

# An Investigative Report

From the desk of Barton Albert Buhtz

## *Investigative Journalist and Consumer Advocate*

To: All who hold dear the U.S. Constitution of our Republic May 26, 2003

Re: UCC/Redemption Process

I am quite familiar with a number of widely divergent views held by proponents and antagonists in what is commonly known as "UCC/Redemption." The following report addresses some of the key issues in contention between the various factions and looks at the facts revealed by a number of sources for this information, i.e.

- 1. Is a birth certificate in itself an instrument, a promissory note or other negotiable instrument of commercial value?*
- 2. Is the birth certificate on record at a county and/or with a state a contract giving the state and ultimately the federal government control over all commercial aspects of the individual represented thereon?*
- 3. Does the filing of a Uniform Commercial Code (UCC) Financing Statement, Addendum and/or Change Statement/Amendment encompass all commercial, civil and even criminal activity?*
- 4. Does following the steps of the "UCC/Redemption Process" result in getting some value through the Federal Government without any value being given in return?; and*
- 5. Is the "UCC Redemption Process" simply a ruse or trick that will only result in subsequent retaliation by government agencies against those who file and participate in this process?*

Most attorneys view the UCC from the perspective of litigation and adjudication. However, the UCC is legislated (Administrative Law) that codifies the rules for all commercial transactions between countries, states and individuals. The courts acknowledge they do not have the authority or jurisdiction to amend, alter or nullify any of the Articles of the UCC. They can only consider "gray areas" such as: Who holds the priority position? The party that filed the UCC first or the one who perfected first? The courts have addressed and determine in specific situations what can be considered a "fixture" as it relates to real property under the UCC.

When one files a UCC form and it is recorded by a state's UCC office, that filing becomes a legal document of public record identifying the filer as the Secured Party. Hence no court can lawfully rule on the fact or existence of the filing itself. That filing is a legal fact. The employees of the UCC Department in each state are fiduciaries required to follow specific rules and procedures. If a UCC filing meets the specifications of those rules and procedures the document is to be recorded. There are minor variations in the UCC subsections from state to state and even country to country, but the bulk

of the commercial rules and procedures are universal and uniform. Hence the designation Uniform Commercial Code.

UCC filing offices are located in each state of the union, in each of the territories and protectorates of the U.S. as well as in many foreign countries. Filing a UCC form is an administrative action that, when accepted and recorded by the UCC office, is stamped with a file number, date, hour and even minute of filing. The UCC Financing Statement (UCC-1) details a Secured Party's status in any commercial transaction according to the Articles of the UCC as well as various section of the United States Code dealing with "Property." Once a Secured party's UCC form has been filed it is a fact in public record that there is a secured, vested interest therein holding a superior claim and all other parties at interest who file thereafter must acknowledge, accept and respect the Secured Party's superior and prior position. Any changes filed thereafter by the Secured Party can be accomplished by filing an Amendment (UCC-3) referencing the original UCC filing. However, the facts are clear. The UCC deals with secured, vested interest and/or possession, never title. Title is another subject altogether.

***1. Is the Birth Certificate itself a commercial instrument, a Promissory Note or other negotiable instrument of value?***

The answer is an emphatic NO! However, the authorization to prepare a Certificate of Live Birth is given in the form of an ***application*** signed by the parents and/or the doctor that is in form and substance a commercial contract. A local or state birth certificate is simply evidence that a commercial contact has been entered into making the newborn a ward of the "state." Within two weeks and three days the Certificate of Live Birth based on that application is delivered and filed in Washington, D.C. Furthermore, it is a bonded instrument. On the back of the document is a letter (A-N) followed by eight numbers. More recently issued Social Security Cards have a similar bond serial number stamped on the back.

