

# **The Kick Back Racket (Bribes)**

*Merit pay and performance award bonuses???*

***Federal non judicial “form 61 municipal employees” (judges)***

***State non judicial “imposters” officers of the corporation (judges)***

***Institutionalized criminal fraud institutionalized criminal corruption***

***To run a Rico racketeering extortion racket - your ride to diesel***

***therapy - bold emphasis added***

## **CASH AWARDS DISTORTS JUSTICE**

Title 5 U.S.C. § 4502, and other sections of law cited herein, provide for secret cash awards to federal government employees. Said secret cash awards can be paid to a Judge, Assistant U.S. Attorneys, IRS agents and your attorney, whose first duty is to the court, in the performance of successful prosecutions against the American People. Payments to said federal employees are concealed from Public scrutiny and therefore constitute bribes, a blatant conflict of interest, and abandonment of judicial neutrality, Discrimination, and denial of Due Process of Law.

It is a material fact that together the IRS and Prosecution accuses people of crimes and calling said actions "deceitful and dishonest Means" while at the same time, IRS agents, U.S. Attorneys, judges and your attorney can receive secret cash awards, which are not condemned by said U.S. Attorneys (who themselves receive such secret cash awards) as "deceitful or dishonest means". These secret cash awards are so secret, that neither the defendant, the Public, the jury, nor others associated to the original Action, are permitted by law to scrutinize previous and current secret cash awards to said Parties to determine if the promise of cash awards constitutes malfeasance, corruption, bribery and the perversion of justice in the original Action.

The presentation of the following Statutes demonstrates how it appears that United States law encourages prosecutorial and judicial conflict of interest, non-neutrality, non-impartiality, and corruption in the Federal Courts.

5 U.S.C. § 4502 General Provisions, provides for payments to Federal employees. The payment and incentive provisions with respect to 5 U.S.C. § 4502 is summarized as follows:

5 U.S.C. § 4502 General Provisions	Payment of \$10,000.00	Payment of \$25,000.00
Acceptance constitutes agreement by employee	Amounts determined by Sections 4503, & 4504	
Award additional time-off from duty - no loss of compensation		

Other incentives under sub section (b) by Secretary of Defense. 5 U.S.C. § 4503 Agency awards,

The head of an agency may pay a cash award to, and incur necessary expense for the honorary recognition of, an employee who--

(1) By his suggestion, invention, superior accomplishment, or other personal effort contributes to the efficiency, economy, or other improvement of Government operations or achieves a significant reduction in paperwork; or

(2) Performs a special act or service in the public interest in connection with or related to his official employment.

5 U.S.C. §4504 Presidential awards.

The President may pay a cash award to, and incur necessary expense for the honorary recognition of, an employee who--

(1) By his suggestion, invention, superior accomplishment, or other personal effort contributes to the efficiency, economy, or other improvement of Government operations or achieves a significant reduction in paperwork; or

(2) Performs an exceptionally meritorious special act or service in the public interest in connection with or related to his official employment.

A Presidential award may be given in addition to an agency award under 5 U.S.C. § 4503.

Conflict of Interest in the UNITED STATES COURTS. 28 U.S.C. § 602. Employees, 28 U.S.C. § 602. Employees

"The Director shall appoint and fix the compensation of necessary employees of the Administrative Office in accordance with the Administrative Office of the United States Courts Personnel Act of 1990."

Administrative Office of the United States Courts Personnel Act of 1990. Section 3 (a) (1) of the Act, "establish(es) procedures for employee evaluations, the granting of periodic pay adjustments, incentive awards..." (read: up to \$25,000.00)

5 U.S.C. § 3371, Definitions, defines the U.S. Courts as a federal agency. 5 U.S.C. § 3371

(3), the Administrative Office of the United States Courts is defined as a "federal agency".

5 U.S.C. § 7342(a)(6)(C), reveals that the Administrative Office of the United States Courts is the "employing agency" for "judges and judicial branch employees." The Administrative Office of the United States Courts is the "employing office" for judges of all United States Courts of Appeals; All United States District Courts; The Court of International Trade; The Claims Court; and The District Courts in Guam, the Northern Mariana Islands, and the Virgin Islands. So the law states that these specific categories of federal judges can receive "cash awards" of up to \$25,000.00 (See 28 U.S.C. § 602 and Administrative Office of the United States Courts Personnel Act of 1990, Section 3(a)(1)).

