**Why A PMA?**

As a Private Membership Association, we are constitutionally created under:

The First, Fourth, Fifth, Ninth, Tenth and Fourteenth Amendments to the United States Constitution

… and

1. Freedom of speech to share information and voice our opinions about anything that concerns us including alternatives to drugs, invasive surgery, vaccines, toxic chemicals, unlabeled GMO foods, pharmaceutical drugs in our water supply and anything else that may cause or exacerbate any physical, emotional, mental, medical or psychological concern, condition, disease, disorder or illness of any kind.

2. Freedom to confidentially assemble with other people of a like mind so we can learn about alternative, complementary, holistic, integrative and natural health, nutrition, therapies and wellness.

3. Freedom of choice for our own health, nutrition and wellness decisions including any diagnosis, treatment or intervention.

4. Freedom of Self-determination based on access to all available information to help us make our own decisions about our own health, life, nutrition, therapies and wellness and that of our family, pets and dependents.

5. Freedom of Privacy and all of the inalienable human rights guaranteed to us all by the US Constitution.

Are you an alternative or natural medical or mental healthcare practitioner, a dentist, doctor, chiropractor, midwife, homeopathic healthcare or any other type of healthcare provider?

Do you grow or provide any natural food or drink, such as raw (unpasteurized) milk or dairy products?

Have you discovered anything naturally grown or occurring in nature as a liquid or substance (a food or drink derived from any combination or derivative thereof)?

Discovered a particular massage technique, manipulation or other procedure?

Invented any type of device or product that eliminates, reduces or controls discomfort or pain; treats or cures any deformity, disability, disease, illness or injury to the body, mind or spirit?

Do you manufacture, distribute, sell, prescribe, recommend for use or actually use any devise, product or procedure on any man, woman, child or animal that has not been approved by the UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOOD AND DRUG ADMINISTRATION (hereinafter the "FDA") for the specific purpose that you are selling, prescribing, recommending or using it?

Have you discovered or invented any of the above and you want to tell everyone about it, but you don’t; or, you don’t make any “medical claim” about your discovery or invention only because it has not been either submitted to nor approved by the FDA?

While it is true that not all devices or products intended for human use require prior FDA approval or clearance, the FDA can, and has, "changed its mind" and extended its regulatory reach in unpredictable ways.

You may be at risk even if your discovery or invention is not intended to treat, prevent, mitigate or cure any medical or psychological condition, prevent impairment of human health, support or maintain human life and may be marketed by you simply for self-educational purposes only.

What if you or your healthcare practice/operation could be generally immune from the FDA’s control and regulation of offerings that are made to the public concerning claims to "diagnose, treat, cure or prevent any disease" would you like to know more about how it can be done? Then please, read on.

Private Membership Association

A Private Membership Association (“PMA”) is men and woman collectively asserting and standing upon their rights to determine what devices, products, procedures, or services will be used by them to maintain the health of their own body, mind or spirit.

A PMA is like a private family (PMA creator = the head of the family; PMA members = family members). Just like in a close family, what is communicated or happens inside a family’s private home, among only family members are private matters generally immune from and not subject to censorship/control by any administrative agency of any government.

PMAs have an established history and maintain a significant and unique standing in law; they are generally immune from most, if not all, state and federal Public Laws. For example:

Drinking is allowed inside “private clubs” in “dry counties” in states of The United States of America where the sale of alcohol to the public is restricted or illegal; smoking is allowed inside “cigar bars” or "private clubs" in states having public laws prohibiting smoking in government buildings and in buildings open to the public; membership is restricted and only private rules apply inside private golf, baseball, football, soccer and other sports clubs; Men’s, Women’s, Boy’s and Girl’s Clubs; the Cub, Brownie, Boy and Girl Scouts of America; the National Association for the Advancement of Colored People (N.A.A.C.P.); the American Medical Association; and, even the local, state and federal BAR Associations, all of which are various forms of a PMA, generally follow only their own rules, not public law.

