

State of _____, County of _____ } ss.

**Worker's Verified Statement and Notice to Terminate Form W-4 Agreement (or its equivalent) and
Notice to Revoke Previous Withholding Authorization**

[26 CFR § 31.3402(p)-1, IRS Publication 15 page 14; Publication 505 pgs. 10 and 11; and Publication 515 pgs. 2, 3, 4]

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

Make this document a permanent attachment to the current W-4 (or its equivalent) maintained by Entity.

1. NOTICE TO: Entity name _____,
Attn: _____, _____ title,
Entity address _____
city, state, zip _____ an Entity,
created and organized within one of the United States of America; having no lawful authority to take amounts
from my pay without my explicit, voluntary, written consent.
2. FROM: Worker's name _____,
mailing location _____
city, state, zip _____ an inhabitant
of one of the United States of America; and not consenting to have amounts taken from my pay without my
explicit, voluntary, written authorization.
3. I am at least 18 years old and competent to testify to the facts stated herein based on my knowledge.
4. This verified Statement is in reference to working for the Entity, regarding the disclosure of a social security
number; completion of government forms; unauthorized taking amounts from pay for all federal and/or state
government taxes, programs, insurance and trusts, including non-judicial levies, garnishments, offsets, interest or
penalties.
5. Upon my review of this document, I have determined I have fully complied with the law, including all applicable
federal and/or state statutes and regulations.
6. **This is my OFFICIAL NOTICE AND DEMAND to the Entity to immediately discontinue taking amounts
from my pay without my voluntary, explicit, lawful consent.**
7. I have based my determination on the following facts and law:
 - A. The law **[26 CFR § 31.3402 (p)-1 Voluntary Withholding Agreements]**....(a) An employee *who desires
to enter into an agreement for withholding.....shall furnish his employer with Form W-4 (or equivalent)
for withholding and (b)(2) Either the employer or the employee may terminate the agreement by
furnishing a signed written notice to the other....*
 - B. Pursuant to **26 USC § 3402(p)(3)(A), § 5517 and 31 CFR §215.2(n)(1)**, I do not consent to
enter into a voluntary withholding agreement with the Entity nor do I voluntarily elect to have amounts

- 1 taken from my pay for federal and/or state taxes, social security, other governmental insurance programs
2 or welfare programs.
- 3 C. Pursuant to **26 CFR § 31.3402(p)-1(b)(2)**, either the Entity or the worker may terminate the withholding
4 agreement (or its equivalent) at any time, by furnishing a signed, written notice to the other.
- 5 D. *"The Company is not authorized to alter the form [W-4 or its equivalent] or to dishonor the worker's
6 claim. The certificate goes into effect automatically"* (U.S. District Court Judge Huyett, **United States v.**
7 **Malinowski**, 347 F. Supp. 352 in 1992).
- 8 E. *"... the withholding party is not responsible for misstatements made on form (W-4 or equivalent) by an
9 owner of income and hence would not be liable for tax which should have been withheld. Defendants
10 manifest courtesy as to whether the plaintiff would pay tax ... but this is none of their concern."*
11 **Holmstrom v. PPG Industries**, 512 F.Supp 552, 554 DC WD Pa. 1981. Also see: **Murray v. City of**
12 **Charleston** 96 U.S. 432 (1877).
- 13 F. The current Form W-4 (or its equivalent) in the Entity's possession was submitted pursuant to IR Code
14 **§3402(n)**. It was not filed voluntarily. Its submittal was compelled as a condition of being hired by the
15 Entity. When I did not complete and sign it, I may have unlawfully been refused work or to be paid; or I
16 could have been wrongfully terminated.
- 17 G. I am a **"Protected Individual"** as defined at **8 USC §1324b(a)(3)(A)** and I cannot be compelled to
18 submit any specific government documents or to disclose a social security number as a condition of
19 being hired by or maintaining a position with the Entity.
- 20 H. Pursuant to *Department of Justice Form I-9* (or equivalent), it is illegal to discriminate against work
21 eligible men and women. Entities CANNOT specify which document(s) they will accept from a worker
- 22 I. In the landmark decision of **EEOC v. Information Systems Consulting CA3-92-0169T U.S.D.C.**
23 **Northern District of Texas Dallas Division**, Entities cannot discriminate against applicants or workers
24 for failure to obtain or disclose a social security number.
- 25 J. No law requires a worker to file a Form W-4 (or its equivalent). In **U.S. v. Mobil Oil Co., 82-1 USTC**
26 para. 9242, **U.S.D.C. ND Tex. Dallas 1981 CA. 3-80-0438-G**, the court ruled that an Entity does not
27 even have to send a W-4 Form or other employment forms to the Internal Revenue Service unless served
28 with a judicial court-ordered summons to do so.
- 29 K. It is my understanding, pursuant to **IRC §6041(c)**, I am only required to furnish my name and address
upon demand of the Entity. No social security number is required by statute.
- 30 L. According to State statute, no city, county, city and county, governmental subdivision, district, public
and quasi-public corporation, municipal corporation, whether incorporated or not or whether chartered
or not, shall levy or collect or cause to be levied or collected any tax upon the income, or any part
thereof, of any person, resident or nonresident.
- 31 M. Absent a valid, order executed from a court of competent jurisdiction, the Entity has no lawful authority
to take amounts from my pay for non-judicial garnishments, levies, interest and/or penalties without my
written consent. I do not consent to any such taking from pay.
- 32 N. I do not consent to participate in any federal and/or state offset program regarding government
liabilities, debts or obligations. I do not consent to taking from pay for any offsets.
- 33 O. Under **IRC §6301**, the Entity, acting as a "tax collector," has not provided evidence of having a written
delegation of authority from the Secretary to collect from me, the taxes imposed by the internal revenue
laws. No implementing regulation exists under 26 CFR.

