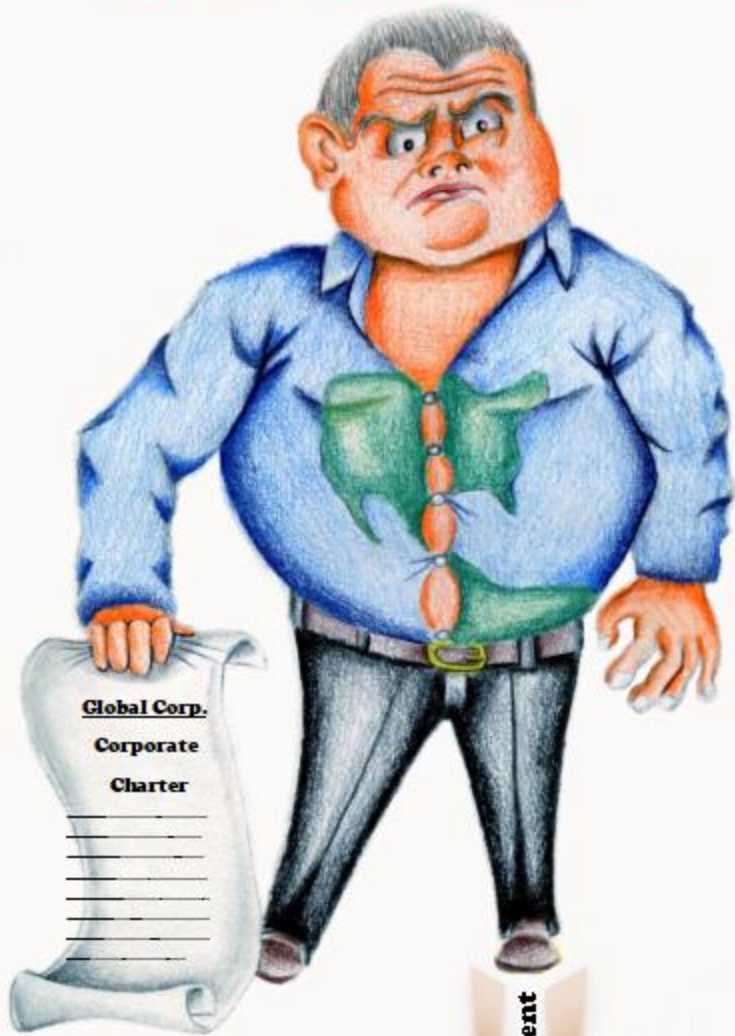


The **Revolution** Solution



14th Amendment

Jason Gerhard

GOVERNMENT BY AND FOR THE BANKERS

To the Editor:

A letter writer recently quoted the famous line from the Gettysburg Address: government of the people, by the people, for the people. And it makes me wonder. Is it really possible for a twenty-first century American to believe such things?

We have a government of the bankers, for the bankers, and the multinational conglomerates they finance. It's been that way all of our lives and long before. They regard us as revenue units to fund their operations. This is the way the world looks when it's run by bankers. Imperial Washington is the source of a toxic and polluted river that has flowed through America; all of its states, cities, and towns. It has flooded this country with its dysfunction and corruption. The river is of sufficient strength to cross oceans and drown the residents of countries all over the world.

American people may believe that they can look away and turn a blind eye. They may choose to think that they bear no responsibility for the lunatic arrogance, violence, and power-madness of U.S. leaders. They may be comfortable in the belief that no consequences will come to them personally.

I assure you that that's not the case. After far too many years of willful denial and silent consent, reality will catch up with us. The crises we're facing are those we've brought on ourselves. It didn't have to be this way, but it's what we deserve. It's been said before. A nation of sheep will beget a government of wolves.

*Neil Meliment
Hanover, NH*

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Notes:

1. <http://www.vnews.com/Forum-for-May-22-2017-10223047>

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This essay is my modest attempt at solving the million-dollar question: How do we rein in our ever-expanding, Rights-trampling, lobbyist controlled government? A tall order indeed. Minds greater than mine I believe have discovered the answer; it lies within the following three topics:

1. The Federal Income Tax - Before your eyes glaze over at the very mention of this 74,608 page¹ monstrosity, know that Peter Hendrickson has managed to show how it doesn't apply to *you*, the average American, in less than *four* pages.
2. Corporations - The history of these increasingly powerful entities will be discussed briefly as well as their extremely shaky legal foundation.
3. Public Banks - Imagine a bank that is owned by a state and loans money to that state at rates that are essentially interest free. Even more amazing is that there is a state that has been successfully operating such a bank for 100-years!

Despite my best efforts there are aspects that can undoubtedly be improved. It is my sincere desire that you will assist me in this endeavor. As such, I've made every effort to note the sources I have relied upon and have listed them at the end of each chapter.

Recently, I read *Digital Gold*, which details the rise of Bitcoin, and the amazing blockchain technology behind it. The author wrote that five years after being launched, the open source software was estimated to contain only 15 percent of the original code produced by its mysterious creator, Satoshi Nakamoto.² Yet, Bitcoin continues to make waves in the financial system to this day. I hope the ideas contained herein will be refined further by readers and allow for a long-awaited return to limited government.

-Jason Gerhard
March 2018

Notes:

1. www.washingtonexaminer.com/look-at-how-many-pages-are-in-the-federal-tax-code/article/2563032
2. Popper, Nathaniel. *Digital Gold: Bitcoin and the Inside Story of The Misfits and Millionaires Trying to Reinvent Money* (New York, New York, HarperCollins) (2015). Page XIV.

1. FEDERAL INCOME TAX

"Let me point this out now. Your income tax is 100 percent voluntary tax, and your liquor tax is 100 percent enforced tax. Now the situation is as different as day and night. Consequently, your same rules just will not apply."

-Testimony of Dwight E. Avis, Head of the Alcohol and Tobacco Tax Division of the Bureau of Internal Revenue, before the House Ways and Means Committee on Restructuring the IRS (83rd Congress, 1953).¹

For those who may be unaware, back in 2007 I was involved with a standoff in New Hampshire over the federal income tax. Ed and Elaine Brown refused to surrender to federal marshals for nearly 10-months after being denied a fair trial in relation to federal income tax evasion charges. As such, this topic has special relevance to me and even after 10-years I still haven't found any evidence that the average American is required to pay this tax.

If you have never researched this topic, please read *"Federal Income Tax Law in a Nutshell"*² by Peter Eric Hendrickson, below. (Mr. Hendrickson wrote *Cracking the Code--The Fascinating Truth About Taxation in America* (2003), which exposes the entire IRS deception.)

Federal Income Tax Law In A Nutshell

I. The United States Constitution forbids direct federal taxes, and is the only item in the Constitution that is stated twice:

Article I, Section 2: ". . . *direct Taxes shall be apportioned among the several States . . .*

Article I, Section 9: "*No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census . . .*

Direct taxes are taxes on a person, a person's property, or the exercise of a fundamental right. Any tax on a person's labor, or on the earnings from their labor, is a direct tax:

United States Supreme Court, Knowlton v. Moore, 178 US. 41 (1900): "*Direct taxes bear immediately upon persons, upon the possession and enjoyment of rights*"

United States Supreme Court, Butcher's Union Co. v. Crescent City Co., 111 US. 746 (1883): "*The right to follow any of the common occupations of life is an inalienable right . . .*"

United States Supreme Court, Coppage v. Kansas, 236 US 1 (1915): "*Included in the right of personal liberty and the right of private property . . . is that of personal employment, by which labor and other services are exchanged for money or other forms of property.*"

“Apportioned” and “in Proportion to the Census” mean that the tax is billed to the state governments according to each state's percentage of the national population. The states collect the tax according to state law, and remit it to the federal government. The Federal Government is thus prohibited from involving itself directly in the lives and finances of private citizens. This is unique to America, fundamental to keeping power in the hands of We The People, and is perhaps the key reason our economy was second to none during our first century-and-a-half.

II. The Sixteenth Amendment to the Constitution, ratified in 1913, does not address or repeal direct Taxes; instead, it refers to something called “incomes.”

Amendment XVI: *"The Congress shall have the power to lay and collect taxes on incomes, from whatever source derived without apportionment among the several states, and without regard to any census or enumeration."*

"Incomes" under federal tax law lost its common, everyday meaning and became a legal term via the Revenue Act of 1862, which set forth federally-licensed “trades or occupations,” federal employees, dividends from federal investments, and other federally-privileged activities, and laid an excise tax on *those* “incomes.” Therefore, “income” under federal tax law is defined as receipts resulting from the exercise of federal privilege. In other words, federal “income” taxes are taxes on receipts that are taxable - *not* a tax on *all receipts*:

United States Supreme Court, *So. Pacific v. Lowe*, 247 US. 330, (1918): “We must reject . . . the broad contention submitted in behalf of the government that all receipts -- everything that comes in -- are income. . .” F. Morse Hubbard, Treasury Department Legislative Draftsman, House Congressional Record, March 27, 1943, page 2580: “The income tax. . . is *an excise tax with respect to certain activities and privileges* . . . the *income* is *not* the subject of the tax.”

Then why the Sixteenth Amendment? It was passed to close a loophole created by the case of *Pollock v. Farmers Loan & Trust*, *United States Supreme Court*, 158 U. S. 601, 1895. Mr. Pollock argued that *federal* stock he had purchased was his personal property, and that taxing the *federal* dividends from that stock was equivalent to taxing personal property, which was an unportioned direct tax prohibited under Article I. The Supreme Court agreed, and struck those particular sections from the code. The sole purpose of the Sixteenth Amendment was to close this loophole and restore to Congress the power to tax federal dividends, even if those federal dividends were derived from personal property hence the “source derived” language.

However, most people are taught that the Sixteenth Amendment gave the federal government new taxing powers, eliminating the protection afforded by Article I of the Constitution. This teaching is blatantly incorrect - the Supreme Court has clearly stated numerous times that the Sixteenth Amendment gave Congress *no new taxing power*:

United States Supreme Court, *South Carolina v. Baker*, 485 US 505 (1988): *"The legislative history merely shows . . . that the sole purpose of the Sixteenth Amendment was to remove the apportionment requirement for whichever incomes were otherwise taxable."*

United States Supreme Court, Peck v. Lowe, 247 US. 165 (1918): *“The Sixteenth Amendment . . . does not extend the taxing power to new or excepted subjects.*

United States Supreme Court, Stanton v. Baltic Mining Co., 240 US. 103 (1916): *“The provisions of the Sixteenth Amendment conferred no new power of taxation”*

United States Supreme Court, Brushaber v. Union Pacific, 240 US. 1 (1916):

“. . . the confusion . . . arises from the [erroneous] conclusion that the 16th Amendment provides for a hitherto unknown power of taxation . . .

“. . . the contention that the Amendment treats a tax on income as a direct tax . . . relieved from apportionment . . . is . . . wholly without foundation.

“. . . the Amendment demonstrates that no such purpose was intended, and on the contrary shows that it was drawn with the object of maintaining the limitations of the Constitution . . .

“the Amendment . . . makes such wider significance a part of the Constitution, -- a condition which clearly demonstrates that the purpose was not to change the existing interpretation”

The Sixteenth Amendment was passed only to insure that all **federally-privileged** income could be taxed, regardless of the source from which that federal income was derived.

III. So “making money” or “having money” or “being paid” or “receiving earnings” or being a private-sector employee in the normal sense of the word (as opposed to the limited term “employee” defined in the Internal Revenue Code) is not the subject of the Sixteenth Amendment, and is not the subject of the Internal Revenue Code.

The Internal Revenue Code makes use of many legal terms which have a DIFFERENT meaning than the common words they mimic. Whenever the IRC uses custom terms like “wages,” “employee,” “employment” and “self-employment,” those custom terms do **not** apply to **all** money, workers, and occupations - **they only apply to privileged, defined “wages,” “employees,” and “employment” that are subject to the income tax excise.**

The internal Revenue Code further acknowledges this by explicitly not including private sector (non-federally-privileged) money, workers, or occupations in **any** of its custom definitions. Ordinary occupations of common right are not, and never have been, subject to the income tax law.

IV. However, when a company submits a W-2 that lists an ordinary, non-privileged citizen as having received “wages,” for instance. those “wages” are assumed under the law to be federally privileged, because *that is the only purpose for a W-2*. The company’s erroneous testimony is the testimony of record until the citizen files his tax return. The tax return is the citizen’s testimony - signed under penalty of perjury - that either agrees to, or rebuts, the company’s testimony.

Agreement is accomplished by properly filling out the tax return, attaching a copy of the W-2, and signing accordingly.

Rebuttal is accomplished by properly filling out the tax return, attaching a rebutting affidavit (such as a Form 4852) in lieu of the W-2, and signing accordingly.

If the citizen does not file, the employer's testimony stands, and the full weight of Federal Income Tax Law falls upon the citizen, because he is presumed by law to be a "taxpayer." This is why non-filers and zero-filers (filers who put zeros in the return but do not rebut the W-2) lose in court, resulting in mountains of lower court cases that make it look like everyone is liable for the income tax, because the protesting taxpayers never addressed the fundamental issues and requirements of the law in the form and manner prescribed.

If the citizen has properly filed with a 4852 (or some other proper instrument of rebuttal), and his earnings are not federally privileged, then for Federal Income Tax purposes he is a "nontaxpayer," and Federal Income Tax Law does not apply to him:

United States Court of Claims, *Economy Plumbing and Heating v. United States*, 470 F.2d 585, at 589 (1972): *"The revenue laws are a code or system in regulation of tax assessment and collection. They relate to taxpayers, and not to nontaxpayers. The latter are without their scope."*

Furthermore, if any monies have been withheld, the nontaxpayer is entitled by law to a full refund.

You want to write Congress about this? They already know, and they are willing to keep taking your money as long as you are willing to give it to them. Check out the testimony of a Congressional Attorney, as recently as 1979:

Howard M. Zaritsky, Legislative Attorney, Library of Congress, Report No. 80-19A (1979): *"The Supreme Court has noted that the Sixteenth Amendment did not authorize any new type of tax, nor did it repeal or revoke the tax clauses of Article I of the Constitution. Direct taxes are, notwithstanding the advent of the Sixteenth Amendment, still subject to the rule of apportionment."*

These same principles extend to payroll taxes, i.e., Social Security and Medicare. Over the last five years, thousands of citizens who understand the law have received full refunds of income and payroll taxes, resulting in millions of dollars being returned to their rightful owners.

This last paragraph wherein Mr. Hendrickson mentions that "these same principles apply to payroll taxes, i.e. Social Security and Medicare," is especially important given that according to the Center on Budget and Policy Priorities (CBPP) 75% of Americans pay more in these taxes, commonly known as FICA (Federal Insurance Contributions Act), than they do in federal income taxes.³

And we must not forget:

There's another side to taxes that goes completely unappreciated. According to a 2013 study by the Virginia-based Mercatus Center, Americans spend up to \$378 billion annually in tax-related accounting costs, and in 2011, Americans spent more than six billion hours complying with the tax code. Those hours are equivalent to the annual

hours of a workforce of 3.4 million, or the number of people employed by four of the largest U.S. companies -- Wal-Mart, IBM, McDonald's and Target -- combined. Along with tax cuts, tax simplification should be on the agenda.

Notes:

1. Hendrickson, Peter Eric. *Cracking the Code: The Fascinating Truth About Taxation in America*. (2003, 2007) Page 109.
2. www.losthorizons.com
3. <https://www.cbpp.org/topics/federal-tax>
4. <http://walterewilliams.com/who-pays-what-in-taxes/>

2. CORPORATIONS

"[A] corporation is a creature of the state. It is presumed to be incorporated for the benefit of the public. It receives certain special privileges and franchises and holds them subject to the laws of the state and the limitations of its charter. Its powers are limited by law. It can make no contract not authorized by its charter. Its rights to act as a corporation are only preserved to it so long as it obeys the laws of its creation. There is a reserved right in the legislature to investigate its contracts and find out whether it has exceeded its powers."

- U.S. Supreme Court Hale v. Henkle, 201 U.S. 43 (1906)

Until just the beginning of 2017 the topic of corporations never really interested me. Sure, I knew they were extremely powerful politically given the vast resources they command, but there seemed to be nothing to do about it. All that changed after I read, *Defying Corporations, Defining Democracy: A Book of History & Strategy* (2001), a 300-page book of essays put together by the Program on Corporations, Law & Democracy (POCLAD).

The POCLAD authors discussed, among other topics, the history of corporations, which I believe is required reading for those in the liberty movement. Corporations are creations of the state which gave birth to them through the chartering process. And that which the state creates it may destroy.

Amazing as it may sound, nowadays when mega-corporations have a death-grip on everything from media to banking (and are essentially immortal) it was not always so.

"States limited corporate charters to a set number of years. Maryland legislators restricted manufacturing charters to forty years, mining charters to fifty, and most others to thirty years. Pennsylvania limited manufacturing charters to twenty years. Unless a legislature renewed an expiring charter, the corporation was dissolved, and its assets were divided among shareholders." ¹

This I found especially interesting:

Citizens kept banks on particularly short leashes. Their charters were limited from three to ten years. Banks had to get legislative approval to increase their capital stock, or to merge. Some state laws required banks to make loans for local manufacturing, fishing, agricultural enterprises, and to the states themselves. Banks were forbidden to engage in trade.

Private banking corporations were banned altogether by the Indiana constitution in 1816, and by the Illinois constitution in 1818. ²

Certain states such as Delaware are well-known for an extremely easy chartering process and therefore the question arises whether the people of say New Hampshire have any authority over such an out-of-state chartered corporation. Like most things in legal-land the common definition of a word is not the legal definition. A corporation chartered in one's own state is a *domestic* corporation while one from outside of that state is called a *foreign* corporation. If the corporation was chartered in a foreign country, it's called an *alien* corporation. In order for a foreign or alien corporation to do business in a state it must receive permission. This is achieved by obtaining a certificate of authority, which can later be revoked.

If It Is So Easy to Kill a Corporation Why Aren't They Dying Like Flies Today?

The short answer is that the Supreme Court sold us out

In 1886 the U.S. Supreme Court decreed that corporations are "persons" under the Fourteenth amendment, thus granting them protection under the Bill of Rights. Such guarantees of free speech, due process, and equal protection under the "law were long considered to apply to human persons. This ruling gave corporations unprecedented "rights" to question almost any law applied to them, and frustrated the ability of the people to direct corporate action in service of the public good.³

And now "corporations have acquired most of the rights of individuals with virtually none of the responsibilities or liabilities (such as disparate taxation, and no death penalty or incarceration for serious crimes, and limitations on liability for actions)." ⁴

The Fourteenth Amendment was not only perverted by corporate agents to gain initial "personhood" rights, but also to expand them. As Supreme Court Justice Hugo Black pointed out in *Connecticut General Life Insurance Company v. Johnson*, Treasurer of California in 1938:

Of the cases in this court in which the Fourteenth Amendment was applied during the first fifty years after its adoption, less than one-half of one percent invoked it in protection of the Negro race, and more than fifty percent asked that its benefits be extended to corporations.⁵

What Is a Citizen to Do?

Despite the extensive research that the POCLAD authors undertook, they didn't consider the validity of the 14th Amendment whereupon the corporation's very "personhood" rests. Perhaps we ought to consult U.S. News World Report as to the legitimacy of the 14th Amendment:

There is No "Fourteenth Amendment"!

by

David Lawrence

U.S. News & World Report

September 27, 1957

A MISTAKEN BELIEF -- that there is a valid article in the Constitution known as the "Fourteenth Amendment" -- is responsible for the Supreme Court decision of 1954 and the ensuing controversy over desegregation in the public schools of America. No such amendment was ever legally ratified by three fourths of the States of the Union as required by the Constitution itself. The so-called "Fourteenth Amendment" was dubiously proclaimed by the Secretary of State on July 20, 1868. The President shared that doubt. There were 37 States in the Union at the time, so ratification by at least 28 was necessary to make the amendment an integral part of the Constitution. Actually, only 21 States legally ratified it. So it failed of ratification.

The undisputed record, attested by official journals and the unanimous writings of historians, establishes these events as occurring in 1867 and 1868:

1. Outside the South, six States -- New Jersey, Ohio, Kentucky, California, Delaware and Maryland -- failed to ratify the proposed amendment.
2. In the South, ten States -- Texas, Arkansas, Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, Mississippi and Louisiana -- by formal action of their legislatures, rejected it under the normal processes of civil law.
3. A total of 16 legislatures out of 37 failed legally to ratify the "Fourteenth Amendment."
4. Congress -- which had deprived the Southern States of their seats in the Senate -- did not lawfully pass the resolution of submission in the first instance.
5. The Southern States which had rejected the amendment were coerced by a federal statute passed in 1867 that took away the right to vote or hold office from all citizens who had served in the Confederate Army. Military governors were appointed and instructed to prepare the roll of voters. All this happened in spite of the presidential proclamation of amnesty previously issued by the President. New legislatures were thereupon chosen and forced to "ratify" under penalty of continued exile from the Union. In Louisiana, a

General sent down from the North presided over the State legislature.

