

Inside the Tax Honesty Movement: An Interview with Dave Champion
[Words: 3,836]

BR: Business Reform chose to interview you because of your leadership in the Tax Honesty Movement. Can you describe your involvement to our readers?

DC: I wear several different hats concerning my involvement with the Tax Honesty Movement. I am the Executive Director of Original Intent (www.originalintent.org), which is an organization dedicated to the restoration and preservation of our God-given inalienable rights in our discourse with government. Original Intent's primary tool is education. Despite the fact that under our form of government God is our Sovereign and He has given us our inalienable rights, today's government officials too often find those God-given rights to be inconvenient and act as though our rights are subject to modification, alteration, or total abolition if they impede the goals of politicians or the courts. We need to correct the government's conduct and Original Intent is a part of that effort. At Original Intent, Tax Honesty issues are only part of a larger picture.

I'm also the founder of Nontaxpayer.org, an organization that assists nontaxpayers in living happy and successful lives in a world that believes everyone must be a taxpayer. Sadly, most Americans are not even aware that the federal courts have drawn a crisp distinction between "taxpayers" and "nontaxpayers." The only reason the average American is a "taxpayer" instead of "nontaxpayer" is that he has no idea what tax law really says and so he simply does what he's told. Considering the cost and devastation to American families and the American way of life, this lack of knowledge is almost criminal in its consequences.

BR: Tell me what the Tax Honesty Movement is all about.

DC: The Tax Honesty Movement is a name that sprung up about five years ago to describe those people who collectively want to see U.S. tax law applied and administrated honestly and in accordance with the written law. Despite the fact that the name "Tax Honesty Movement" was coined in the late 1990s, the movement has been around since the early 1950s. Computers, CD-ROMs, and the Internet have simply allowed people within the Movement to consolidate their information and communicate as never before.

BR: Is the Tax Honesty Movement is growing?

DC: Not only is the Movement growing in sheer numbers, but the profile of the people coming to the Movement has changed dramatically in the last several years. When I first became involved with the Movement about ten years ago, most of its proponents were hourly employees or low-level salaried employees. One of the first things I noticed was the distinct lack of businessmen and professionals. Today the picture is completely different. At Nontaxpayer.org we are seeing a huge increase in the number of doctors, lawyers, businessmen, and other professionals who are seeking information and guidance on living successfully as nontaxpayers.

BR: What is your view regarding how the U.S. tax law is being administrated?

DC: The U.S. tax law is not being applied and administrated honestly and in accordance with the written law. That reality is not a matter of opinion or wishful thinking; it is as real as our salvation through Christ. The evidence is irrefutable and the government has consistently refused to send representatives to debate legal researchers about what the law really says, versus how the laws are being enforced. Of course I understand the government's position completely; if I was defrauding millions of American citizens to the tune of hundreds of billion dollars a year, I'd be wary of attending a debate too.

"Tax professionals" will offer all sorts of rhetoric in opposition, but there's no legal substance behind their statements. A friend and fellow radio talk show host in Missouri paid a couple of tax attorneys to answer questions about income tax liability. One attorney contradicted himself from paragraph to paragraph, and the other blatantly refused to answer the questions. The IRS offers the same thing; rhetoric but no law.

There are quite a few organizations that have standing offers to pay tens of thousands of dollars to anyone who can bring forth the law that makes the average Americans liable for income tax. I'd guess that cumulatively there must

be \$500,000 ready to go to the person who can provide the statute that makes people liable, yet no one even has made a credible attempt at it. Therefore, approximately half a million is still on the table.

BR: *Those are some pretty heavy facts. Why don't more Americans know about this issue?*

DC: Most Americans have already heard that they don't really need to pay income tax, but for one reason or another they didn't pursue the matter. Fear of the IRS is usually the biggest factor motivating people to ignore the information when it comes their way, but that's changed quite a bit in the last ten years. More people are seeking out the truth of the issue today than ever before. It's exciting to watch the truth spread far and wide despite the best efforts of the opposition to scare people away from it.

BR: *Where's the media been on this story? We don't hear much from them about it.*

DC: How right you are. The media in this country is a whole lot less free than Americans believe it to be. That's why publications such as *Business Reform* are so important. There are certain issues that the dominant media considers taboo, and this is one of them. As a matter of fact, the reason I started my own radio show was that the dominant media has a virtual blackout on this story. I can't tell you how many times I've been denied an opportunity to appear on various media outlets during tax season (January 1 through April 15), only to then see some poor unprepared inarticulate person being interviewed instead. Unprepared inarticulate people are used so that the host can easily make the guest look foolish and non-credible. In other words, it's a premeditated hatchet job.

