr. Furman is the attitude of the people in the leadership positions of the Federal Government, then what kind of remedy is available to the People of the United States of America? Can this outlaw attitude of the people in Government end up in anything but another revolution like the founding fathers of America had in 1776 against the tyrannical, oppressive, and arbitrary King George III of England?

I would like to avoid such a destiny at all costs, the slavery of my family, my fellow Americans, or myself. Wouldn't you like to avoid such a conflict too?

On February 16, March 2, and March 23, 2001, the We the People Foundation paid for 3 full page ads in USA TODAY and other papers, challenging the government to come and refute the claims of tax experts and former IRS agents like Joe Banister that the Federal Income Tax is enforced on the American People in violation of the U.S. Constitution and laws. Again, the U.S. Government refused to send any one to the following conferences that We the People Foundation had put together.

Finally, on July 1, 2001, Mr. Bob Schulz went on a hunger fast that would end in his death unless the U.S. Government agreed to a debate to discuss the legality of the Federal Income Tax. On July 22, 2001, the IRS and U.S. Department of justice, with the intervention of Congressman Roscoe Bartlett of Maryland, agreed in writing to come and answer the questions posed by the experts at We the People Foundation. The date was set for September 25 & 26, 2001.

Due to the tragic terrorist attacks of September 11, 2001, Mr. Schulz contacted Congressman Bartlett and the hearing date was rescheduled to February 27-28, 2002. However, the IRS and U.S. Department of Justice backed down again and refused to show up and answer what seems to be a simple question to most Americans.

This hearing was also held without the participation of the U.S. Government. In this 2-day conference, former IRS agents, lawyers, and other experts under oath presented detailed legal reasons as to why the current Federal Income Tax is taken from the American People under color of law.

Are Joe Banister, John Turner, Sherry Jackson, Bill Benson, Bill Conklin, Larry BeCraft, and Bob Schulz lying? Or is it that the three branches of the Federal Government have conspired to keep the American People subjugated to them in violation of the U.S. Constitution and its original intent and purpose?

UPDATE: PART 3

The IRS and DOJ finally decided to answer Mr. Banister in November 2004 by charging him with several counts of assisting in the preparation of falsified tax returns and conspiracy to defraud the U.S. government, but the Government did NOT charge Banister for NOT having filed and paid income taxes since the year 2000!

However, federal prosecutor's attempts to shake and discredit the most credible tax honesty movement spokesperson failed when a jury of Banister's peers found him unanimously **not guilty** on all counts.

When Banister was indicted, IRS Commissioner Mark Everson stated, "*Joe Banister, a former IRS agent, knew exactly what he was doing. Tax professionals and employers who break the law will be held accountable.*" Apparently, the jury didn't believe that there were any crimes committed or dishonest actions performed by Banister and acquitted Banister.

I understand that Mr. Banister has NOT filed nor paid any income taxes to the IRS to date, and the IRS has NOT charged Mr. Banister for NOT having filed and paid income taxes. How come??!!

If a law exists that required average Americans like me and Banister to file and pay income taxes, why did the IRS NOT charge Mr. Banister for NOT having filed and NOT paying Income taxes from the year 2000 to the present date?

Could it be that the law is non-existent and only **assumed** to be true by so many Americans? The IRS knows it, so the IRS does NOT dare take Banister before a Jury of Americans citizens to expose the income tax fraud by the US Government imposed on the unsuspecting American

People?

This brings us back to the original argument: where is the law that requires the average American to file and pay an Income Tax?

Banister seems to be on the right track. What does this mean to the average American? What are we to believe? The evidence is very compelling that the IRS is indeed hiding something that they do not want the American People/citizens/voters/jurors to know.

Will you, my elected official, take the time and have the courage, like Banister, to investigate this issue and get some answers? You are in office to assist your constituents. Please assist me in uncovering the truth about the Income Tax once and for all.

YOU took an OATH, swearing to God to uphold and defend the Constitution of the United States of America and the rights of the American People against all enemies, both foreign and domestic. I expect that you will carefully and thoroughly research this issue and give me your personal answers as soon as possible.

Sincerely,

American Citizen

Attached:

- The **Joe Banister** report, [Investigating the Federal Income Tax](#)
- [Joe Banister](#) speech at Freedom Law School's 2000 Freedom Rally
- **We the People Foundation** debate with "no show" federal government on July 2, 1999 as shown on C-Span 2 titled, [Illegality of the Income Tax Exposed](#).
- **Ads** placed by We the People Foundation in the **USA TODAY** newspaper.
 - ★ July 7, 2000 - [There is NO Law](#)
 - ★ February 16, 2001 - [IRS Agents Speaks Out](#)
 - ★ March 2, 2001 - [Employers Stop Withholding](#)
 - ★ March 23, 2001 - [The Experts Speak](#)
- The Ad placed by We the People Foundation in the [New York Times](#)
- Speech of **Bob Schulz**, Chairman, We the People Foundation for **Constitutional education** at Freedom Law School's 2002 Freedom Rally entitled, [Restore Constitutionally Limited Government](#)
- US Department of Justice [Indictment of Joseph R. Banister](#)
- **Press release:** [Indictment of Joseph Banister](#)