The Internal Revenue Manual; Handbook of Delegation Orders, January 17, 1983, Pg. 1229-91; outlines the alleged Internal Revenue Service's system of monetary awards, "of up to and including \$5000.00, for any one individual employee or group of employees, in his/her immediate office, including field employees, engaged in National Office projects; and contributions of employees of other Government agencies and armed forces members;" (read USDC Judges and U.S. Attorneys, and your Defense Attorney)

"WITH THE APPROVAL OF the Deputy Commissioner; of \$5,001.00 to \$10,000.00, for any one individual or group,"

"with the approval of the Deputy Commissioner; of \$10,001.00 to \$25,000 for any one individual or group,"

"with the Commissioner's concurrence, an additional monetary reward of \$10,000.00 (total \$35,000.00) TO THE PRESIDENT THROUGH TREASURY AND OPM." (Emphasis added)

These awards include secret cash awards. They are not limited as to the number of awards that may be awarded to any one person or group. There is no limitation placed upon any award. Any person or group of persons can be awarded this money, including: U.S. Attorneys, Federal Judges, THE PRESIDENT OF THE UNITED STATES or anyone else for that matter. The awards may be given to the same person or group, each minute, each hour, every day, every week, every month, every year, or not at all. In other words, the U.S. Government and the alleged Internal Revenue Service, a/k/a/ Bureau of Alcohol, Tobacco, and Firearms have a perfectly legal (not lawful) system of bribery. The bribery works against the American People of the several states of the united States of America when they expect impartial justice; and there is no proof on the record to the contrary.

The Ethics in Government Act, 5 U.S.C. Appendix §§ 101 et seq, at § 102 specifically, forbids the disclosure of monies earned from the Federal Government. Furthermore, personal financial information is exempt from disclosure under the Privacy Act. Federal judges can thus be paid large sums of money, beyond their published salaries authorized by Congress, privately and secretly (and most Americans would agree--lawfully) by their employer, the federal government, with a payment statutorily dubbed in this case as an "incentive award", also referred to as a "cash award."

The preceding cites alone would seem to provide enough information to support the contention that Federal Judges receive "cash awards" (otherwise known by the common American as bribes) from their employer, the "United States," as well as "Federal Agencies," the I.R.S.

In addition, said judges are permitted to be paid up to \$10,000 in erroneous payments without any obligation to return said erroneous payments. 4 CFR § 91.4 Flag and Seal, Seat of Government, and the States:

"The Director of the Administrative office of the United States Courts may grant a waiver in whole or in part of a claim of the United States in an amount aggregating not more than \$10,000 arising out of an erroneous payment of pay...."

4 CFR § 91.5 (a) (2): "... all doubts are to be resolved in favor of the applicant."

4 CFR § 91.6 (b): "An erroneous payment, the collection of which is waived pursuant to this subchapter, is deemed valid payment for all purposes."

Employees of the DOJ and U.S. Attorneys are permitted the same waivers as cited above.

28 CFR § 0.155 ... reveals that employees of the Department of Justice (DOJ), (e.g. FBI agents and United States Attorneys) are permitted the same waivers. 28 CFR § 0.143 ... reveals that DOJ employees are eligible for "Incentive Awards."

28 CFR § 0.11 ... reveals that DOJ employees are eligible for "Incentive Awards" for "...personal effort which contributes to the efficiency, economy or other improvement of Government operations..."

It should not go without comment that U.S. Attorneys and the federal judges are, by law, entitled to secret cash awards for their contributions to this "efficiency" and "economy." Knowing this, it should come as no surprise that the U.S. Attorneys and federal judges usually have their offices located in the same building, sometimes on the same floor and in the same hallway.

The law requires that a judge disqualify himself if she has a "financial interest" in the proceeding. Of course, this term of art means something entirely different than what the common American would consider a "financial interest."

28 U.S.C. § 455(d), defines "Financial interest" as follows:

"(4) "Financial interest" means ownership of a legal or equitable interest, however small, or a relationship as director, adviser, or other active participant in the affairs of a party, except that:

"(i) Ownership in a mutual or common investment fund that holds securities is not a "financial interest" in such securities unless the judge participates in the management of the fund;

"(ii) An office in an educational, religious, charitable, fraternal, or civic organization is not a "financial interest" in securities held by the organization;

"(iii) The proprietary interest of a policyholder in a mutual insurance company, of a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest;

"(iv) Ownership of government securities is a "financial interest" in the issuer only if the outcome of the proceeding could substantially affect the value of the securities."

So the "cash awards" statutorily awarded to judges do not "technically" constitute a "financial interest" within the meaning of the term as defined in § 455(d). I wonder if a jury would agree that a secret "cash award" is not a financial interest.