BR: *Why is the media not reporting such a critical issue?*

DC: The IRS conduct over the years has simply made it clear to the media that to allow stories such as this to see the light of day in a positive manner will be punished. All corporations exist to make profit. Anything that jeopardizes that goal is considered not in the best interest of the corporations—that includes news corporations. These news corporations simply know that the IRS will "take a special interest" in the company if it permits such stories to be run. They are only allowed to run such stories if they make the Tax Honesty Movement look weak and foolish. To do otherwise is to invite IRS retribution.

BR: *You said that most Americans are taxpayers simply because they do not know what the laws really say. In your view, what does tax law really say?*

DC: At more than 7,000 pages, the Internal Revenue Code is too lengthy to dissect during this interview, but I'll give you a few poignant and shocking realities of the tax code and its regulations. If your readers want to verify the information, they can go to Original Intent's website or they can contact me at Nontaxpayer.org.

1. The exchange of labor for compensation in the private sector, in a state of the Union, in an occupation of common right, is not now, nor has it ever been, subject to any form of income or employment tax.
2. There is no provision within the Internal Revenue Code that requires payroll withholding from workers in the private sector. The Form W-4, which most companies force their workers to sign, is not intended to be executed by private-sector workers, but only by government workers.
3. There is no requirement in law for a private sector firm to acquire an Employer Identification Number (EIN).
4. Private companies that don't engage in payroll withholding are not required to file Forms 940 or 941.
5. An SSN/EIN/TIN is not required to open a bank account if the party opening the account is a nontaxpayer.
6. Form 1099 is not required for every payment over \$600.00, but only for those payments made in connection with transactions for which the payer has received a Taxpayer Identification Number (TIN).
7. There is no provision in law that requires an American citizen to provide a SSN/EIN/TIN for a private-sector domestic financial transaction.

BR: *As you can imagine, those claims are contrary to everything that we have heard.*

DC: That's exactly what I thought when I first heard them. But of course at that time I hadn't read the applicable statutes and regulations and I was doing what most Americans do; I was simply doing as I was told by tax "professionals."

Since that time I've invested about 15,000 hours of research into tax law and I've had occasion to publicly debate tax attorneys and CPAs. In fact, there's even a televised debate that you can watch on Original Intent in which John Turner (ex-IRS officer) and I debate a tax attorney and a CPA. They never knew what hit them. The whole situation would be downright funny if the consequences weren't so grave.

There's nothing more I would enjoy than to have a televised coast-to-coast debate between a panel of Tax Honesty advocates and a panel of IRS attorneys. Unfortunately the IRS refuses to discuss "the law" publicly, instead choosing to characterize Tax Honesty advocates as scofflaws on the fringe of society. Unfortunately for the IRS, its mischaracterizations and dismissive attitude only fuels the growth of the Tax Honesty Movement.

BR: *Wasn't there a Congressional hearing scheduled a few years ago to get troubling tax law questions answer? Whatever came of that?*

DC: You're right. In 2001 the IRS and the Department of Justice had signed a document agreeing to appear on Capital Hill and answer 299 questions put forth by the Tax Honesty Movement. This was brought about by the efforts of We The People Foundation and Congressman Roscoe Bartlett (R-MD). I can only assume that the IRS and DOJ attorneys believed their own propaganda and figured that everyone in the Movement was inbred and illiterate. Their only requirement was that they received copies of the questions at least two weeks before the hearing. Their request was honored and 299 questions were presented to them two weeks before the scheduled hearing. Shortly thereafter the DOJ and IRS pulled out of the hearing and have never been willing to answer the 299 questions.

We The People Foundation had arranged to have the hearing aired over the internet, via Webcast, which would allow anyone with Internet access to view the hearings for a nominal fee—sort of like "pay per view." This would have allowed millions of Americans to see the hearings live while the government attorneys made mincemeat out of the Tax Honesty advocates.

But alas, apparently not, because after the government attorneys reviewed the 299 questions, they decided that they would not attend the hearing. What would cause the government to forego such a wonderful opportunity to publicly humiliate and destroy a growing opposition? I think the answer is obvious—once the government reviewed the questions, they realized that their goose was cooked. It would not be the Tax Honesty Movement who would suffer a crushing defeat, but the government itself.

BR: *Where do the courts fall on these issues?*

DC: The rulings usually support our side. I know a lot of CPAs and attorneys will be screaming that that isn't so, but it is true when you dig a little deeper. First, if anyone reads the income tax information in Original Intent or other similar sites, the first thing they will note is that many of the key legal doctrine discussed are confirmed by court decisions, usually from the U.S. Supreme Court. Secondly, it has been my observation that the IRS only takes people to trial who are somehow vulnerable. This may mean that the person holds a demonstrably incorrect legal view or that the person has compromised his own stated positions by his actions. Tax law can be complicated and some good-hearted people simply make mistakes while trying to do the right thing. It is these people that the government goes after.

