

More Than a Paycheck REFUSING to PAY for WAR

August | September 2013



30 Years of Resistance

To Pay or Not To Pay: The Social Security Debate

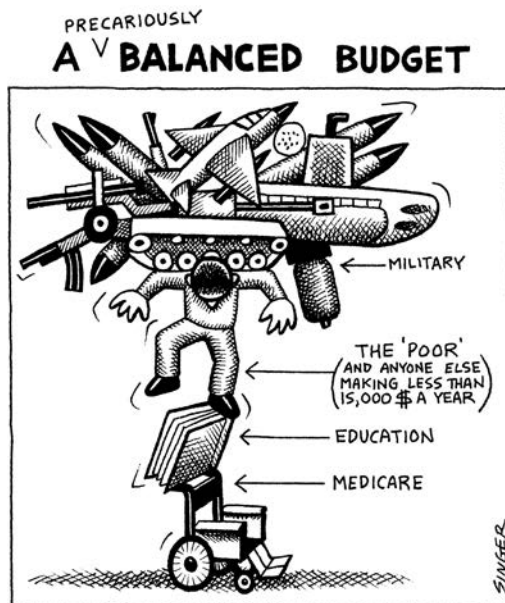
Why I Pay

By Ruth Benn

Until 2001 my working life was mostly as an employee. I received a W-2 for my work at the end of the year. This meant that Social Security and Medicare taxes were automatically taken out of my paychecks, and there was no opportunity to resist those taxes. It's possible to adjust allowances for federal income taxes on a W-4 form and stop federal tax withholding, but it is not possible to stop what also appears as "FICA" (Federal Insurance Contributions Act) on the paycheck, because Social Security and Medicare taxes are set percentages.

When I shifted to mostly self-employment after 2001, I could make the choice about whether or not to file quarterly and whether or not to pay into Social Security. Because I had more than three decades of employment, qualifying for Social Security when I reach retirement age was not an issue. You need 40 quarters or about 10 years of employment. Social Security earnings statements are based on reported earnings (by your employer or yourself if self-employed), not what you pay in. I had been "in the system" for many years before I became a war tax resister in my 30s, so I was in the habit of filing and have continued to file even as I resist federal income taxes. Social Security (self-employment tax) is a separate line on the 1040.

For me the focus has always been to protest the federal income tax. The individual income tax remains the greatest source of federal revenue that is divided up for federal spending such as education, health and human services, and the military, and the issue of half of that going to the military was what got me into war tax resistance in the first place. I have always supported some kind of guaranteed income for people in need, which in this country during my lifetime has only been guaranteed to retirees through Social

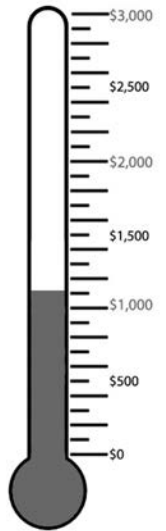


Used with permission of Andy Singer, andysinger.com.

Push the Mercury Up

It's a hot summer, but we're trying to make our Summer Fund thermometer rise to the top anyway. As of this writing we're just above one-third of our goal of \$3,000 by August 31. If you can help, please click on the thermometer at

nwtrcc.org, or mail checks to NWTRCC, PO Box 150553, Brooklyn, NY 11215. For tax deductible donations, please make your check out to ROSC. Your donations help to close the gap between our expenses and income and send NWTRCC into fall in good shape. Thank you! •



This fall,
get together with
other war tax resisters.
See page 6.



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More Than a Paycheck: Refusing to Pay for War is a bimonthly publication of the National War Tax Resistance Coordinating Committee, a clearing-house and resource center for the conscientious war tax resistance movement in the United States. NWTRCC is a coalition of local, regional and national affiliate groups working on war tax related issues.

NWTRCC sees poverty, racism, sexism, homophobia, economic exploitation, environmental destruction and militarization of law enforcement as integrally linked with the militarism which we abhor. Through the redirection of our tax dollars, NWTRCC members contribute directly to the struggle for peace and justice for all.

Subscriptions are \$15 per year.