6. Abraham Lincoln had declared many times that the Union was "inseparable" and "indivisible." After his death, and when the war was over, the ratification by the Southern States of the Thirteenth Amendment, abolishing slavery, had been accepted as legal. But Congress in the 1867 law imposed the specific conditions under which the Southern States would be "entitled to representation in Congress."
7. Congress, in passing the 1867 law that declared the Southern States could not have their seats in either the Senate or House in the next session unless they ratified the "Fourteenth Amendment," took an unprecedented step. No such right -- to compel a State by an act of Congress to ratify a constitutional amendment -- is to be found anywhere in the Constitution. Nor has this procedure ever been sanctioned by the Supreme Court of the United States.
8. President Andrew Johnson publicly denounced this law as unconstitutional. But it was passed over his veto.
9. Secretary of State Seward was on the spot in July 1868 when the various "ratifications" of a spurious nature were placed before him. The legislatures of Ohio and New Jersey had notified him that they rescinded their earlier action of ratification. He said in his official proclamation that he was not authorized as Secretary of State "to determine and decide doubtful questions as to the authenticity of the organization of State legislatures or as to the power of any State legislature to recall a previous act or resolution of ratification." He added that the amendment was valid "if the resolutions of the legislatures of Ohio and New Jersey, ratifying the aforesaid amendment, are to be deemed as remaining of full force and effect, notwithstanding the subsequent resolutions of the legislatures of these States." This was a very big "if." It will be noted that the real issue, therefore, is not only whether the forced "ratification" by the ten Southern States was lawful, but whether the withdrawal by the legislatures of Ohio and New Jersey -- two Northern States -- was legal. The right of a State, by action of its legislature, to change its mind at any time before the final proclamation of ratification is issued by the Secretary of State has been confirmed in connection with other constitutional amendments.
10. The Oregon Legislature in October 1868 -- three months after the Secretary's proclamation was issued -- passed a rescinding resolution, which argued that the "Fourteenth Amendment" had not been ratified by three fourths of the States and that the "ratifications" in

the Southern States were "usurpations, unconstitutional, revolutionary and void" and that, "until such ratification is completed, any State has a right to withdraw its assent to any proposed amendment."

What do the historians say about all this? The Encyclopedia Americana states:

"Reconstruction added humiliation to suffering.... Eight years of crime, fraud, and corruption followed and it was State legislatures composed of Negroes, carpetbaggers and scalawags who obeyed the orders of the generals and ratified the amendment."

W. E. Woodward, in his famous work, "A New American History?" published in 1936, says:

"To get a clear idea of the succession of events let us review [President Andrew] Johnson's actions in respect to the ex-Confederate States.

"In May, 1865, he issued a Proclamation of Amnesty to former rebels. Then he established provisional governments in all the Southern States. They were instructed to call Constitutional Conventions. They did. New State governments were elected. White men only had the suffrage [the Fifteenth Amendment establishing equal voting rights had not yet been passed]. Senators and Representatives were chosen, but when they appeared at the opening of Congress they were refused admission. The State governments, however, continued to function during 1866.

"Now we are in 1867. In the early days of that year [Thaddeus] Stevens brought in, as chairman of the House Reconstruction Committee, a bill that proposed to sweep all the Southern State governments into the wastebasket. The South was to be put under military rule.

"The bill passed. It was vetoed by Johnson and passed again over his veto. In the Senate it was amended in such fashion that any State could escape from military rule and be restored to its full rights by ratifying the Fourteenth Amendment and admitting black as well as white men to the polls."

In challenging its constitutionality, President Andrew Johnson said in his veto message:

"I submit to Congress whether this measure is not in its whole character, scope and object without precedent and without authority, in palpable conflict with the plainest provisions of the Constitution, and utterly destructive of those great principles of liberty and humanity for which our ancestors on both sides of the Atlantic have shed so much blood and expended so much treasure."

Many historians have applauded Johnson's words. Samuel Eliot Morison and Henry Steele Commager, known today as "liberals," wrote in their book, "The Growth of the American Republic":

"Johnson returned the bill with a scorching message arguing the unconstitutionality of the whole thing, and most impartial students have agreed with his reasoning."

James Truslow Adams, another noted historian, writes in his "History of the United States":

"The Supreme Court had decided three months earlier, in the Milligan case, ... that military courts were unconstitutional except under such war conditions as might make the operation of civil courts impossible, but the President pointed out in vain that practically the whole of the new legislation was unconstitutional. ... There was even talk in Congress of impeaching the Supreme Court for its decisions! The legislature had run amok and was threatening both the Executive and the Judiciary."

Actually, President Johnson was impeached, but the move failed by one vote in the Senate.

The Supreme Court, in case after case, refused to pass on the illegal activities involved in "ratification." It said simply that they were acts of the "political departments of the Government." This, of course, was a convenient device of avoidance. The Court has adhered to that position ever since Reconstruction Days.

Andrew C. McLaughlin, whose "Constitutional History of the United States" is a standard work, writes:

"Can a State which is not a State and not recognized as such by Congress, perform the supreme duty of ratifying an amendment to the fundamental law? Or does a State -- by congressional thinking -- cease to be a State for some purposes but not for others?"

This is the tragic history of the so-called "Fourteenth Amendment" -- a record that is a disgrace to free government and a "government of law."

Isn't the use of military force to override local government what we deplored in Hungary?

It is never too late to correct injustice. The people of America should have an opportunity to pass on an amendment to the Constitution that sets forth the right of the Federal Government to control education and regulate attendance at public schools either with federal power alone or concurrently with the States.

That's the honest way, the just way to deal with the problem of segregation or integration in the schools. Until such an amendment is adopted, the "Fourteenth Amendment" should be

considered as null and void.

There is only one supreme tribunal -- it is the people themselves. Their sovereign will is expressed through the procedures set forth in the Constitution itself. ⁶

For a much more in-depth look into the validity of the 14th Amendment, an excellent resource is the Alabama Law Review. In 26 pages (and 207 footnotes!) Douglas H. Bryant eliminates any doubts---and does it in easy to read style. ⁶

The War had ended. On April 9, 1865, General Robert E. Lee surrendered at Appomattox Court House; General Johnson followed shortly thereafter. Two months later, not a single confederate soldier remained in arms. The South had tested its doctrine of secession on the battlefield, and lost a costly argument. The Southern states, it seemed, had never left the Union.

Just as secession had tested the Constitution, a new threat to that grand document arose as Radical Republicans in ___ Congress sought to "punish, plunder, and reconstruct the South." This second constitutional challenge was Reconstruction and its offspring the Fourteenth Amendment. Although most people likely believe the Fourteenth Amendment was adopted in a regular fashion, like most other amendments, this is not true. The Fourteenth Amendment was adopted during a time of great uncertainty, and with great irregularity. This Comment seeks to show that the Fourteenth Amendment was not constitutionally proposed or ratified in accordance with Article V of the United States Constitution. This Comment further raises the tough question, if the Fourteenth Amendment was not properly adopted is it still a part of the Constitution? ⁷

The question is one for the Supreme Court. Yet, in *Coleman v Miller*, the court discussed the ratification of the Fourteenth Amendment for the first, and likely the last time. The Court did not discuss whether the ratification had conformed to Article V. It only said that:

While there were special circumstances, because of the action of the Congress in relation to the governments of the rejecting States (North Carolina, South Carolina and Georgia), these circumstances were not recited in proclaiming ratification and the previous action taken in these States was set forth in the proclamation as actual previous rejections by the respective legislatures. This decision by the political departments of the Government as to the validity of the adoption of the Fourteenth Amendment has been accepted.

We think that in accordance with this historic precedent the question of the efficacy of ratifications by state legislatures, in light of the previous rejection or attempted withdrawal, should be regarded as a political question pertaining to the political departments, with the ultimate authority in the Congress in the exercise of its control over the promulgation of the adoption of the amendment.

So, while the Court seemed to recognize that there were problems with the Fourteenth Amendment's ratification, it decided that Article V questions are non-justiciable political

questions. It seems that whenever the Congress and the Secretary of State proclaim an amendment to be ratified, that proclamation is binding on the Court and "would not be subject to review by the courts." While the wisdom of applying this political question doctrine to declared amendments is questionable, the Court has been true to its word in *Coleman*, as it has not decided a single Article V case since.

Still, the ratification process of the Fourteenth Amendment has never been reviewed by the Supreme Court . . .⁸

Finally, let's look west where the Supreme Court of Utah took a critical look at the 14th Amendment in *Dyett v. Turner* (1968) stating:

In regard to the Fourteenth Amendment, which the present Supreme Court of the United States has by decision chosen as the basis for invading the rights and prerogatives of the sovereign states, it is appropriate to look to the means and methods by which that amendment was foisted upon the Nation in times of emotional stress. We have no desire at this time to have the Fourteenth Amendment declared unconstitutional. In fact, we are not asked to do that. We merely want to show what type of horse that Court has to ride to justify its usurpation of the prerogatives of the states.⁹

In the case of *State v Phillips*, 540 P. 2d 936, 941 (1975), Justice Ellet, in supporting the above decision [*Dyett v Turner*] against a dissent, stated: "The dissenting opinion asserts that "The 14th Amendment is a part of the Constitution of the United States." While this same assertion has been made by the United States Supreme Court, that court has never held that the amendment was legally adopted. I cannot believe that any court, in full possession of its faculties, could honestly hold that the amendment was properly approved and adopted.'¹⁰

Notes:

1. Grossman, Richard L. and Frank T. Adams. *Taking Care of Business: Citizenship and the Charter of Incorporation*. 4th Printing. Program on Corporations, Law & Democracy (POCLAD). (1999). Page 8.
2. Ibid. Page 9.
3. *Defying Corporations: A Book of History & Strategy*. Program on Corporations, Law & Democracy (POCLAD) and Apex Press. (2001) *Corporations for the Seventh Generation: Changing the Ground Rules*, by Jane Anne Morris. Page 85.
4. Ibid. Page 95. *Corporations and the Public Interest: The Development of Property Concepts in the U.S. 'Just Us' System*, by Karen Coulter.
5. Ibid. Page 107. "March of Folly: Corporate Perversion of the Fourteenth Amendment," by Greg Coleridge.
6. Lawrence, David. "There is No Fourteenth Amendment!" U.S. News & World Report. September 27, 1957. Page 140. <http://www.supremelaw.org/authors/lawrence/no14th.htm>
7. Bryant, Douglas H. "Unorthodox and Paradox: Revisiting the Ratification of the Fourteenth Amendment." Alabama Law Review Page 555-556. <https://www.law.ua.edu/pubs/lrarticles/Volume%2053/Issue%202/Bryant.pdf>. Page 555-556 (Internal citations omitted.)
8. Ibid. Page 579-580. (Internal citations omitted.)
9. Quoted in "The Unconstitutionality of the 14th Amendment: And the Evils Resulting From Subversive Use of Its 'Equal Protection' Clause," by Judge L.H. Perez, Plus "An Historic Overview of the Unlawful Enactment of the 14th Amendment" by the Supreme Court of Utah (Dyet v. Turner)," with introduction and conclusion by Charles A. Weisman. Weisman Publications. (1999).
10. Ibid. Page 34

3. PUBLIC BANKS

"The real menace of our republic is the invisible government which, like a giant octopus, sprawls its slimy length over our city, state and nation. At the head is a small group of banking houses generally referred to as international bankers. This littler coterie of powerful international bankers virtually run our government for their own selfish ends."

-John F. Hylan, Mayor of New York City, March 22, 1922 ¹

It would be impossible to discuss public banking without mentioning Ellen Brown, a phenomenal author whose writings have had a profound impact on the way I view the banking system. The first book I read by Ms. Brown was, *Web of Debt: The Shocking Truth About Our Money System and How We Can Break Free* (2007), that a fellow prisoner lent to me. Desiring to learn more, I had the sequel sent in, *The Public Banking Solution: From Austerity to Prosperity* (2013). Ms. Brown is the president of The Public Banking Institute which has the following Frequently Asked Questions page on their website. ²

FAQ

Here are the most frequently asked questions we get at the Public Banking Institute:

Q: What precedent is there for public banking in the US?:

A:

Public banking was the Founding Fathers' ideal. Many of them and some of the most famous US Presidents of the 19th century struggled against private central reserve banks for over one hundred years. See the New Economy Academy for more information.

At the US state level, the Bank of North Dakota provides an excellent example of the power of public banking, as it has since 1919.

Since 2010, in an attempt to regain control over regional economies in the face of a Wall Street crisis in which the banks that caused the crisis got bailed out but cities and states suffered terribly but did not get bailed out, almost half of the US states have had legislation introduced to create public banks.

Q: What is the difference between a public bank and any other bank?

A:

A public bank is owned by the city, county, or state that founded it. That means that the money it makes by making loans comes back to the taxpayers, rather than to private banks and investors. A public bank has many of the same privileges as the private banks, for example it can use the fractional reserve system to multiply the value of its deposits through loans to students, homeowners, municipalities, and enterprises.

Q: Who would benefit from a public bank?

A:

Taxpayers, who will benefit from both the profits the bank makes and the services the bank offers. Students, who can access low interest education loans from the bank. Since Vermont would control it, we could also offer flexible repayment terms for people who go into public service and education, so our young people are not saddled with unreasonable debt. Homeowners, who could get reasonable mortgages and home loans from the bank. Entrepreneurs will have access to credit lines, loans, and other forms of

finance to help their businesses succeed. Municipalities: the bank can offer competitive interest on public deposits and lower cost financing for public works.

Q: What are the problems public banks are trying to solve?

A:

In the case of nearly every state and town government, it is standard practice to send millions upon millions of dollars a year to banks and investors to pay the interest on bonds that have been issued for state infrastructure. If you add up the money the towns collectively send to banks and investors for the same purposes, it is a lot of money. In the case of California, its long awaited new Bay Bridge span was recently completed at a cost of \$6.4 billion - over 400% over its initial projection. What most Californians don't realize is that the total cost of the bridge will eclipse \$13 billion when interest payments are considered over their life. 50% savings is not an aberration - it is pretty much a standard calculation for what municipalities can save by issuing their own loans for critical infrastructure from their own bank.

Meanwhile it is also standard practice to cut programs that benefit low income citizens and students to close "budget gaps" that appear on a regular basis. There are also many unmet needs for roads, bridges, public transit, energy, housing, education, water, and telecommunications. If the interest payments on infrastructure, housing, economic development, and student loans were going to the public sector instead, we would have lower taxes and more funds available for needed improvements.

[**Editor:** Proving Ms. Brown correct is the following example. At Federal Correctional Institution (FCI) Fairton in New Jersey, the U.S. Department of Energy approved an Energy Savings Performance Contract (ESPC) in December of 2009. It was labeled a self-funded project since the money saved on the institution's utility bills would pay for the upgrades. This project "had an implementation cost of \$8,870,913.00, total financed cost of \$18,570,733 over eighteen years, with guaranteed cost savings over the eighteen years of \$18,619,368. Interest amounts to a staggering 48% of the total cost of this project.]³

Q: Won't greedy politicians just use a public bank to fund pet projects and line their pockets?

A:

The Bank of North Dakota shows that a public bank can and must be run free of influence from the legislature and other high offices, in order to effectively do its job.

Q: Will a public bank compete with local banks in my area?

A:

A public bank does not compete with local banks. It does not accept deposits from individuals, organizations, and businesses – only from the state and municipal governments. For local and regional banks, a public bank can also serve as a support system, allowing them to make loans and take deposits that normally would be out of their reach because of their small size. As an example, North Dakota, home of the publicly owned Bank of North Dakota, boasts the most banks per capita of any state in the nation. This is just one of the benefits of public banking - support of a diverse and robust private banking sector that truly serves the public.

Q: Why are some banks opposed to public banking?

A:

Banks that don't like the idea of a public bank typically are the large national and international banks that currently accept the deposits of state and municipal governments and invest them in out of state projects like – for example – the XL Pipeline and the tar sands up in Canada. Public banks offer municipalities and community banks enormous benefits and tend to have the effect of creating competition for the big banks - and they do not like competition.

Q: How could a publicly owned bank help an economically struggling state?**A:**

Among other things, publicly owned banks offer counter-cyclical relief by (1) issuing badly needed credit at low, or no, cost to the state, thus providing a means of revitalizing infrastructure and other services that are now endangered (according to studies, interest paid to private banks represents 30 to 50% of the cost of most public projects); (2) supporting local and regional banks by participating with capital and expertise in loan programs that address local and regional needs; (3) providing support for residential and agricultural financing that acts as a bridge during times of economic contraction, as the Bank of North Dakota did during the Great Depression; and (4) saving the state hundreds of millions of dollars on fees associated with simply keeping general tax revenues and other substantial funds in the big banks.

Q: Can't cities and states just deposit their funds into a credit union? Wouldn't that amount to the same thing?**A:**

Credit unions make regions economically strong, because the benefits and profits from the credit unions go to their members, rather than out of state investors. However, a public bank's profits go to the public – all of the residents and taxpayers of a city or state, not just the members of a single credit union.

More importantly, credit unions can only lend out what people deposit into their credit union. Credit unions cannot create money-credit through fractional reserve banking the way real banks (including public banks) can do.

Q: Won't a public bank require a very large investment by a city/county/state?**A:**

No. Nearly all city, county, and state governments have the capital needed for a public bank on their balance sheets of existing lending agencies as unrestricted assets, or in a variety of other asset pools - including funds on deposit with big private banks. These funds are more than adequate to serve as the capital for a bank. It requires a decision by the legislature, but there should be no need to raise additional money from taxes to provide the capital for the bank.

Q: Who will set policy for public banks? Who decides whether to approve loans? How are decisionmakers insulated from bribes and financial or political pressure?**A:**

The governing legislators or lawmakers—whether at the state or municipal level—would make general policy decisions about public banks (and would likely have an advisory commission to consult), but day-to-day decisions would be made by the banks themselves—governed by their charters and subject to transparency and administrative review. The Bank of North Dakota shows that a public bank can and must be run free of influence from the legislature and other high offices, in order to effectively do its job.

The Bank of North Dakota is the State of North Dakota doing business as the Bank of North Dakota. As Banking on Colorado points out, “A three-member State Industrial Commission oversees Bank of North Dakota, composed of the Governor, the Attorney General, and the Commissioner of Agriculture. The Bank has a seven-member Advisory Board appointed by the governor. The members must be knowledgeable in banking and finance. The Advisory Board reviews the Bank’s operations and makes recommendations to the Industrial Commission relating to the Bank’s management, services, policies and procedures.”

There is every reason to believe public banks will be fiscally conservative, balancing their chartered mandate to lend in the public interest with moderation and careful considerations of risk--more so than big private banks who gamble with municipal money. Standard & Poor has consistently rated BND in the “A” range, indicating the highest levels of confidence in BND’s creditworthiness and practices. According to North Dakota Attorney General Wayne Stenehjem, “The [2013] S&P review of the bank

confirmed that it is well-managed and supports the economic needs of North Dakota . . . The report recognized BND for its conservative management strategy."

Notes:

1. John R. Hylan. https://en.wikipedia.org/wiki/John_Francis_Hylan
2. www.ellenbrown.com/questions-and-answers/
3. Contract DE-AM36-99EE73681. The document referred to is located in the appendix.

4. BRIEF OVERVIEW OF THE PLAN

What's the Plan, Stan?

It's really pretty simple. All we're going to do is eliminate the mega-banks and other corporations that control our government. You know . . . no big deal.

Seriously though, in a sentence, what I am proposing is to launch a multi-front offensive against the international bankers utilizing the same method Thomas Jefferson chose when challenging the "Alien and Sedition Acts:"

Interposition: the action of a state whereby its sovereignty is placed between its citizens and the federal government. ¹

The Alien and Sedition Acts gave vast powers to the federal government as explained in, *The Revolution of 1800*:

The Alien Act conferred upon the president the power to remove aliens from the United States, to imprison them, or both. Thus an alien who was deported as a result of the president's personal decision would be deprived of a trial by jury and his fundamental rights under the Constitution. Although the Alien Act was directed against a limited number of persons, it nevertheless caused many to become suspicious about the administration's intentions.

The Sedition Act was considered more dangerous, and therefore more volatile, than the Alien Act. Under it the federal government intended to punish any combination or conspiracy against itself with a punishment of six months' to five years' imprisonment and a fine of \$5,000. The law also gave authority to the government to punish anyone for "seditious writings." These included any writings that might, in the eyes of the administration, be "false, scandalous, and malicious" against the president, Congress, or the government. This charge was punishable "by a fine of \$2,000 and imprisonment not exceeding two years.' Thus while the Alien Act "was made contingent upon a declaration of war," the Sedition Act was designed "to deal with domestic political opposition in time of peace."

The Sedition Law, many felt, plainly violated the First Amendment to the Constitution.

