

Relationships and War Tax Resistance

Includes:

*Handling
Finances*

*Filing and
Not Filing*

*“Mixed
Marriages”
When One
is a WTR
and One
is Not*

*Tips for the
Long Haul*

*Easing Out
of Resistance*

*Raising
Children
in a WTR
Household*

*Citizenship
and Travel*

Resources

This publication is one of a series of “practicals” that offer ideas, tips, and information for individuals who want to cut off their financial support for the U.S. war machine or are currently practicing war tax resistance. Other pamphlets in this series discuss how to control income tax withholding, choosing low income/simple living, self employment, and whether or not to file an income tax return. The full list of the “Practical Series” appears at the end of this text or under the Resources button at nwtrcc.org.

Conscientiously opposing war through tax refusal is a stand that takes courage and has risks. Many, if not most, war tax resisters (WTRs) deal with concerns about practicing war tax resistance while married or in a relationship. Sometimes WTRs are in “mixed” relationships, where their partner does not resist. Sometimes two WTRs find each other and share this common ground. And still other WTRs leave relationships because of the stress caused by their war tax resistance.

These are some of the many questions that crop up for WTRs from around the country: In love and resistance does one follow one’s heart or conscience? Are they mutually exclusive? At some point does one or the other win out? What practicalities need to be considered vis-à-vis one’s partner when taking the leap of withholding payment of taxes or committing to a partner if already practicing war tax resistance? How does this differ according to state, age or work status?

Some grappled with finding answers to these questions years ago. Others are finding themselves faced with these questions with recent life changes or renewed commitment to peace and justice work.

NWTRCC has collected stories and practical information from war tax refusers from around the U.S. The hope is that others seeking answers to questions of love and war tax resistance can find some gleanings and inspiration from other resisters.

THE IRS BROUGHT US TOGETHER

By Karen Marysdaughter and Larry Dansinger, Monroe, Maine



Although the IRS does not have a dating service, it did bring the two of us together. (Why isn't there a "war tax resistance singles" website?) While we never got around to getting married, we have been together since 1982. Two years earlier, Karen, looking for information on WTR*, stumbled upon Larry, the only other person in Maine within 100 miles who knew anything about it. We've been improvising and learning from each other ever since. And we've both maintained our commitment to WTR. Larry sends letters but no return each year to the IRS; Karen does not communicate at all with them.

We've both had visits and phone calls from IRS agents, trying to get more information. We refused to give it, unless what we gave them was no longer relevant. We've both been high profile, writing letters to the editor, doing publicized tax day actions, and having our names identified with WTR. Karen has even achieved the pinnacle of WTR success, as national coordinator of NWTRCC from 1991-1999. Neither of us has been collected on, except very small amounts in unique circumstances.

We do have accounts in our names, but Larry's is very minimal, since he owes a few hundred dollars in refused Social Security taxes. We also have other places where we put most of our savings. Since neither of us believes in interest, we don't worry about our credit union reporting interest income. We owned a house on a land trust for many years (we didn't own the land), and we were prepared for a house seizure if the IRS tried it. (See the film, *An Act of Conscience*, about Betsy Corner and Randy Kehler's house).

Larry expects those few hundred dollars might be seized from his small Social Security check once he starts taking it. Karen, about eight years younger, may also face that situation, although she has refused for many years and has heard nothing from the IRS in over 20 years.

While we've managed to find a few other things in common, war tax resistance has been a bonding experience for us. We don't expect that to change any more than the bad habits each of us has that the other tolerates. WTR is not a topic of daily conversation, but it's always been a place of mutual agreement and equally strong commitment.

Editor's note: This was written in 2013, so a few things have changed. The IRS is taking 15% from Larry's Social Security check to collect the mentioned Social Security tax debt. Otherwise, Larry and Karen continue their resistance in much the same way.

*WTR can mean war tax resistance or resister, depending on the context.

This practical series focuses on how different WTRs have addressed the issue of being in relationships or marriages, whether or not their partner is also a WTR.

The broader sense of relationships outside of intimate partnerships – for example with parents, in-laws, parents or children, colleagues or employers, neighbors or friends – expands the discussion beyond the space limitations of this practical. These other relationships deserve thought and consideration as well.

MIXED MARRIAGE “OF SORTS”

By Lincoln Rice, Milwaukee, Wisconsin



From 1999 until 2007, there were years when I was below the taxable limit and years that I owed some money but refused to pay. In 2007, I married Laura. We have a mixed marriage of sorts. We have always filed jointly, but only I employ W-4 resistance. In other words, she pays but has permitted me to file our forms without my portion of our federal income tax. As such, she is still legally liable, but this is a reality with which she is comfortable. As Laura is fond of saying: “If I ever become uncomfortable with the collection process, I can always write a check.” For the time being, each time we read about a drone attack that kills a family on

the other side of the planet, we both feel good about our current strategy. To this point, we have only had our Bush tax rebate and state income tax refunds seized, but it is likely that at some point we will have our wages garnished.

HANDLING FINANCES

A key area of concern in many long-term relationships is how to divide or combine financial responsibilities and accounts. If partners both practice war tax resistance in a similar fashion, the situation may be simplified; if they resist using different methods, new complications may emerge. A war tax resister in a relationship with a non-resister will want to consider especially carefully the risks and benefits of combined finances.

Bank Accounts

Any money in a bank account with your Social Security number is potentially vulnerable to IRS levy for tax debts. Some resisters choose not to use bank accounts at all, dealing in cash, money orders, or pre-paid debit cards. Some use non-

interest-bearing bank accounts, which are less visible to the IRS because banks report interest earnings.