- P. Under **IRC §6201**, the Entity, acting as an “assessment officer,” has not provided evidence of having a written delegation of authority from the Secretary to make inquiries, determinations and assessments against me for the taxes (including interest, additional amounts, additions to the tax, and assessable penalties) imposed by 26 USC. No implementing regulation exists under 26 CFR.
- Q. The authority of a **Withholding Agent** (defined in **§§7701(a)16, 26CFR §301.7701-16**) to withhold from one's pay or remuneration (**IRC §§1441, 1442, 1443**, and specifically in **26 CFR §1.1441-7**) applies to nonresident aliens. It does not apply to me.
- R. A **Withholding Agent** is required to have the specific **Form 2678** on file with the IRS to be legally authorized to withhold from my earnings for the IRS, or a **Form 8655 Reporting Agent Authorizing Certificate** from the Treasury Financial Management Service.
- S. The Entity has not provided evidence of having executed any forms 2678 or 8655 specific to me. This is significant as this is the only authority to withhold by a **Withholding Agent** as found in the law, and does not apply to me, since I am not a nonresident alien nor a foreign fictitious Entity. The Entity therefore has no filing or reporting requirement specific to me.
- T. The published policies of the IRS in *Publication 515 pages 2, 3 and 4* are clear in explaining that I am not subject to withholding of the income tax imposed in Subtitle A, and not subject to the jurisdiction for federal or state withholding.
- U. Should the IRS assert that the **Form 2678** and *Publication 515* only applies to withholding from nonresident aliens, the Entity should seek an explanation as to what Form the federal government requires an Entity to have on file to be an authorized Withholding Agent regarding my rights and protections by both the Constitution for the united States of America and/or State Constitutions and/or Bill of Rights, unlike nonresident aliens who are under the charge of the federal government through their visa from the U.S. State Department.
- V. State-federal agreements for administration of qualified state income taxes are authorized by **Part 215 of 31 CFR**. The authority applies exclusively to federal government agencies and personnel; it does not extend to general population in States of the Union. Pursuant to **31 CFR § 215.9** and **26 USC Subtitle A**, unless I voluntarily give written consent to have sums withheld, the Entity lacks lawful authority to take amounts from my pay. I do not give my consent.
- W. Neither the Entity nor the State have provided any evidence of having entered into a Standard Agreement with the Secretary of the Treasury and Fiscal Assistant Secretary (or his delegates) pursuant to **31 CFR Subpart B-Standard Agreement §215.6** specific to me, regarding withholding for taxes from my earnings. I did not give my consent to the Entity to take amounts from my pay. The company compelled me to file Form W-4 (or its equivalent).
- X. Neither the Entity nor the State have provided any evidence of having entered into a **Section 218 Voluntary Agreement** for coverage of social security specific to me, pursuant to **42 USC 418**. I did not agree in writing to participate in any federal and/or state social insurance (trust) program. I do not consent to have amounts taken from my pay for social security coverage.
- Y. I do not derive Subtitle A wage Gross Income (**IRC §§ 61, 911, and 26 CFR §§1.861-4, 1.61-2**) and my remuneration does not constitute wages for withholding purposes under **IRC §3401(a)(8)(A)(i)**.
- Z. I do not derive taxable income as defined in **26 CFR §1.863-1(c)** from a taxable source defined in the operative section of **26 CFR §1.861-(f)(i)**. I am not engaged in a revenue taxable activity, event, or commodity. I am outside the venue and the jurisdiction of **26 USC** and **26 CFR**.
- AA "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." ***Miranda v. Arizona, 384 U.S. 436, 491.*** Federal and/or state withholdings from my remuneration can only be accomplished by giving my voluntary consent. I do not consent.