NWTRCC

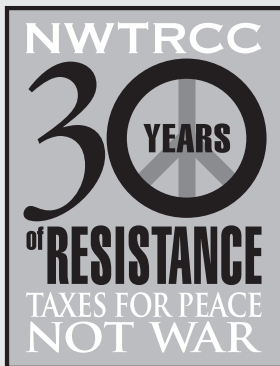
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Counseling Notes

55% Social Security Levy

Ouch! Up until a few weeks ago everyone that we knew of who was undergoing an IRS seizure from their Social Security payment had a 15% automatic levy under the Federal Payment Levy Program. Cathy Deppe's profile on the back cover of this issue mentions the current seizure by the IRS of 55% from her Social Security payments. She and NWTRCC's legal advisor looked into this and found documentation that such a levy under the Manual Program and ordered by a collection officer should be a one-time only levy. However, in Cathy's case they are treating it as a standing levy until the debt is satisfied. Investigation and appeal on this topic is ongoing. We'd like to hear of any other experiences with the manual levy at rates higher than 15%. Please contact the NWTRCC office if you have had an experience with this.

Frivolous Penalties: Some Good News

More than a year ago a complaint was submitted to the Systemic Advocacy Management System, part of the Taxpayer Advocate Service. The complaint questioned the warning letters or application of the frivolous filing penalty (IRS Code, Section 6702) when a filer has enclosed a letter of protest with their accurate form (with or without refusal to pay). A Program Analyst researched the issue and spoke directly with a few war tax resisters who had received a warning letter or the \$5,000 penalty. In May, the researcher reported that the IRS Chief Counsel had issued a memo which clarifies the policy for IRS employees who have any role in the process of declaring a filing frivolous. The results are very much in our favor on this point: that enclosing a letter that explains either a protest of or refusal to pay war taxes with an accurate 1040 form should not fall into the frivolous category. This applies whether or not the person is refusing to pay any tax due. We were sent a copy of the memo from the Chief Counsel, but apparently it has undergone some (hopefully minor) changes before it is issued officially. The employee in the Taxpayer Advocate Service that we have been in touch with says, "In the meantime, if you have folks who were improperly asserted the penalty they should send in a request for an abatement to the frivolous penalty program: Internal Revenue Service, Attn: FRP M/S 4450, 1973 N. Rulon White Blvd., Ogden, UT 84404. The request should be submitted on IRS Form 843.

The case of "Vicki Aldrich vs. the IRS Frivolous System" has been mentioned in this newsletter before, but the end of her story is that her Form 843 Request for Abatement was 100% successful. After months of arguing with the IRS about the improper application of the \$5,000 frivolous filing penalty, she settled on paying them \$500, which the IRS took from an account along with an additional \$200. In mid-June she reported, "In May we come home to find there was a message on our answering machine that said; 'the IRS has agreed to drop the penalty, a check will be in the mail this Friday.' I received two checks, one for the \$200 and one two weeks ago for the \$500. Both had added interest." Hooray! •

Many Thanks

To these groups for their affiliate dues support:

Michiana War Tax Refusers

Christian Peacemaker Teams

Western Washington FOR

War Resisters League National Office

Thanks to everyone who has donated in response to our Summer Fund appeal, which has been promoted mostly by email and on our website.

Many of our readers are shifting to reading our newsletter and other resources online, so we are in the process of figuring out how to encourage those internet users to support the organization that provides the resources. Your ideas about online fundraising are welcome.

Network Updates

The latest Network List of Affiliates, Area Contacts, Counselors, and Alternative Funds is on the NWTRCC website, nwtrcc.org/contacts_counselors.php.

You may also request a printed list by mail from the NWTRCC office at nwtrcc@nwtrcc.org or 1-800-269-7464.

Security. As far as I can tell it is a system that has worked pretty well—though for many people it is still more like guaranteed poverty than a livable income. I would like to see the Social Security system survive and provide a higher payment for people who do not have additional retirement funds to supplement their monthly check. There is much that needs to be done to offer the not-wealthy elderly decent food, clothing, and shelter.

I write my money order to “Social Security Administration,” but it gets sent to the IRS, and I am aware that the actual dollars that I pay are probably tainted. It is still the practice that bookkeeping accounts for Social Security payments to the Trust Fund even as the government throws all the money together. As a war tax resister I wanted to show support for an important federal program while making my protest of war through income tax resistance. I hate to see Congress and the administration demanding cuts to programs that benefit many people in need because they have run up budget deficits for their wars. My demand is that they stop comingling Social Security money with the general fund and make caring for people a higher priority than killing people.

The Case(s) Against Paying In

By David M. Gross

When I started my tax resistance in 2003, I resisted the federal income tax but continued to pay the self-employment tax, or SECA (which, along with the payroll tax, or FICA, is what is commonly called the “social security tax”). A few years later I began resisting that tax as well because when I looked at how the government actually spends our money, I saw little meaningful distinction between the two.