Another option is using your partner's bank account. However, using another person's bank account is not a totally safe solution, merely a potentially lower-risk one. If the IRS is looking for your assets and puts an agent on your case (rather rare), the agent may ask employers or clients to provide copies of checks paid to you. From the information on the back of the check the IRS learns where those checks are deposited. If you are putting checks through someone else's account, they may be able to levy that account although it does not belong to you. A levy can take everything in a bank account if your tax debt is that high, so you and the owner of any account you might use need to carefully consider the risks.

Another option is keeping money in community development loan funds. Some loan funds will accept no interest loans where there is no required reporting, making tracking more difficult. Another way to set savings aside is to make loan agreements with individuals you trust. Alternative funds for war tax resisters are another option (see NWTRCC's website for a list). These are some ideas and alternatives with their own benefits, risks, and complications. See *Practical #3, How to Resist Collection*, for more information on resisting collection.

Property Ownership

The IRS can seize any property you own to pay back taxes,

BEWARE OF USING ANOTHER'S BANK ACCOUNT

Anonymous in the Northeast

My partner started resisting after watching me do it for years, but gave it up after an Earned Income Credit canceled his total liability (clearly he/we weren't making much money). We were about to buy a house, so having a nonresister was convenient, and he decided to stop. His heart wasn't really in it, though it made sense to him not to pay for war.

Not too long ago an aggressive IRS agent seized an account that had only my partner's name on it, but that I had deposited some checks in. They found the account by getting copies of the back of checks written to me and seeing what bank handled the checks. Lawyers indicated it would be hard to fight the seizure because I had used the account, even though the money left in it was not mine. Now we have completely separate finances, with joint expenses split equally, and we generally let each other do what we want. Neither of us spends a lot of time worrying about money (having been brought up in financially secure and/or confident families). In the end the IRS got less than one-third of the total they were seeking, despite putting an aggressive agent on the case.

and jointly owned property may also be vulnerable to seizure. Although property seizures have been very rare in the war tax resistance network since the 1990s, it is important to understand the laws and the risks.

The IRS abides by the common property laws of the state in which the property is located. If you are in a community property state and jointly own property with your spouse, such property is potentially at risk of seizure to pay either of your back taxes (even if you file separately; see next section). This presents a particular challenge for married war tax resisters in partnerships with non-resisters, who might put property in their partner's name to avoid collection.

If you do not live in a community property state, or are not married to your partner, having a non-resisting partner hold property in their name can protect that property from seizure. However, it's wise to contact a war tax resistance counselor for advice about what the IRS can and can't do.

Transferring property from your name to someone else's name after you have received a Notice of Intent to Levy is technically a crime under §7206(4) of the Internal Revenue Code. Dr. Joseph Olejak served 26 weekends in a New York county jail after pleading guilty to felony tax evasion. The IRS moved to prosecute him after failed attempts to impose a tax

STATE PROPERTY LAWS AFFECT COUPLES

Most states use a common law system for property ownership. If only your name is on the title to physical property, it is yours alone. If you and your spouse each have your name on a title, you each have half-interest in the property. For physical property without a title document, you alone own any property you bought or received as a gift.

Nine states — Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, and Wisconsin — are “community property” states. In Alaska, spouses can opt in to the community property system by signing an agreement designating specific assets as community property. Under the law in these states, married couples are considered to jointly own all property that either of them acquires after the date of marriage and before separating.

Likewise, debts incurred during marriage are generally debts of the couple. If you die and leave a tax debt, your spouse will inherit the debt also. There is some protection under the IRS's innocent spouse relief, but it can be difficult to prove lack of knowledge if you file jointly.

Read more about these issues at nolo.com or through other legal sources. If you are concerned about your particular situation, talk with a lawyer in your state who is familiar with the ins and outs of property law.

lien on property that they believed was owned by Dr. Olejak. He became known to the war tax resistance network when the case went to court, and he spoke out about his reasons of conscience in refusing and avoiding taxes over a decade. His complicated case was covered in NWTRCC's April/May 2014 newsletter and in other articles online. He was supported by his local Quaker meeting.

In general the IRS has not been relying on property seizure (houses, cars) to satisfy tax debts, particularly debts that are \$5,000 or less. The process is labor intensive, and the government rarely makes back the costs plus taxes they are trying to recover. However, there could be exceptions, or IRS practices could shift back to more reliance on property seizure.

Another strategy is to have all land and houses owned by a Community Land Trust, which can offer a long-term or life-time lease to housing residents. For more information on this concept, you can read about land trusts on the website of the New Economics Institute, 140 Jug End Rd., Great Barrington, MA 01230 or contact them for a resource list (413) 528-1737 or (617) 401-2235. See *Practical War Tax Resistance #3, How to Resist Collection*, for more information on this topic.

Retirement Accounts

While the IRS targets other sources of income or bank accounts first, it is not unheard of for the IRS to levy a retire-

WAR TAX RESISTANCE SAVED MY HOUSE!

Anonymous in the Northwest

In my first marriage, WTR was no issue, as my spouse was a plowshares activist and fully embraced nonviolent civil disobedience of all kinds.

Shortly before this relationship I had purchased a house (not in my name), in which he invested (both financially and with labor for a major remodel) during our marriage. The ironic part of this story is that while many people fear that war tax resistance will cause them to lose their house, it is what saved mine!

When we divorced, I would have had to sell the house in order to pay him back for his investment — if it had not been for the local war tax resistance escrow account! Because I had been putting half my refused taxes into escrow for years (and redirecting the other half), I had this pool of money to “borrow back” and pay him off instead of losing my house. Now I know some will object that escrow money really shouldn't be used that way, but that's what I did.

ment account to obtain back taxes. Retirement accounts like 401(k)s or IRAs cannot be jointly owned, so in that sense a levy won't affect a non-resisting partner. However, if the war tax resister is the sole income earner, seizure from a retirement account can affect a partner's retirement plans as well.