Benefits of a Private Membership Association

1. Enjoy a general immunity to public laws, regulations and internal rules of local, state and federal administrative agencies (including, but not limited to, the FDA) that protect the public health.

Properly set up, what occurs inside a Private Membership Association by and among members is private; generally not subject to any public law, regulation, or agency rule. A PMA is similar to a private family in that what is stated or done inside the family home by, to and among family members is not generally subject to any governmental scrutiny, censorship or control. Just as peoples’ speech is generally immune from governmental restriction; so is the speech and acts of the PMA members and what is published and done by and between PMA members in the PMA;

The above mentioned immunity is not absolute. The single exception is that neither a PMA nor its members may do anything that creates a “clear and present danger that they will bring about substantial evils that Congress has a right to prevent.”

2. Increase your income safely. When you act and communicate with PMA members you do so privately, each party asserting and standing upon their constitutionally secured rights to freedom of association, speech, the press; the right to privacy and other rights.

This may afford you a freedom in advertising, marketing and operation of your business that you may never have experienced before. In a PMA, communicating only with PMA members, you are now able to state and publish all the true facts (or at least the true facts that you want to disclose) about what your personal experience, the experience of others, and what verifiable testing has shown that people have experienced using your device, product, procedure or service and what that device, product, procedure or service really offers PMA members. For example, on a PMA’s website, in the “for members only section” publishing testimonials sent to you would not violate the public law named Health Insurance Portability and Accountability Act (HIPAA).

Being able to demonstrate, speak and publish the truth about what your device, product, procedure or service will do for people and animals in your advertising and marketing should lead to excitement about your device, product, procedure or service, markedly increase sales volume and afford you greater profit with safety.

3. Greater Peace of Mind is achieved by not having to worry about qualifying for any license from any licensing administration or board, or having any agency determine how you practice, or censoring what you can state or publish about your device, product, procedure or service. This frees you of the time and expense burdens placed upon persons who deal with the public and, thereby, allows you to react quicker to ever changing markets and be more creative and relaxed in your thinking, advertising, marketing and in the way you run your business. This also reduces stress.

If your answer to any of the questions asked above is “yes” what is the solution to your problem? Who is the FDA? What authority and power was the FDA lawfully delegated, and over whom or what? Can you change being subject to the jurisdiction of the FDA?

Details, Facts and Law

The FDA is an administrative agency of the United States delegated defined limited authority and power; created and empowered by a Public Law.

According to the “Statement of FDA Mission” the “FDA is responsible for protecting the public health by assuring the safety and efficacy human and veterinary drugs, biological products, medical devices, our nation’s food supply, cosmetics, and products that emit radiation … .”

The FDA is authorized to protect the “public health.”

In protecting the public health the FDA acts as if it was delegated sole discretion regarding what information can be printed or written on healthcare devices, products, procedures or services that can be advertised or disclosed to the public over the air (radio/TV), the Internet, through the mail, in any public advertising or otherwise about anything that can be taken into or used on a human (or animal) that may or does affect the health of the body, mind or spirit.

In effect, the FDA acts as if it has the sole authority to censure or decide what you/your patients, clients or customers can hear, read, say, or see regarding information on healthcare related devices, products, procedures and services.

A man/woman wears many hats throughout his/her life and may act in a private character and capacity such as when being a son or daughter, brother or sister, uncle or aunt, husband or wife, father or mother, etc.

Conversely, a man/woman may act in a commercial character and capacity such as when being a doctor, bus driver or any other licensed professional; or in a public character and capacity such as being a state/federal government agent, employee, officer or official (a “public servant”) or as a legislative “person” such as a “taxpayer”.

A governmental authority/entity can act as a body politic, in a sovereign character and capacity, protecting the life, liberty, rights and property of its citizens; or, as a body corporate, acting in a commercial or public character and capacity.

Commercial persons must be tightly controlled/regulated because they are only concerned with generating a profit and are subject to commercial law and the terms and conditions of the contract(s) in which they are a party (no constitutional rights here). Public servants must be tightly controlled or regulated because their acts or omissions can affect everyone or, at least a large body of people\persons other than themselves.