Congress has taken the money it raises through SECA/FICA and has spent it on the military, and it has also taken money from the general fund to pay Social Security and Medicare benefits (for instance in recent years when the government temporarily lowered the SECA/FICA tax rate as a stimulus measure). To Congress, it’s all one big pile of money, and it’s only their collective whim that decides where any particular dollar of it goes.

The idea that the money raised through SECA/FICA is spent only for a benign social safety net turns out, alas, to be a fiction. SECA/FICA is a war tax just as much as the federal income tax or the telephone excise tax. If we are war tax resisters because we conscientiously object to paying for war and militarism, it is important that we not be fooled by the name that the politicians give the tax, but that we follow the money and see what it funds.

(On the other hand, if you are a war tax resister as a means of making a symbolic protest, the symbolism of the way the tax is named may very well be important to you. I understand why some people take steps like only resisting the phone tax, or only resisting 50% of their income tax, and so forth.)

There is another pernicious effect of considering SECA/FICA to be insulated and distinct from the rest of the government’s taxing-and-

For those who are self-employed and file with the IRS, these two lines on the back of the 1040 represent the two taxes discussed in this article.”

spending: SECA/FICA is a regressive tax. It hits the poor harder than the rich by not taxing interest and capital gains and by not taxing any income above a certain threshold. When you consider SECA/FICA to be just a particularly regressive component of the income tax, as I think you should, you are better equipped to combat the familiar talking points about the income tax system being rigged against the wealthy.

Most American households pay more SECA/FICA than federal income tax. About 37% of them pay no federal income tax at all – do we want to send them the message that war taxes are not an issue for them? that they don’t have to worry about paying for war with their taxes?

Some of our outreach material (including, unfortunately, the useful and popular WRL pie chart flyers) reinforces the idea that there is some sort of firewall between SECA/FICA and the rest of the taxes that fund the government. I think we might want to reconsider this, as it is misleading and may be harmful to our cause.

Security With and Without Community

By Susan Miller

When my father died in 1955 we never got any Social Security since farmers at that time (or before that) could choose to pay or not. He may have paid a little, but didn’t have enough (or any) credits toward us getting any help.

Amish church members have an exemption to paying—or receiving—Social Security since they care for their own people. Seems like anyone in a large enough community like Catholic Worker could get along without these benefits.

I’ve always been willing to pay for Social Security and Medicare and hope that the laws for it don’t get changed too much. Medicare has been a blessing for me since I’ve only had paid benefits from working at a job in the U.S. for six years.

Like Ruth, I object to Congress borrowing money from the trust funds, illegally and immorally, to fund the war budget. A couple times when we as a family owed income tax, I’d write the check to Social Security. It was basically a symbolic gesture, however, I felt okay about it. I’ve never

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Tax Resistance Ideas and Actions



"It's better to light up a few IRS forms, than to curse the darkness of war," proclaimed Lyn Chabot, Michael McCarthy, Jesse Castillo, and Ande McCarthy on July 3 on a public green in Port Huron, Michigan. They declared "Independence from War Tax Day—Check your W-4 on July 4th to Convert War Tax to Peace Tax April 15th." After prayers and singing, Michael and Lyn burned IRS 1099 and W-4 forms. The ashes fell into a glass bowl of blue water, symbolizing "our efforts to minimize prepayment of federal income taxes that go to war and redirecting some of that to community service, job creation, and peace projects in the Blue Water area—or farther away—whatever conscience inspires on April 15." See more photos and the full story on Mike McCarthy's blog at mccarthysweekly-paxvobiscum.blogspot.com. Do you have a similar, creative action idea for talking about war taxes on days other than tax day?

Photo by Marty Habalewsky.



Happy 90th Birthday, Juanita

Mentor to many and one of the founders of the modern war tax resistance movement, Juanita Nelson hits 90 years on August 17. Think of her on that day by reading or re-reading her wonderful essay, "A Matter of Freedom." It's online at nwtrcc.org/matter-of-freedom.php, or order a copy for \$2 (postpaid) from the NWTRCC office. If you'd like to send a greeting, mail cards to Juanita Nelson, 273 Shelburne Line Rd., Colrain, MA 01340-9744.

Juanita as a toddler and in June 2012. Photo by Ed Hedemann.