An income-earning spouse can contribute to a non-income-earning spouse's retirement plan, as long as the combined earned income of the couple is less than \$89,000. This may be one way for an income-earning resister to move money away from the IRS and into accounts which cannot be levied for individual debts (as long as you file separately, not jointly).

It's important to remember that Social Security payments can be levied automatically at 15% of each check for tax debts (revenue officers can levy more than 15% if they are active on an individual case). Resisters could plan ahead by setting aside funds to make up the difference in the future. Self-employed individuals sometimes pay less into Social Security to make up for the potential of seizure in the future (but underpayments of Social Security are treated the same as income tax underpayments and will be reported to IRS collection). Some resisters who have not earned sufficient credits to qualify for Social Security will create their own fund by setting aside a portion of their earnings throughout their working lives. See *Practical #7, Health Care and Income Security for War Tax Resisters*.

Some of us do believe that the legitimate functions of government

need to be supported, and we try to do something in conjunction with our tax resistance that articulates that. Now that we're retired...we gave our taxes directly to the Social Security Administration, because we think we see our government mining that fund for other purposes, illegally we think. This is our way of saying that we don't mind paying our taxes if they're being properly used for human services instead of



such a huge percentage for war making and development of weapons.

— Bill and Genie Durland, from the film Death and Taxes

TO FILE OR NOT TO FILE? JOINTLY OR SEPARATELY?

These days the government uses many tactics to ensure that people file a tax return. The Affordable Care Act requires you to file in order to take advantage of the subsidy or to prove you have health insurance. Children nearing college age may be applying for financial aid and having tax forms makes the whole process easier. Many benefit programs want to see tax forms as proof of income.

But, if you and your partner have managed to stay out of the system – perhaps living in community or in a situation where jobs pay off-the-books or bartering avoids money exchange – choosing not to file might be a viable option. See *Practical #2, To File or Not to File an Income Tax Return* for more information.

In general, war tax resistance counselors recommend that couples keep their finances separate and file separately, so if the IRS comes to collect on one, any assets held by the other may stay out of the grasp of IRS. This is especially true for couples who DON'T live in a community property state (see p. 4). One spouse or partner is not liable for the other's debt if you have kept things separate. In community property states, the married couple is one financial unit, so if one spouse is not resisting they may still be liable for debts incurred during, or even before, the marriage. If you owe it, your spouse shares in owing it. In some cases where the non-resisting

continued on page 12

THE AFFORDABLE CARE ACT (ACA)

You must file tax returns to be eligible for subsidized health insurance through the ACA (unless you are in an employer plan). The legislation also requires that married couples file jointly to receive the subsidized health insurance. This presents problems for lower income resisters who are accustomed to keeping their finances and filing separate. It is definitely a carrot-and-stick situation to get more folks into the tax system, so it may require renewed negotiations with your partner if you need health insurance through the ACA.

On the other hand, some couples have found a new benefit with the ACA; health insurance through the marketplace has lowered their taxable income in ways that lower or eliminate income taxes owed at the end of the year. If you qualify for Medicaid, it does cover the costs of labor, delivery, prenatal and postnatal care as well as a child's first year of health care. In that case both partners do not need to file. See *Practical #7, Health Care and Income Security* for more on this complicated topic.

WAR TAX RESISTANCE AS A LIFE TRANSFORMING WAY

By *Don Kaufman, Newton, Kansas*



Eleanor and I began our married life in 1958 with a commitment to God, each other, and our human community. I write these reflections as both of us enter the 8th decade of our lives. During this period we have responded in a variety of ways to the taxes required of citizens, especially those funds which the IRS was obligated by Congress to confiscate for war related purposes. A critical question for us was: Why should the conscientious objector to war refuse service in the military if he or she does not refuse to pay those taxes?

During our first year of marriage we drafted a letter to the "Commissioner of Internal Revenue," expressing our limited cooperation with the government's taxation of citizens, which was printed in our denominational magazine. It was also circulated among immediate relatives who were basically sympathetic but not very encouraging. Lacking support or conviction (or both), we reluctantly paid the income tax for 1958.

After living abroad for seven years with no U.S. tax obligations, we returned with our three children to a pastoral assignment in a small town in Minnesota. Myself and the other pastor refused to voluntarily pay the federal excise tax on telephone service, but one family in the congregation chose to pay the tax for us despite our protest! With three children and the benefit of a housing allowance, we were free of income tax but continued the telephone tax resistance when we relocated to a church in the Twin Cities. The Church Council supported our telephone tax protest for those three years, but we filed income taxes with our protest annually.

After relocating to Newton, Kansas, in 1974, we purchased a house where we have lived for the past 38 years. Despite my heavy focus on social concerns and tax issues we have generally found options which relieved the tension of not paying income taxes. The most effective of these was to consolidate our benevolent giving and medical expenses, which provided the advantage of getting more mileage out of tax benefits. I did pastoral visitation with the local HUD housing project. The Board invited me to be the executive director for 17 years knowing full well that we objected to paying military taxes. For 1981 and subsequent years we chose the strategy of paying only that portion of the Federal tax which was not designated for the Pentagon or military purposes. When the IRS placed a lien on our house the Board of Directors kindly wrote a letter of support to the IRS. During the Reagan years several of us requested refunds from the IRS and actually received them!

Ever since World War II, I have tended to be more skeptical of the nation's daily operations while Eleanor continues to be more optimistic about the

continued on next page

good functions like roads, schools, and health programs. If I didn't feel my family responsibilities so keenly I would be inclined to live more frugally, to disassociate more completely from the military-industrial complex.