***2. Is the Birth Certificate itself, originally prepared in the county of birth, a contract giving the state control over all aspects of the individual represented thereon?***

Again the answer is NO. A birth certificate is not a contract and has no value in and of itself except as evidence that a Certificate of Live Birth does exist. That Certificate is on file in the official records in Washington, D.C. and stands as incontrovertible evidence that there is a living, breathing man or woman whose existence has been registered with the state and with certain federal agencies. Records of foreign born are on file with a Certificate of Naturalization, Citizenship or other document authorizing their residence here. Public agencies designate the name on the document as a "person." The value placed on the Certificate of Live Birth is based on the ability of the "state" to tax the future assets of that "Debtor." A bond is taken out by the Department of the Treasury and a bond # is stamped on the back of the Certificate of Live Birth. Printouts of some Individual Master Files (IMF) reveal that bond to be about \$650,000. One IRS Master File I saw lists an IRS Treasury Bond in the amount of \$742,500 that the individual requester knew nothing about. However, all the profit generated by this investment between the birth and the death of the living, breathing man or woman is kept by the "state."

1933 was a pivotal year for the United States government and the American people. History reveals that it took only 20 years after 1913, the year the Federal Reserve Act was "approved" by Congress for

the United States (Corporate) to slip into debt and insolvency. The International Bankers served Notice of this fact on the government. Between January and July of 1933 the Roosevelt Administration and Congress responded. Exactly how all this was orchestrated is too lengthy to be addressed here, but this fact is clear – since then the birth or naturalization record for every U.S. Citizen is on file in the official records in Washington, D.C. and the property and assets of every living U.S. Citizen is pledged as collateral for the National Debt. Information I have received from various government agencies indicates the filed Certificate of Live Birth documents themselves have specific instructions printed on the back stipulating by whom, to whom and in what time frame the document is to be created and delivered. First to the County Health Commissioner, followed by the Secretary of State and finally the Department of Commerce though the files are not maintained in their offices. Within two weeks and three days each Certificate of Live Birth is to be filed in D.C. Evidence reveals that there is even a Federal Children Department established by the Shepherd/Townsend Act of 1922 under the Department of Commerce that appears to be involved in this process in some way.

I have seen IMFs that list commercial activity in the \$billions assigned to individuals making around \$50,000 per year! The government is using their name and assets to trade in drugs, crude oil and other commodities. This is just another example in evidence that all property, real and personal of every living American, is committed by Congress to back the National Debt. In 1933 Congress turned over control of all the post offices in D.C. to the Secretary of the Treasury. Why? That is how the money comes in especially around April 15! Read the 1933 Congressional record you will realize that the office of the Secretary of the Treasury is actually the *keeper* in the financial office of the United States (Corporate) to control the flow of all income to the U.S. so that the Creditor, the bankers who own the Federal Reserve, will receive their money. The salary of the Secretary, John W. Snow, is paid by the International Monetary Fund. "He who pays the piper calls the tune."

According to government sources well over twenty-five million UCC financing statements have been filed with UCC offices in many states. Corresponding commercial paperwork has been sent to the Secretary of the Treasury. These facts have been compiled through information obtained from the CID of the IRS, FBI, Secret Service, Justice Department, the Department of the Treasury and the Secretary of State. By their own admission not one properly filed UCC form has been rejected or criminally prosecuted.

However, the revised UCC Articles, especially IX (effective July 1, 2001) imply that the UCC Financing Statement of the Secured Party applicant must be filed in the birth state or UCC Region. That recorded filing must then be included with a Charge-Back Instruction Notice, a 1040 ES form and a birth certificate with the Secretary of the Treasury. The Secretary is the other Party at Interest. Thirdly, the Secured Party needs to file a UCC Financing Statement and Addendum with the UCC office in the "resident" state to protect assets there.

Employees at the Department of the Treasury and the Analysis and Control Division of the IRS where the files are kept make it clear the birth certificate has no commercial value. However, government agents acknowledge that the Certificates of Live Birth do exist and are on file. Some have even admitted that the Application for the Birth Certificate does have commercial value based on the ability of government to tax the future earnings of the person represented by those documents. However, the applications are not on file in D.C. Research indicates they may well be either in Puerto Rico or Switzerland.

The states, protectorates and D.C. have formed a National UCC Administration. They have partitioned the United States into six UCC Regions. If one UCC office within that region is not willing to accept for filing a properly worded UCC Financing Statement another UCC in that region will. One can record a regional filing in a UCC region state that is the same as filing in their birth state. If one is born outside the U.S., but is authorized to live here and hold a Social Security Card, they can file the UCC form in the state or region where they resided when they received such authorization.

Specifically, research reveals that the UCC and other required paperwork filed with the birth state or region is logged in at the mailroom – 1500 Pennsylvania NW, Washington, D.C. This is the address of legal service for the Secretary of the Treasury. According to LaTanya Y. Wilson all UCC and Bill of Exchange documents are routed to the IRS – Room 1120, 1111 Constitution Ave - NW, Washington, D.C. 20224 under the administration of Felix Zech. This is the Analysis and Control Division of the IRS. These documents are scrutinized by the Secret Service, the FBI and Justice Department. Dolores Douglas at the Analysis and Control Division has stated that these are designated as "UCC Contract Trusts."

The UCC Contract Trusts are distinct and separate from Direct Treasury Accounts used exclusively for trading in Treasury Bonds that are administered by the Bureau of Public Debt. I have learned that many of the UCC and Bill of Exchange documents received at 1500 Pennsylvania Ave NW are misdirected to the BPD. One major error is that many filers reference a Treasury Direct or Direct Treasury account in their documents.

At the Analysis and Control Division of the IRS Building in D.C. UCC Contract Trusts are processed and the paperwork is then routed to one of two IRS Centers. For east of the Mississippi they are routed to Cincinnati, Ohio. West of the River they are sent to Fresno, California. I have since learned that Notices discharging IRS claims east of the Mississippi are also to be sent to Joseph Kehoe – CSB/SPF of the IRS in D.C. West of the River they are to be sent to Gary Sterr – WRM/SPF – Seattle, Washington.

Current reports indicate the UCC files and paperwork is scrutinized by the Secret Service, the Justice Department, FBI, routed to the CID, then to the IRS Technical Support Division (TSD) in the state from where the Secured Party initiated the discharge. A December 2002 memo from LaTanya Wilson notes that copies of these documents are also forwarded to Jeanean West at the Department of Justice, Tax Division in D.C.

Here are some important details regarding the administration and function of the TSD:

- a. Almost every financial institution connected with the Federal Reserve System has in its register or has contracted access to an IRS account known as a Treasury Tax and Loan account (TTL).
- b. The TTL account in each financial institution is administered from the TSD office located in most state offices of the IRS. As a result of IRS internal reorganization the Technical Support Manager (TSM) in each State Divisional Office of the IRS has been assigned the authority formerly assigned to the District Director.
- c. When a "NOTICE of Levy/Lien" is presented to any financial institution by the IRS (usually by fax) the financial institution usually responds routinely with a by making a simple entry in their computer transferring the asset from the depositor's account to the IRS TTL account.

THE ASSET DOES NOT PHYSICALLY LEAVE THEIR OFFICE. A few financial institutions do not have TTL accounts. They place a 21 day hold on the funds and then forward the amount demanded directly to the IRS.

- d. When a "Release of Levy/Lien" is issued by the IRS the financial institution makes an entry in the computer and transfers funds from the TTL account to the depositor's account if applicable. A properly prepared and filed UCC form on file with the bank can be an administrative preventative action a Secured Party can take to document prior, superior claim to those assets on deposit. See United Tobacco Warehouse vs. Wells (1973) and Diversified Metal Products vs. T-Bow Company Trust, IRS, et al (1993). Some banks will not accept UCC documents. Deposit the funds in a financial institution that will.

Discharging claims in the public sector and with the IRS through the UCC Contract Trust can be accomplished by the Secured Party with presentment of Bonded Registered Bill of Exchange directly to the Secretary of the Treasury. When an assessment (claim) is made by the IRS, a federal or state taxing agency, the claim can be stamped "Accepted For Value" by the Secured Party and sent via Certified (or Registered) Mail to the Secretary of the Treasury for discharge. This action is documented and authorized through Public Policy HJR-192, Title IV, Sec. 401 of the Federal Reserve Act, the Supreme Court's confirmation in Guaranty Trust of New York vs. Henwood, et al (1939) and Public Law 73-10. Such action is further confirmed in USC Title XII, Title XXVIII, Sec. 1641, 3002 and the Foreign Sovereign Immunity Act.

***Regarding the alleged commercial value of the birth certificate the following facts are clear:***

\*Hundreds of thousands birth certificates referenced in UCC Financing Statements have been filed and stamped by numerous state UCC filing offices. Under the revised Article (Chapter) IX of the UCC (July 1, 2001) such filers had until June 30, 2002 to re file the UCC-1 with their birth state. By referencing their original filing they could protect the earlier filing date that, then, would be filed with the Secretary of the Treasury. Failure to do so, however, by July 1, 2002 would result in losing their original filing date and their status as the Secured Party with the Secretary of the Treasury.

\*The Department of the Treasury acknowledges that UCC filings by millions of Secured Parties have been routed to the Analysis and Control Division of the IRS in D.C. Not one, to my knowledge has been criminally prosecuted. We have been told that many are in limbo because the files are not complete.

\*Thousands of discharge documents have been presented to the Secretary of the Treasury, routed to the Analysis and Control Division of the IRS for processing and not one has been criminally prosecuted.

All of the foregoing reveals that those who have properly filed UCC documents in the Redemption Process have not committed any crime according to the Department of the Treasury, the Secret Service, the Department of Justice and the IRS.

2. ***Does the filing of UCC Financing statements and Change/Amendments encompass all commercial, civil and even criminal actions?***

According to numerous government sources all commercial transactions in the U.S. and many other countries come under the Legislated (Administrative) Law known as the Uniform Commercial Code. These transactions all become "bonded" when they are processed through the Federal Reserve System and/or the Department of the Treasury. The courts do claim jurisdiction for commercial transactions that appear criminal. The UCC Articles themselves are Administrative Law and not subject to the jurisdiction of the courts and litigation.

Over the past number of years I have had contact with those who have stated they have received proof from Department of Commerce documents that their Certificates of Live Birth are being used as commercial instruments. A detailed investigation by Carl Erickson has revealed some startling facts in this regard.

When the Application and Certificate of Live Birth arrives at the Department of the Treasury in Washington, D.C. the Certificate is bonded, an account is set up with what we know as the Social Security Number, funds are borrowed. The paper credit is invested in stocks and bonds. According to the Bureau of Engraving even Federal Reserve Notes are printed bearing the Bond Number that is assigned to and stamped on the back of each Certificate of Live Birth. The Bond Number consists of a letter (A-N0 followed by eight numbers. A similar combination is now routinely printed on the back of Social Security Cards. The fact is that the very existence of every living, breathing man or woman in the several states is bonded and used for the commercial activities of the United States (Corporate) now in receivership.

Those who properly file in their birth state or UCC Region establish the distinct and separate identity of the Secured Party apart from the Debtor (Strawman). Presenting that filing along with the Instruction Order (Chargeback), the IRS 1040 ES form, the AFV stamped birth certificate notifies the Secretary of the Treasury that the Secured Party is now established with a prior, superior claim on all assets and liabilities of the Debtor. The liabilities can then be presented to the Secretary for processing and discharge through the UCC Contract Trust.

An increasing number of states now accept the UCC Financing Statement and Addendum. To my knowledge not one state has prosecuted any such filing as unlawful, illegal or criminal. Many states are still digesting the revised UCC Code (July 1, 2001) and many counties still do not have provision for perfecting the UCC filing under Article 9-333(a) as a Possessory Lien. The inclusion of 9-333(a) is the first time a form of lien by name has been included in the UCC.

**3. *Is following the Redemption Process simply an attempt to get something for nothing through the Secretary of the Treasury?***

In June 1933 the International Bankers, owners of the Federal Reserve, essentially took control of all private and real property with the consent of Congress and Executive Orders of the President. Establishing status as the Secured Party for the entity represented by the Certificate of Live Birth does not constitute getting "something for nothing." These procedures set up by the government were put in place so that the Secured Party could reclaim a part of what is rightfully theirs under the U.S. Constitution. Congress made provision beginning in the early 1900s for every minor to reinstate their status as an American under the U.S. Constitution

when they became of age. You were a minor when the original contract (Application) was entered into by your parents. These provisions were scattered throughout various legislative acts, joint resolutions and executive orders, many in 1933, as well as in the Congressional Record based on Public Policy HJR-192, codified in Public Law 73-10 and confirmed by the U.S. Supreme Court in 1939. See Guarantee Trust of New York v. Henwood, et al (FN3). By these placement actions the Administration and Congress basically kept the details obscured so no one could readily avail himself of such remedy. Very few were even aware such procedures existed until fairly recently. The UCC filing with the birth/UCC Regional, the Secretary of the Treasury and resident state is an essential part of the Redemption Process. The IMF through their representative, the Secretary of the Treasury, with the use of the Federal Reserve and collection activity of the IRS virtually controls all assets of every U.S. Citizen. With the UCC/Redemption the Secured Party establishes the right to begin reversing that absolute control over the Debtor (Strawman). The Secured Party establishes level ground with the Secretary of the Treasury taking back a measure of control of those assets.

However, UCC filings, properly prepared and correctly filed, go much further in protecting the property and interests of the Secured Party. Such filings can clearly secure legal vested interest control of the Secured Party without the complex jurisdiction of the courts and apart from the arena of controversy.

***4. Is the Redemption Process (Plan) simply a "get rich quick" ruse or trick that will only result in retaliation by the government against those who follow it?***

The Secured Party under the UCC/Redemption Process does not hold the actual Application for a Certificate of Live Birth. Therefore, the process can only be used as an "Accepted For Value" response to a commercial claim. A written, contracted, acknowledged claim received by the Debtor (Strawman) can be Accepted For Value by the Secured Party and discharged when properly presented through the Secretary of the Treasury to the UCC Contract Trust on file with the Analysis and Control Division of the IRS. Unfortunately, many have attempted to circumvent or distort this fact only to find law enforcement and the courts more than willing to enforce and adjudicate. IRS-CID and FBI are often quick to use their intimidation and threat to unlawfully discourage what the courts of law only should handle.

Employees at the Department of the Treasury make it clear they do not accept or act upon faxed orders, telephoned or wired instructions. Hard copy, original in-signature forms and documents must be presented via Certified (or registered) mail as filed with both the state and the Secretary of the Treasury. In 2002, before his resignation, Mr. Paul H. O'Neill made it clear to a Senator from Arkansas that when he is aware of and receives Bill of Exchange documents, he holds them, thus honoring them.

The IRS has recently increased its unlawful use of threats and intimidation with the help of the FBI to discourage and stop the presentment of all Bill of Exchange documents by the Secured party to the Secretary. However, properly prepared and presented negotiable instruments from a legitimate Secured Party can be lawfully and legally processed through local financial institutions by the claimant through the Secretary of the Treasury and ledgered by the financial institution through the Treasury Tax and Loan (TTL) account. However, certain employees at the Department of the Treasury

persist in misrouting many of the documents presented by a Secured Party to the Secretary of the Treasury by labeling them as Treasury Securities (which they are not) then sending them to the Bureau of Public Debt instead of to the Analysis and Control Division of the IRS and the UCC Contract Trust.

As far as I have been able to determine discharge of claims in the public sector, federal and state, initiated by the IRS are discharged with a simple ledger entry and computer transfer for credit and debit through the IRS Technical Support Division. Further confirmation regarding this process has come from the Special Procedure Handling Offices of the IRS.

For the Secured Party the Uniform Commercial Code, executed correctly, levels the field of commerce to a great degree. We continue to gain more knowledge and understanding in spite of stonewalling, being fed misinformation and even being the target of threats and blackmail. "You shall know the truth and the truth will set you free." Remember, our Consumer Advocate ministry operates entirely as a charitable service totally dependent on donations and prayers. Both are deeply appreciated at this time.

Barton A. Buhtz