Book Reviews

The Many Sides of Peace: Christian Nonviolence, the Contemplative Life, and Sustainable Living

By Brayton Shanley (Wipf & Stock Publishers, wipfandstock.com, 2013, \$18)

Review by Daniel Marshall

This is an extraordinarily thoughtful and comprehensive book on Gospel-based nonviolence, as books on nonviolence go. Brayton Shanley is the person to write it, since what he writes about he has also lived at the Agape Community that he and his wife founded in western Massachusetts. At every step the treatment is fresh and insightful. When he writes of nonviolence toward children, he writes not only as a parent, but as the consultant of a home for boys who has wrestled with staff about frustrations that they experienced in punishing residents. When he writes about nonviolence in relation to the environment, he writes as someone who is practicing at the Community what he preaches and dreams of. When he writes about nonviolent action, he writes as someone experienced in peace educating, demonstrating, rescuing death row prisoners, and aiding the poor and sick. When he mentions transformational shift to a new way of being and a more disarmed human race, he writes as someone choosing to live under taxable income in order to noncooperate with a system of taxation that supports the military and its consequences. He knows the literature and the practice. Was it heavy or tedious? It held my interest from beginning to end. This is an indispensable book.



Brayton Shanley

Doing Time for Peace: Resistance, Family, and Community

Edited by Rosalie G. Riegler (Vanderbilt University Press, vanderbiltuniversitypress.com, 2013, \$29.95)

Review by Ruth Benn

Near the middle of Rosalie Riegler's impressive oral history collection there's a section called "Roundtable on Resistance" in which she put together comments from 15 people she interviewed from 1986 to 1991 and 2004 to 2008. This "conversation" about nonviolent direct action asks many of the same questions we war tax resisters discuss at each of our gatherings: what motivates us individually, are our actions effective, what does "effective" mean in peace efforts, why

Tax Resistance Ideas and Actions

don't more people join us, and should we judge them if they don't? Along with the thoughtful stories that are presented in the book, this conversation offers much food for thought—and often the confirmation of shared experiences and strategic questions.

After participating in a civil disobedience action herself, Riegler decided to pursue the questions that came to mind when she realized that if she went to prison her family might wonder what the heck she was doing. Along with individual motivations, she was curious about how family members responded when someone close was sent to prison. Berrigan children talk about what it was like to grow up with their father in and out of prison. Ana Grady Flores of Ithaca, New York, is interviewed about her arrest at age 16 at a Marine recruiting center, which she was clear about doing on her own terms



and not because her activist parents “made her do it,” as some observers may have thought.

Riegler's base was the Catholic Worker community, which led to connections mostly among Christian activists, although there are entries from some who represent other religions or are not religious. Joan Cavanagh's critique of Plowshares actions is included, although oddly in the same section Karl Meyer is named to offer a critique but it was not included. Given the massive task, the editor can be forgiven for some slips. Even though longtime war tax resister Meyer was not included, there are numerous mentions throughout the book, by many different activists, of their own participation in war tax resistance or their thoughts about it.

I did not read this book cover-to-cover, because for me a collection of oral histories is best dipped into randomly. I started with some people I know—or thought I knew. There's much more to learn from each of them. Then you find yourself reading on to the next person who has a totally new and amazing story. The alternative is to “do some time” with them and give yourself a chance to ask the questions yourself. •

Resources

Nuclear Free Future Month

President Obama has famously mouthed support for “a world without nuclear weapons,” and “a world where these weapons will never again threaten our children,” but his nuclear weapons budget says bombs, bombs and more bombs.

For 2014, the President plans a nuclear weapons spending increase over the current level of \$7.227 billion. Where's the money to come from? ...According to a report by Jeffery Smith and Douglas Birch in Foreign Policy April 9, the president has proposed a \$460 million cut from the nuclear non-proliferation program — so it can boost nuclear weapons building programs by exactly \$500 million.

Since 2011, Obama has been pushing a plan to spend \$85 billion over 10 years to rebuild thousands of H-bombs — bombs that should be retired and abolished. The president has also proposed pouring \$125 billion over 10 years into a new fleet of nuclear-armed submarines, new nuclear bombers and new land-based ICBMs...

That's a short section from “Federal Taxes Reward 8-Figure Pentagon Fraud Spree: The Weapons Oligarchy,” an April 2013 article by Nukewatch activist and author John LaForge. For all facts read the longer article online at counterpunch.org/2013/04/26/the-weapons-oligarchy, or ask NWTRCC for a copy by mail.

