

PAYROLL WITHHOLDING FORM-LONG

FORM INSTRUCTIONS

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Source: <http://sedm.org>

1. PURPOSE OF THIS FORM

- 1.1. This form is intended to be provided to private companies by workers who are either being hired for the first time or who are changing their payroll withholding and reporting status.
- 1.2. This form is only intended for use by those who consent unconditionally and comply fully with the SEDM Member Agreement:
<http://www.sedm.org/Membership/MemberAgreement.htm>
- 1.3. This form is for use by human beings who lawfully want to avoid participation in federal income tax withholding and reporting. In other words, they don't choose to volunteer to become "taxpayers" and have the I.R.C. enforced against them.
- 1.4. This form is derived from the *Federal and State Tax Withholding Options for Private Employers* book at the address below. It is found within that book as FORM 8 in section 26.8.
<http://sedm.org/Forms/FormIndex.htm>

2. PREPARATION INSTRUCTIONS:

- 2.1. If you haven't already, read our article, which describes how to immunize yourself from violations of law by the IRS: *Techniques for Building a Good Administrative Record*, Form #09.008
<http://sedm.org/Forms/FormIndex.htm>
- 2.2. Examine the beginning of the form and decide which attachments you want to include.
- 2.3. Download the attachments from the SEDM Forms page:
 - 2.3.1. Enclosure 1: Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001
<http://sedm.org/Forms/FormIndex.htm>
 - 2.3.2. Enclosure 2: Tax Form Attachment, Form #04.201
<http://sedm.org/Forms/FormIndex.htm>
 - 2.3.3. Enclosure 3: AMENDED IRS Form W-8BEN, Form #04.202
<http://sedm.org/Forms/FormIndex.htm>
 - 2.3.4. Enclosure 4: Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number", Form #04.205
<http://sedm.org/Forms/FormIndex.htm>
 - 2.3.5. Enclosure 5: AMENDED IRS Form W-4
<http://famguardian.org/TaxFreedom/Forms/IRS/IRSFormsPubs.htm>
- 2.4. Fill in the name of the private company and private worker at the beginning.
- 2.5. Sign this form.
- 2.6. At the end of the associated employment agreement, write:

"Not valid without attached signed and dated Payroll Withholding Form-Long."

- 2.7. Submit a copy to private company. Keep the original for your records.
- 2.8. The following form provides a less confrontational method for handling withholding and reporting, which we highly recommend:

New Hire Paperwork Attachment, Form #04.203

<http://sedm.org/Forms/FormIndex.htm>

3. RESOURCES FOR FURTHER STUDY:

- 3.1. *Federal and State Tax Withholding Options for Private Employers*, Form #09.003
<http://sedm.org/Forms/FormIndex.htm>
- 3.2. *Non-Resident Non-Person Position*, Form #05.020.
<http://sedm.org/Forms/FormIndex.htm>
- 3.3. *Federal Enforcement Authority Within States of the Union*, Form #05.032. Proves that the IRS cannot lawfully penalize a person domiciled in a state of the Union who is not party to the franchise agreement codified in Subtitle A of the Internal Revenue Code.
<http://sedm.org/Forms/FormIndex.htm>
- 3.4. *"Taxpayer" v. "Nontaxpayer": Which One are You?*. Proves that the I.R.C. is a franchise agreement that is private law that only applies to those who explicitly or implicitly consent. Those who are parties to the agreement are called "taxpayers".
<http://famguardian.org/Subjects/Taxes/Articles/TaxpayerVNontaxpayer.htm>

- 3.5. *Who are “taxpayers” and who needs a “Taxpayer Identification Number”*, Form #05.013
<http://sedm.org/Forms/FormIndex.htm>
- 3.6. *Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017. Shows how the government abuses presumption to prejudice and destroy your constitutional rights. This is done mostly using the words of art that this form redefines in such a way that they benefit rather than hurt you.
<http://sedm.org/Forms/FormIndex.htm>

PAYROLL WITHHOLDING FORM ATTACHMENT

Attachment(s): (initial all that apply)

Check	Title	Mandatory ?	Enclosure #
<input type="checkbox"/>	Affidavit of Citizenship, Domicile, and Tax Status	Yes	1
<input type="checkbox"/>	Tax Form Attachment	Yes	2
<input type="checkbox"/>	IRS Form W-8/W-8BEN	Yes	3
<input type="checkbox"/>	Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number"	Yes	4
<input type="checkbox"/>	IRS Form W-4 Submitted under unlawful duress. For details, see section 4 later.	No	5
<input type="checkbox"/>	State withholding form number: _____ State name: _____	No	6

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WARNING: This submission shall be considered invalid, null, and void *without* this attachment and all other forms attached to it.