To come to the decision to embark on a journey through life with one other person requires an enormous amount of courage. Being in the peacemaking business has provided us with terrific literature and the opportunity to increase our sensitivity to the needs of people around the globe. We have been given the gift of compassion. We backed into a simple lifestyle. At times the fellowship and camaraderie of WTR meetings surpasses that of the congregation to which we belong, which we certainly consider to be peace minded.

WORKING IT OUT TOGETHER

By Cathy Deppe, Los Angeles, California

When Alex and I married, we were in our forties. I had been a war tax resister in earnest since the presidential election of Ronald Reagan in 1980 and had acquired a sizable debt of resisted war taxes. We kept our own names and own bank accounts, although being married did change our status to "married, filing separately," a more financially expensive way to file. Our hope was to keep Alex separate from my tax resistance, as he did not want the "entanglement" at that time. (Note: We live in a "community property state," so you cannot be sure this will work out.)



This has worked out for us, because we had both lived as single adults for many years and had no need to get our financial lives mixed up. We also agreed we did not wish to own property, but owning cars was another story. I always worked a job that required a car, so Alex had to own property after all. Some tax credits were not available to us unless we filed jointly, but we didn't care. This attitude underwent some change with age and with the Affordable Care Act, since Alex was eligible (no income except small pension) for a big subsidy, but only if we would file jointly. We didn't file jointly, but filed an appeal — which failed.



Now we are both over 65, and I have stopped filing. Alex is OK with this. We don't own anything the IRS would want to auction, but the IRS is garnishing my Social Security award. Since Alex agrees with my goal to resist collection and to redirect the taxes owed, we do not have serious issues. What would be serious would be if Alex ever attempted to pay my resisted taxes. Fortunately, he has no interest in doing so. Over the

years, he has seen that the citizen has basically two ways to engage in non-violent resistance to warmaking by our corporate-controlled government. My son-in-law, Erik Larsen, took the first, when he refused to follow orders sending his unit to Iraq. We two, whose bodies are no longer draftable, can take only the second: we can refuse to pay for war.

FROM NONFILING TO FILING

Anonymous

I am a married woman, 50 years old, no longer practicing war tax resistance. For over 20 years I was a nonfiler. By the time I was about to embark on my current relationship, I was beginning to feel like I was flying up a box canyon with my war tax resistance and looking for a way out of it.

Twenty years of non-filing and collection-avoiding, the way I'd been doing it, was getting exhausting. And I was beginning to face my parents' mortality, and to realize that the fears I'd had with the first man I'd discussed marriage with — that, with no statute of limitations on non-filing, the IRS could end up getting everything plus penalties in the end — could happen at the time of their demise, if I were still actively refusing and my history came to their attention. Neither parent was too keen on leaving everything to my siblings and entrusting (burdening) them to “take care of me.”

So when I started dating my current husband (a public servant), and he was clear that my practicing wtr would not work with him, it wasn't a problem so much as an opportunity. He was willing to help me step out of it.

It scared the daylight out of me, and I don't know if I could have done it without his support. I filed singly the year we got engaged, for the first time in 23 years. A CPA friend was also a big support at this time, assuring me that my age and gender were on my side: many women who have been stay-at-home moms suddenly start filing in their 40s or even 50s, and it wouldn't look as unusual as I feared it would. Nothing happened. The next year we filed jointly, with his name first, and my new name second. Again, nothing. I've been semi-holding my breath, but we've passed the 3-year anniversary of my first filing, which is the audit window, and it's looking like I may have just slipped back into the system quietly and without any drama! Whew!

While it pains me greatly to be paying for war now, I take comfort in the hope that those 23 years of twisting myself and my life into pretzels will not have been in vain and that none of that money will ever get collected. Also, looked at mathematically, if I end up working (and paying in) for 20 years of full compliance, when averaged with 23 years of complete refusal, I'll have, overall, managed to withhold about the half that is military spending, over my working lifetime. Not as idealistic as what I was shooting for in my 20s, but still something I can live with.

spouse may not have known what the other was up to an “innocent spouse” appeal could be pursued. A prenuptial agreement may also protect a non-resisting partner from collection in community property states; investigate this further and see a lawyer to work out the details of an agreement stating that each party’s future earnings would be their own.

Within the war tax resistance network, it has been common for couples in “mixed relationships” to have assets held by the non-WTR. This can offer protection over the long haul because the IRS tends to use Social Security numbers to find assets if they are looking to collect.

However, it is still important to keep an agreement in writing that can offer some clarity and protection should the relationship end sooner than originally intended. While a war tax resister accepts a certain amount of risk, an acrimonious break-up could leave a resister high and dry. The story on page 17 offers one such cautionary tale.

RESUMING PAYMENT OF TAXES AFTER RESISTANCE

Sometimes resisters find that for family, relationship, or personal reasons, they want to get a “clean slate” with the IRS, resuming regular payment of taxes or just removing the existing burden of tax debt. If you have been a nonfiler for a long time, resuming filing and paying taxes may be intimidating, wondering if the IRS will seek to claim back taxes based on information they gain about you from filing. This would mainly be a factor if you’ve had reported income in the past and the IRS could not find you for some years. Your address and Social Security number might trigger new interest, but they would have to have some income history to go on.

If you have been filing but not paying, resuming payment of course will not stop the IRS if it wants to collect for previous years that haven’t passed the statute of limitations (about 10 years from the date you filed). You may choose to pursue an offer in compromise (see one story on p. 15) and make a payment agreement with the IRS.