1 This statement establishes my earnings are "excluded" with respect to Federal income taxes imposed under
2 subtitle A of the Code, pursuant to **26 CFR § 31.3402(n)-1** certifying that:

- 3 1. I incurred no liability for income tax imposed under subtitle A of the Code for the preceding year;
4 2. I anticipate I will incur no liability for income tax imposed under subtitle A for the current year;
5 3. I have a right to a full refund of all amounts withheld without my voluntary consent.
6 4. Pursuant to **26 CFR §31.3402(p)-1, I DO NOT CONSENT** to have amounts taken from my pay.

7 With respect to **Internal Revenue Code § 3101, Federal Insurance Contributions Act** (commonly known as
8 Social Security), this also establishes my "non-covered worker" status certifying that:

- 9 1. I do not derive income taxable under **26 USC § 3101** and am therefore classified as "non-covered" worker;
10 2. I have never been made liable for any such tax pursuant to **26 USC § 6201**;
11 3. I have never been issued any lawful assessment for any such tax, pursuant to **26 USC §6203**;
12 4. Pursuant to **26 USC § 3402(p)(3) I DO NOT CONSENT** to have amounts taken from my pay.

13 **NOTE:** Let me further remind the Entity that no computer-generated IRS letter or contrary advice from a tax
14 professional or an attorney shall abrogate or supercede my sworn statement and the clear language and intent of the law as
15 shown herein. Based on the law and facts, the Entity lacks legal authority or basis for withholding any federal or state
16 "income" taxes, "employment" taxes, "social security" deductions or excises from my pay without my written consent.

17 **The Entity will rely upon this verified statement to immediately cease and desist unlawfully taking amounts from**
18 **my pay absent my voluntary, written consent.**

19 Should the Entity decide to continue to deprive me of my personal property (pay) for any reason other than a
20 judicial order issued by a court of competent jurisdiction, I will pursue all available remedies to protect my rights and my
21 property.

22 IN WITNESS, WHEREOF, I solemnly affirm, I have read the foregoing, and know the contents thereof to be true to the
23 best of my knowledge, except as to the matters which are therein stated on my information or belief, and as to those
24 matters, I believe them to be true. This instrument is submitted upon good faith effort that it is grounded in fact, warranted
25 by existing law for the modification or reversal of existing law and submitted for proper purposes, and not to cause
26 harassment and unnecessary delay or costs.

27 All rights reserved under the law.

28 Date _____ Signed _____
(Worker's signature)

ENTITY: Attach this document to the current Form W-4 (or its equivalent) in the records you maintain on me.
This document is to remain a permanent record in my files.

ACKNOWLEDGMENT

Subscribed and affirmed to before me, _____, a Notary Public, this _____
day of _____, 2003, that the above-named person did appear before me and proved to be the
person executing this document. My commission expires: _____

_____, Notary Public