In effect, Adams and his administration were attempting to "chill" the presses. ²

Mr. Jefferson amply phrased it in the Kentucky Resolution of December 3, 1799:

That if those who administer the general government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of powers therein contained, annihilation of the state governments, and the erection upon their ruins, of a

general consolidated government, will be the inevitable consequence: That the principle and construction contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism; since the discretion of those who administer the government, and not the constitution, would be the measure of their powers: That the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction; and that a nullification, by those sovereignties, of all unauthorized acts done under colour of that instrument, is the rightful remedy: That this commonwealth does upon the most deliberate reconsideration declare, that the said alien and sedition laws, are in their opinion, palpable violations of the said constitution; and however cheerfully it may be disposed to surrender its opinion to a majority of its sister states in matters of ordinary or doubtful policy; yet, in momentous regulations like the present, which so vitally wound the best rights of the citizen, it would consider a silent acquiescence as highly criminal . . .³

The Supreme Court is not the only arbiter, or judge, of what is and is not Constitutional. Are we going to let nine unelected, political appointees for life have the final say in questions of such monumental importance to our liberty?

President Andrew Jackson (1828-1836) in his letter to Congress wherein he laid out his reasons for vetoing the bill to extend the charter of the Second Bank of the United States for 15-more years wrote:

The Congress, the Executive, and the Court must each for itself be guided by its own opinion of the Constitution. Each public officer who takes an oath to support the Constitution swears that he will support it as he understands it, and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval as it is of the supreme judges when it may be brought before them for judicial decision. The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges, and on that point the President is independent of them both. The authority of the Supreme Court must not, therefore, be permitted to control the Congress or the Executive when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve.⁴

Notes:

1. Merriam Webster's Collegiate Dictionary 11th Edition
2. Sisson, Dan with Thom Hartmann. *The American Revolution of 1800: How Jefferson Rescued Democracy From Tyranny and Faction--and What This Means Today*. (San Francisco, California, Barrett-Koehler Publishers, 40th Anniversary Edition) (2014). Page 126-127. (Internal citation omitted.)
3. www.BillofRightsInstitute.org
4. Andrew Jackson quoted in: Haze, Xaviant. *The Suppressed History of American Banking: How Big Banks Fought Jackson, Killed Lincoln, and Caused the Civil War*. (Rochester, Vermont, Bear & Company) (2016). Page 198-199.

5. LOCATION, LOCATION, LOCATION

Just as in real estate location is essential to this plan. For the reasons which I will enumerate below New Hampshire is the best state in which to challenge the status quo. However, before delving into that I want to relate my reasons for avoiding involvement at the federal level. Not only does it take an exceptional amount of money to run a federal campaign, but there isn't even a guarantee that this newly elected member will be allowed to sit.

Returning to the Fourteenth Amendment, for a moment:

One other matter clouds the proposal of the Fourteenth Amendment. Even with the Southern delegations excluded, an initial poll of support for the Amendment in the Senate showed that the Senate was still one vote shy of the required two-thirds. One outspoken opponent of the Amendment was John P. Stockton of New Jersey. Stockton has taken the oath of office and was formally seated on December 5, 1865, when the Thirty-Ninth Congress convened. While it only takes a majority vote to refuse to seat a congressman, the Constitution requires a two-thirds vote to expel a member who has already been seated. A motion was passed by only a bare majority in the Senate to expel Stockton. Thus, Stockton was unconstitutionally expelled. Only through this bit of chicanery did the Fourteenth Amendment gain its requisite two-thirds majority in the senate. ¹

If such corruption was permitted to secure passage of the 14th Amendment we can be certain that something as detrimental to the powers that be as exposing the federal income tax for the fraud that it is, reining in corporations, and creating a state-owned bank will cause them to return to their old playbook.

Reasons for New Hampshire



The New Hampshire Constitution

***Article 83, Encouragement of Literature, etc.; Control of Corporations:**

. . . Free and fair competition in the trades and industries is an inherent and essential right of the people and should be protected against all monopolies and conspiracies which tend to hinder or destroy it. The size and functions of all corporations should be so limited and regulated as to prohibit fictitious capitalization and provision should be made for the supervision and government thereof. Therefore, all just power possessed by the state is hereby granted to the general court to enact laws to prevent the operations within this state of all persons and associations, and all trusts and corporations, foreign or domestic, and the officers thereof, who endeavor to raise the price of any article of commerce or to destroy free and fair competition in the trades and industries through combination, conspiracy, monopoly, or any other unfair means; to control and regulate the acts of all such persons, associations, corporations, trusts, and officials doing business within the state; to prevent fictitious capitalization; and to authorize civil and criminal proceedings in respect to all the wrongs herein declared against. (Emphasis added.)

***Article 10 Right of Revolution:**

Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men; therefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government. The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.

***Article 5 Power to Make Laws, Elect officers, Define Their Powers and Duties, Impose Fine and Assess Taxes; Prohibited from Authorizing Towns to Aid Certain Corporations:**

. . . provided that the general court shall not authorize any town to loan or give its money or credit directly or indirectly for the benefit of any corporation having for its object a dividend of profits or in any way aid the same by taking its stocks or bonds.

***Article 7 - State Sovereignty:**

The people of this state have the sole and exclusive right of governing themselves as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by them expressly delegated to the United States of America in congress assembled.

No State Income Tax

No State Sales Tax

Jury Nullification Is the Law

New Hampshire Passes Jury Nullification Law

Written by Joe Wolverton, II, J.D.
July 2, 2012

On June 18, Governor John Lynch of New Hampshire signed into law HB 146, a bill granting to juries in that state the right “to judge the application of the law in relationship to the facts in controversy.”

Representatives Lars Christiansen, Dan Itse, and the Speaker of the House sponsored HB 146 in the New Hampshire House of Representatives. Senators Jim Forsythe and Fenton Groen pushed for the bill on the senate side of the state legislature.

Juries in New Hampshire may now override the rulings of judges if they believe the judges are misinterpreting or misapplying the relevant law. Furthermore, defense attorneys may now, over a judge's objection, inform a jury that it has a right to judge the application of the law in relationship to the facts in controversy. This is known as jury nullification and it has a rich history in American jurisprudence.

Before one is able to understand why jury nullification is a good idea, one must understand the importance of a trial by jury. Our Founding Fathers universally considered them to be a

powerful weapon in the war against tyranny.

Thomas Jefferson wrote, “I consider trial by jury as the only anchor yet imagined by man, by which a government can be held to the principles of its constitution.”

In the *Federalist Papers*, Alexander Hamilton wrote that trial by jury was the “very palladium of free government” and a “valuable check upon corruption.”

Hamilton’s fellow *Federalist* author and Supreme Court Chief Justice John Jay informed a jury in a 1794 case that:

It may not be amiss, here, Gentlemen, to remind you of the good old rule, that on questions of fact, it is the province of the jury, on questions of law, it is the province of the court to decide. But it must be observed that by the same law, which recognizes this reasonable distribution of jurisdiction, you have nevertheless a right to take upon yourselves to judge of both, and to determine the law as well as the fact in controversy.

Given the strength of these opinions, then, it is no surprise that the denial of trials by jury was one of the foremost acts of despotism listed by Thomas Jefferson in the Declaration of Independence.

As for the concept that juries have not only the power but the obligation to nullify unjust rulings of a judge, John Adams wrote, “It is not only [the juror's] right, but his duty ... to find the verdict according to his own best understanding, judgment, and conscience, though in direct opposition to the direction of the court.”

And Hamilton, again from the *Federalist Papers*, described the jury’s check on the judge as a “double security” that “tends to preserve the purity” of both judge and jury.

So, we can see that the idea that juries may act contrary to the will of a judge is nothing new in American law and in fact it is an act of resistance to government oppression that our Founders believed to be fundamental in a Republic that was to remain free under the rule of law, rather than enslaved according to the rule of men.

New Hampshire is faithfully following our Founders’ philosophy. The New Hampshire law reads:

In all criminal proceedings the court shall permit the defense to inform the jury of its right to judge the facts and the application of the law in relation to the facts in controversy.

Permitting defense attorneys to directly address the jury regarding its right to be judges of the facts and the law is something unheard of in nearly every courtroom in the United States.

Of course, as one writer has observed, this law may not go far enough in restraining the power of corrupt judges.

We don’t know how much pressure trial judges will exert on defense counsel. As noted above, if the attorney’s argument is “too strenuous,” the judge may reprimand the attorney in some way or deliver his own strenuous instruction about how the jurors must ultimately accept the law as described by the court, not the defense. I’m also afraid what the jurors hear will too often depend on the particular judge and, then, what that judge wants to do in a particular case.

For now, constitutionalists will be pleased by the following explanation of the purpose of the bill as put forth in Section 243:1:

The jury system functions at its best when it is fully informed of the jury’s prerogatives. The general court wishes to perpetuate and reiterate the rights of the jury, as ordained under common law and recognized in the American jurisprudence, while preserving the rights of a criminal defendant....

As indicated by the statements provided above, our Founding Fathers zealously defended this right and recognized that only an informed and empowered jury could effectively protect a defendant from the potentially harmful effects of autocratic judges.

On its website, the Fully Informed Jury Association ably sums up the reason jury

nullification is a good idea and one supported by Constitutional principles of freedom from tyranny.

The primary function of the independent juror is not, as many think, to dispense punishment to fellow citizens accused of breaking various laws, but rather to protect fellow citizens from tyrannical abuses of power by the government.

The Constitution guarantees you the right to trial by jury. This means that the government must bring its case before a jury of the people if government wants to deprive any person of life, liberty, or property. Jurors can say no to government tyranny by refusing to convict.

HB 146 goes into effect on January 1, 2013. ²

Given the IRS's policy of ignoring any inquiries into the applicability of the tax to average Americans other peaceful means of eliciting a response will be necessary. Nonviolent civil disobedience provides an excellent way to both garner attention and force the IRS's hand into making an official statement or risk looking like the lawless bunch that they are. One of the downsides of going down this route is that disobedience in a police state generally leads to jail time. Yet, this law throws a huge monkey wrench into the process as juries sitting in New Hampshire state courts will be empowered to decide "the application of the law in relationship to the facts in controversy."

During the course of researching for this essay I learned of the War Resisters League and its sister organization the National War Tax Resistance Coordinating Committee for the first time. Comprised of peace activists who oppose spending tax money for war, they have been giving the IRS hell for decades. Addressing the question, "Why Use Illegal Methods?" in their book, *War Tax Resistance: A Guide to Withholding Your Support from the Military* (2003), they wrote:

Many feel that it is more important to violate a law than to violate their conscience (or religious beliefs) when the two conflict. Most war tax resisters are compelled by conscience to stop contributing to preparations for mass murder. Some people feel that protests they make through legal channels are frequently ignored, but resisting taxes registers a protest the government cannot ignore. Furthermore, open conscientious breaking of a law often generates public curiosity, affording resisters more opportunities to present their views. ³

Hard to disagree with that; this is not some academic club where debate is the order of the day. These people take it to the IRS--every year. We can learn

from their tactics and modify them appropriately. A brief sampling from *War Tax Resistance*:

Leafleting Inside the IRS

The IRS--and post offices--are public spaces, but activists may find themselves confronted with official opposition when they try to leaflet or table in those spaces. . . . [M]embers of the Milwaukee War Tax Resistance head to their IRS office every tax day, standing in the hallway outside the office with signs and leaflets. The IRS is located in a private office building, but the public must use the hallway to reach the IRS offices. Each year the leafletters have been arrested. Each year the court has allowed them to explain their actions, but every year but one the court found them guilty. One year a judge responded positively when Don [Timmerman] based his arguments on Martin Luther King Jr.'s statements and actions. The judge found the activists "not guilty." Despite this success the leafletters were arrested again the next year.

Persistence is required as activists continue to exercise their right to reach the public with important information.⁴

STAN MACK'S REAL WORLD: THE WAR RESISTERS BREACH THE IRS

ALL DIALOGUE REPORTED VERBATIM



Civil Disobedience

Some groups have physically attempted to hamper the operations of the IRS through nonviolent civil disobedience. The Brandywine Peace Community in the Philadelphia area has used civil disobedience for a number of years to promote war tax resistance. On a few occasions people were arrested after they poured blood on 1040 forms in public recognition of the bloody consequences of a war economy. Another time a coffin

containing torn 1040 forms and ashes, representing the devastation of a nuclearized world, was carried into the IRS office. On April 15, 1977, two Brandywine members chained themselves to the entrance of the IRS office before it opened for the day. ⁵

Highest Number of Representatives for the Population Size in the United States of America

There are 400 members in the New Hampshire house of representatives. This results in the lowest number of people per state legislator in the entire country. The 10 states with the lowest number of people per state representative are ⁶:

	State Legislators*	State Population	Pop. Per State Rep.
1. New Hampshire	424	1,350,575	3,185
2. Vermont	180	623,960	3,466
3. North Dakota	141	755,238	5,356
4. Wyoming	90	573,720	6,375
5. Montana	150	1,062,330	7,082
6. Maine	186	1,341,582	7,213
7. South Dakota	105	877,790	8,360
8. Rhode Island	113	1,061,712	9,396
9. Alaska	60	738,068	12,301
10. West Virginia	134	1,803,077	13,456

(*This number includes house members and state senators.)

Given the exceptionally large number of representatives it doesn't take all that many votes to get elected. In 2016, there were 56 house races where the candidate won with less than 1,500 votes. A total of 191 house members took office earning less than 2,500 votes--nearly half of the entire house of representatives. In addition, there were a number of candidates who ran unopposed.

By way of comparison, New Hampshire's two members of the U.S. House of Representatives, Annie Kuster and Carol Shea-Porter, received 350,272 and 365,572 votes respectively.

For those who might be curious, here are the 10 states with the most people per state rep.

	State Legislators*	State Population	Pop. Per State Rep.
1. California	120	39,776,830	331,474
2. Texas	181	28,704,330	158,587
3. Florida	160	21,312,211	133,201
4. New York	212	19,862,512	93,691
5. Ohio	132	11,694,664	88,596
6. Arizona	90	7,123,898	79,154
7. New Jersey	120	9,032,872	75,274
8. Illinois	177	12,768,320	72,137
9. Michigan	148	9,991,177	67,508
10. Virginia	140	8,525,660	60,898

Home of the Free State Project

The **Free State Project (FSP)** is a proposed political migration founded in 2001 to recruit at least 20,000 libertarians to move to a single low-population state (New Hampshire, selected in 2003) in order to make the state a stronghold for libertarian ideas. The project seeks to overcome the historical ineffectiveness of limited government activism which they believe was caused by the small number and diffuse population of libertarian activists across the 50 United States and around the world.

Participants sign a statement of intent declaring that they intend to move to New Hampshire within five years of the drive reaching 20,000 participants. This statement of intent is intended to function as a form of assurance contract. As of February 3, 2016, 20,000 people have signed this statement of intent—completing the original goal—and 1,909 people are listed as "early movers" to New Hampshire on the FSP website, saying they had made their move prior to the 20,000-participant trigger. Approximately a dozen Free Staters were elected to the New Hampshire House of Representatives in the 2012 election and about 18 in the 2014 election.

The Free State Project aligns itself with no political party, takes no official political positions, supports no candidates in elections and neither supports nor opposes any particular legislation.⁷

RSA 123:1

The New Hampshire Law reads as follows:

TITLE IX
ACQUISITION OF LANDS BY UNITED STATES; FEDERAL AID

CHAPTER 123
JURISDICTION OVER LANDS ACQUIRED; TAX EXEMPTION

Section 123:1

123:1 Ceded to United States. – Jurisdiction is ceded to the United States of America over all lands within this state now or hereafter exclusively owned by the United States, and used as sites for post offices, custom-houses, military air bases, military installations or other public buildings: provided, that an accurate description and plan of the lands so owned and occupied, verified by the oath of some officer of the United States having knowledge of the facts, shall be filed with the secretary of this state; and, provided, further, that this cession is upon the express condition that the state of New Hampshire shall retain concurrent jurisdiction with the United States in and over all such lands, so far that all civil and criminal process issuing under the authority of this state may be executed on the said lands and in any building now or hereafter erected thereon, in the same way and with the same effect as if this statute had not been enacted; and that exclusive jurisdiction shall revert to and revest in this state whenever the lands shall cease to be the property of the United States.

Source. 1883, 1:1. PS 1:1. PL 1:1. RL 1:1. RSA 123:1. 1955, 223:1, eff. June 23, 1955.

According to New Hampshire's Secretary of State, the federal government has never complied with this duly enacted law.⁸

NEW HAMPSHIRE
DEPARTMENT OF STATE

William M. Gardner
Secretary of State



Robert P. Ambrose
Senior Deputy Secretary of State
David M. Scanlan
Deputy Secretary of State

May 17, 2018

Jason Gerhard



We have checked our records and do not find a copy of the filing required by RSA 123:1.

Sincerely,

David Scanlan
Deputy Secretary of State



State House Room 204, 107 N. Main St., Concord, N.H. 03301
Phone: 603-271-3242 Fax: 603-271-6316
TDD Access: Relay NH 1-800-735-2964
www.nh.gov/sos email: elections@sos.state.nh.us

Notes:

1. Bryant. "Unorthodox and Paradox." Page 562-563. (Internal citations omitted.)
2. Wolverton II, Joe. "New Hampshire Passes Jury Nullification Law." The New American.
<http://www.thenewamerican.com/usnews/constitutional/item/11934-new-hampshire-passes-jury-nullification-law>
3. Benn, Ruth and Ed Hedemann. "War Tax Resistance: A Guide to Withholding Your Support from the Military." (New York, NY, War Resisters League) (1981, 5th Edition 2003). Page 11.
4. Ibid. Page 117.
5. Ibid. Page 119.
6. This data was originally found at <https://www.cga.ct.gov/2010/rpt/2010-R-0292.htm> and updated with 2018 population figures from <http://worldpopulationreview.com/states>
7. https://en.wikipedia.org/wiki/Free_State_Project (Internal citations omitted.)
NH MAP: <https://www.bing.com>
- MACK CARTOON: <http://www.nwtrcc.org/history/history1980.php>
8. I must thank Joe Haas from New Hampshire for bringing this to my attention.

6. A BRIEF DISCUSSION OF THE FEDERAL RESERVE

It is important to know what the Federal Reserve is and isn't. Ellen Brown explained:

[W]hile the national money supply would be *printed* by the U.S. Bureau of Engraving and Printing, it would be *issued* by the "bankers" bank, the Federal Reserve. The Fed is composed of twelve branches, all of which are 100 percent owned by the banks in their districts. ¹

When discussing the Federal Reserve, I've found that many, even those who are well read, have difficulty accepting that the government does not own the bank. In order to eliminate any doubts here is what the United States Court of Appeals for the Ninth Circuit said in *Lewis v. U.S.*, 680 F.2d 1239, at 1241 (April 19, 1982):

Examining the organization and function of the Federal Reserve Banks, and applying the relevant factors, we conclude that the Reserve Banks are not federal instrumentalities for purposes of the FTCA [Federal Tort Claims Act], but are independent, privately owned and locally controlled corporations. ²

Each Federal Reserve Bank is a separate corporation owned by commercial banks in its region. The stockholding commercial banks elect two thirds of each Bank's nine member board of directors. The remaining three directors are appointed by the Federal Reserve Board. The Federal Reserve Board regulates the Reserve Banks, but direct supervision and control of each Bank is exercised by its board of directors.

Why the Federal Reserve was created in the first place is summed up quite succinctly by Mr. Griffin in his excellent book, *The Creature from Jekyll Island: A Second Look at the Federal Reserve* (1999):

. . . William Greider was a former Assistant Managing Editor for the Washington post. His book, *Secrets of the Temple*, was published in 1987 by Simon and Schuster. It was critical of the Federal Reserve because of its failures, but, according to Greider, these were not caused by any defect in the System itself, but were merely the result of economic factors which are "sooo complicated" that the good men who have struggled to make the System work just haven't been able to figure it all out. But, don't worry, folks, they're *working* on it! That is exactly the kind of powder-puff criticism which is acceptable in our mainstream media. Yet, Greider's own research points to an entirely different interpretation. Speaking of the System's origin, he says:

As new companies prospered without Wall Street, so did the new regional banks that handled their funds. New York's concentrated share of bank deposits was still huge, about half the nation's total, but it was

declining steadily. Wall Street was still "the biggest kid on the block," but less and less able to bully the others.

This trend was a crucial fact of history, a misunderstood reality that completely alters the political meaning of the reform legislation that created the Federal Reserve. At the time, the conventional wisdom in Congress, widely shared and sincerely espoused by Progressive reformers, was that a government institution would finally harness the "money trust," disarm its powers, and establish broad democratic control over money and credit . . . The results were nearly the opposite. The money reforms enacted in 1913, in fact, helped to preserve the status quo, to stabilize the old order. Money-center bankers would not only gain dominance over the new central bank, but would also enjoy new insulation against instability and their own decline. Once the Fed was in operation, the steady diffusion of financial power halted. Wall Street maintained its dominant position--and even enhanced it.