It's been my experience that the government leaves nontaxpayers alone who are handling their affairs properly. That's because bringing such people to trial would result in acquittals and case law adverse to the government's goals. And believe me, the goal of most tax prosecutions is purely propaganda. We have over 274,000,000 people living in this country, but in 2003 there were only about 350 criminal tax prosecutions. Most trials that involve Tax Honesty proponents take place during the tax season, and if found guilty, sentencing is scheduled for just before April 15. It's a publicity campaign, not a desire to see justice done.

BR: *You mention that the U.S. Supreme Court supports your position, can you give us any proof for that?*

DC: There are a number of U.S. Supreme Court decisions that easily prove the fraud of the income tax system as applied to most Americans. Here are a few that sum things up quickly:

1. In this country Americans have "inalienable rights...granted by the Creator." According to the U.S. Supreme Court, such God-given rights are beyond the government's authority to alter, modify, or abolish because they are not granted by the government and these rights existed prior to the creation of the states or federal governments. Inalienable rights are also referred to as "fundamental rights."
2. The Court has ruled that one such fundamental right is the right to contract with another for your labor.
3. The Court has ruled that you have a fundamental right to contract for the labor of others.
4. The Court has ruled that property ownership is a fundamental right.
5. The Court has ruled that money you earn from your labors is your property.
6. The Court has ruled that once something is within the legislature's taxing authority, the amount of the tax is left completely to the discretion of the legislature. In other words, the legislature can set the tax at 1 percent or 100 percent, at its discretion.
7. The Court has ruled that the power to tax is the power to destroy.

Based on these and more U.S. Supreme Court holdings, the constitution, and other important legal factors, it becomes self-evident that income tax laws cannot constitutionally apply to the average American. If the state or federal governments had the authority to tax you on the compensation you earn in exchange for your labor, that would mean the government would have the power to destroy your inalienable rights. What if the government taxed your compensation at the rate of 100 percent? That would effectively negate the exercise of every right stated above.

BR: *Are you saying that the Internal Revenue Code is unconstitutional?*

DC: Not at all. That's a common fallacy. The Code is 100 percent constitutional. Many of the taxes contained within the Code have nothing to do with the income tax and therefore have nothing to do with this discussion. Additionally, American citizens can create legitimate income tax liability for themselves by availing themselves of certain foreign income opportunities or by participating in certain Congressionally created income opportunities. However, domestically, in the private sector, there is no law making any American liable for income tax.

We can easily verify this by looking at who the US Secretary of the Treasury requires to use Taxpayer Identification Numbers (TIN). Since the Secretary has almost unlimited authority over taxpayers, he'd certain require all legitimate taxpayers to use a TIN. So who has he required by law to use TINs? By regulation the Secretary only requires the following private-sector persons to provide a Taxpayer Identification Number (which includes your SSN) to anyone concerning a domestic financial transaction:

1. A foreign person that has income effectively connected with the conduct of a U.S. trade or business...
2. A foreign person that has a U.S. office or place of business...
3. A nonresident alien treated as a resident...
4. A foreign person that furnishes a withholding certificate described in Sec. 1.1441-1(e)(2)...

According to the Secretary of the Treasury's own regulations, no American is required to provide a tax number for any domestic private-sector financial transaction. Therefore, as you can see, it is not The Constitution, the Internal Revenue Code, or the U.S. Supreme court that are wrong about who is liable to pay income tax, it's the Executive Branch that intentionally misapply and unlawfully enforcement the tax laws. That's what most people don't get – the law, as written, acknowledges and supports your fundamental rights because it does not make the average American liable for income tax. If the IRS and the courts would apply and enforce the law as written, we'd be in great shape! As Christian Americans it's our job to hold our governments accountable and not to participate in intentionally fraudulent conduct just because there might be a cost to oppose it.

Now don't get me wrong, being a nontaxpayer is not all that hard. The Tax Honesty Movement has learned a lot in the last decade and the risks for nontaxpayers today are only a fraction of what they were just a few years ago. However, whether the risks are small or large, Christians need to take a stand in this fight. To do nothing, to go along as you always have in the face of a recognizable evil, is to turn your face away from the truth—and to turn your face away from the truth is to turn your face away from God.

BR: *There are hundreds of thousands, if not millions of CPAs and tax attorneys practicing in America. Where are they on this issue?*

DC: CPAs are taught how to keep books and compute taxes. That's what they do. Most people never ask an accountant if they owe income tax. They simply ask the accountant to prepare their return. The accountant simply complies with the request, which is how they generate their income in most cases. As you can imagine, the accounting and tax law industry has a vested interest in keeping this information from getting to the public because they would be unemployed if the truth came out that American citizens are not liable to pay income tax.