Public Law, Regulations and internal Rules of administrative agencies of governments control the privilege of disclosing information, by way of publishing or uttering certain statements; or of offering certain devices, products, procedures and services to the public.

The character and capacity in which you act determines the body of law (constitutional or commercial) that is applicable. And, therein lays the first key to rectifying the problem. PMA members must move out of the public sector and into a private domain.

What is a Private Membership Association?

A Private Membership Association is men and woman collectively asserting and standing upon their unalienable constitutionally secured perfect rights; their un-delegated/reserved authority; their pre-existing claim to absolute authority and control over the health of their own body, mind and spirit and rights (hereinafter collectively referred to simply as “rights”) developed under the laws of the United States made in pursuance of The Constitution for the United States of America, 1789 CE, as amended and ratified by passage of The Bill of Rights in 1791 (hereinafter referred to as “the Constitution”). People that unanimously agree with the terms, conditions, obligations, provisions, principles and purpose set forth in a contract (hereinafter referred to as the “PMA contract”) and who refuse to apply for or accept any “public” statutory “entity” such as a corporation, LLC, foundation, partnership, social, fraternal, religious or other entity created by any local, municipal, city, county, state, the federal or any international governmental authority lawfully operating in The United States of America (hereinafter collectively referred to as “governmental authority”).

Over 241 years ago “We the People” created several independent compact commonwealths and states which, in turn, created the Nation named:

The United States of America.

and, its government:

The United States.

A PMA is created by and exists upon the exact same authority and power that people asserted in The Declaration of Independence of the thirteen united States of America; The Articles of Confederation; The Constitution for the United States of America; The Bill of Rights and, even, in the Laws made in pursuance thereof.

A PMA functions by the members acting as people, in their real character and capacity (rather than acting as commercial/legal/legislative/public “persons”), asserting and standing upon their constitutionally secured rights to freedom of association, speech, the press, to be free from unwarranted searches and seizures, to their individual right to privacy and other rights and authorities not mentioned herein that are all in full force and effect when people knowingly and voluntarily choose to become, as real people, members of a PMA.

A PMA does not need any authority or permission, of any kind whatsoever, from any government for its creation or in order for it to continue to exist and function.

Public Law, Regulations and internal Rules of administrative agencies that regulate the public do not generally reach a PMA because they would impair, impede, obstruct or defeat the PMA members’ ability to discuss, hear, read or speak about, print, obtain and use things which may be prohibited to be disclosed to or used by the public.

The advantage of placing your healthcare operation, product manufacturing facility, distribution, transportation, wholesale or retail sales company or business organization in a PMA, is that in a PMA you can educate PMA members on, prescribe for their use, or actually use on members any natural substance including, but not limited to, treated air or water; all natural foods; any individual (or combination of) vitamins, minerals, herbs, enzymes, phytonutrients etc.; raw or whole (unpasteurized) milk and dairy products; any creams, lotions, salves, etc.; any devices/products that produce or use color, electricity, light, magnetism, ozone, radiation, sound, vibrational energy; or any other thing which may not have been submitted to the FDA for approval; which may have been submitted to the FDA for approval but were not approved by the FDA at all, or not approved by the FDA for the specific use that you have in mind, but which may, in fact, help the body, mind or spirit heal a condition or disease that you or someone you know may have.

Furthermore, you can educate PMA members on how harmful mercury fillings and root canals can actually be; how medical procedures may cause other problems; what a particular drug really does and what all its side effects are; and, you can offer alternatives to dental and medical procedures and pharmaceuticals which may do more harm in the long run than temporary good.

You can concentrate on providing products and services that help people heal rather than spend your precious limited time/financial resources dealing with public laws, regulations, (state/federal code sections) and administrative agency (FDA) operational rules or the rules of any state medical examining or licensing board.