Antony Sutton, former Research Fellow at the Hoover Institution for War, Revolution and Peace, and also former Professor of Economics at California State University, Los Angeles, provides a somewhat deeper analysis. He writes:

Warburg's revolutionary plan to get American Society to go to work for Wall Street was astonishingly simple. Even today, . . . academic theoreticians cover their blackboards with meaningless equations, and the general public struggles in bewildered confusion with inflation and the coming credit collapse, while the simple explanation of the problem goes undiscussed and almost entirely uncomprehended. The Federal Reserve System is a legal private monopoly of the money supply operated for the benefit of the few under the guise of protecting and promoting the public interest.³

Notes:

1. Brown, Ellen Hodgson. *The Public Bank Solution: From Austerity to Prosperity*. (Baton Rouge, Louisiana, Third Millennium Press) (2013). Page 155.
2. Author, Pat Shannon, was kind enough to send me two of his non-fiction works, *I Rode with Tupper*, and *Maybe the People Have the Answers*, along with his novel, *One in a Million: An IRS Travesty*. Wherein I learned, among other things, this tidbit of information.
3. Griffin, G. Edward. *The Creature from Jekyll Island: A Second Look at the Federal Reserve*. (Westlake Village, California, America Media) (1999, 5th Edition, 2016). Page 22-23. (Internal citations omitted.)

7. COUNTERING CLAIMS OF THE NECESSITY OF THE FEDERAL INCOME TAX

We as Americans have been conditioned to believe that taxes are essential, and we must "pay our fair share." Taxes are defined as:

*1a: a charge usually of money imposed by authority on persons or property for public purposes. b: a sum levied on members of an organization to defray expenses.*¹

Therefore, it is logical that we are required to pay taxes for goods and services that benefit the public. Property taxes that help fund local schools would be an example of this. Yet, the federal income tax is not intended as a means of raising revenue:

The January 1946 issue of *American Affairs* carried an article written by Beardsley Ruml who, at that time, was Chairman of the Federal Reserve Bank of New York. Ruml had devised the system of automatic withholding during World War II, so he was well qualified to speak on the nature and purpose of the federal income tax. His theme was spelled out in the title of his article: "Taxes for Revenue Are Obsolete."

In an introduction to the article, the magazine's editor summarized Ruml's views as follows:

His thesis is that, given control of a central banking system and an inconvertible currency [a currency not backed by gold], a sovereign national government is finally free of money worries and needs no longer levy taxes for the purpose of providing itself with revenue. All taxation, therefore, should be regarded from the point of view of social and economic consequences.

Ruml explained that, since the Federal Reserve now can create out of nothing all the money the government could ever want, there remain only two reasons to have taxes at all. The first of these is to combat a rise in the general level of prices. His argument was that, when people have money in their pockets, they will spend it for goods and services, and this will bid up the prices. The solution, he says, is to take the money away from them through taxation and let the government spend it instead. This, too, will bid up prices, but Ruml chose not to go into that. He explained his theory this way:

The dollars the government spends become purchasing power in the hands of the people who have received them. The dollars the government takes by taxes cannot be spent by the people, and therefore, these dollars can no longer be used to acquire the things which are available for sale. Taxation is, therefore, an instrument of the first importance in the administration of any fiscal and monetary policy.

The other purpose of taxation, according to Ruml, is to redistribute the wealth from one class of citizens to another. This must always be done in the name of social justice or

equality, but the real objective is to override the free market and bring society under the control of the master planners. Ruml said:

The second principal purpose of federal income taxes is to attain more equality of wealth and of income than would result from economic forces working alone. The taxes which are effective for this purpose are the progressive individual income tax, the progressive estate tax, and the gift tax. What these taxes should be depends on public policy with respect to the distribution of wealth and of income. These taxes should be defended and attacked in terms of their effect on the character of American life, not as revenue measures.

As we have seen, Senator Nelson Aldrich was one of the creators of the Federal Reserve System. That is not surprising in light of the cartel nature of the System and the financial interests which he represented. Aldrich also was one of the prime sponsors of the federal income tax. The two creations work together as a far more delicate mechanism for control over the economic and social life of society than either one alone.²

What about using the federal income tax monies for paying off the national debt? That is another lie as it CAN'T ever be paid.

Another consequence of the national banking system was to make it impossible from that date forward for the federal government ever to get out of debt. Please reread that statement. It is not an exaggeration. Even friends of central-banking are forced to admit this reality. Galbraith says gloomily:

Rarely has economic circumstance managed more successfully to confound the most prudent in economic foresight. In numerous years following the war [Editor: the War of Northern Aggression, aka. the "Civil War"] the Federal government ran a heavy surplus. It could not pay off its debt, retire its securities, because to do so meant there would be no bonds to back the national bank notes. To pay off the debt was to destroy the money supply.

As pointed out in a previous section, that is essentially the situation which exists today. Every dollar of our currency and checkbook money was created by the act of lending. If all debt were repaid, our entire money supply would vanish back into the inkwells and computers. The *national* debt is the principal foundation upon which money is created for *private* debt. To pay off or even greatly reduce the national debt would cripple our monetary system. No politician would dare to advocate that, even if surplus funds were available in the Treasury. The Federal Reserve System, therefore, has virtually locked our nation into perpetual debt.³

Notes:

1. Merriam-Webster's Collegiate Dictionary, 11th Edition.
2. Griffin. *The Creature from Jekyll Island*. Page 204-205. (Internal citations omitted.) (Emphasis in original.)
3. Ibid. Page 387-388. (Internal citations omitted.) (Emphasis in original.)

8. REINING IN CORPORATIONS REDUCES THE CHANCES OF WAR

Despite the propaganda Americans are fed via the corporate-dominated media in order to induce war-fever, it is a fact that war is rarely, if ever, about anything but money:

The unnecessary war over, [President Woodrow Wilson] admitted the reason for WWI in St. Louis on 5 September 1919:

Why, my fellow citizens, is there any man here, or any woman--let me say is there any child here--who does not know that the seed of war in a modern world is industrial and commercial rivalry? . . . This war, in its inception, was a commercial and industrial war. It was not a political war.

Then, at St. Paul, Minnesota, the same month on 9 September, Wilson freed all the Germans of any war guilt in the starting of WWI by honestly stating:

The German bankers and German merchants and German manufacturers did not want this war. They were making conquest of the world without it, and they knew war would spoil their plans. ¹

Later in that same newspaper article where the above was found, the author, John Peeples, quotes the U.S. government admitting the truth as well:

. . . the Office of Naval Intelligence has emphasized that economic reasons are the basic causes for wars:

Realistically, all wars have been for economic reasons. To make them politically and socially palatable, ideological issues have always been invoked. Any future war will, undoubtedly, conform to historical precedent. ("United States Imports of Strategic Materials--1938," official document prepared for the U.S. Navy Department, quoted in *Congressional Record--Senate*, Volume 93, part e, 15 April 1947, page 3337.)

Woodrow Wilson brought the U.S. into World War I "to make the world safe for democracy" and "to end all wars." That is what is taught in our government-funded public school (fool) system--this and other untruthful nonsense.

Major Smedley Butler Spills the Beans

General Butler is an extremely interesting individual. In 1898, at only 16 years old, lying about his age he enlisted in the Marine Corps and was commissioned as a second lieutenant. In this capacity he served in the Spanish American War. He rose through the ranks to become a major general and when he died in 1940 he was the most decorated Marine in American history.

His stature was so great that as Jesse Ventura writes in an introduction to a collection of Butler's writings:

On November 30, 1934, Butler testified before a House committee in closed-door executive session. The story then leaked in three newspapers, and began:

Major General Smedley D. Butler revealed today that he had been asked by a group of wealthy New York brokers to lead a Fascist movement to set up a dictatorship in the United States. ²

Quotes by Major General Smedley Butler (1881-1940)

- War is just a racket. A racket is best described, I believe, as something that is not what it seems to the majority of people. Only a small inside group knows what it is about. It is conducted for the benefit of the very few at the expense of the masses.
- I believe in adequate defense at the coastline and nothing else. If a nation comes over here to fight, then we'll fight. The trouble with America is that when the dollar only earns 6 percent over here, then it gets restless and goes overseas to get 100 percent. Then the flag follows the dollar and the soldiers follow the flag.
- I wouldn't go to war again as I have done to protect some lousy investment of the bankers. There are only two things we should fight for. One is the defense of our homes and the other is the Bill of Rights. War for any other reason is simply a racket.
- There isn't a trick in the racketeering bag that the military gang is blind to. It has its "finger men" to point out enemies, its "muscle men" to destroy enemies, its "brain men" to plan war preparations, and a "Big Boss" Super-Nationalistic-Capitalism.
- It may seem odd for me, a military man to adopt such a comparison. Truthfulness compels me to. I spent thirty- three years and four months in active military service as a member of this country's most agile military force, the Marine Corps. I served in all commissioned ranks from Second Lieutenant to Major-General. And during that period, I spent most of my time being a high class muscle- man for Big Business, for Wall Street and for the Bankers. In short, I was a racketeer, a gangster for capitalism.
- I suspected I was just part of a racket at the time. Now I am sure of it. Like all the members of the military profession, I never had a thought of my own until I left the service. My mental faculties remained in suspended animation while I obeyed the orders of higher-ups. This is typical with everyone in the military service.
- I helped make Mexico, especially Tampico, safe for American oil interests in 1914. I helped make Haiti and Cuba a decent place for the National City Bank boys to collect revenues in. I helped in the raping of half a dozen Central American republics for the benefits of Wall Street. The record of racketeering is long. I helped purify Nicaragua for the international banking house of Brown Brothers in 1909-1912. I brought light to the Dominican Republic for American sugar interests in 1916. In China I helped to see to it that Standard Oil went its way unmolested.
- During those years, I had, as the boys in the back room would say, a swell racket. Looking back on it, I feel that I could have given Al Capone a few hints. The best he could do was to operate his racket in three districts. I operated on three continents. ³

To make matters worse is the blatant theft that occurs at the Pentagon.

Remember the good old days when it was "only" millions of dollars that would mysteriously disappear? Well, folks, technology isn't the only thing that's improved! So has thievery, fraud, and corruption. A recent report revealed that *8.5 trillion dollars is missing from the pentagon budget.* ⁴ That's trillion with a "T"--which is a million million! Eight and a half trillion dollars.

In an interview, Linda Woodford, an employee at the Defense Finance and Accounting Service--the Pentagon's main accounting agency--reveals to the Reuters that she spent the last 15 years of her career simply "plugging in" false numbers every month to balance the books; **A lot of times there were issues of numbers being inaccurate. We didn't have the detail . . . for a lot of it.**

In the REAL WORLD, that would be called MASSIVE FRAUD. ⁵

According to the War Resisters League's "Where Your Income Tax Money Really Goes," for fiscal year 2019 an estimated 47% of the federal budget was destined for the military (both past and current expenses). ⁶ At least we can rest easy knowing that it's money well stolen, I mean spent.

Want another example of Pentagon excellence?

The F-35 is often referred to as 'The Pentagon's \$1.5 Trillion Dollar Mistake' ⁷ and described with the worst of all military acronyms, 'FUBAR'--Fucked Up Beyond All Repair. ⁸ An entire book could be written about all of its problems, some of which are mind-bogglingly bad too--like "Unsafe at any speed." ⁹ Or how about this one? How's this professional assessment for a good indication of where that \$1.5 trillion of *our* money is going:

The aircraft can barely do anything: it has trouble flying at night, its engines have exploded during takeoff, and early models suffered structural cracks. There's no end in sight either. ¹⁰

And they still haven't "ironed out" its problems, either. "The last time the next-generation fighter jet was matched up to an older plane, it failed to live up to its expensive promise." ¹¹

But the Pentagon has got so much invested in the project that the Air Force says the F-35 program is "too big to fail." ¹² Sound familiar? When will these bums get cured of giving our tax dollars away to huge corporations?

Notes:

1. Peebles, John. *"The Zog Lies Us into War for Economic Reasons Only."* The First Freedom, October 2017. Page 14. [www. http://firstfreedom.net/1910.pdf](http://firstfreedom.net/1910.pdf)
2. Butler, Smedley Darlington. *"War is A Racket."* (New York, New York, Skyhorse Publishing) (2016). Page 6.
3. <https://charterforcompassion.org/index.php/truth-anti-war-and-human-rights-activists/truth-major-general-smedly-butler>
4. Belzer, Richard and David Wayne. *Corporate Conspiracies: How Wall Street Took Over Washington.* New York, NY, Skyhorse Publishing) (2017). Page 87. Citing Lauren Lyster, *"Want to Cut Government Waste? Find the 8.5 Trillion the Pentagon Can't Account For,"* Yahoo Finance Daily Ticker, November 25, 2013, <http://Finance.yahoo.com/blogs/daily-ticker/want-cut-government-waste-8-5trillion-pentagon-142321339.html>
5. Ibid. Page 87. Citing Global Research News, *"Report Reveals \$8.5 Trillion Missing from Pentagon Budget,"* Global Research, June 5, 2015 (emphasis in original), <http://www.globalresearch.ca/report-reveals-8-5-trillion-missing-from-pentagon-budget-2/5453618>.
6. www.warresisters.org. See flyer in Appendix.
7. Belzer. *Corporate Conspiracies*. Page 94. Citing James Fallows and Jackie Lay. *"The Pentagon's \$1.5 Trillion Mistake."* Atlantic, December 29, 2014, <http://www.theatlantic.com/video/index384088/the-pentagons-15-trillion-mistake/>.
8. Ibid. Page 94. Citing AJ Vicens, *"The F-35 is still FUBAR,"* Mother Jones, March 17, 2015, <http://www.motherjones.com/politics/2015/03/f35-jet-fighter-safety-problems>.
9. Ibid.
10. Ibid. Page 94. Citing Fallows and Lay, *"The Pentagon's \$1.5 Trillion Mistake."*
11. Ibid. Page 94. Citing Gillian Rich, *"Can The F-35 Beat The A-10 In Close Air Support?"* Investor's Business Daily, August 21, 2015, <http://news.investors.com/business/082115-767623-can-the-f35-beat-the-a10-in-close-air-support.htm#xzz3u2bxTLko>.
12. Ibid. Page 94. Citing David Francis, *"How DOD's \$1.5 Trillion F-35 Broke the Air Force,"* CNBC, July 31, 2014, <http://www.cnbc.com/2014/07/31/how-dods-15-trillion-f-35-broke-the-air-force.html>.

9. COUNTERING CLAIMS OF THE NECESSITY OF THE 14th AMENDMENT

"We are dealing with a question of vital concern to the people of the nation. It may be most desirable to give corporations this protection from the operation of the legislative process. But that question is not for us. It is for the people. If they want corporations to be treated as humans are treated, if they want to grant corporations this large degree of emancipation from state regulation, they should say so. The Constitution provides a method by which they may do so. We should not do it for them through the guise of interpretation."

*-Justice William O. Douglas's dissent in *Wheeling Steel Corporation v. Glander*, 337 US 562 at 581 (1949) ¹*

Mr. Bryant, whom I've quoted at length while discussing the validity of the 14th Amendment, claims that "having the Fourteenth Amendment suddenly declared invalid would be disastrous." This statement is accompanied by a footnote that is over half a page in length which contains examples of landmark decisions that would be overturned:

-*Brown v. Bd. of Educ.*, 374 U.S. 483 (1954) (holding that state-imposed segregation in public education violated the Equal Protection Clause of the Fourteenth Amendment)

-*Loving v. Virginia*, 388 U.S. 1 (1967) (holding a state anti-miscegenation law violated the Equal Protection Clause of the Fourteenth Amendment)

-*Craig v. Boren*, 429 U.S. 190 (1976) (applying heightened scrutiny to gender discrimination)

-*Griswold v. Connecticut*, 381 U.S. 479 (1965) (holding that a law prohibiting instruction on contraception violated the Fourteenth Amendment)

-*Roe v. Wade*, 410 U.S. 113, (1973) (finding that abortion was a fundamental right protected by the Fourteenth Amendment) ²

Even the most fearful among us would have difficulty imagining that the absence of the 14th Amendment would result in segregated schools, prohibitions on inter-racial intercourse [a.k.a. miscegenation], heightened gender discrimination, or restrictions on instruction about contraception in our current political climate--and especially so in New Hampshire. Whether abortion would be restricted or even outlawed in New Hampshire is difficult to say, but even if it

were, the state is so small that venturing to a neighboring state would not be that much of an inconvenience for the determined individual.

Additionally, the New Hampshire constitution specifically guarantees equality of rights under Article 2-Natural Rights, in the Bill of Rights:

All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting property; and in a word, of seeking and obtaining happiness. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, or sex or national origin.

As far as discrimination against black Americans is concerned according to Dr. Walter Williams, who holds a B.A. in economics from California State University, Los Angeles, and M.A. and Ph.D. degrees in economics from UCLA, the cause of so many of the problems in the black community is in fact the "legacy of the welfare state". Also, I believe it is worth noting that Dr. Williams, a professor of economics at George Mason University, is black and was born in Philadelphia, Pennsylvania. He is the author of 10 books and his syndicated weekly column is carried by approximately 140 newspapers and several websites.

The Welfare State's Legacy

By Walter E. Williams
September 20, 2017

That the problems of today's black Americans are a result of a legacy of slavery, racial discrimination and poverty has achieved an axiomatic status, thought to be self-evident and beyond question. This is what academics and the civil rights establishment have taught. But as with so much of what's claimed by leftists, there is little evidence to support it.

The No. 1 problem among blacks is the effects stemming from a very weak family structure. Children from fatherless homes are likelier to drop out of high school, die by suicide, have behavioral disorders, join gangs, commit crimes and end up in prison. They are also likelier to live in poverty-stricken households. But is the weak black family a legacy of slavery? In 1960, just 22 percent of black children were raised in single-parent families. Fifty years later, more than 70 percent of black children were raised in single-parent families. Here's my question: Was the increase in single-parent black families after 1960 a legacy of slavery, or might it be a legacy

of the welfare state ushered in by the War on Poverty?

According to the 1938 Encyclopaedia of the Social Sciences, that year 11 percent of black children were born to unwed mothers. Today about 75 percent of black children are born to unwed mothers. Is that supposed to be a delayed response to the legacy of slavery? The bottom line is that the black family was stronger the first 100 years after slavery than during what will be the second 100 years.

At one time, almost all black families were poor, regardless of whether one or both parents were present. Today roughly 30 percent of blacks are poor. However, two-parent black families are rarely poor. Only 8 percent of black married-couple families live in poverty. Among black families in which both the husband and wife work full time, the poverty rate is under 5 percent. Poverty in black families headed by single women is 37 percent. The undeniable truth is that neither slavery nor Jim Crow nor the harshest racism has decimated the black family the way the welfare state has.

The black family structure is not the only retrogression suffered by blacks in the age of racial enlightenment. In every census from 1890 to 1954, blacks were either just as active as or more so than whites in the labor market. During that earlier period, black teen unemployment was roughly equal to or less than white teen unemployment. As early as 1900, the duration of black unemployment was 15 percent shorter than that of whites; today it's about 30 percent longer. Would anyone suggest that during earlier periods, there was less racial discrimination? What goes a long way toward an explanation of yesteryear and today are the various labor laws and regulations promoted by liberals and their union allies that cut off the bottom rungs of the economic ladder and encourage racial discrimination.

Labor unions have a long history of discrimination against blacks. Frederick Douglass wrote about this in his 1874 essay titled "The Folly, Tyranny, and Wickedness of

Labor Unions," and Booker T. Washington did so in his 1913 essay titled "The Negro and the Labor Unions." To the detriment of their constituents, most of today's black politicians give unquestioning support to labor laws pushed by unions and white liberal organizations.

Then there's education. Many black 12th-graders deal with scientific problems at the level of whites in the sixth grade. They write and do math about as well as white seventh- and eighth-graders. All of this means that an employer hiring or a college admitting the typical black high school graduate is in effect hiring or admitting an eighth-grader. Thus, one should not be surprised by the outcomes.