War tax resistance isn’t right for everyone, at all times, and it is possible to change one’s mind, or to resist at some times in one’s life and not at others. However, keep in mind that war tax resistance does not have to be all or nothing; Many resisters choose to refuse a small amount as an anti-war protest

continued on page 14

MARRIAGE ADJUSTMENTS

By John Grueschow, Portland, Oregon

I was a practicing war tax resister for nine years. During that time, 1997 to 2006, I filed no federal tax returns and claimed nine allowances on my W-4 form. I worked low-paying social service jobs but did not live below a taxable level of income. And I made practically no lifestyle adjustments to protect my wages from garnishment or my property from seizure by the IRS. I was hoping to “get lost in the shuffle” and, for a while, I did just that.

About the same time that I became a war tax resister, I entered into a serious relationship that led to marriage in the year 2000. My wife is an activist in her own fashion, and she very much respects my efforts to work for peace and social justice. At the same time, she has consistently expressed concerns about my risk-taking in terms of being arrested for public protest or practicing war tax resistance. Such risk-taking is, for her, both emotionally and practically threatening and could lead to consequences that she is not prepared to accept—such as losing a job or giving up on her dream of buying a house.

From the start, we decided to keep our finances as separate as possible since we both had obligations to teenage children from previous marriages. We split the payment of monthly expenses and maintained no joint accounts. Since Oregon is not a community property state, we hoped to protect my wife’s income from garnishment for the payment of my tax debt by assuming the “married, filing separately” filing status. My wife thought this was a good idea until she realized that “married filing separately” status rendered us ineligible for most state and federal tax deductions afforded to married couples. In other words, my war tax resistance was only compounding her financial difficulties.

In March 2004, I received a computer generated letter requesting a tax return and payment, including substantial interest and penalties, for the year 2002 only. I ignored this letter and heard nothing further from the IRS until November 2006. That November, I received letters requesting payment for the years 2002, 2003, 2004 and 2005. I responded with a letter of my own explaining my war tax resistance. Certified letters and warnings about making “frivolous” arguments followed.

At this point, I decided to suspend my war tax resistance for primarily two reasons. First, I believed that I could not afford to have my wages garnished and continue to meet financial obligations to my family. Also, I felt that my marriage deserved a break from the pressure that the decision to resist had placed upon it. For my wife, war tax resistance had become an imposed, rather than a shared, sacrifice. I continue to work with the local WTR group and to oppose militarism at every opportunity.

rather than cease resistance if the risks become too much to bear. You might explore this option with your partner if there is pressure to change.

Long-term relationships in which both partners are war tax resisters can be very rewarding, since they share a key practice, but are prey to the same issues that complicate any other relationship. War tax resisters Peter Smith and Ellyn Stecker, who have been practicing war tax resistance together since 1971, write, “Each year we write a letter explaining our resistance and send it to our senators and representatives. We used to send it to the IRS but have stopped, not wanting the hassles of a frivolous fine. If anything, our war tax resistance has drawn us closer together.”

In “mixed” relationships, where only one partner is a war tax resister, partners may need to negotiate financial issues more carefully to maintain their legal separateness. The choice of whether to file jointly or separately must be carefully considered, depending on the WTR’s goal: do you view being collected upon as part of your resistance and refuse to change your financial practices, or do you aim to be “uncollectable” and keep resources away from the IRS no matter what, or are you somewhere in the middle? Is resistance a moral imperative for you or is it something you are willing to be flexible about according to the circumstances of your life?

Clarity of communication with a romantic partner is key here, establishing what you are willing to do at any particular time, and also being clear about when your needs change, especially when finances are combined.

Apart from the financial issues, mutual respect and support is vital to a relationship between a war tax resister and a non-resister. Shared values often form the basis for such mutual respect and support, but they don’t ensure long-term success in mixed relationships, as some resisters have learned.

OFFER IN COMPROMISE

By Steev Hise, Tucson, Arizona

I started war tax resistance with my year 2000 taxes, which I still owed in the fall of 2001 when U.S. bombs started falling on Afghanistan. There are many ways to be a war tax resister (WTR), but I decided to go all the way and withhold all of my income taxes, while continuing to file. I did it this way for 10 more tax years, usually including with my return a letter that I copied to my elected officials. However, eventually I decided I had to make a change regarding my tax situation.

For me, the change happened when I got married, and for the first time in my life started thinking and talking about buying a house and starting a family. My wife is a dedicated activist and antiestablishmentarian herself, but my debt to the IRS terrified her and was a deal-breaker for her.

It took me two or three years to finally decide what to do, and in early 2011 I finally took steps to extricate myself, legally, from any problems with the IRS. I had racked up over \$65,000 in taxes that I'd withheld from them but I'd heard about people that had made deals to pay some portion of their tax debt. I didn't know exactly how this was done though. I bought the book *Stand Up To The IRS* (see Resources). It was helpful in laying out the basic procedure of submitting what's called an "Offer in Compromise."

I felt like I still needed more information, so I went to talk to a CPA who was a tax expert. He told me that there's an IRS web page that explains exactly what the maximum amounts are for the different expense categories. I realized that the details of your finances will determine whether it's actually worth it to make an Offer in Compromise (OIC), and how much you're going to save. If you are thinking about stopping your resistance, the smartest time would be after a year that you didn't make very much income, and/or before a year that you might start making more, as well as at a time when you don't own a lot of valuables.

I ended up needing to wait quite a while before I got a decision back from the IRS. First, a couple months after sending in my offer, I received a letter back saying they needed more time to research my case. A couple months later I got another letter saying the same thing. This kept happening, until about a year after my original offer, when I finally got a large packet from the OIC office in Memphis, containing a letter and a copy of my form 656 with some numbers changed.