United for Peace and Justice (UFPJ) declares August “Nuclear Free Future” month, and we hope that many of you are planning actions around Hiroshima and Nagasaki days, August 6 – 9. UFPJ has resources and a calendar of actions at nuclearfreefuture.org.

NWTRCC has two flyers to remember Hiroshima and Nagasaki and demand the abolition of nuclear weapons—and spending on weapons of mass destruction. You can download them for free at nwtrcc.org/downloadables.php, or ask the NWTRCC office for single copies to copy yourself.



Download these flyers at nwtrcc.org/downloadables.php.

NWTRCC's Fall Gathering

November 1–3, 2013
Somewhere, USA

The dates are set although the exact location is not certain. Right now we are working on finding space in New York City, so please pencil that into your fall calendars. The perfect invitation was not tendered at the May gathering, but we agreed to try to choose a place with the most accessible travel options with potentially lower prices. Watch the website or call the office for details. We hope to have an exact plan by the end of the summer.

As always, if you or your group would be willing to host a future gathering, please be in touch with the NWTRCC office. We'll make it as easy for you as we can! ●

*Come to a war tax resistance gathering, where you might find....
meeting, munching, marching, and music!*



Top photos by Ruth Benn.



Karen Brandow and Charlie King.
Photo by Ed Hedemann.

Photo by Carlos Steward.

War Tax Resistance in Connection: Helping Us Help Each Other

New England Gathering of War Tax Resisters
September 27–29, 2013 · Williamsville, Vermont

All are heartily invited to the 28th annual New England Gathering of War Tax Resisters and Supporters, featuring a Friday evening talk by peace activist and war tax resister Cindy Sheehan. Weekend discussions will focus on the challenges faced by war tax resisters especially when it comes to relations with family and friends, who may not be resisters and often are not activists at all. As always, basic war tax resistance information and support will be part of the weekend.

The Gathering site is the Amazing Planet! Farm and Justice Center, which is about 10 miles from downtown Brattleboro (amazingplanetfarm.com). For more information contact Daniel Sicken at (802) 387-2798, dhsicken@yahoo.com, or download the brochure from nwtrcc.org/regional_local.php. ●



Cindy Sheehan. Photo by Ruth Benn.

had to pay estimated quarterly taxes. Low income people don't get taxed on Social Security benefits.

My Experience With Social Security Taxes

By Larry Dansinger

I began employment in the late 1960s. I paid Social Security taxes for about the equivalent of seven years before I started refusing the federal income tax, beginning in 1978. I began to recognize the relationship between what I gave money to and what I believed were good, and bad, uses of that money. Since then, I have been self-employed, never an employee.

Because of the connection between income taxes and the feds' "borrowing" of money from the Social Security system to pay for wars, I also decided not to pay the SECA taxes. There are a lot of zeros on my Social Security status report.

However, beginning in about 2000, I decided to pay into the system, at least enough to finish the twelve quarters/three years that would allow me to get something back from the system. This was no philosophical change of heart, just a desire to get back some of what I had

given to the government. It was also a practical concern of having enough money for myself and my partner to live on in later years.

WTR Juanita Nelson talked about how we can all provide "social" security to each other by giving of ourselves and our time when our friends need that. She and Wally didn't pay into Social Security and had gotten support when in their 80s and 90s. While I subscribe to that concept, I'm not as beloved and not sure if I would get that kind of support in the very rural place where I live. I decided to hedge my bets with this backup system, which should start in about two years.

So, I filed and paid SECA taxes for three years. I was making just under a taxable income, so that was the only tax I owed. Because the U.S. was fighting wars during some of those years, I purposely paid only half of the SECA taxes due. For several years, I couldn't even bring myself to file and pay anything. I get bills from the IRS for the other half of the self-employment taxes, which I expect will be deducted from my Social Security when I start getting it in about two years.

I try to act out of belief in doing what I'm doing, but, in this case, I acted out of insecurity. If others can act on their feelings about war and violence rather than their need for financial security, so much the better. ●

Ruth Benn lives in Brooklyn and is NWTRCC's Coordinator. David Gross lives in California and blogs at sniggle.net/TPL. Susan Miller is active with Heartland Peace Tax Group in Kansas. Larry Dansinger coordinates the Maine WTR Resource Center, among other things.

Profile continued from back page

year I tried to deliver some of the payment to the IRS office in the form of groceries for the homeless.