The most damage done to black Americans is inflicted by those politicians, civil rights leaders and academics who assert that every problem confronting blacks is a result of a legacy of slavery and discrimination. That's a vision that guarantees perpetuity for the problems.³

In January of 2017 the Aspen Institute released an interesting white paper titled, *Bridging the Divide: How Business Ownership Can Help Close the Racial Wealth Gap*.⁴ Some of the points made were:

-As documented by the Center for Financial Household Stability at the Federal Reserve Board of St. Louis, Hispanic and Black Americans have levels of net worth that are only one-tenth of those held by White Americans, and fewer of their assets are in the form of business assets.⁵

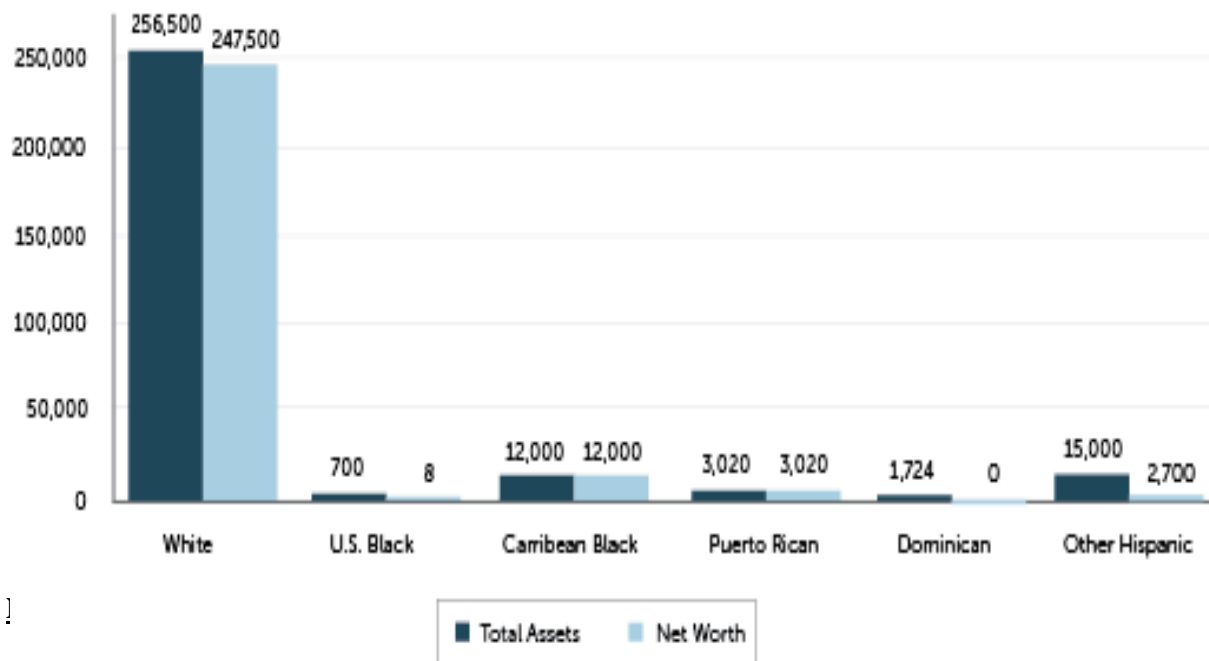
-Business ownership is associated with higher levels of wealth. In 2004, families in which the head of household was self-employed had a median net worth five times that of households in which the head worked for someone else.⁶

-Human capital that is pertinent to business ownership can also come from family knowledge and experiences that are passed down to subsequent generations. Rob Fairlie and Alicia Robb analyzed the correlation between experience working in a family business and entrepreneurial success, finding business outcomes were between 11 and 38 percent better if the owner worked in a family business prior to starting his or her own firm. They also found that 12.6 percent of black business owners had prior work experience in a family member's business compared with 23.3 percent of white business owners, and that the lack of prior experience in family businesses among blacks limited the success of their businesses.⁷

If more evidence is needed we can look to the Federal Reserve Bank of Boston study, *The Color of Wealth in Boston*, in conjunction with Duke University and The New School. They found ⁸:

Key Findings

- The typical white household in Boston is more likely than nonwhite households to own every type of liquid asset. For example, close to half of Puerto Ricans and a quarter of U.S. blacks don't have either a savings or checking account, compared to only 7% of whites.
- Whites and nonwhites also exhibit important differences in assets that associated with homeownership, basic transportation, and retirement. Close to 80% of whites own a home, whereas only one-third of U.S. blacks, less than one-fifth of Dominicans and Puerto Ricans, and only half of Caribbean blacks are homeowners. And while most white households (56 percent) own retirement accounts, only one-fifth of U.S. and Caribbean blacks, and 8 percent of Dominicans have them.
- Although members of communities of color are less likely to own homes, among homeowners they are more likely to have mortgage debt. Nonwhite households are more likely than whites to have student loans and medical debt.
- Nonwhite households have only a fraction of the net worth attributed to white households. While white households have a median wealth of \$247,500, Dominicans and U.S. blacks have a median wealth of close to zero. Of all nonwhite groups for which estimates could be made, Caribbean black households have the highest median wealth with \$12,000, which is only 5 percent of the wealth attributed to white households in the Boston MSA.



1. Quoted in *Defying Corporations, Defining Democracy*. Page 264. See Justice William O. Douglas's entire dissent in the Appendix.
2. Bryant. *Unorthodox and Paradox*. Page 579. (Internal citations omitted.)
3. Williams, Walter E. "The Welfare State's Legacy." <http://walterewilliams.com/the-welfare-states-legacy/>
4. Klien, Joyce A. *Bridging the Divide: How Business Ownership Can Help Close the Racial Wealth Gap*. FIELD at the Aspen Institute. January 2017.
<https://assets.aspeninstitute.org/content/uploads/2017/01/Bridging-the-Divide.pdf>
5. *Bridging the Divide*, page 6, citing: Ray Boshara, Williams R. Emmons, and Bryon J Noeth, *The Demographics of Wealth: How Age, Education and Race Separate Thrivers From Strugglers in Today's Economy*, (St. Louis, MO: Federal Reserve Board of St. Louis, Center for Household Financial Stability, February 2015), 7.
6. *Bridging the Divide*, page 6, citing: Brian K. Bucks, Arthur B. Kennickell, and Kevin B. Moore, with assistance from Gerhard Fries and A. Michael Neal, "Recent Change in U.S. Family Finances: Evidence from the 2001 and 2004 Survey of Consumer Finances," *Federal Reserve Bulletin*, March 2006, A1-A38, accessed January 11, 2017. <https://www.federalreserve.gov/pubs/bulletin/2006/financesurvey.pdf>.
7. *Bridging The Divide*, page 20, citing: Robert W. Fairlie and Alicia M. Robb, *The Causes of Racial Disparities in Business Performance*, (Ann Arbor, MI: National Poverty Center, Gerald R. Ford School of Public Policy, University of Michigan, Policy Brief #12, October 2008, 2).
8. "The Color of Wealth in Boston." <https://www.bostonfed.org/publications/one-time-pubs/color-of-wealth.aspx>

10. LAWS TO RESTRAIN CORPORATIONS

"I see in the near future a crisis approaching that unnerves me and causes me to tremble for the safety of my country; corporations have been enthroned, an era of corruption in high places will follow, and the money powers of the country will endeavor to prolong its reign by working upon the prejudices of the people, until the wealth is aggregated in a few hands and the Republic destroyed." -Abraham Lincoln ¹

Once the 14th Amendment's fraudulent means of passage is brought to light, and it ceases to exist, it will be necessary to create laws to limit the ability of corporations to ever again rule over their creators. One state that had the right idea was Wisconsin:

For example, in Wisconsin during the past hundred years, a corporation could not own another corporation; corporate landholdings and capitalization were limited; corporate officers and directors were liable for all corporate harms; the state reserved the right to amend and revoke corporate charters, as the attorney general once put it, "for no reason at all." Until 1973 corporations were forbidden from contributing money to election campaigns. And until 1953 violating this law constituted a felony. ²

The text of the law prohibiting campaign donations is great:

No corporation doing business in this state shall pay or contribute, or offer consent or agree to pay or contribute, directly or indirectly, any money, property, free service of its officers or employees or things of value to any political party, organization, committee or individual for any political purpose whatsoever, or for the purpose of influencing legislation of any kind, or to promote or defeat the candidacy of any person for nomination, appointment or election to any political office. ³

While researching for this topic within the federal case law on the LexisNexis electronic law library, I stumbled upon this noteworthy law from Puerto Rico:

48 U.S.C. § 752 - U.S. Code - Unannotated Title 48. Territories and Insular Possessions § 752. Corporate real estate holdings

"No corporation shall be authorized to conduct the business of buying and selling real estate or be permitted to hold or own real estate except such as may be reasonably necessary to enable it to carry out the purposes for which it was created, and every corporation authorized after May 1, 1900, to engage in agriculture shall by its charter be restricted to the ownership and control of not to exceed five hundred acres of land; and this provision shall be held to prevent any member of a corporation engaged in agriculture from being in any wise interested in any other corporation engaged in agriculture. Corporations, however, may loan funds upon real estate security, and purchase real estate when necessary for the collection of loans, but they shall dispose of real estate so obtained within five years after receiving the title. Corporations not organized in Puerto Rico, and doing business therein, shall be bound by the provisions of this section so far as they are applicable." (Emphasis added.)

This law was discussed in a March 2017 report done by the Centro de Periodismo Investigativo (Center for Investigative Journalism) that was subsequently published by the Iowa Center for Public Affairs Journalism ⁴:

Why the 500 acre limit? The arrangement was devised by the United States military government after the invasion of Puerto Rico in 1898 to avoid latifundia, as huge farms owned by corporations are known. This measure was the heart of the agrarian reform after the Great Depression, amid strikes against large sugarcane corporations. . . .

Founded under the motto of 'Bread, land and freedom,' the Popular Democratic Party (Partido Popular Democratico, PPD) created the Commonwealth of Puerto Rico on the foundations of that agrarian reform. . . . In the past decade, the PPD and New Progressive Party (Partido Nuevo Progresista, PNP) administration seem to have surrendered to multinationals that exceed the constitutional acre limit. In a legal opinion from June 20, 2012, former Secretary of State Guillermo Somoza Colombani indicated that seed corporations could dominate more than 500 acres because they are not engaged in agriculture, but rather a scientific and business activity called research and development. Puerto Rico returns to the times in which big sugarcane corporations could dominate the best lands for agriculture.

How bad has it gotten in Puerto Rico?

From north to south, from east to west, seed corporations already dominate about 9,712 public and private acres in the island. The area controlled by these corporations is equivalent to the area destined in 2016 for the cultivation of plantains, which the

territory's Department of Agriculture identifies as the most important crop in the country, economically speaking.

The usual suspects are to be found in Puerto Rico, "Monsanto already owns 1,711 acres, while Dow AgroSciences and Mycogen Seeds alliance has 1,698."

Residents are not happy about being the latest testing ground for the multinational transgenic seed and agrochemical industry.

Tomas Torres was a "listero", in charge of the roll call of the workers of these lands that belonged to the J. Serralles Estate, and used to produce sugar cane, mango, and vegetables. He knows agrochemicals are nothing new; they were used by their former bosses. The difference is the amount and who is in charge now: "Monsanto is the king of agriculture in Juana Diaz," he said. Antonio Aviles Pacheco adds: "It must be the king of poison. Because that's what Monsanto brings." He points to the tree where neighbors meet. "We may be sitting there, but we are educating ourselves. Why do we have to be guinea pigs? We are guinea pigs! That's a laboratory, that's not agriculture."

Notes:

1. Konop, Thomas Frank, "*Reorganization of the Federal Judiciary*" (1937). Scholarly Works.Paper 1033. http://scholarship.law.nd.edu/law_faculty_scholarship/1033. Page 348.
2. *Defying Corporations*. Page 249.
3. Ibid. Page 193
4. www.iowawatch.org/2017/03/13/monsanto-other-seed-corporations-testing-rounds-in-south-puerto-rico-astrain-on-nearby-residents/

11. CORPORATIONS: FACILITATORS OF CORRUPTION

The following article by Alana Goodman of *The Washington Free Beacon* is being included in its entirety because it exposes the way corporations are used by the wealthy and politically well-connected to circumvent the onerous tax laws, and ever-present surveillance state, that the average American is forced to labor under.

This Delaware Address Is Home to 200,000 Shell Companies—Including Hillary Clinton's

The address "1209 North Orange Street" in Wilmington, Del., has become known in recent years as the epicenter of U.S. corporate secrecy. The squat, split-level building is the official address of over 285,000 companies, many of which are looking to take advantage of Delaware's Panama-like secrecy rules, tax incentives, and business-friendly case law.

In the wake of the recent "Panama Papers" scandal, this unassuming brick office has received renewed scrutiny from the Washington Post, the New York Times, the Telegraph, and advocates for corporate tax reform.

But one of its tenants may come as a surprise—a company owned by Democratic presidential frontrunner Hillary Clinton.

Hillary and Bill Clinton quietly set up two shell companies listed at "1209 North Orange Street" in 2008 and 2013, the *Washington Free Beacon* has found. The names of the companies, but not their location, were first made public in tax filings released by Hillary Clinton last year.

According to records, one of the Clintons' "1209 North Orange Street" companies is WJC, LLC, which was set up by Bill Clinton in 2008 as a pass-through for his consulting fees.

Another company at the same location, ZFS Holdings, LLC, was set up in February 2013, one week after Hillary Clinton left the State Department. Hillary Clinton received \$5.5

million from her book publisher, Simon & Schuster, through the company.

The "1209 North Orange Street" building is the headquarters for the Corporation Trust Company. The firm acts as a registered agent for thousands of corporations that are not actually located in Delaware, including the Clintons' companies.

Anti-secrecy advocates say the building is prime evidence that Delaware has become a corporate haven that's comparable to more well-known, offshore locales.

"If you imagined a building with 1,000 corporations in it, you'd imagine a building like the Empire State building," said Richard Phillips, a senior policy analyst with Citizens for Tax Justice. "But apparently 285,000 companies claim [1209 North Orange Street] is their address."

"What this shows is this is not really the address of companies that are doing real business. This is the address of a lot of companies that are just shell companies," he added. "In this case, it doesn't even look like they have mailboxes. They just claim that address as the places they're doing business, even though they're not doing business there."

Similar registered agents have come under scrutiny in recent years. While campaigning in 2008, President Obama slammed the "Ugland House," a five-story building in the Cayman Islands that is reportedly home to over 18,000 companies.

"That's either the biggest building in the world, or the biggest tax scam on record," said Obama.

The Clinton campaign declined to comment on why the Clintons, who live in New York and have no evident residential ties to Delaware, set up companies in the state. But the presidential candidate isn't alone. Experts say Delaware is the most popular place to register a company in the United States, due in part to its established system of business case law and tax incentives for intellectual property and real estate holdings.

One of the biggest draws may be the state's lack of disclosure requirements—businesses can be created completely anonymously, allowing the owners to avoid public detection and even hide income from U.S. authorities.

According to advocates for corporate tax reform, Delaware's laws rival well-known secrecy havens like the Cayman Islands and Panama.

"General secrecy laws and the ability of these corporations to hide the identities of those who own it, that's what makes [Delaware] an onshore tax haven, and that's what makes it just as bad as the Cayman Islands," said Phillips.

Hillary Clinton has promised to crack down on tax havens on the campaign trail. Referring to the Panama Papers last Wednesday, Clinton condemned "outrageous tax havens and loopholes that super-rich people across the world are exploiting in Panama and elsewhere."

The Clinton Foundation also has three shell companies in Delaware, according to its amended financial disclosures released last year.

One is the Acceso Fund, LLC, which was registered by the Corporation Trust Company at 1209 North Orange Street in 2009. The Clinton Foundation has used the company to channel money to its Colombia-based private equity fund, Fondo Acceso.

The private equity fund, which is run out of the Clinton Foundation's Bogota office, has invested in telecom and food processing

companies in Colombia, the *Free Beacon* reported last November.

Another Clinton Foundation company, Acceso Worldwide Fund, Inc., was registered in 2013 by the Corporation Services Company, located in Wilmington, Delaware.

A third company, the Haiti Development Fund, LLC, was registered in 2010 by National Corporate Research, Ltd, located in Dover.

In Delaware, limited liability companies such as WJC, LLC, and ZFS, LLC, are not required to file annual statements disclosing their directors or owners. The Clintons also registered both companies in New York after they were established.

There is no evidence the Clintons are using the entities for any nefarious purposes, and it is perfectly legal for non-residents to set up corporations in Delaware. But even if corporations stay within the law, critics say Delaware shell companies can sometimes be used to legally circumvent taxes in other states.

According to a report published last December by the Institute on Taxation and Economic Policy, Delaware's popularity as a hub for shell companies is "responsible for the loss of billions of dollars in revenue in other U.S. states."

"It's legal tax avoidance," said Phillips. "We would say it's immoral, or not the best thing for the country."

Anti-secrecy advocates also say the laws make it easier for criminals to evade federal taxes or finance terrorism, all under the radar of the public and U.S. authorities.

"Some anonymous shell companies have financed terrorism and supported corruption and human trafficking and Delaware is a traditional hub for creating these fake companies," said Andrew Hanauer, campaign director at the Jubilee USA Network.

Jubilee USA Network and other groups have

been advocating for legislative reform. Sen. Sheldon Whitehouse (D., R.I.), Rep. Peter King (R., N.Y.), and Rep. Carolyn Maloney recently put forward legislation that would force U.S. companies to disclose their actual owners.

The Clinton campaign did not comment on whether Hillary Clinton supports the legislation. The campaign also did not comment on whether she or Bill Clinton have any other companies registered in Delaware.

But the concerns over corporate secrecy and tax avoidance have trickled into the Democratic presidential race, with Sen. Bernie Sanders

incorporating it into his stump speeches. Clinton has also railed against tax havens on the trail and vowed to take action.

"Some of you may have just heard about these disclosures about outrageous tax havens and loopholes that super-rich people across the world are exploiting in Panama and elsewhere," said Clinton during a campaign event last Wednesday.

"Now some of this behavior is clearly against the law, and anyone who violates the law anywhere should be held accountable," she added. "But it's also scandalous how much is actually legal." ¹

Notes:

1. <http://freebeacon.com/issues/delaware-address-home-200000-shell-companies-including-hillary-clintons/>

12. CORPORATIONS AND THE 3rd WORLD

It's difficult to not be concerned with the plight of the world's poor, especially when one lives in one of the wealthiest countries. The statistics are pretty depressing:

- Total number of children that die each year from hunger: 1,250,000. ¹

This is more people than the population of Vermont and Wyoming combined. ²

- Nearly half of all deaths in children under 5 are attributable to undernutrition. This translates into the unnecessary loss of about 3 million young lives a year. ³

The state of Mississippi has just under three million people living in it. ⁴

Yet, a lot of this misery has been inflicted intentionally by international corporations with the help of their cronies in government. John Perkins, author of *Confessions of an Economic Hit Man* (2004), discussed the role of Economic Hit Men (ECMs).

That is what we EHM's do best. We build global empire. We are an elite group of men and women who utilize international financial organizations to foment conditions that make other nations subservient to the corporatocracy running our biggest corporations, our government, and our banks. Like our counterparts in the Mafia, EHM's provide favors. These take the form of loans to develop infrastructure--electric generating plants, highways, ports, airports, or industrial parks. A condition of such loans is that engineering and construction companies from our own country must build all these projects. In essence, most of the money never leaves the United States; it is simply transferred from banking offices in Washington to engineering offices in New York, Houston, or San Francisco.

Despite the fact that the money is returned almost immediately to corporations that are members of the corporatocracy (the creditor), the recipient country is required to pay it all back, principal plus interest. If an EHM is completely successful, the loans are so large that the debtor is forced to default on its payments after a few years. When this happens, then like the Mafia we demand out pound of flesh. This often includes one or more of the following: control over United Nations votes, the installation of military bases, or access to precious resources such as oil or the Panama Canal. Of course, the debtor still owes us the money--and another country is added to our global empire. ⁵

Ecuador is typical of countries around the world that EHM's have brought into the economic-political fold. For every \$100 of crude taken out of the Ecuadorian rain forests, the oil companies receive \$75. Of the remaining \$25, three-quarters must go to paying off the foreign debt. Most of the remainder covers military and other government expenses--which leaves about \$2.50 for health, education, and programs aimed at helping the poor.

Thus, out of every \$100 worth of oil torn from the Amazon, less than \$3 goes to the people who need it the most, those whose lives have been so adversely impacted by the dams, the drilling, and the pipelines, and who are dying from lack of edible food and potable water.⁶

Ellen Brown in *The Public Banking Solution*, discussed another way that countries fell into unpayable debt.

To the disillusioned in developing countries, "America's vision of a free market economy" is seen as simply another form of exploitation--prying countries open to be plundered of their physical and human resources in return for loans of the dollars necessary to buy oil at inflated prices. Oil is the bait for ensnaring the world in the debt trap, and the "terrorism" that must be suppressed is the rebellion of any locals who will not be ensnared quietly. The weapon in this economic war is debt, and the bullets are compound interest, which has allowed a private global banking monopoly to control most of the resources of the world.

As noted earlier, the debt trap was set in 1974, when OPEC was induced to trade its oil only in U.S. dollars. The price of oil then suddenly quadrupled, and countries with insufficient dollars for their oil needs had to borrow them. In 1980, international interest rates shot up to 20 percent. At 20 percent interest compounded annually, \$100 doubles in under 4 years. In 20 years, it becomes a breathtaking \$3,834.

The impact on Third World debtor nations has been devastating, President Obasanjo of Nigeria complained in 2000:

All that we had borrowed up to 1985 was around \$5 billion, and we have paid about \$16 billion; yet we are still being told that we owe \$28 billion. That \$28 billion came about because of the injustice in the foreign creditors' interest rates. If you ask me what is the worst thing in the world, I will say it is compound interest.⁷

In the epilogue of *Confessions of an Economic Hit Man*, written 18-months after he initially published his story, John Perkins addressed some of the most frequently asked questions he had received along with his responses:

Is the current move to forgive Third World debt an indication that the EHMs are losing?