When I called to make sure I understood what was going on, the agent in charge of my case politely apologized for how long I'd had to wait. In the end the IRS accepted an offer from me that was about four times my original offer, but still only about one-third of what I owed them—which means that I permanently kept from the military over \$44,000. This is something I feel I can be proud of. And, after paying the agreed-upon amount in early August, the federal liens against me filed with the county have been cancelled. I'm now free to have my name on real estate.

LEARNING FROM EXPERIENCE

Experience led Daniel Woodham, a resister in North Carolina, to come up with a list of pointers:

- Being clear about my war tax resistance from early on in a relationship is important. It's a fundamental part of me that needs to be understood and accepted on some level by my partner, or it might be better to not be with that person.



- My method has included living simply and low income to avoid paying for war. Making sure my potential mate is okay with that could be a bigger hurdle to overcome than simply not paying the IRS annually. Agreements about creature comforts, standard of living, how much money is saved in a bank or under the mattress, what constitutes a "decent meal", and even what a "vacation" means seem to be crucial conversations to have early in a relationship.
- Part of my strategy to remain uncollectable from the IRS has been to live without a bank account at times. Currently I have a savings account that I use primarily to cash paychecks. I usually keep less than \$100 in the account so it doesn't make interest that would be reported to the IRS. I mostly pay for bills with postal money orders, or at times friends or partners pay my bills with their check and I reimburse them with cash.
- Deciding how to pay household bills has sometimes been a cause of stress in relationships. One partner whose income was significantly higher than mine was fine paying for more than half of the bills, but when conflicts arose the bill paying disparity was often brought up.
- Before deciding to get married a few years ago, my wife and I talked to a war tax resistance counselor. We wanted to marry but were afraid of the repercussions she might face because of my war tax resistance history and taxes owed. To help lessen the possibilities of my spouse getting into trouble, we file separately and maintain separate bank accounts. If we were to buy a car or house together we would put it in her name.
- Before I got married I deliberated about telling my soon

continued on page 18

PARTNERSHIP IN A COMMUNITY PROPERTY STATE

By Matt Niznik, Oakland, California

My partner Rose and I have been together for 32 years, since we met during senior year of college. Although Rose does not define herself as an activist, the movements I was involved in around that time – anti-apartheid, solidarity with Central America liberation, opposing militarism, support for political prisoners in the US – have been and continue to be an important part of our relationship and consciousness, especially as we have raised two politically-aware children.

Since 1987, I have refused to pay any federal taxes and have not filed returns. Both Rose and I have been at our current jobs at nonprofit organizations for the past 21 years and, since I work at a place where I'm fairly easy to find, I feel lucky that I never heard from the IRS until 2007. They garnished my wages at that time, but only collected on me for the three years prior to that. I'm even more fortunate that the WTR Penalty Fund was able to assist with most of the penalties and interest from that collection.

Although we are not married, since we live in a community property state we have always kept our finances separate. When we bought a car, it was in Rose's name. When we purchased property along with four other cohousing families, the title for our home has her name on it and I'm not mentioned in the Tenancy in Common agreement at all. When we created our wills, mine gives everything to Rose, whereas hers gives everything to our kids. As you can see, there is a lot riding on my trust in my partner, and in my two children should Rose pass away before me! Luckily, the four of us have strong bonds, built over many years of open communication about my war tax resistance and our (mostly) shared worldviews.

There have been interesting challenges. Our son decided not to register for the draft, so we helped him through public college without any financial aid. Our daughter attended a private college that was more expensive and, though she received a scholarship paying half the cost, she needed assistance for the rest. For four years, Rose filled out all the financial aid paperwork – a very arduous task! – based solely on her income.

The most challenging time for our family was 2008. To celebrate 20 years of war tax resistance, I sent out a letter to over 100 friends and family members, updating them on my resistance. Unfortunately, a brother-in-law of Rose, who used to work for NATO and the U.S. government and did not previously know about my war tax resistance, saw the letter and caused an uproar on that side of the family. He wrote nasty letters and emails, reported me to the government, and contacted the directors of the agency I work for, demanding I be fired. There were lots of difficult moments for Rose and me.

Thankfully, one of her sisters was very supportive of us and we have managed to slowly patch things up with the extended family through the years. Once people found out what the brother-in-law had done, he became very unpopular. Throughout this experience, support from the war tax resistance community has been crucial to our family's peace of mind and to my continued resistance.

to be parents-in-law about my history of refusing to pay for war. I decided not to because I thought it might stir up unnecessary strife. In the end it might have been better if we had had that conversation before the wedding. There were some hard feelings and perhaps a lingering distrust that came about when we DID have that conversation. It's good to remember that marriage is not just to one person but also to that person's family and friends.

- Also important is checking in with my own conscience about how flexible I am willing to be. Am I willing to make changes to the part of me that doesn't want to pay one dime for war? There may come a day in the marriage or in my son's life where changing my income or my resistance could be necessary. At the same time, love for my wife and son could be ALL THE MORE REASON to continue to refuse to pay for war. And therein lies the rub...
- Put simply, love is not easy. When a love relationship involves unconventional elements such as war tax resistance, attempting to live below the taxable income, or any other non-mainstream mode of living, models can be hard to find. Perhaps this is one more reason why being part of a community of war tax resisters is important.

RAISING CHILDREN IN A WAR TAX RESISTANCE HOUSEHOLD

By Peter Smith, South Bend, Indiana

While it may be difficult for a couple to agree on their approach to war tax resistance before they have children, the birth of the first child adds more complications, especially if the family is trying to live below the taxable income level. Children require additional income to meet their health care, food, child care, education, clothes, and toy needs. These costs increase as the children get older until they are able to support themselves. Although there are tax advantages to having children, these often are not enough to keep income low enough so as not to owe federal tax.