Information about natural products and services including, but not limited to, air and water purifiers or conditioners; naturally grown whole foods, vitamins, minerals, herbs, enzymes, phytonutrients etc.; raw (unpasteurized) milk and other dairy products; ozone and ozone generating machines; devices including, but not limited to, low power lasers, and others that generate/use color, electricity, light, magnetism, sound, radiation, vibrational energy resonance; creams, gels, lotions, and salves containing any of the above and any and all other kinds of natural food, devices, substances, educational, informative, or entertaining material which can be used for healthcare purposes (stored on any type of media) but which have been neither submitted to the FDA for approval nor approved (or denied approval) by the FDA, can be freely talked about, obtained, exchanged, viewed and used on and by members of the PMA, within the confines of the PMA.

A PMA does not generally have to shoulder the obligation or spend the time/money necessary to meet regulatory requirements for FDA approval on any such information, device, product, or service before that information, product, or service could be manufactured, sold, prescribed for, recommended, used on, or purchased privately by PMA members.

PMAs are under no general lawful/legal obligation to recognize any statutory title of public competency, education or training (licensed persons/experts). All proper parties in a PMA are equal. There is no “doctor-patient” type relationship in any properly run PMA. PMA members are free to exchange any information whatsoever on any topic they choose under the Rights to Freedom of Speech and Freedom of the Press secured by the First Article in Amendment to the Constitution and can speak or write about, listen to, or read any information, use or obtain any information, product, or service on any terms agreeable to any member who chooses to provide that information, product, or service.

A PMA generally falls outside the jurisdiction of Public Law, Regulations and internal Rules of administrative agencies including, but not limited to, the Public Law that created the FDA and other agencies.

If you are a practicing healthcare provider or you currently manufacture, distribute, sell (even as an independent sales agent or distributor) any healthcare information, product(s) or service(s); give information about, prescribe, recommend for use or actually use on patients/clients/customers anything that is or could be regulated by any governmental authority, whether any governmental authority currently regulates it or not; you are or should be well aware of the public laws, regulations and agency rules (restrictions) placed upon dissemination of healthcare information, products or services by local, municipal, city, county, state and federal dental and medical licensing boards and healthcare administrative agencies, none of which would generally apply to your dealings within a PMA with PMA members.

Why is a Private Membership Association right for you?

The Supreme Court, in Cooper v. Aaron, 358 U.S. 1, 18-20 (1958), stated:

“No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it. Chief Justice Marshall spoke for a unanimous Court in saying that: ‘If the legislatures of the several states may, at will, annul the judgments of the courts of the United States, and destroy the rights acquired under those judgments, the constitution itself becomes a solemn mockery . . . .’ United States v. Peters, 5 Cranch 115, 136. A Governor who asserts a power to nullify a federal court order is similarly restrained. If he had such power, said Chief Justice Hughes, in 1932, also for a unanimous Court, ‘it is manifest that the fiat of a state Governor, and not the Constitution of the United States, would be the supreme law of the land; that the restrictions of the Federal Constitution upon the exercise of state power would be but impotent phrases . . . .’ Sterling v. Constantin, 287 U.S. 378, 397-398.

It is, of course, quite true that the responsibility for public education is primarily the concern of the States, but it is equally true that such responsibilities, like all other state activity, must be exercised consistently with federal constitutional requirements as they apply to state action. The Constitution created a government dedicated to equal justice under law. The Fourteenth Amendment embodied and emphasized that ideal. State support of segregated schools through any arrangement, management, funds, or property cannot be squared with the Amendment's command that no State shall deny to any person within its jurisdiction the equal protection of the laws. The right of a student not to be segregated on racial grounds in schools so maintained is indeed so fundamental and pervasive that it is embraced in the concept of due process of law. Bolling v. Sharpe, 347 U.S. 497. The basic decision in Brown was unanimously reached by this Court only after the case had been briefed and twice argued and the issues had been given the most serious consideration. Since the first Brown opinion three new Justices have come to the Court. They are at one with the Justices still on the Court who participated in that basic decision as to its correctness, and that decision is now unanimously reaffirmed. The principles announced in that decision and the obedience of the States to them, according to the command of the Constitution, are indispensable for the protection of the freedoms guaranteed by our fundamental charter for all of us. Our constitutional ideal of equal justice under law is thus made a living truth.”

and held that state government officials are bound to comply with supreme Court rulings and court orders based upon the supreme Court's interpretation of the Constitution.