On the contrary, I'm sorry to have to say that it shows a new level of sophistication on the part of the EHMs. I certainly favor the idea of forgiving those debts--which, we must remember, were accumulated without the consent of the majority of the people in those countries and served to make the corporatocracy and a few wealthy Third World families even richer--but, debt-forgiveness is not what this is all about. The G8 (the United States, the United Kingdom, Canada, France, Germany, Italy, Japan, and Russia), the World Bank, and the IMF are once again exploiting these nations and they are calling it "debt-forgiveness." They are insisting on "conditionals" that are cloaked in phrases like "good governance," "sound economics," and "trade liberalization." While the language is enticing, it is also terribly deceptive. These policies are "good" and "sound" only if you are looking at them through corporate windows. The countries that agree to such

conditionalities are called upon to privatize their health, education, electric, water, and other public services--in other words, sell them to the corporatocracy. They are forced to drop the subsidies and trade restrictions that support local businesses while at the same time accepting that the U.S. and other G8 countries can continue to subsidize certain G8 businesses and erect trade barriers on imports that threaten G8 industries.

When Bolivia gave in to such "good governance" policies, it opened the door for multinationals to privatize its water supply system; prices of water skyrocketed and Bolivians claimed that service was suspended to thousands of people. In Cote d'Ivoire, the French firm that bought the assets of the privatized telephone company reportedly raised prices so high that many people had to forgo connections to the system, including university students who could not afford Internet access essential for their studies. In Tanzania, these policies led to the appalling situation where children have to pay to go to school and many are simply too poor to do so. Similar stories abound in the countries that have accepted the conditionalities that come as a prerequisite to what is being touted as debt forgiveness.

One of the shocking things about this new sham is that so many people seem willing to accept it, rather than seeing it for what it truly is--an EHM ploy and the latest and perhaps most subtle step along the road to world empire. ⁸

Notes:

1. www.statisticbrain.com/world-hunger-statistics/ Date research conducted: September 6, 2016.
2. <http://worldpopulationreview.com/states>
3. www.thp.org/knowledge-center/know-your-world-facts-about-hunger-poverty/
4. <http://worldpopulationreview.com/states>
5. Perkins, John. *Confessions of an Economic Hit Man*. (New York, NY, Penguin Group, 2006). Pg. xx.
6. Ibid. Page xxiv. (Internal citation omitted.)
7. Brown, Ellen Hodgson. *The Public Bank Solution: From Austerity to Prosperity*. (Baton Rouge, Louisiana, Third Millennium Press, 2013. Page 318. (Internal citations omitted.)
8. Perkins. Page 273-274. (Internal citations omitted.)

13. CORPORATIONS AND THE MEDIA

The extent to which corporations control what Americans read, see, and hear through the media, is astounding. Eric Sommer does an excellent job summing up the situation we currently face.

How Five American Companies Control What You Think

May 14, 2014

Heavy distortions and suppressions of information regarding current Ukrainian events are appearing in US media.

You might wonder how so many different news sources could all completely avoid mentioning that the US government is consciously supporting two radical far-right parties, Svoboda and Right Sector, which are in control of key positions in the coup-installed new *'government'* of the Ukraine. You might also wonder why almost all the US mass media news sources could conceal – with vague phrases like *'the sequence of events is not clear'* and similar techniques – the role of these extremist organization in murdering dozens of unarmed civilians in the past few days in southeastern Ukraine.

The explanation is surprisingly simple: There aren't numerous US mass media news sources at all; there are just five. Five giant corporations control 90 percent of US mass media. And direct links connect all five of these media conglomerates to the political establishment and the economic and political power-elites of the United States.

These five conglomerates are Time Warner, Disney, Murdochs' News Corporation, Bertelsmann of Germany, and Viacom (formerly CBS). Their control spans most of the newspapers, magazines, books, radio and TV stations, movie studios, and much of the web news content of the United States. These conglomerates are in large measure responsible for inculcating the social, political, economic, and moral values of both adults and children in the United States.

It was not always like this. Immediately after World War II three out of four US newspapers were independently owned. But the media-control numbers have been shrinking ever since then due to mergers, acquisitions, and other processes. By 1983, 50 corporations controlled 90 percent of US media. But today just five giant conglomerates control 90 percent of what most Americans read, watch, and listen to.

It is notable and should be emphasized that all the five major media conglomerates are corporate members of the Council on Foreign relations. This organization is a US think-tank whose members have been instrumental in formulating US government policies resulting in sanctions, destabilization efforts, and outright military attacks on nations which have never attacked the US.

The Council's members' activities helped to promote the Iraq war, the bombings of Serbia and Libya, and the recent overthrow of the elected government of the Ukraine. The promotion of these policies by the media conglomerates which belong to the Council has been key to preparing the American public to accept these policies.

The media conglomerates' fellow members of the Council on Foreign relations include a large number of large corporations, powerful CEO's, and present and former government officials. One prominent member is former US National Security Advisor Zbigniew Brzezinski, whose doctrine calling for US control of the Eurasian landmass, which includes Russia and China, is one of the guiding elements in US foreign policy.

It should also be noted that the conglomerates themselves are giant corporations. They are among the largest companies in the world. They contribute to both of America's big parties, the

Republicans and Democrats, while supporting their policies. US media companies have also received from the Reagan, Clinton, and Bush administrations progressively greater media deregulation, which permitted ever greater media ownership concentration, culminating for the first time in allowing all the media in a community or city to be owned by one company.

Pages would be needed to list the thousands of information outlets now controlled by the five conglomerates. A few examples will have to suffice. News Corp owns Fox News, the Wall Street Journal, Barrons weekly, the London times, far Eastern Economic review, the New York Post, and hundreds of other large and small city and community newspapers, magazines, and internet properties.

Time-warner owns Time Magazine, Fortune Magazine, People Magazine, Sports Illustrated, CNN news group, Turner networks and movies, Warner brothers films, DC Comics, Times online systems, and much more.

And Disney is not just about Mickey Mouse Cartoons these days, as it owns ABC Television, magazine publishing business, Disney Films, Lucas Films, and a huge number of other media and entertainment enterprises.

Following the Government Wherever it goes

Now let us perform a thought experiment to see how far the conglomerates can go to support government foreign policies. Imagine that US policy-makers decide a few years from now that the current US-supported and unelected Ukrainian 'government' no longer serves their interests.

They might then announce that this government is 'undemocratic', 'is a human rights violator' or that it is a 'failed state' and that 'there must be 'regime change' to 'protect the Ukrainian people.'

Following suit, the media conglomerates would then 'sound the alarm.' They would 'discover' the reality – which has existed all along – that "fascist or extreme-right forces are part of the

coup-imposed Ukrainian 'government,' that there is a "history of anti-Semitism," "murders of ethnic-minorities," and conclude that the US government is right and a humanitarian intervention to remove the government is required.

Is this scenario an impossible one? Not at all. It is precisely how the repressive and brutal government of Saddam Hussein, to cite just one example, was dealt with. For many years he was praised by US officials as a "stalwart ally" and sent billions of dollars' worth of military aid – and the media conglomerates went along for the ride.

Then, in the twinkling of an eye he was converted by the US government – and by the media – into a "tyrant," a "ruthless killer," a possessor of "weapons of mass destruction" aimed at the US; and a man whose country must be invaded.

Or consider Islamic fundamentalists in Afghanistan. For years the US government supported them with weapons and training and portrayed them as 'freedom fighters' against their secular 'socialist government' and the 'Russian occupation'. The media for the most part went along with this narrative.

But then, after 9/11, in the twinkling of an eye, the fundamentalists became (in the eyes of the government and the conglomerates) 'medievalists,' 'oppressors of women,' and harborers of 'terrorism' who must be eliminated via a US invasion.

Recently, the US government, unable after ten years of military occupation to eliminate the Taliban resistance, has again changed course, and is seeking negotiations with the Taliban to include them in the Afghani government. And again the five conglomerates have also changed course to follow the government.

The best advice for anyone seeking to understand current events is to look at the history and realities behind them, and to look at media not controlled by the five conglomerates.

Media – including print, television, and internet – is available in multiple languages including English from Russia, China, India, Pakistan, South Africa, the Middle East, Brazil, and other

countries. You can easily find this media by internet search. No doubt all media contains bias; but at least your mind will not be shaped solely by the US narrative. ¹

And yet, the elite's goal of controlling the media predates WWII when, as mentioned above, three out of four newspapers were independently owned. U.S. Representative Oscar Callaway recorded the following statement into the U.S. Congressional Record, Volume 54, page 2947, on February 9, 1917:

Mr. Callaway: Mr. Chairman, under unanimous consent, I insert in the Record at this point a statement showing the newspaper combination, which explains their activity in the war matter, just discussed by the gentleman from Pennsylvania [Mr. Moore]:

In March, 1915, the J.P. Morgan interests, the steel, ship building and powder interests and their subsidiary organizations, got together 12 men high up in the newspaper world and employed them to select the most influential newspapers in the United States and sufficient number of them to control generally the policy of the daily press in the United States.

These 12 men worked the problems out by selecting 179 newspapers, and then began, by an elimination process, to retain only those necessary for the purpose of controlling the general policy of the daily press throughout the country. They found it was only necessary to purchase the control of 25 of the greatest papers. The 25 papers were agreed upon; emissaries were sent to purchase the policy, national and international, of these papers; an agreement was reached; the policy of the papers was bought, to be paid for by the month; an editor was furnished for each paper to properly supervise and edit information regarding the questions of preparedness, militarism, financial policies and other things of national and international nature considered vital to the interests of the purchasers.

This contract is in existence at the present time, and it accounts for the news columns of the daily press of the country being filled with all sorts of preparedness arguments and misrepresentations as to the present condition of the United States Army and Navy, and the possibility and probability of the United States being attacked by foreign foes.

This policy also included the suppression of everything in opposition to the wishes of the interests served. The effectiveness of this scheme has been conclusively demonstrated by the character of the stuff carried in the daily press throughout the country since March, 1915. They have resorted to anything necessary to commercialize public sentiment and sandbag the National Congress into making extravagant and wasteful appropriations for the Army and Navy under false pretense that it was necessary. Their stock argument is that it is 'patriotism.' They are playing on every prejudice and passion of the American people. ²

Prior to that John Swinton (1829-1901) who was head of the New York Times editorial staff from 1860-1870, had this to say at a banquet wherein he was the guest of honor after someone offered a toast to the independent press.

There is no such thing, at this stage of the world's history in America, as an independent press. You know it and I know it. There is not one of you who dare write your honest opinions, and if you did, you know beforehand that it would never appear in print. I am paid weekly for keeping my honest opinions out of the paper I am connected with. Others of you are paid similar salaries for similar things, and any of you who would be foolish as to write honest opinions would be out on the streets looking for another job. If I allowed my honest opinions to appear in one issue of my papers, before twenty-four hours my occupation would be gone. The business of the journalist is to destroy the truth, to lie outright, to pervert, to vilify, to fawn at the feet of mammon, and to sell his country and his race for his daily bread. You know it and I know it, and what folly is this toasting an independent press? We are the jumping jacks, they pull the strings and we dance. Our talents, our possibilities and our lives are all the property of other men. We are intellectual prostitutes.³

Notes:

1. www.rt.com/op-ed/158920-us-ukraine-media-control/
2. <https://www.govinfo.gov/content/pkg/GPO-CRECB-1917-pt3-v54/pdf/GPO-CRECB-1917-pt3-v54-13-2.pdf>
3. <http://spartacus-educational.com/USAswintonJ.htm>

14. CONCLUSION

The benefits that the people of New Hampshire could realize by instituting a state-owned public bank, getting outlaw corporations to shape up or ship out, and limiting the federal income tax to the proper individuals identified in the code are immense. And yet, the impact of such changes would be felt nationally and internationally as well. You've just read how U.S. corporations and the U.S. government (differentiating them is often difficult with the frequent personnel swapping between the two) do not operate in a vacuum. No. They vacuum up blood and treasure from unwilling people across the globe.

It is challenging to detail all the ways that corporations are destroying this world without turning this essay into a book. Fortunately, Richard Belzer and David Wayne have written an amazingly well-sourced book on the subject, *Corporate Conspiracies: How Wall Street Took Over Washington* (2017). The table of contents says it all:

1. Bought & Paid For: The Best Politicians That Money Can Buy
2. No Banker Left Behind: Too Big to Fail or Jail--or Where \$30 Trillion Went (and It Sure as Hell Wasn't to You!)
3. Mainstream Media Consolidation for Control (of *You!*)
4. America's Biggest Export: Perpetual War
5. Legalized Slavery: The Prison-Industrial Complex
6. Big Phrama: "Side Effects" (Such as Robin Williams's Suicide) May Vary
7. Chemical Warfare: The Agri-Chem Giants' Assault Upon Our Food & Health
8. Big Oil, King Coal, & (Un)Natural Gas: Still the Scum of the Earth--and *Frack You!*

Taking on the Banksters, Big Phrama, the Agri-Chem giants, and all the rest will not be a walk in the park. You can be sure that their do-boys at the federal, state, and local government levels will put up a stiff fight for their masters while their presstitutes fire salvo after salvo of corporate talking points over the airwaves denouncing any who dare to question the status quo.

We don't have much of a choice anymore given that their greed has reached such epic proportions. It now actually threatens to destroy our Republic.

Although the usual figures stated for the TARP [Troubled Assets Relief Program] is \$700 billion, the United States government has actually spent \$2.5 trillion "propping up" these thankless bastards, and "the government has made commitments of about \$12.2 trillion." That's how the *New York Times* tallies up the tab, at least. But the most comprehensive study actually places the bailout figure at \$29 trillion. That's one helluva *lot* of money--and for what? They didn't just "rescue the banks," as the news usually parrots. They rescued the banks, the mutual funds, Fannie Mae, Ginnie Mae, Freddie Mac, the insurance giant, AIG, General Motors, General Electric, Chrysler, Bear Sterns, and many others. ¹

During the bailout of Wall Street, \$30 trillion in support and subsidies went to the most powerful players on Wall Street. That was the greatest theft of wealth in history. Throughout the entire world, the Federal Reserve, IMF (International Monetary Fund), World Bank, ECB (European Central Bank), and BIS (Bank for International Settlements) carry out genocidal economic polices. Just because that sounds hyperbolic and incredibly harsh doesn't mean it's not true. ²

As stated before, New Hampshire provides an excellent location from which to take on these entrenched interests. Let's first look at the state constitution. It declares revolution is an established right (Art. 10); that the state is sovereign in all matters not expressly delegated to the U.S. (Art. 7); and that towns are prohibited from directly or indirectly giving money or credit to for profit corporations (Art. 5).

When it comes to taking on the international bankers Article 5 may provide the essential first step. Any state revenues stored in a corporate bank would seem to be a clear violation of this provision as such money is used to back new loans, or is invested by the bank in some other way, in order to generate a profit. An alternative that would not be contrary to the letter and spirit of the constitution would be to deposit all state funds in a state-owned bank as discussed in Chapter 3.

This course of action was pursued by President Andrew Jackson when he went about to kill the Second Bank of the United States, the Federal Reserve's predecessor:

On October 1, 1833, Jackson announced that federal funds would no longer be deposited in the Second Bank of the United States and instead instructed [Roger] Taney [Secretary of the Treasury] to begin placing them in twenty-three various state-chartered banks. Taney, on the orders of Jackson, began withdrawing government funds from the Second Bank. To do this Jackson had the bank's status changed so that it would no longer have any financial ties with the government. This resulted in a crippling lack of funds for the bank. . . .

Jackson and Taney were the only men in the entire cabinet who supported the measure. The rest vehemently opposed such a radical tactic. Jackson didn't care; he knew what he was doing and also knew that time was short. He told the influential journalist and politician Francis P. Blair that [Nicholas] Biddle [President of the Second Bank] wouldn't be allowed to continue using public money to support the goals of Britain and other foreign banking interests. ³

Jackson knew that trouble was bound to follow such a decision.

When Martin Van Buren [his future Vice President] returned from Great Britain, where he had been United States Minister for a brief period, he came to see Jackson at the White House and was startled to find the old man lying on a couch looking very pale, almost ghostlike. As Van Buren walked into the room, the President glanced up, brightened, and reached out and grasped his friend's hand. "The bank, Mr. Van Buren, is trying to kill me," he said in a whisper. Then, pressing Van Buren's hand very tightly, he added, "but I will kill it." ⁴

His suspicions were confirmed on January 30, 1835 when he became the first American president to experience an assassination attempt:

Richard Lawrence, an unemployed house painter, approached Jackson as he left a congressional funeral held in the House chamber of the Capitol building and shot at him, but his gun misfired. A furious 67-year-old Jackson confronted his attacker, clubbing Lawrence several times with his walking cane. During the scuffle, Lawrence managed to pull out a second loaded pistol and pulled the trigger, but it also misfired. Jackson's aides then wrestled Lawrence away from the president, leaving Jackson unharmed but angry and, as it turned out, paranoid.

Lawrence was most likely a mentally unstable individual with no connections to Jackson's political rivals, but Jackson was convinced that Lawrence had been hired by his Whig Party opponents to assassinate him. At the time, Jackson's Democrats and the Whigs were locked in battle over Jackson's attempt to dismantle the Bank of the United States. His vice president, Martin Van Buren, was also wary and thereafter carried two loaded pistols with him when visiting the Senate.

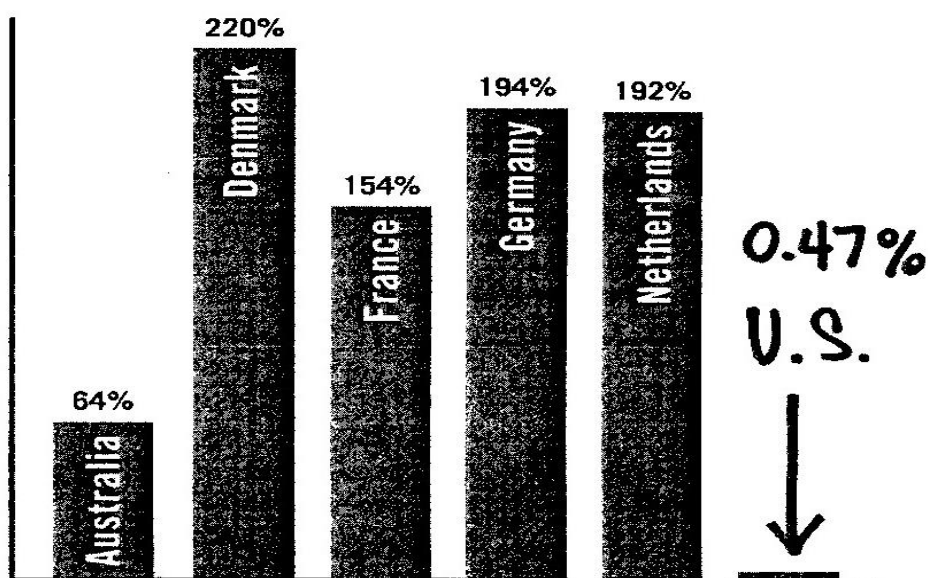
Jackson's suspicions were never proven and Lawrence spent the rest of his life in a mental institution. A century later, Smithsonian Institute researchers conducted a study of Lawrence's derringers, during which both guns discharged properly on the test's first try. It was later determined that the odds of both guns misfiring during the assassination attempt were one in 125,000. ⁵

Americans waging war against the international bankers is as old as this country. In 1791, the First Bank of the United States opened; having been granted a 20-year guaranteed charter. Twenty years later "on January 24, 1811 Congress voted by the slimmest of margins not to renew the charter. . . . This decision was primarily motivated by the fact that European bankers (the Rothschilds) owned more than 80 percent of the bank." ⁶

Only months after the bank was shuttered the War of 1812 was on, pitting the United States against Great Britain. "The extremely expensive War of 1812 basically forced America to recharter another Rothschild dominated central bank. Naturally this new bank would be named the Second Bank of the United States,

and, despite much opposition and President Madison's four attempts to veto it, the bank was given the green light in 1816 with a new twenty-year charter." ⁷

Nearly 200 years after President Jackson killed the last central bank we are forced to do battle with its third reincarnation, the deceptively named Federal Reserve. With this newest manifestation the level of debt servitude that Americans are forced to live under has reached such a degree that there is no way to just look the other way and pretend that all is going to be all right. The corporate elite keep amassing more wealth and the average American keeps less and less of his paycheck. And don't be fooled, in other countries the stagnant growth in wages is not occurring.



GROWTH IN TOTAL EMPLOYEE COMPENSATION SINCE 1985

Graph courtesy of George R. Tyler, *What Went Wrong: How The 1% Hijacked The American Middle Class . . . And What Other Countries Got Right*, (Dallas: BenBella Books, 2013).

Cited in *Corporate Conspiracies*, Skyhorse Publishing, New York. (2017) Page 10.