Regular prenatal visits and care during pregnancy and childbirth can add a lot of costs, for which parents may want to consider getting health insurance. One

“The example of integrity of lifestyle that I sought was a more valuable legacy to my daughter than financial security.”

—Clare Hanrahan

approach is a high deductible health insurance plan coupled with tax-free contributions to a Health Savings Account (HSA). You can withdraw money from the HSA to pay for premiums, deductibles or other health care costs. The HSA money not used continues to accumulate and can be withdrawn tax-free after retirement for any purpose. (See Practical 7 for a more in-depth discussion of the tax consequences of paying for health care, including the Affordable Care Act.) Some war tax resisters and their families may qualify for Medicaid, particularly in those states operating their own health care exchanges.

The larger the family, the higher the food costs will be. When the children are small, the additional food costs will not be a problem, but older children need a lot of calories for healthy growth. Minimizing or eliminating eating out, keeping a vegetable garden, buying inexpensive food or bulk food, and using all your leftovers are ways to lower these costs.

Childcare can be a major expense. For those couples who are married and filing jointly, these costs may be tax deductible (see IRS Publication 503, *Child and Dependent Care Expenses*). To reduce the need for money for childcare, parents can join or set up a childcare cooperative. Parents in the cooperative group take turns watching their own and each other’s children in their home or in a rented space. This works especially well when one or both parents have flexible work schedules.

Education expenses for children continue to grow as they get older. Public or home schooling keeps education costs low until college. There are scholarship possibilities for college as well as loan forgiveness programs. One difficulty is the unavailability of federal financial aid to young men who refuse to register for the draft or whose parents are nonfilers. The Center on Conscience and War (www.centeronconscience.org) has a list of organizations and colleges that provide assistance to nonregistrants. You may also be able to use one or more tax deductions and credits to help fund college expenses and lower your income tax obligation. (See IRS Publication 970, *Tax Benefits for Education*).

The problem of meeting children’s wants is one all parents attempting a simple lifestyle must face. There is significant peer pressure on children to have the latest clothing styles, toys, and gadgets. One way to combat this pressure is to immerse them in a culture of helping other people and talk with them early and often about the joys of simple living. When they are old enough to understand a budget, involve them in family financial discussions.

As children enter their teenage years, they may rebel against their parent's lifestyle and reject the need for simple living that their parents have chosen. It is important to hold to your own principles, but allow your children to earn their own money to support a more expensive lifestyle.

It is not uncommon for teenage children to reject the parent's philosophy and want to distance themselves from any public war tax resistance events. Do not be discouraged. As young people enter their 20s and 30s, their respect for their parents and the principled stands they take often regenerates, whether or not they embrace resistance themselves.

I think kids like to know that their parents' lives are about something — and that life is about something. In our kind of family with one income, where we are poor, we don't pay taxes, it's real easy to say "no" to all sorts of stuff, but it's easy to "yes" to say all sorts of experiences and have lots of time to spend with the kids. I don't know if there's a way to brand that, and project war tax resistance out, because it's not just about resisting these taxes. You can embrace a complete lifestyle, a completely different way of being, a completely different way of relating to your immediate family, the world, the economy, politics, by the simple act of not giving money to the war machine.

— Frida Berrigan, talk at New England
War Tax Resistance Gathering, October 2015

CITIZENSHIP AND TRAVEL

A relationship where a war tax resister is involved with a partner who does not have citizenship status in the U.S. can get complicated. Recent calls to the NWTRCC office serve as examples:

- A long-time "off-the-grid" nonfiler involved in a long-term relationship with a partner living in the U.S. on a work visa called. His partner reached a point in her career where she needed permanent resident status for more satisfying employment. In order for him to sponsor her, the government requires proof of finances. Given their commitment to each other and with children involved in the family he was not prepared to sacrifice his relationship. NWTRCC referred him to a lawyer's network. He expected to have to file and settle with the feds in order to complete the application process.
- A nonfiling war tax resister who is also a general non-cooperator with government institutions was involved in

continued on page 22

RESILIENT RESISTER

By *Walter Goodman, Brooklyn, New York*

My story about a mixed relationship is a cautionary tale, especially for parents. I always felt fairly comfortable in my marriage with the fact that I resisted paying all federal income taxes, which I started doing six years before I met my ex-wife. My ease with the arrangement was in part because she is a Quaker and has opposed every U.S. military engagement since I have known her. But as time went by she became more anxious about financial security, and more anxious generally about our whole life together, in particular issues around parenting. In couples counseling and mediation we tried to resolve our differences, but the effort was overwhelmed by differences over our children, which became more pronounced as they moved through the school years.



While we were still in mediation, my wife filed a court case; the main thrust was an attempt to remove my custodial rights, especially in the ability to participate in decision-making. To my great regret, and my children's, this tactic succeeded. The judge was an extremely irritable hack who had very traditional values. Right away it be-

came clear he did not like me and precipitously gave sole custody to my wife because of my views on medicating children, schooling, and war tax resistance. My wife's lawyer, to my shock, trumpeted my nonpayment of federal income tax at every opportunity, in an apparent attempt to gain the judge's sympathy and also to gain financial advantage.

Our marriage was in many ways one in which the roles were reversed, with my wife acting as the main breadwinner, while I am a self-employed craftsman with the flexibility to be available for our children, particularly when they were young. I thought we had an implicit understanding that enabled among other things my war tax resistance. Unfortunately the forces that spurred my wife forward ended up being much stronger than this implied consent and stronger than her own Quaker sympathies.