1. PURPOSE

The purpose of this submission is to completely and unambiguously describe my tax status for the payroll person who will process all tax withholding and reporting forms connected with the business relationship between me as a private worker and the company that is in receipt of this form. Exhibits indicated in the table at the beginning of this submission are described below:

1. Exhibit 1: Affidavit of Citizenship, Domicile, and Tax Status. Establishes my tax status and all the withholding and reporting requirement applicable to that status.
2. Exhibit 2: Tax Form Attachment. Defines all the terms on any attached government forms and contains a franchise agreement obligating only the government if they receive any portion of this submission.
3. Exhibit 3: IRS Form W-8/W-8BEN. Documents my status as a "nonresident alien" who has no requirement to either withhold or report my earnings to the IRS.
4. Exhibit 4: Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number. Establishes why it is illegal for me to request or use a Taxpayer Identification Number. It is provided to explain why no TIN is provided with this submission.
5. Exhibit 5: IRS form W-4 Submitted Under Unlawful Duress. Provided ONLY in the event that you, the recipient illegally either threaten to fire or not hire me for failure to provide IRS Form W-4. Section 4 establishes why it is submitted under duress.
6. Exhibit 6: State tax withholding forms. Contains any relating state tax withholding or reporting forms.

1 **2. INDEMNIFICATION OF LIABILITY TO COMPANY IN RECEIPT OF THIS NOTICE**

2 The worker who is submitting this form to his private company makes the following stipulations and promises relating to
3 income tax withholding and administration by the private company:

- 4 1. Worker indemnifies private company against any lawsuits arising from the misapplication of the internal revenue laws of
5 the United States relating to withholding against worker, provided that it honors the withholding forms submitted here.
- 6 2. Worker has repeatedly contacted the IRS about the validity of the approach documented here and has never been provided
7 with a statute and/or implementing regulation that contradicts any of it.
- 8 3. Worker has diligently made a good-faith effort to ensure that everything appearing in this attachment and the
9 accompanying withholding forms are consistent with the Internal Revenue Code and will *not* result in any liability of the
10 private company to the IRS.
- 11 4. If IRS inquires about withholding or tax forms or worker, worker will gladly meet with them during *off-duty time*, answer
12 all their questions, and work in good faith to resolve any disputes over compliance with the law. Private worker will also
13 provide a written record of any and all dialog to private company immediately after it occurs.

14 In return for these valuable considerations, worker simply asks that private company:

- 15 1. Not remove or destroy any of the withholding forms and attachments submitted.
- 16 2. If it submits any of the withholding forms to the IRS, it provides all of them, rather than a subset of them. For instance, if
17 both a W-4 and a W-8Ben form were submitted by the worker to the private company, then both of the forms plus this
18 attachment must be sent to the IRS.
- 19 3. Not terminate him/her or refuse to hire him/her because of his stance on withholding issues, social security numbers,
20 citizenship status as a “non-citizen national”, or tax status as a “nonresident alien” who is NOT an “individual”.
- 21 4. Not honor any IRS “Notice of Levies”, but only valid court orders signed by a judge as required by the Fifth Amendment
22 to the U.S. Constitution.