To add insult to injury the infrastructure that we depend on is literally falling apart due to neglect, thanks in large part to the fact that half of all money devoted to such projects is diverted into the banker's greedy hands via interest payments. The American Society of Civil Engineers "Report Card for New Hampshire's Infrastructure" (2017) ⁸ gave the state a grade of C- overall. Twelve different categories of infrastructure were reviewed:

Aviation	C+	Ports	D+
Bridges	C-	Rail	C-
Dams	C-	Roads	C
Drinking Water	C-	Solid Waste	C+
Energy	C+	Storm Water	D+
Hazardous Waste	C	Waste Water	D+

Some points worth considering from the report:

- There are 3,848 bridges in the N.H. Department of Transportation (NHDOT) bridge inventory with an approximate replacement value of \$8 billion.
- Between 2010 and 2015 the average age of state-owned bridges increased from 52-56 years. A typical bridged sign life is 50 years, and, therefore, the average bridge in New Hampshire now has reached or exceeded its planned functional life.
- Currently, 48 of the 276 state-owned dams (or approximately 17%) have been identified as having deficiencies that require major reconstruction or repair. The total cost of these repairs, using state resources for the design and reconstruction, is estimated to be approximately \$33 million.
- Assuming that a similar proportion of municipally-owned and privately-owned dams are in need of significant reconstruction or repair, the estimated cost comes to \$31 million and \$166 million respectively.
- A 10-year infrastructure investment of approximately \$857 million for drinking water infrastructure is needed to update the current system to ensure reliability, meet demand growth, and achieve regulatory compliance objectives.
- Electricity rates are higher in New England than anywhere else in the contiguous US, however, the average bill of a commercial entity in New England is significantly lower than the average commercial bill in the US.
- There are currently over 1,649 sites that must address petroleum and/or hazardous waste contamination. In addition, there are 20 Superfund sites and 600+ Brownfields in New Hampshire.

- Overall, the state's ports funding is inadequate to accommodate future growth and generate economic benefit for our state.
- Over half of the total tracks are Federal Railroad Administration (FRA) Class 1 (maximum allowable speed of 10 mph for freight traffic) or slower. As of 2012, only about 40 percent of the state's tracks were FRA Class 3 or 4 (maximum speeds of 40 to 60 mph for freight traffic and 60 to 80 mph for passenger traffic). This high percentage of slow-speed track illustrates the lack of maintenance and the track limitations that currently will not allow time sensitive cargoes to be carried over most of the track in the state.
- NHDOT currently categorizes roads in tiers; in general the Tier 1 roadways represent the Interstate and Turnpike system, Tier 2 the non-Interstate National Highway System (NHS) and other high traffic volume corridors, Tier 3 the regional corridors, and Tier 4 the lower traffic volume unnumbered roadways. The International Roughness Index (IRI) is used to determine thresholds for good, fair, poor, and very poor condition roads. [Note: Highway road condition (including Turnpikes) is based on 2015 data.]

Highway Conditions:

Tier	Good Condition%	Fair Condition%	Poor Condition%	Very Poor Condition %
1	96.5	3.3	0.2	0.0
2	60.1	25.5	13.0	1.5
3	29.5	33.9	30.5	6.1
4	8.4	22.7	45.6	23.3

- According to TRIP, a national transportation research group, driving on roads in need of repair costs each New Hampshire motorist about \$317 each year.

A state-owned bank would allow every dollar devoted towards infrastructure to go twice as far and in the process provide plenty of well-paying new jobs in construction, and associated industries, within the state.

Even Hearst Communications Corporation, as establishment as it gets, has sounded the alarm on mega-corporations. In the March 2018 edition of their magazine *Esquire*, Scott Galloway, a technology entrepreneur and New York University professor, wrote an article titled "Silicon Valley's Tax Avoiding, Job-

Killing, Soul-Sucking Machine." It starts: "Four companies dominate our daily lives unlike any other in human history: AMAZON, APPLE, FACEBOOK, and GOOGLE. We love our nifty phones and just-a-click-away services, but these behemoths enjoy unfettered economic DOMINATION and horde riches on a scale not seen since the monopolies of the GILDED AGE. The only logical conclusion? WE MUST BREAK UP BIG TECH." ⁹ (Emphasis in original.)

Pretty self-explanatory I'd say. In the article he provides some startling numbers that demonstrate just how large these corporations have gotten:

*Apple

-With a market cap of nearly \$900 billion, Apple is the most valuable public company. Even more remarkable is that the company registers profit margins of 32 percent, closer to luxury brands Hermes (35 percent) and Ferrari (29 percent) than peers in electronics.

*Amazon

34 percent: Amazon's share of the worldwide cloud business.
 44 percent: Amazon's share of U.S. online commerce.
 64 percent: U.S. households with Amazon Prime.
 71 percent: Amazon's share of in-home voice devices.
 1.4 billion: Amount of U.S. corporate taxes paid by Amazon since 2008, versus \$64 billion for Walmart.

*Facebook

-What about Facebook? Eighty-five percent of the time we spend on our phones is spent using an app. Four of the top five apps globally--Facebook, Instagram, WhatsApp, and Messenger--are owned by Facebook. And the top four have allied, under the command of the Zuck, to kill the fifth--Snap Inc. What this means is that our phones are no longer communications vehicles; they're delivery devices for Facebook, Inc.

*Google

-Now commands a 92 percent share of a market, Internet search, that is worth \$92.4 billion worldwide. That's more than the entire advertising market of any country except the U.S. Search is now a larger market than the following global industries:

paper and forest products: \$81 billion
 construction and engineering: \$79 billion
 real estate management and development: \$76 billion
 gas utilities: \$58 billion.

Mr. Galloway is correct, they must be broken up. The best way to do this is to think big. Confronting corporations as a whole; not getting stuck in a never-ending series of legal battles in each and every industry where they exist. At the first sign of trouble corporations will fall back to their "safe-space" -- the federal court system. Their main defense will be the 14th Amendment and federal judges

will only be too happy to lap up their B.S. being the good lap dogs that they are. We've seen how in the past integrity used to exist in the federal judiciary. Justice Douglas again:

For as Mr. Justice Black pointed out in his dissent in *Connecticut Gen. L. Ins. Co. v. Johnson*, . . . the submission of the Amendment to the people was on the basis that it protected human beings. There was no suggestion in its submission that it was designed to put negroes and corporations in one class and so dilute the police power of the States over corporate affairs. Arthur Twining Hadley once wrote that **"The Fourteenth Amendment was framed to protect the negroes from oppression by the whites, not to protect corporations from oppression by the legislature. It is doubtful whether a single one of the members of Congress who voted for it had any idea that it would touch the question of corporate regulation at all."**¹⁰

What happens if you and I decide to do nothing? Although I'm no prophet, history seems to demonstrate quite clearly that a society with only two classes--the extremely poor and the ultra-wealthy--is destined for a bloody ending. Mr. Gallaway writes:

Ganesh Sitaraman, professor at Vanderbilt Law School, argues that the U.S. needs the middle class, that the Constitution was designed for a balanced share of wealth for our representative democracy to work. If the rich have too much power, it can lead to an oligarchy. If the poor have too much power, it can lead to a revolution. So the middle class needs to be the rudder that steers American democracy on a even keel. . . .

Big tech creates enormous stakeholder value. So why are we witnessing, for the first time in decades, other countries grow their middle class while ours is declining? If an economy is meant to sustain a middle class, and the social stability that it fosters, then our economy is failing. . . .

It's never been easier to be a billionaire or harder to be a millionaire. It's painfully clear that the invisible hand, for the past three decades, has been screwing the middle class. For the first time since the Great Depression, a thirty-year-old is less well-off than his or her parents at thirty.

Should we care? What if these icons of innovation are the disrupters we need to keep our economy fit? Isn't there a chance we'll come through the other end of the tunnel with a stronger economy and higher wages? Already there's evidence that this isn't happening. In fact, the bifurcation effect seems to be gaining momentum. It's likely the biggest threat to our society. Many will argue it's the world we live in. But isn't the world what we make of it? And we have consciously shifted the mission of the U.S. from producing millions of millionaires to producing one trillionaire. Alexa, is this a good thing?¹¹

How much longer we can travel down this road, only God can say. Eventually, however, the growing ranks of wage slaves, either here in the U.S. or overseas, will throw off the yoke of corporate domination. A minimum wage existence is an existence with a bare minimum of hope that things will improve.

Add a silver-tongued demagogue to provide the spark and all that bottled up anger, desperation, and longing for a better life will provide one hell of an explosion. As President Kennedy said, "Those who make peaceful revolution impossible, make violent revolution inevitable." Ask the French. They learned that lesson the hard way back in the 1790s.

It's time to bring back the death penalty--for corporations that is.

The judgment sought against the defendant is one of corporate death. The state which created, asks us to destroy, and the penalty invoked represents the extreme rigor of the law. The life of a corporation is, indeed, less than that of the humblest citizen, and yet it envelopes great accumulations of property, moves and carries in large volume the business and enterprise of the people, and may not be destroyed without clear and abundant reason. . . . Corporations may, and often do, exceed their authority only where private rights are affected. When these are adjusted, all mischief ends and all harm is averted. But where the transgression has a wider scope, and threatens the welfare of the people, they may summon the offender to answer for the abuse of the franchise and the violation of its corporate duty. . . . The abstract idea of a corporation, the legal entity, the impalpable and intangible creation of human thought, is itself a fiction, and has been appropriately described as a figure of speech. . . . The state permits in many ways an aggregation of capital, but, mindful of the possible dangers to the people, overbalancing the benefits, keeps upon it a restraining hand, and maintains over it a prudent supervision, where such aggregation depends upon its permission and grows out of its corporate grants. . . . [T]he state, by the creation of the artificial persons constituting the elements of the combination and failing to limit and restrain their powers, becomes itself the responsible creator, the voluntary cause, of an aggregation of capital . . . the defendant corporation has violated its charter, and failed in the performance of its corporate duties, and that in respects so material and important as to justify a judgment of dissolution. . . . All concur.

-People v. North River Sugar Refining Co., 24 N. E. 834 (1890) [New York State]¹²

Can you imagine the corporation(s) of your choice sitting in the defendant's chair as this verdict is read? I know I can. It really is amazing how far we've come from the time when a court--in New York mind you--would hand down such a 5tdecision. Nowadays, the worst punishment you hear of being handed down is a petty fine. And that just gets written off on their taxes anyway. The old rallying cry of "Off with their heads!" doesn't really work for an inanimate object like a corporation. I propose, "For starters, we take their charters!" What do you think?

Notes:

1. Belzer. *Corporate Conspiracies*. Page 36. (Internal citations omitted)
2. Ibid. Page 37. Quoting: Brand, Russell. *Revolution*. New York: Ballentine Books, 2014. Citing David Graeber, who teaches Anthropology at the University of London and is the author of several books, including *Debt: The First 5,000 Years* (Melville House: 2014).
3. Haze. *The Suppressed History of American Banking*. Page 75-77.
4. Remini, Robert V. *Andrew Jackson and the Bank War*. (New York, W.W. Norton and Company) (1967). Page 16. Citing Martin Van Buren, *Autobiography*. (Washington, 1920) Page 625.
5. <https://www.history.com/this-day-in-history-/andrew-jackson-narrowly-escapes-assassination>
6. Haze. Page 12.
7. Ibid. Page 24.
8. <https://www.infrastructurereportcard.org/state-item/new-hampshire/>
9. Galloway, Scott. "Silicon Valley's Tax-Avoiding, Job-Killing, Soul-Sucking Machine." *Esquire*. March, 2018. Page 124-131, 147-148.
10. Justice William O. Douglas 's dissent in *Wheeling Steel Corporation v. Glander*, 337 US 562 at 581, (1949). (Emphasis added.)
11. Galloway, Scott. "Silicon Valley's Tax-Avoiding, Job-Killing, Soul-Sucking Machine." *Esquire*. March, 2018.
12. Cited in *Defying Corporations, Defining Democracy*. Page 143.

For more information go to YearOfJubile.com.

APPENDIX

The US Constitution: 14th Amendment

Fourteenth Amendment to the US Constitution - Rights Guaranteed Privileges and Immunities of Citizenship, Due Process and Equal Protection

AMENDMENT XIV of the UNITED STATES CONSTITUTION

Passed by Congress June 13, 1866. Ratified July 9, 1868.

Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

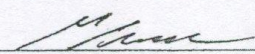
DOCUMENTATION FOR SOLICITATION FILE

Location: FCI Fairton

Contract: DJBFAO015, ESPC

Pre-Award File Tab: Rationale for Award

Contracting Officer:


Signature

12/22/09

Date

On February 22, 2008 a Letter of Interest was issued to all Department of Energy (DOE) Mid-Atlantic Region contract holders (Ameresco Solutions, Constellation Energy Projects & Services Group, Honeywell International, and NORESKO), which identified the FBOP's interest to explore an Energy Savings Performance Contract (ESCP) project at FCI Fairton.

All Four contract holders (Ameresco, Constellation Energy, Honeywell International, and NORESKO) responded to the letter of interest, submitted capabilities statements, and participated in telephone interviews.

Following the telephone interviews, and review of the capabilities statement information, Constellation Energy was selected as the ESCO, to develop the project at FCI Fairton. This selection was based upon their past performance, their knowledge and research into the New Jersey energy market incentives available in the Fairton area, knowledge of the correctional environment, their relevant and knowledgeable responses during the telephone interviews, and related information included within their capabilities statement.

On May 10, 2008 a Notice to Proceed with the Initial Proposal development was issued to the DOE and Constellation Energy. The project kickoff meeting was held on March 27, 2008. On June 26, 2008 Constellation Energy submitted for review the Initial Proposal. Following the review and discussions of this proposal the FBOP made the determination that FCI Fairton appears to have viable ESPC project, and agreement was reached to move into the Detailed Energy Survey (DES).

On April 08, 2009, a Notice of Intent to Award (NOITA) was issued to Constellation Energy. On September 04, 2009, Constellation Energy submitted their Detailed Energy Survey (DES) for government review. During the Government review process, all FBOP team members, as well as the DOE awarded Project Facilitator reviewed, provided comments, discussed all issues of concern. Several negotiation sessions transpired in regards to issues related to contingencies, overhead, performance period expenses, mark-ups, escorts, security and scheduling. Constellation Energy completed the financing, and a 6.75% interest rate was obtained for the project.

After, satisfactory agreement was reached on all issues the FBOP proceeded to complete the Delivery Order with Constellation Energy for the ESPC project at FCI Fairton. The project will enable FCI Fairton to improve their energy infrastructure, add a renewable energy components (solar), reduce water consumption, and reduce their energy intensity. This self-funded project has an implementation price of \$8,870,913.00, total financed cost of \$18,570,733 over eighteen years, with guaranteed cost savings over the eighteen years of \$18,619,368.

Thus, with all the information available the Contracting Officer deemed the prices and financing associated with the ESPC project at FCI Fairton to be fair and reasonable, and the Governments interests sufficiently protected.

The delivery order against DOE contract DE-AM36-99EE73681 was executed on December 23, 2009.

Continuation Sheet

ESPC DELIVERY ORDER
Bureau of Prisons, Northeast Region, FCI Fairton, NJ

DOE
SUPER ESPC MID-ATLANTIC IDIQ CONTRACT

CONTRACT # DE-AM36-99EE73681

AGENCY DELIVERY ORDER NUMBER: DJBFAO015

ALL the terms and conditions of the applicable SUPER ESPC IDIQ contract apply to this Delivery Order (DO), unless changed by completion of the contract paragraphs identified below. Any additions/deletions/changes to those contract requirements, as identified as such, override the contract requirements, and are permitted by the contract language. The Contractor's Detailed Energy Survey and Price Proposal dated September 04, 2009, the Contractor's response to the Government review comments transmitted on December 17, 2009, Final Revised Detailed Energy Survey and Price Proposal dated December 21, 2009, and Final Revised Delivery Order Schedules (DO-1 – DO-5) and monthly termination schedule dated December 21, 2009, are hereby accepted and are incorporated in their entirety by reference and made part of the Delivery Order.

PAYMENT SCHEDULE

Annual payments will be made, verified in accordance with the Department of Energy's IDIQ contract terms and conditions. Nothing herein shall be construed as inconsistent with the permissions and provisions of 10 C.F.R. 436.34 with respect to appropriations for funding of a multi-year ESPC. The payments will be as follows (verified by the annual Measurement and Verification (M&V) report):

<u>Performance Period Year</u>	<u>Annual Contractor Payments</u>
Year One*	\$ 714,104
Year Two	\$ 788,987
Year Three	\$ 816,181
Year Four	\$ 844,337
Year Five	\$ 873,490
Year Six	\$ 903,676
Year Seven	\$ 934,932
Year Eight	\$ 967,297
Year Nine	\$1,000,812
Year Ten	\$1,035,517
Year Eleven	\$1,071,455
Year Twelve	\$1,108,673
Year Thirteen	\$1,147,215
Year Fourteen	\$1,187,131
Year Fifteen	\$1,228,469
Year Sixteen	\$1,271,283
Year Seventeen	\$1,315,624
<u>Year Eighteen</u>	<u>\$1,361,550</u>
Total	\$18,570,733

Implementation Period is estimated at 15 months in length

United States Supreme Court
WHEELING STEEL CORP. V. GLANDER, (1949)

No. 447

Argued: Decided: June 20, 1949

Mr. Justice DOUGLAS, with whom Mr. Justice BLACK concurs, dissenting.

It has been implicit in all of our decisions since 1886 that a corporation is a 'person' within the meaning of the Equal Protection Clause of the Fourteenth Amendment. *Santa Clara Co. v. South. Pacific R. Co.*, 118 U.S. 394, 396, so held. The Court was cryptic in its decision. It was so sure of its ground that it wrote no [337 U.S. 562, 577] opinion on the point, Chief Justice Waite announcing from the bench:

'The court does not wish to hear argument on the question whether the provision in the Fourteenth Amendment to the Constitution, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws, applies to these corporations. We are all of opinion that it does.'

There was no history, logic, or reason given to support that view. Nor was the result so obvious that exposition was unnecessary.

The Fourteenth Amendment became a part of the Constitution in 1868. In 1871 a corporation claimed that Louisiana had imposed on it a tax that violated the Equal Protection Clause of the new Amendment. Mr. Justice Woods (then Circuit Judge) held that 'person' as there used did not include a corporation and added, 'This construction of the section is strengthened by the history of the submission by congress, and the adoption by the states of the 14th amendment so fresh in all minds of as to need no rehearsal.' *Insurance Co. v. New Orleans*, Fed.Cas.No 7,052, 1 Woods 85, 88.

What was obvious to Mr. Justice Woods in 1871 was still plain to the Court in 1873. Mr. Justice Miller in the *Slaughter House Cases*, 16 Wall. 36, 71, adverted to events 'almost too recent to be called history' to show that the purpose of the Amendment was to protect human rights-primarily the rights of a race which had just won its freedom. And as respects the Equal Protection Clause he stated, 'The existence of laws in the States where the newly emancipated negroes resided, which discriminated with gross injustice and hardship against them as a class, was the evil to be remedied by this clause, and by it such laws are forbidden.' 16 Wall. at page 81.

Moreover what was clear to these earlier judges was apparently plain to the people who voted to make the [337 U.S. 562, 578] Fourteenth Amendment a part of our Constitution. For as Mr. Justice Black pointed out in his dissent in *Connecticut General Co. v. Johnson*, 303 U.S. 77, 87, 441, the submission of the Amendment to the people was on the basis that it protected human beings. There was no suggestion in its submission that it was designed to put negroes and corporations into one class and so dilute the police power of the States over corporate affairs. Arthur Twining Hadley once wrote that 'The Fourteenth Amendment was framed to protect the negroes from oppression by the whites, not to protect corporations from oppression by the legislature. It is doubtful whether a single one of the members of a Congress who voted for it had any idea that it would touch the question of corporate regulation at all.'¹

Both Mr. Justice Woods in *Insurance Co. v. New Orleans*, supra, Fed. Cas.No. 7,052, 1 Woods page 88, and Mr. Justice Black in his dissent in *Connecticut General Co. v. Johnson*, supra, 303 U.S. at pages 88-89, 58 S. Ct. at pages 441-442, have shown how strained a construction it is of the Fourteenth Amendment so to hold. Section 1 of the Amendment provides:

'All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall

any State deprive any person of life, liberty, or property, without [337 U.S. 562 , 579] due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.'

'Persons' in the first sentence plainly include only human beings, for corporations are not 'born or naturalized.'

Corporations are not 'citizens' within the meaning of the first clause of the second sentence. *Western Turf Ass'n v. Greenberg*, 204 U.S. 359, 363 , 385; *Selover, Bates & Co. v. Walsh*, 226 U.S. 112, 126 , 72.2

It has never been held that they are persons whom a State may not deprive of 'life' within the meaning of the second clause of the second sentence.

'Liberty' in that clause is 'the liberty of natural, not artificial, persons.' *Western Turf Ass'n v. Greenberg*, supra, 204 U.S. at page 363, 27 S.Ct. at page 385, 386.

But 'property' as used in that clause has been held to include that of a corporation since 1889 when *Minneapolis R. Co. v. Beckwith*, 129 U.S. 26 , was decided.