I've also had other interesting encounters with IRS agents. In the mid-1980s, a "revenue woman" bicycled up to my door. She said she was only temporarily working for the IRS in order to pay off her college loans, so I invited her in for a cup of coffee. Over the kitchen table, I explained to her that according to my invaluable War Resisters League *Guide to War Tax Resistance*, she could not legally levy my entire salary. Amazed, she asked me to give her the *Guide* so she could read more. When I declined, she rode away on her mountain bike, never to return.

Over the years, changes in the economy made it difficult to stay in one job for very long. The IRS moves slowly. It took an average of five years for the IRS to begin to levy my salary each time I changed jobs. With the first levy in the 80s, I stayed put at my job and got help from a Penalty Fund in Indiana for the amount of interest and penalties collected. I loaned myself funds from an Alternative Fund to keep going. It was 20 years until the next levy. This time, the IRS did not permit my employer—a public school district—to pay my family health insurance premium first before calculating the levy. I quit and found other work.

Ten years passed, and the levies returned. Fortunately my full time hours had already been cut to 15 hours per week for budget reasons, and the levy was quite small. When I was finally laid off, the levy took

all my vacation pay and my small pension payout. A series of monthly levies emptied my credit union account. The latest is a 55% levy on the social security benefits I just applied for—an amount far more than the automatic 15% levy. It seems I have a local agent now, who, unless he is sequestered, plans on keeping my name on his forehead! Thanks to NWTRCC counseling, I have an excellent working plan to challenge this.

To many family and friends, a refusal to cooperate fully with the IRS is but a futile and ineffective "tilt at the windmills." I disagree. If my story inspires even one other person to action, I feel I have already been effective.

Congressman John Lewis spoke out recently against the Supreme Court's terrible attack on the 1965 Voting Rights Act. To think that it took 100 years after the Civil War to pass that act and to contemplate the future without its protections is devastating. But Lewis, former freedom rider and President of the Student Nonviolent Coordinating Committee, urged us never to give up. He said we each have a responsibility to "find a way to get in the way" of war and injustice. Singer/songwriter Dave Lippman put it yet another way: "put a stick in the gears." In truth, we owe it to ourselves. ●

Cathy Deppe lives in Los Angeles, California, where she is a member of Southern California War Tax Resistance.

Staying In the Way

By Cathy Deppe

My first run-in with the IRS was a direct result of refusing the federal excise tax on telephone service, which was increased by President Lyndon Johnson to help pay for the war in Vietnam. Although LBJ said we could have guns and butter too, we would have to pay for both. My husband and I were University of Illinois graduate students, living on next to nothing anyway but both determined our tax dollars should fight a different kind of war—the “war on poverty” Johnson had promised to wage. As conscientious objectors, we were part of a growing movement to resist the war through refusal to fight for it and refusal to pay for it.

The “revenue man” who knocked on our apartment door in 1966 was carrying an IRS demand letter for \$110.30. We had been getting these letters for months. We even had one delivered that day, just before his appearance! To his dismay, we offered to pay that one—a demand for just \$12.04. That poor guy left in a big, red-faced hurry and never returned. The letters stopped coming also.

The war ended, and even the draft ended, but President Carter deployed the MX Missile in a very hot “cold war,” and made registration for the draft a requirement for all men turning 18. In 1980, the Reagan administration began a huge military build-up. I was glad the government was not requiring me to register for the draft, but since it was demanding that my nephews register, I wanted to honor their resistance by resisting war taxes.

In the late 1980s I received a summons ordering me to appear at a local Kingston, New York, IRS office with all my records and statements of assets. On the good advice of NWTRCC counsel, I did appear as



Courtesy of Cathy Deppe.

summoned but declined under the protection of the Fifth Amendment to produce personal records. Although the stunned revenue man threatened to take me to court, he never followed through.

Thirty years have passed and I still withhold part or all of my federal income tax and redirect it to an alternative fund for resisted war taxes. Although I file every year, my enclosed letter explains why I do not enclose a check. I have used “W-4 Resistance” to take control of my salary: the more allowances declared on the W-4, the less tax withheld from the paycheck.

Over the years, I have accumulated several liens and had my salary levied three times. I have never been to court. The year I sent my taxes to my Congressional representatives, those efforts confused everyone for a while. The years I wrote on my tax form that I had a “peace deduction” eventually resulted in a “frivolous penalty” of \$5,000. One

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