23 **3. FORM W-8/W-8 BEN NOTES (if attached):**

- 24 1. Unlike the IRS form W-4 Exempt, the W-8 and W-8BEN forms need not be submitted to the IRS. It says so right on the
25 form. The top of the form says "Do not send to the IRS", and this applies to the private company as well as the submitter.
- 26 2. The W-8 or W-8BEN forms remains in place for a three year period or until rescinded by the submitter. Unlike the IRS
27 form W-4 Exempt, this form DOES NOT expire in February of every year. Acceptance of this form by the recipient
28 implies understanding of this. Any attempt to re-institute withholding by expiring this form incorrectly as a W-4 would
29 expire shall be interpreted as willful conspiracy to commit grand theft in violation of [18 U.S.C. §2111](#).
- 30 3. If the recipient or the IRS request any changes to this attachment or the attached W-8 or W-8BEN form, then the legal
31 authority for demanding such a change is specifically requested. A specific statute and accompanying regulation
32 authorizing you to refuse to accept this form or to demand the submitter to make changes must be cited or a replacement
33 will not be provided because the law does not authorize you to refuse this submission or to apply duress by not receiving
34 this form and thereby surrendering my property to a third party without authority of law and in violation of the Fifth
35 Amendment. Furthermore, refusal to accept this form constitutes a violation of the First Amendment to the U.S.
36 Constitution, which says we have a right to decide where, when and HOW we wish to communicate with our government.
37 Since you, the recipient, are acting as a compelled and involuntary and uncompensated agent of the federal government in
38 executing and processing this form, then the same constitutional restrictions that apply to the federal government must
39 apply to the recipient/private company.

40 **4. FORM W-4 NOTES (if also attached):**

- 41 1. It would constitute perjury under penalty of perjury for me to sign or submit IRS Form W-4 instead of the W-8 attached
42 because it is the incorrect form. You will note that the title says:

43 *“Employee’s Withholding Allowance Certificate”*

44 The W-4 form and all the federal regulations pertaining to submission and treatment of form W-4 only apply to “public
45 officers” of the United States government, as defined in [26 U.S.C. §3401\(d\)](#) and 26 CFR §31.3401(c). Me being
46 compelled to commit fraud by you in submitting the Form W-4 incorrectly and fraudulently makes monies received by me,
47 which are not “income” as defined by the Supreme Court, into “gross income” under 26 CFR §31.3231(e)-1 as follows:

48 *26 CFR Sec. 31.3231(e)-1 Compensation.*

49 *(a) DEFINITION.*

1 (1) The term compensation has the same meaning as the term wages in section 3121(a), determined without regard
2 to section 3121(b)(9), except as specifically limited by the Railroad Retirement Tax Act (chapter 22 of the Internal
3 Revenue Code) or regulation. The Commissioner may provide any additional guidance that may be necessary or
4 appropriate in applying the definitions of sections 3121(a) and 3231(e).

5 (2) A payment made by an employer to an individual through the employer's payroll is presumed, in the absence
6 of evidence to the contrary, to be compensation for services rendered as an **employee** of the employer.

7 This attachment is submitted to not only nullify the W-4 creating the false presumption above and also to replace it with
8 the correct W-8 form, but also to overcome the presumption established above that I am either an "employee" or that the
9 monies I make are "income" or "gross income" as defined in [26 U.S.C. §61](#).

- 10 2. In the event that you will not accept the W-8 form attached, a W-4 form will also be attached annotated conspicuously
11 with the words:

12 *"Not valid without attached W-8/W-8BEN form and statement."*

13 The submitter believes that both the private company who is receiving this withholding form and the submitter are under
14 unlawful duress by the IRS, which has obviously been mis-enforcing the Internal Revenue Code and thereby violating the
15 Constitution. This duress renders both parties "not liable" for the accuracy of any withholding information they submit to
16 the IRS. IRS is hereby put on notice that the information submitted cannot and should not be relied upon unless and until
17 the unlawful duress is removed and the IRS once again follows the internal revenue laws by stopping its illegal enforcement
18 activity. As I have said, the W-4 form is not the correct form because I am not an "Employee" under [26 U.S.C. §3401\(d\)](#) or
19 26 CFR §31.3401(c)-1 and compelling me without explicit authority of law to falsely claim that I am an "employee" is an
20 unconscionable and criminal infringement of my property rights and free speech by the IRS. All such duress is illegal and
21 attributable only to the agent instituting the duress, and not the actors responding to it by complying. Because the IRS did
22 the compelling, this withholding form and attachment now asks the IRS to apply any penalties resulting from submitting a
23 W-4 to itself.