(See also the concurring opinion written by Justice FRANKFURTER.)

As stated above, governmental authorities can act as a body politic or as a body corporate. In Hale v. Henkel, 201 U.S. 43 (1906), one of the most often quoted cases decided by the Supreme Court, the justices describe the fundamental difference between man acting in his private character and capacity (as himself) and a “person” in a public character and capacity acting as a corporate officer when the court stated:

"... we are of the opinion that there is a clear distinction in this particular between an individual and a corporation, and that the latter has no right to refuse to submit its books and papers for examination at the suit of the state. The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the state or to his neighbors to divulge his business, or to open his doors to investigation, so far as it may tend to criminate him. He owes no such duty to the state, since he receives nothing therefrom, beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent to the organization of the state, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights.

Upon the other hand, the corporation is a creature of the state. It is presumed to be created 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. It would be a strange anomaly to hold that a state, having chartered a corporation to make use of certain franchises, could not, in the exercise of its sovereignty, inquire how those franchises have been employed, and whether they had been abused, and demand the production of the corporate books and papers for that purpose." (Emphasis supplied.)

All of the above beg the question, from whom did the Constitution derive authority?

The Constitution, and the constitutions for all 50 states, all claim to be authored by "We the People." In other words, in The United States of America, all authority and power flows from the People to the government; from the government to its administrative agencies; from its agencies to the offices of the agencies and from the office to the agents, employees, officers and officials occupying said office.

Contracts are constitutionally protected. In Florida that protection is secured by Article 1, Section 10, of the Constitution of the State of Florida, which states that "no bill of attainder, ex post facto law or law impairing the obligation of contracts shall be passed."

Article 1, section 10, of the Constitution for the United States of America prohibits Congress from passing any “… Law impairing the obligation of contracts.”

The above stated are perfect rights which can be lawfully/legally enforced.

We the people today, just as “We the People” did some 241 years ago, can author and enter into contracts creating Private Membership Associations without requesting or receiving any authority, permission or approval from any government.

YOU CANNOT SAVE THE PUBLIC!

A contract that creates a Private Membership Association, in the private sector, deals only with members who knowingly and willingly assert and stand upon their state and federal constitutionally secured rights and conduct their affairs privately.

Based upon rights expressly set forth in sections of the state and federal constitutions; rights that have been incorporated in various provisions and sections of the constitutions; and rights that are created or recognized in the laws made in pursuance of the states’ and federal constitutions; the Peoples’ (our) reservation of certain authorities and powers that were not delegated to government; and peoples’ exercise of their pre-existing claim to absolute control over their own body, mind, and spirit, “We the People” inherently possess all the authority and power necessary to create private membership associations through contracts that we author, enter and administer.

The bottom line is that whatever you do that is good, moral, naturally right, beneficial to mankind or lawful (regardless of being prohibited by any state or federal statute) communicated or performed in the assertion of and standing upon the above-referenced constitutionally secured rights, within the confines of a PMA, by and between PMA members only, are private contractual matters which are not generally controlled, governed or regulated by Public Law, Regulations or administrative agency Rules.

A PMA is open to the public only for the singular purpose of people joining the PMA.

VERY IMPORTANT: Anyone manufacturing, distributing, selling, recommending, prescribing for use, or using on the public any device, product or procedure which alleviates discomfort or pain or treats, heals or cures any disease, illness or wound in the body, mind, or spirit that has not been approved for that specific use by the FDA, allegedly violates the Food, Drug and Cosmetic Act and should be aware of what happened to James (Jim) Folsom.

In June, 1996 Jim was hired simply as a co-distributor by the developer (Jim did not buy, take over, own or control the manufacturing company) to market the BioSolutions/Global Wellness Plus, Rife-type, bio-resonance instruments.