It requires distortion to read 'person' as meaning one thing, then another within the same clause and from clause to clause. It means, in my opinion, a substantial revision of the Fourteenth Amendment. As to the matter of construction, the sense seems to me to be with Mr. Justice Woods in *Insurance Co. v. New Orleans*, supra, Fed.Cas.No. 7,052, 1 Woods at page 88, where he said, 'The plain and evident meaning of the section is, that the persons to whom the equal protection of the law is secured are persons born or naturalized or endowed with life and liberty, and consequently natural and not artificial persons.'

History has gone the other way. Since 1886 the Court has repeatedly struck down state legislation as applied [337 U.S. 562 , 580] to corporations on the ground that it violated the Equal Protection Clause. 3 Every one of our decisions upholding legislation as applied to corporations over the objection that it violated the Equal Protection Clause has assumed that they are entitled to the constitutional protection. But in those cases it was not necessary to meet the issue since the state law was not found to contain the elements of discrimination which the Equal Protection Clause condemns. But now that the question is squarely presented I can only conclude that the Santa Clara case was wrong and should be overruled.

One hesitates to overrule cases even in the constitutional field that are of an old vintage. But that has never been a deterrent heretofore⁴ and should not be now. [337 U.S. 562 , 581] We are dealing with a question of vital concern to the people of the nation. It may be most desirable to give corporations this protection from the operation of the legislative process. But that question is not for us. It is for the people. If they want corporations to be treated as humans are treated, if they want to grant corporations this large degree of emancipation from state regulation,⁵ they should say so. The Constitution provides a method by which they may do so. We should not do it for them through the guise of interpretation.

Appendix

The US Constitution: 14th Amendment

Fourteenth Amendment to the US Constitution - Rights Guaranteed Privileges and Immunities of Citizenship, Due Process and Equal Protection

AMENDMENT XIV of the UNITED STATES CONSTITUTION

Passed by Congress June 13, 1866. Ratified July 9, 1868.

Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

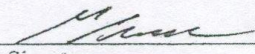
Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

DOCUMENTATION FOR SOLICITATION FILE

Location: FCI Fairton

Contract: DJBFAO015, ESPC

Pre-Award File Tab: Rationale for Award

Contracting Officer:  12/22/09
Signature Date

On February 22, 2008 a Letter of Interest was issued to all Department of Energy (DOE) Mid-Atlantic Region contract holders (Ameresco Solutions, Constellation Energy Projects & Services Group, Honeywell International, and NORESKO), which identified the FBOP's interest to explore an Energy Savings Performance Contract (ESPC) project at FCI Fairton.

All Four contract holders (Ameresco, Constellation Energy, Honeywell International, and NORESKO) responded to the letter of interest, submitted capabilities statements, and participated in telephone interviews.

Following the telephone interviews, and review of the capabilities statement information, Constellation Energy was selected as the ESCO, to develop the project at FCI Fairton. This selection was based upon their past performance, their knowledge and research into the New Jersey energy market incentives available in the Fairton area, knowledge of the correctional environment, their relevant and knowledgeable responses during the telephone interviews, and related information included within their capabilities statement.

On May 10, 2008 a Notice to Proceed with the Initial Proposal development was issued to the DOE and Constellation Energy. The project kickoff meeting was held on March 27, 2008. On June 26, 2008 Constellation Energy submitted for review the Initial Proposal. Following the review and discussions of this proposal the FBOP made the determination that FCI Fairton appears to have viable ESPC project, and agreement was reached to move into the Detailed Energy Survey (DES).

On April 08, 2009, a Notice of Intent to Award (NOITA) was issued to Constellation Energy. On September 04, 2009, Constellation Energy submitted their Detailed Energy Survey (DES) for government review. During the Government review process, all FBOP team members, as well as the DOE awarded Project Facilitator reviewed, provided comments, discussed all issues of concern. Several negotiation sessions transpired in regards to issues related to contingencies, overhead, performance period expenses, mark-ups, escorts, security and scheduling. Constellation Energy completed the financing, and a 6.75% interest rate was obtained for the project.

After, satisfactory agreement was reached on all issues the FBOP proceeded to complete the Delivery Order with Constellation Energy for the ESPC project at FCI Fairton. The project will enable FCI Fairton to improve their energy infrastructure, add a renewable energy components (solar), reduce water consumption, and reduce their energy intensity. This self-funded project has an implementation price of \$8,870,913.00, total financed cost of \$18,570,733 over eighteen years, with guaranteed cost savings over the eighteen years of \$18,619,368.

Thus, with all the information available the Contracting Officer deemed the prices and financing associated with the ESPC project at FCI Fairton to be fair and reasonable, and the Governments interests sufficiently protected.

The delivery order against DOE contract DE-AM36-99EE73681 was executed on December 23, 2009.

Continuation Sheet

ESPC DELIVERY ORDER
Bureau of Prisons, Northeast Region, FCI Fairton, NJ

DOE
SUPER ESPC MID-ATLANTIC IDIQ CONTRACT

CONTRACT # DE-AM36-99EE73681

AGENCY DELIVERY ORDER NUMBER: DJBFAO015

ALL the terms and conditions of the applicable SUPER ESPC IDIQ contract apply to this Delivery Order (DO), unless changed by completion of the contract paragraphs identified below. Any additions/deletions/changes to those contract requirements, as identified as such, override the contract requirements, and are permitted by the contract language. The Contractor's Detailed Energy Survey and Price Proposal dated September 04, 2009, the Contractor's response to the Government review comments transmitted on December 17, 2009, Final Revised Detailed Energy Survey and Price Proposal dated December 21, 2009, and Final Revised Delivery Order Schedules (DO-1 – DO-5) and monthly termination schedule dated December 21, 2009, are hereby accepted and are incorporated in their entirety by reference and made part of the Delivery Order.

PAYMENT SCHEDULE

Annual payments will be made, verified in accordance with the Department of Energy's IDIQ contract terms and conditions. Nothing herein shall be construed as inconsistent with the permissions and provisions of 10 C.F.R. 436.34 with respect to appropriations for funding of a multi-year ESPC. The payments will be as follows (verified by the annual Measurement and Verification (M&V) report):

<u>Performance Period Year</u>	<u>Annual Contractor Payments</u>
Year One*	\$ 714,104
Year Two	\$ 788,987
Year Three	\$ 816,181
Year Four	\$ 844,337
Year Five	\$ 873,490
Year Six	\$ 903,676
Year Seven	\$ 934,932
Year Eight	\$ 967,297
Year Nine	\$1,000,812
Year Ten	\$1,035,517
Year Eleven	\$1,071,455
Year Twelve	\$1,108,673
Year Thirteen	\$1,147,215
Year Fourteen	\$1,187,131
Year Fifteen	\$1,228,469
Year Sixteen	\$1,271,283
Year Seventeen	\$1,315,624
<u>Year Eighteen</u>	<u>\$1,361,550</u>
Total	\$18,570,733

Implementation Period is estimated at 15 months in length

United States Supreme Court
WHEELING STEEL CORP. V. GLANDER, (1949)

No. 447

Argued: Decided: June 20, 1949

Mr. Justice DOUGLAS, with whom Mr. Justice BLACK concurs, dissenting.

It has been implicit in all of our decisions since 1886 that a corporation is a 'person' within the meaning of the Equal Protection Clause of the Fourteenth Amendment. *Santa Clara Co. v. South. Pacific R. Co.*, 118 U.S. 394, 396, so held. The Court was cryptic in its decision. It was so sure of its ground that it wrote no [337 U.S. 562, 577] opinion on the point, Chief Justice Waite announcing from the bench:

'The court does not wish to hear argument on the question whether the provision in the Fourteenth Amendment to the Constitution, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws, applies to these corporations. We are all of opinion that it does.'

There was no history, logic, or reason given to support that view. Nor was the result so obvious that exposition was unnecessary.

The Fourteenth Amendment became a part of the Constitution in 1868. In 1871 a corporation claimed that Louisiana had imposed on it a tax that violated the Equal Protection Clause of the new Amendment. Mr. Justice Woods (then Circuit Judge) held that 'person' as there used did not include a corporation and added, 'This construction of the section is strengthened by the history of the submission by congress, and the adoption by the states of the 14th amendment so fresh in all minds of as to need no rehearsal.' *Insurance Co. v. New Orleans*, Fed.Cas.No 7,052, 1 Woods 85, 88.

What was obvious to Mr. Justice Woods in 1871 was still plain to the Court in 1873. Mr. Justice Miller in the *Slaughter House Cases*, 16 Wall. 36, 71, adverted to events 'almost too recent to be called history' to show that the purpose of the Amendment was to protect human rights-primarily the rights of a race which had just won its freedom. And as respects the Equal Protection Clause he stated, 'The existence of laws in the States where the newly emancipated negroes resided, which discriminated with gross injustice and hardship against them as a class, was the evil to be remedied by this clause, and by it such laws are forbidden.' 16 Wall. at page 81.

Moreover what was clear to these earlier judges was apparently plain to the people who voted to make the [337 U.S. 562, 578] Fourteenth Amendment a part of our Constitution. For as Mr. Justice Black pointed out in his dissent in *Connecticut General Co. v. Johnson*, 303 U.S. 77, 87, 441, the submission of the Amendment to the people was on the basis that it protected human beings. There was no suggestion in its submission that it was designed to put negroes and corporations into one class and so dilute the police power of the States over corporate affairs. Arthur Twining Hadley once wrote that 'The Fourteenth Amendment was framed to protect the negroes from oppression by the whites, not to protect corporations from oppression by the legislature. It is doubtful whether a single one of the members of a Congress who voted for it had any idea that it would touch the question of corporate regulation at all.'¹

Both Mr. Justice Woods in *Insurance Co. v. New Orleans*, supra, Fed. Cas.No. 7,052, 1 Woods page 88, and Mr. Justice Black in his dissent in *Connecticut General Co. v. Johnson*, supra, 303 U.S. at pages 88-89, 58 S. Ct. at pages 441-442, have shown how strained a construction it is of the Fourteenth Amendment so to hold. Section 1 of the Amendment provides:

'All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall

any State deprive any person of life, liberty, or property, without [337 U.S. 562 , 579] due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.'

'Persons' in the first sentence plainly include only human beings, for corporations are not 'born or naturalized.'

Corporations are not 'citizens' within the meaning of the first clause of the second sentence. *Western Turf Ass'n v. Greenberg*, 204 U.S. 359, 363 , 385; *Selover, Bates & Co. v. Walsh*, 226 U.S. 112, 126 , 72.2

It has never been held that they are persons whom a State may not deprive of 'life' within the meaning of the second clause of the second sentence.

'Liberty' in that clause is 'the liberty of natural, not artificial, persons.' *Western Turf Ass'n v. Greenberg*, supra, 204 U.S. at page 363, 27 S.Ct. at page 385, 386.

But 'property' as used in that clause has been held to include that of a corporation since 1889 when *Minneapolis R. Co. v. Beckwith*, 129 U.S. 26 , was decided.

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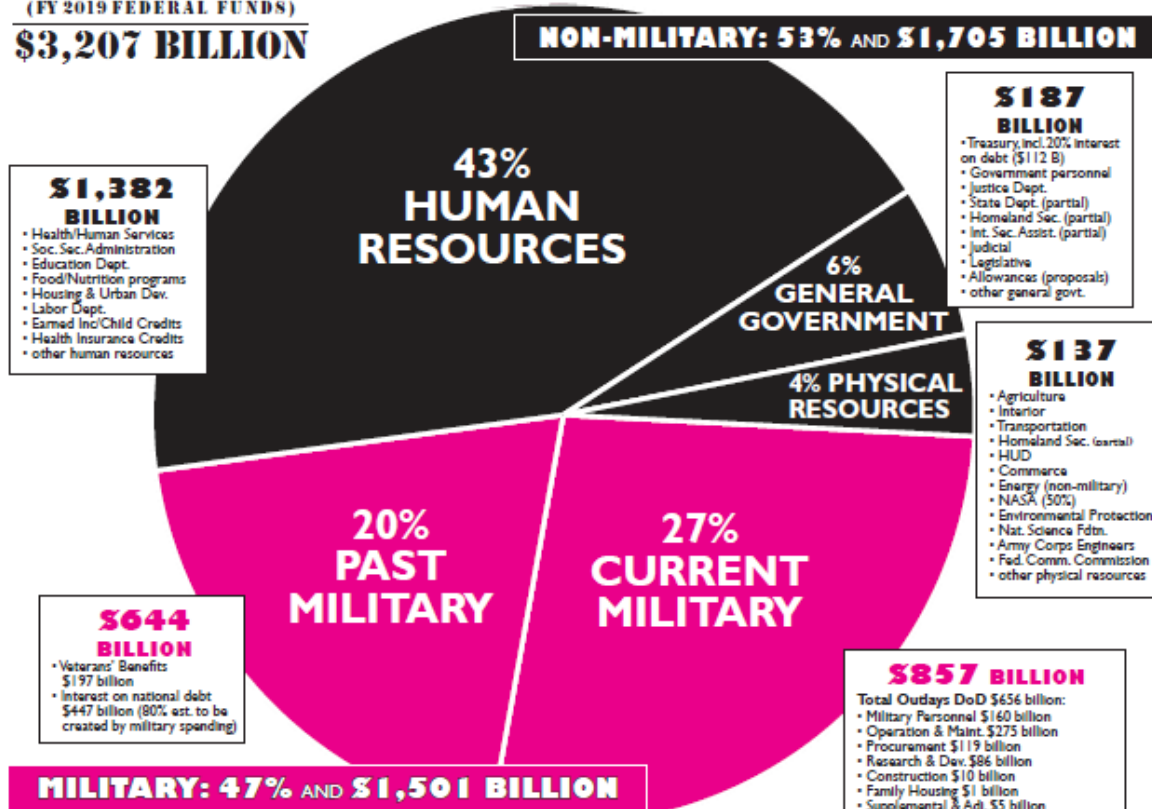
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WHERE YOUR INCOME TAX MONEY REALLY GOES

U.S. FEDERAL BUDGET 2019 FISCAL YEAR

TOTAL OUTLAYS
(FY 2019 FEDERAL FUNDS)
\$3,207 BILLION



HOW THESE FIGURES WERE DETERMINED

“Current military” includes Dept. of Defense (\$656 billion) and the military portion (\$201 billion) from other departments as noted in current military box above. “Past military” represents veterans’ benefits plus 80% of the interest on the debt.* For further explanation, please go to warresisters.org.

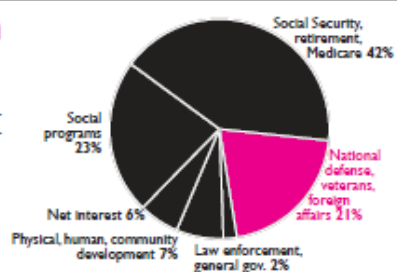
These figures are from an analysis of detailed tables in the *Analytical Perspectives* book of the *Budget of the United States Government, Fiscal Year 2019*. The figures are Federal funds, which do not include Trust funds — such as Social Security — that are raised and spent separately from income taxes.

What you pay (or don’t pay) by April 17, 2018, goes to the Federal funds portion of the budget. The government practice of combining Trust and Federal funds began during the Vietnam War, thus making the human needs portion of the budget seem larger and the military portion smaller.

**Analysts differ on how much of the debt stems from the military; other groups estimate 50% to 60%. We use 80% because we believe if there had been no military spending most of the national debt would have been eliminated.*

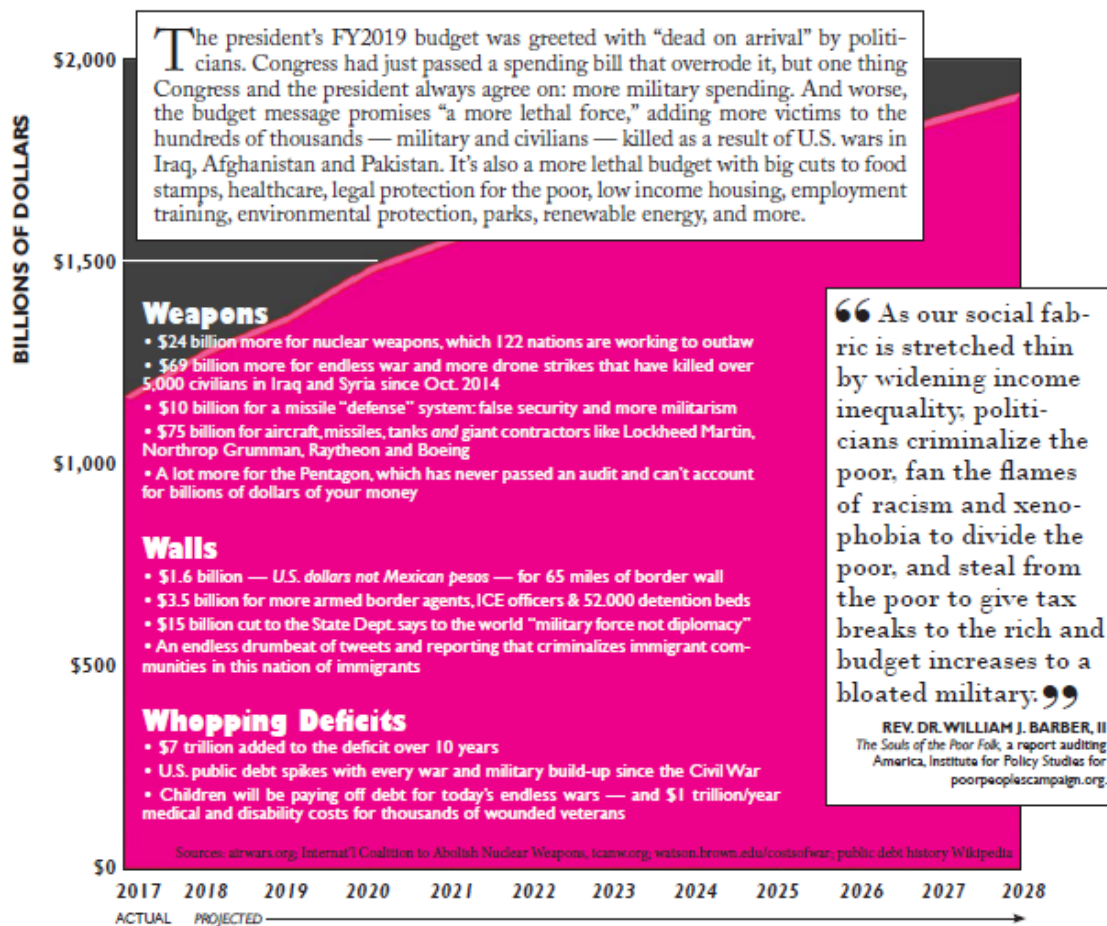
Government Deception

The pie chart (right) is the government view of the budget. This is a distortion of how our income tax dollars are spent because it includes Trust Funds (e.g., Social Security), and most of the past military spending is not distinguished from nonmilitary spending. For a more accurate representation of how your Federal income tax dollar is really spent, see the large graph.



Demilitarize the Dollar

Combined Dep. of Defense, Homeland Security, nuclear weapons (DoE), Veterans Admin., and 80% interest on the debt
Budget of the United States Government, Fiscal Year 2019



WHAT YOU CAN DO

• Leaflet with this flyer year-round and on Tax Day, April 17, 2018, and throughout the Global Days of Action on Military Spending, April 15-May 2, demilitarize.org.

• Get involved in WRL's organizing and education work: nonviolent direct action training, internationalism, counter military recruitment, resisting airwars, No SWAT zone, campaign to end police militarization, and more. Visit WRL's membership handbook at warresisters.org/joinwrl. Find resources to challenge militarism, curb police power, strengthen nonviolent action and lift up community resilience!

• Write elected officials, letters-to-the-editor, and posts online. Send and share copies of this flyer. Explain your budget priorities for a better world.

• Divest from war! Refuse to pay to pay all or part of your federal income tax. Though illegal, thousands of people openly participate

in this form of protest. Sign up at wartaxdivestment.org. Whatever you choose to refuse—\$1, \$10, 47% or 100%—send a letter to elected officials and tell them why. Contact us for information or referral to a counselor near you. Contribute resisted tax money to groups that work for the common good.

• For more about refusing to pay for war, sample brochures, and to watch the introductory film *Death & Taxes*, contact the National War Tax Resistance Coordinating Committee, (800) 269-7464 or see nwtrcc.org. Support the Peace Tax Fund bill: peacetaxfund.org.

RESOURCES

• Additional copies of this leaflet are available for 15¢ each (1-199), 12¢ each (200 - 499), 10¢ each (500+) plus 20% postage. Order online at warresisters.org/store, or mail orders to the WRL address on this flyer.

• War Tax Resistance: A Guide to Withholding Your Support from the Military, 144-page handbook with history, methods and resources. \$5 plus \$2 postage warresisters.org/store.

LOCAL CONTACT

If no group is listed, check for a WRL chapter on the website below, or start your own. Contact WRL for more information.

WAR RESISTERS LEAGUE
168 Canal Street, 6th Fl., New York, NY 10013
Tel (212) 228-0450 • wrl@warresisters.org
www.warresisters.org

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