On a more positive note, however, more and more accountants are accepting the truth about tax law every year. There are some very high-profile CPAs who have come out publicly in support of the proper and honest understanding of tax law.

BR: *Where do you see Christian business in this struggle?*

DC: Although the Movement is heavily populated by Christians, the Christian community-at-large, which includes Christian business owners, has been a dismal disappointment; offering nothing but platitudes such as "render under Caesar" and other off-point quotes from scripture taken woefully out of context.

Christians need to join this fight because it is the right thing to do. It is the moral thing to do. I don't advocate that people jump in precipitously, but I believe that it is the duty of every Christian in America to learn the truth about this issue and stand against lies and abuse—by action, not just words. This fraud continues because Christians—the core of American virtue don't do anything about it.

If you are stealing the property of your neighbor simply because you fear Caesar (government), you are committing a terrible injustice for which you will be accountable before the Lord. The Eight Commandment is "Thou shalt not steal."

BR: *I know our readers are curious to know what's involved in becoming a nontaxpayer?*

DC: Actually it's simpler than they probably imagine. It only appears confusing because the smoke screen of deceit is so thick.

The first step is to get some education under your belt. You can't make a proper determination as to whether you're a taxpayer or a nontaxpayer until you know enough about the subject to make an informed decision. One good place to get information is on the Education section of Original Intent's website, and there are many other sources as well. Once you get some education, and make a "status determination," then you simply pursue your affairs as either a taxpayer or a nontaxpayer, based on your determination.

BR: *What advise would you give to someone who wants to proceed with becoming a nontaxpayer through the legal means?*

DC: Remember the movie, "Raiders of the Lost Ark"? In the beginning, Harrison Ford's character, Indiana Jones, enters an ancient temple to locate a solid gold icon placed in the temple centuries before. As he moves into the temple there are all types of booby-traps designed to do terrible nasty things to anyone entering the temple. When he finally arrives in the room that holds the artifact, he can only approach the artifact by stepping on certain stone tiles on the floor. To step on the wrong tile will bring instant death! While far less dramatic, becoming a nontaxpayer is something akin to Jones' experience. You have to know what booby-traps have been set out for you, and which tiles to steer clear of.

Government misapplication of the tax laws, and the private sector's ridiculous and unfounded belief that they must act as the IRS's enforcers, creates an environment in which the unsuspecting citizen will be ensnared into the tax system by the many snares that have been intentionally laid out to trap you.

Like Indiana Jones, nontaxpayers simply need to know where the snares are and how to avoid them or disarm them. It may seem intimidating on first blush, but it's really rather simple once you learn a few simple rules of the game.

BR: *What role, if any, does asset protection play in the Tax Honesty Movement?*

DC: Asset protection can be a valuable tool for both taxpayers and nontaxpayers. In today's litigious environment, one cannot be too careful about securing one's assets.

Asset protection is a growing business, both in the Tax Honesty Movement and in America generally. There is a growing sense that property is no longer really sacred or secure in America. Today's business owner is well advised to protect his assets. With the ever-increasing price of insurance, asset protection can also provide relief from your ballooning insurance premiums.

Fortunately the cost of asset protection is relatively modest and the process rather straightforward. Asset protection can serve a number of different goals very effectively, but it has to be done properly.

Because it's an emerging field (at least for the middle class) it's a good idea to make sure that the person assisting you has a firm understanding of the legal principles involved with asset protection. More than a few people have thought their assets were secure, only to find out later that the structure or process was flawed and there was little or no protection when it was really needed.

Some people automatically turn to attorneys for asset protection, but it's been my experience that attorneys aren't particularly well educated in this area. It's best to find someone who specializes in asset protection.

BR: *What's are your goals for the future? Where do you see the Tax Honesty Movement going from here?*

DC: Despite our many successes and the growth of the Movement, there is still much to be done. Of course our number one ally is the Lord because he despises deceit. Despite our incredibly powerful adversary, God has continued to strengthen us in the fight. Because He stands against deceit, the only question is when will the end of the misapplication of tax law come. I suspect the current fraudulently imposed tax system will die an ignominious death within the next five years. Once the number of informed people, especially business owners, hits critical mass, it's all over.

If you would like to further study this topic, you can go to the following sites:

<http://www.originalintent.org>

<http://www.nontaxpayer.org>

<http://www.taxableincome.net>

<http://www.givemeliberty.org>

You can also listen to Dave Champion's American Radio show at <http://americanradioshow.us>. It's a weekly talk radio show that focuses on biblically based morality in governance and challenges the "common wisdom" of today's government.