Some seven years later, in April, 2003 Operation Cure All was conducted by the FDA. During that operation the FDA raided Jim and his frequency instrument enterprise and downloaded all his computer files including research and historical data and seized some 500 machines that were either in the process of being manufactured or that were finished and in inventory mostly awaiting overseas shipping and everything else that the FDA was authorized to seize and take by the search warrant.

After taking and removing the above-referenced property, Jim heard nothing more from the government for almost 5 full years, until just one week before the statute of limitations would take effect in April, 2008 (five years from the date of the search) when he was arrested and charged in 9 counts (actually 26 counts at trial/sentencing) of violating the Food, Drug and Cosmetic Act.

The prosecution falsely claimed that the company, and Jim, made “medical claims” in public advertisements and material that accompanied the machines sold publicly that had not been approved or cleared by the FDA.

The “trial” (a better term would be “incarceration ceremony” - search the Internet using the above-referenced link to find out about the horrors of the “trial”), began on February 4, 2009 and on the 17th, Jim was found guilty on all 26 counts. Nearly thirteen years after being hired by the distributorship!

For his alleged “crimes” of helping people, the prosecutor was seeking the maximum sentence, 140 years of incarceration, which would have kept Jim in prison for the rest of his life.

The only bright spot (If you can call it that) was that at sentencing when, after reading hundreds of letters from people that had received relief from use of the machines that Jim had sold them (that were not allowed in as evidence during the trial) and not even receiving even one letter of dissatisfaction or complaint about being defrauded provided by the prosecution, the judge saw the inequity of the FDA’s position and the prosecution's sentencing recommendation, deemed the sentencing guidelines unusable or inappropriate and imposed a much lighter sentence than the sentence the government was seeking. Jim was sentenced to 51 months of incarceration plus three years of supervised release and fined $250,000.00.

On February 10, 2013, at 72 years of age, Jim was released from incarceration and has recently completed three years of supervised release.

All healthcare practitioners and all providers of healthcare devices, products and services that deal with the public health are subject to the public laws, regulations and rules enacted to protect the public including, but not limited to, the Federal Food, Drug and Cosmetic Act.

Deal only with members of a PMA, privately, in a PMA, in the private domain and you are protected by several rights secured by the state and federal constitutions and you are not, generally, subject to Public Laws such as the Federal Food, Drug and Cosmetic Act.

The only exception to a PMA’s general immunity from the Federal Food, Drug and Cosmetic Act and the FDA’s administration of the law is that neither a PMA nor any PMA member may commit a common law crime or commit any act, make an omission, publish or utter a statement which creates a “clear and present danger that they will bring about substantial evils that Congress has a right to prevent.”

Now that you have at least a basic understanding of the protections afforded by the structure of a PMA, it’s extremely important that you clearly have an understanding of one last fact:

NOT ALL PMAs ARE CREATED EQUAL!

When deciding who you should look to for help in creation and implementing the protections of a properly formed PMA, you must understand that not all PMAs are created equal. Most of the PMAs in operation today are statutory compliant PMAs and the founders are not even aware that they have given up most of the protections afforded to the PMA and its members, putting themselves and their members at risk.

If your foundational paperwork is statutory compliant your PMA still becomes subject to public law and the courts because you have agreed to operate within statutes and codes. These are statutes and codes that should not apply, and they DO NOT apply in the private domain but they have been made a part of the foundation of the PMA.

There are thousands of people across the U.S. that have paid anywhere from $10,000 to $25,000 for the creation of their PMAs and they still have continuing expenses such as membership dues and maintenance fees. Not only have they invested far to much for the creation of their PMA, the result is that they now have a statutory compliant PMA and have overpaid for a PMA that voluntarily gives up most of the protections they were seeking in the first place. Make sure that anyone you look to for assistance knows the difference between a properly formed PMA and a statutory compliant PMA.

We stand ready to help you, your company or organization to envelop yourself/itself in the safe haven of constitutional protections available to members of a PMA.