- 24 3. Duress has been applied to me in the submission of the W-4 form, if it is attached, because of the following considerations
25 and additional others not mentioned:

- 26 3.1. I have grave anxiety about losing my job if I don't submit this form and I know other people who have indeed lost
27 their job by attempting what I am doing.
28 3.2. I have grave anxiety about being slandered or harassed by my private company for submitting either a W-8 form or
29 an Exempt W-4 form, and having my evaluations or my pay raises jeopardized if I don't comply, even if it is against
30 everything that I believe it. I either have to commit fraud at gunpoint just so I can feed my family or I have to lose
31 everything. The choice is:

32 *"Extreme bravery or lifelong slavery."*

33 I believe that no man should ever be put into such a precarious and very damning situation and any government that
34 would do that to the very citizens who it is there to serve and protect is not only hypocritical, but extremely unjust.

35 **5. ACKNOWLEDGMENT OF RECEIPT BY OR DELIVERY TO PRIVATE COMPANY:**

36 The information appearing below identifies the private company in receipt of this form and all other attached withholding
37 paperwork indicated in the checklist at the beginning. Acknowledgment of receipt allows worker to produce legally admissible
38 evidence that the he/she was under duress by the IRS and state taxing authorities but not the private company, did not submit this
39 information and/or Social Security Number voluntarily, and may therefore not be held responsible for its content. The only legal
40 person responsible when duress exists is the person instituting the duress, which is the IRS and/or state taxing authorities. This
41 evidence will be used by the worker in resolving any disputes with the IRS or state taxing authorities only and may not be used
42 for any other purpose. This acknowledgment in no way obligates the private company to anything other than testifying that they
43 received the attached withholding information and are using it for the person who submitted it.

Process server certification/identity

I certify that this document was personally delivered to the recipient appearing below by me on the date indicated by (check one):

- Dropping in U.S. postal mail
- Certified mail #: _____
- Personally delivering document to the address shown

Date delivered: _____

Signature: _____ Date: _____

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Work Phone: _____

Address/identity of recipient

Recipient name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Work Phone: _____

Notary Jurat

BEFORE ME, the undersigned authority, a Notary Public, of the County of _____, Republic of _____ (statename), this _____ day of _____, 20____, _____ mailer/process server did personally appear and was identified by driver's license and who, upon first being duly sworn and/or affirmed, deposes and says that the foregoing is true to the best of his/her knowledge and belief.

WITNESS my hand and official seal.

Signature: _____

Notary Public

My Commission Expires On: _____

1 **ENCLOSURE (1): AFFIDAVIT OF CITIZENSHIP, DOMICILE AND TAX STATUS**

2 This enclosure establishes my tax status and all the withholding and reporting requirement applicable to that status.

1 **ENCLOSURE (2): TAX FORM ATTACHMENT**

2 This enclosure defines all the terms on any attached government forms and contains a franchise agreement obligating only the
3 government if they receive any portion of this submission.

1 **ENCLOSURE (3): IRS FORM W-8/W-8BEN**

2 This enclosure documents my status as a “nonresident alien” who has no requirement to either withhold or report my earnings to
3 the IRS.

1 **ENCLOSURE (4): WHY IT IS ILLEGAL FOR ME TO REQUEST OR USE A “TAXPAYER IDENTIFICATION**
2 **NUMBER”**

3 This enclosure establishes why it is illegal for me to request or use a Taxpayer Identification Number. It is provided to explain
4 why no TIN is provided with this submission.

1 **ENCLOSURE (5): IRS FORM W-4 SUBMITTED UNDER UNLAWFUL DURESS**

2 This enclosure is provided ONLY in the event that you, the recipient illegally either threaten to fire or not hire me for failure to
3 provide IRS Form W-4. Section 4 establishes why it is submitted under duress.

1 **ENCLOSURE (6): STATE TAX WITHHOLDING FORMS**

2 Contains any relating state tax withholding or reporting forms.