When the judge found out I was a nonfiler, he forced me to file four years of returns. I did not get a chance to explain in court that I am not a tax evader, but do not pay for reasons of conscience. I did explain my war tax refusal in written response, but the judge may not have read the papers. In any case he treated me like a tax evader. One result is that I lost several thousand dollars from a bank account due to a levy. But I did not voluntarily pay and am as determined as ever to resist contributing to any form of militarism.

I hope one day my sons will see that as a legacy I leave for them, as important in its way as the financial security and comfort that are the predominant values in our culture. Through all the turmoil I have been fortunate to maintain very close and supportive relationships with my two sons.

a committed relationship for a number of years with a partner studying and working in the U.S. on a temporary visa. The time approached when the temporary visa was running out and marriage to make status permanent was desired by the non-citizen partner. The war tax resisting partner felt strongly committed to nonparticipation with the state and could not agree to marriage and to an application process that requires revealing details of income and finances. This couple decided to separate.

In such cases it is possible that a third party could handle the sponsorship application with their own financial information, a choice that these couples did not pursue. In all cases involving immigration and citizenship issues, great care must be taken. Consulting an attorney who is knowledgeable about citizenship and immigration issues (and sympathetic to civil disobedience if possible) is almost always necessary.

Individuals applying for permanent resident status in the U.S. are required to provide certain tax information with their application, which is passed on to the IRS. They must include their Social Security number or individual tax identification number and disclose information about whether they were required to file tax returns in the previous three years. The law also requires applicants to provide “such other information” as the IRS may prescribe.

It is important to note that since 2001 the government’s immigration policy has been so unpredictable and aggressive that any action deemed illegal can trigger potential deportation. NWTRCC counselors do not have the qualifications to counsel on the legalities involved in citizenship issues.

Passports and Travel

Beginning in 2016, individuals with a tax debt over \$50,000 may be denied a passport or renewal of their passport. A debt of \$50,000 in the war tax resistance network is not common, so we don’t know how many people this might affect. However, if you and your partner like to travel, beware of this new limitation on freedom to travel. As of this writing we do not have any stories from WTRs who have run into issues with their passport application or travel in and out of the U.S.

CONCLUSIONS

As readers can tell from the information and stories in this booklet, there is a breadth of experience within the war tax resistance network. All relationships have their unique challenges, so war tax resisters simply have one more aspect of their lives to consider when balancing a relationship.

Children can add a new layer of complication – but as you can tell from some of the stories here, those challenges are not insurmountable. Many war tax resisters like to say that when one door closes another opens. Take additional inspiration from a statement that Bonnie Raines makes in the film *Break In* about the decision she and her husband made to risk years in prison and steal files from an FBI office in 1971:

“I remember having a discussion with John late at night after the children were in bed. We felt that just because we were parents didn’t mean that we could remove ourselves from the responsibility. That that would have been kind of a cop out. We decided that we weren’t going to be content when we continued to see things that really disturbed us.”

Perhaps Daniel Woodham’s “Learning from Experience” section starting on page 16 serves as something of a guideline for war tax resisters entering a relationship – or looking for one. And, despite the focus of this booklet on relationships, we give a shout out to all the single resisters who enjoy the freedom of pursuing their own course. But even in these cases, there are often family members and close friends who present many of the same challenges that are mentioned in this booklet.

Finally, please send us your stories so that we can keep updating our materials and adding information that may be helpful to others embarking on war tax resistance.

RESOURCES

- **IRS Publication 17** – Your Federal Income Tax
- **IRS Publication 501** – Exemptions, Standard Deduction, and Filing Information
- **IRS Publication 503** – Child and Dependent Care Expenses
- **IRS Publication#910** – Guide to Free Tax Services
- **IRS Publication 970** – Tax Benefits for Education
- **IRS Publication 5187** – Health Care Law: What’s New for Individuals & Families

All available for free. Call 1-800-829-3676 or use the IRS web site: www.irs.gov. (Forms and publications can be read online or downloaded at no cost.)

Resources continued on back cover

RESOURCES *(cont'd)*

Center on Conscience and War, centeronconscience.org. For college financial aid, see Fund for Education and Training.

Stand Up to the IRS by Frederick W. Daily, 12th Edition, 2015, Nolo Press, 950 Parker Street, Berkeley, CA 94710-9867, nolo.com.

AVAILABLE FROM NWTRCC

Practical War Tax Resistance Series

#1: *Controlling Federal Tax Withholding*

#2: *To File or Not to File and Income Tax Return*

#3: *How to Resist Collection, or Make the Most of Collection When it Occurs*

#4: *Self Employment: An Effective Path for War Tax Refusal*

#5: *Low Income/Simple Living as War Tax Resistance*

#6: *Organizational War Tax Resistance*

#7: *Health Care and Income Security for War Tax Resisters*

#8: *Relationships and War Tax Resistance*

Single copies #1-3 \$.75 ea.; #4-8 \$1.00 ea.; bulk rates available from NWTRCC. Read or download them at nwtrcc.org.

War Tax Resistance: A Guide to Withholding Your Support from the Military Published by War Resisters League, 5th Edition, March 2003 with annual update, 144 pages. (\$6 postpaid)

War Tax Resisters and the IRS—a brief outline of motivations, methods and consequences. (\$2.50 each)

Death and Taxes, an introductory film about war tax resistance. Watch free online at nwtrcc.org under “Resources.”

NWTRCC is a coalition of local, regional, and national groups and individuals involved in or supportive of war tax resistance.



NATIONAL WAR TAX RESISTANCE COORDINATING COMMITTEE

PO Box 150553, Brooklyn, NY 11215 • (800)269-7464
nwtrcc@nwtrcc.org • www.nwtrcc.org

Local Contact: