



Written by [Joe Wolverton, II, J.D.](#) on July 16, 2018

IRS Begins Revoking Passports of Americans Owing Back Taxes

“That which is not just, is not Law; and that which is not Law, ought not to be obeyed.”

Algernon Sidney (1683)

Not only does the Internal Revenue Service (IRS) have the power to seize your property, put liens on your property, and criminally prosecute you for your failure to “consent” to the federal tax on your income, it now has the authority to approve your travel outside of the United States.



Three years ago, the Republican-controlled Congress gave power to the IRS to revoke passports; it seems the agency is beginning to exercise that unconstitutional authority. Although it was given this weapon three years ago, it has only recently begun to wield it widely, blocking Americans from obtaining a passport, or revoking those already in the hands of those to be kept from leaving the country.

The IRS reports that 362,000 Americans with “seriously delinquent” tax bills will be refused passports or passport renewals if they do not pay the money they owe, according to a report in the *Wall Street Journal*.

As for how delinquent is “seriously delinquent,” the authorizing legislation indicates that any debt over \$51,000 will trigger the rejection.

Writing in Townhall, former Congressman Bob Barr (R-Ga.) reports on the IRS’s imminent crackdown on emigration.

“Now, the Internal Revenue Service, arguably the most powerful of all federal agencies — with a demonstrated history of abusing its power — can strip away a treasured constitutional right from whomever it chooses, as long as the agency claims the particular taxpayer owes it the requisite amount of money,” Barr explains.

The provision purportedly endowing the IRS with such expansive power was buried deep within a bill — a “multi-hundred-page piece of legislation,” as Barr describes it — ostensibly providing for improvements in infrastructure called the “Fixing America’s Surface Transportation Act.”

Here’s how the Republicans in Congress managed to disguise the disgusting transfer of power over travel to the tax collection agency, according to Barr’s article:

Even if an astute student of the modern legislative process was on the lookout for such a provision as this, he or she would be hard-pressed to find it. The tool given to the IRS with which to pressure taxpayers into giving Uncle Sam his due, is found in the 32nd Title of the massive 2015 transportation infrastructure bill; it is simply an “Offset.” In other words, the IRS now can direct that the State Department refuse to issue a passport to an applicant, or to revoke one already issued, simply because that citizen owes some back taxes. The federal government can now



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“lawfully” do this because the Congress, in its zeal to implement thousands of pet transportation projects, needed to conjure “offsets” to help pay for them.

The long and short of it is if you owe money to the IRS — or if the IRS says you owe them money, regardless of whether you do or not — the agency can direct the U.S. State Department (the federal agency that issues passports) to revoke your current passport. If you don’t have a passport, the IRS will direct the State Department to reject your application, should you be suspected of being in arrears on your federal taxes.

Don’t worry, though, if you owe back taxes and you’re currently traveling abroad. The State Department will extend to such sojourners a “a limited passport good for a direct return to the United States,” *Time* magazine reports.

Otherwise, left without a passport, an American cannot travel outside the United States. The right to restrict travel is not found among the enumerated powers granted by the states to the federal government in the Constitution.

Yes, there are those who argue that the section of the Constitution dealing with slave importation was meant to apply to immigration as well (the record of the debates of the Constitutional Convention of 1787 makes it very clear that such was not the case), but immigration and emigration are not the same thing and power to forbid the latter can’t even be located in some dusty penumbra of the letter of constitutional law.

Perhaps the most galling aspect of the scheme is that it was a bipartisan betrayal. The GOP pushed the perfidious legislation through Congress and a Democratic president signed it into law.

This denial of basic liberty is yet another demonstration of the fraudulent portrayal by the establishment of a party in power and the loyal opposition. There is one party in power, and that is the party of the establishment, people who personally profit from the perpetuation of the control exercised by the ruling class.

Barr appears prescient in his prediction that other federal agencies might follow the example set by the IRS and begin demanding Congress extend to them the sort of dictatorial demesne over the rights of Americans.

“Finding oneself behind on taxes the IRS claims is owed it, could be employed as leverage with which a government agency could deny individuals the ability to exercise other rights and benefits,” Barr wonders, “such as being able to secure a driver’s license, obtaining a loan from a federally-insured financial institution, or clearing a background check prior to purchasing a firearm?”

Of course, readers of *The New American* realize that such musings are not imaginary at all.

The IRS has persecuted individuals and groups, subjecting them to audits and denials of tax-exempt status based solely on the political persuasion of the target.

Additionally, through the ObamaCare legislation, the Department of Homeland Security and the IRS have enlisted doctors in the effort to identify those not mentally fit to own firearms.

Does anyone reading this article truly believe that there are sufficient patriots serving in the offices on the Potomac to prevent such wholesale and wholly unconstitutional aggregation of power by the IRS or any other federal agency?

How can the damage be undone? Our unique political structure suggests a few remedies.



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First, Congress created these monstrous agencies and, as such, it may destroy them.

Second, the president, as the head of the Executive Branch, could abrogate these agencies, too, as they fall under the executive aegis.

Third, the president and Congress could work together, the former folding the agencies and the latter refusing to fund them.

The fourth and perhaps most potent weapon against these would-be bureaucratic bullies is decentralization. The 10th Amendment clearly confirms a fact understood very well at the time of the Constitution's ratification: States are the principals and the federal government is their agent. If the agent exceeds the scope of the authority granted to it by the principals, then the principals may simply nullify the unauthorized acts of the agent.

Put more plainly, states, in the words of James Madison, "have the right, and are in duty bound, to interpose for arresting the progress of the evil," that is, the evil of the "deliberate, palpable, and dangerous exercise" by the federal government of powers not granted to it in the Constitution.

We'd go a long way toward making American great again, if we would set about making America STATES again.

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