Were this material fact revealed to the jury at the outset of the trial, there would most certainly be a different outcome in the original Action, and every other trial in every federal court in the land. Americans are required to rely solely upon the integrity of federal judges and others who are eligible for these substantial, privately presented secret cash awards without full disclosure to all parties who may be affected by this knowledge (i.e., Jurors, Defendants, Defense Attorneys, etc.). No reasonable American or American jury in their right mind would agree to such a financial arrangement when it comes to their personal freedom or the freedom of other Americans. There can be no independence, impartiality, neutrality, or integrity in a judicial system that permits and does not fully disclose these secret financial incentives (what most Americans would call "bribes") for the judges and U.S. Attorneys without verifiable proof that judges and U.S. Attorneys have clean hands in the original Action and any other federal court action.

The fundamental questions are these:

How can the federal judiciary be independent and impartial (blind justice) when the law permits the federal government to privately and secretly award judges up to \$25,000 in undisclosed secret "cash awards," and to privately, secretly, and "erroneously" overpay them up to \$10,000, and "waive" such erroneous overpayments?

How can anyone be assured of a fair, impartial, and unbiased trial when said "cash awards" are cloaked in secrecy by United States law?

How can any DEFENDANT be found guilty beyond a reasonable doubt when such statutory secret "cash award" provisions on their face create an irrefutable affirmative defense?

Since the above evidence, which is now upon the record, is so over whelming, and there is no evidence or proof to the contrary on the record; is it, therefore, impossible to obtain a fair and impartial trial by Department of Justice Attorneys, Magistrate Judges, USDC Judges, or any employee of the USDC system who is eligible for said secret "cash awards," anywhere throughout the several states, District of Columbia, Territories, or insular possessions of the UNITED STATES.

Given that this matter could be reviewed on appeal by judges who themselves are feeding from the same nefarious and secret financial trough, it is not likely that such corruption will be resolved without full disclosure to the American People of these bias creating incentives (bribes), which are repugnant to the Constitution and to common decency.

The Court will certainly understand my skeptical view of the neutrality and impartiality of judges in matters like the original Action when faced with the high number of convictions of judges which reveal their greed and utter contempt for the law. The harm and corruption that these Statutes have perpetrated against justice and the American People is incalculable as evidenced by the extremely high criminal conviction record of UNITED STATES DISTRICT COURT officers.

None of the bribery charges reflect any prosecutions or convictions for the ubiquitous secret "incentive award" or "erroneous" overpayments cited herein since all the parties who would prosecute and judge such unlawful and corrupt actions are themselves Officers of the Court who are feeding from the same trough. Since these secret "cash awards" are "legal" (actually unlawful and most certainly immoral) bribes, and hidden from the light of day by all participating parties, none of these actions can ever be prosecuted as crimes while the statutes permitting them are in force.

Americans in these united States of American can never truly be "free" unless and until the federal judiciary is completely free from any possibility of government-sponsored graft and corruption; and there is no proof on the record to the contrary. Americans need to demand that Congress acknowledge the facts in this Memorandum, and Congress, which is morally obligated by Oath to provide blind justice for We the People, must right the law to permit Americans to closely scrutinize the monies which federal judges receive from their employer, the government, especially in circumstance in which any American's property or freedom is at stake. Until such a time, all Americans will be at the mercy of the secret "cash awards" which the federal government may bestow upon federal judges (judges who are supposed to be impartial and who are to insure all Americans get fair trials) and who conceal the same from the American people.

Because there is no provision of law for disclosure of financial information on judges, and because there is no Privacy Act System of Records which purports to maintain records on financial affairs relevant to federal judges, it is impossible to place any evidence on the record or to have any level of confidence that any federal judge or U.S. Attorney has received any of the said secret incentive awards, "erroneous" overpayments, or waivers as described herein with regard to the original Action or other similar type Actions.

This Memorandum reveals the evidence, published in statute and regulations, that there exists an enormous potential for what is, essentially, government-sanctioned bribery of judges by the federal government itself, and that there is no way for the public, the American People, nor any alleged DEFENDANTS, to know whether or not such secret bribes are being awarded or promised (expected) in their cases. While it is not certain that all judges know about these bribes or that all judges would accept such bribes, were they offered to them, it is impossible for one to know with any level of certainty if said bribes are linked to the outcome of the original Action or similar actions.

The Constitution guarantees a fair and honest judicial system which is free from bias and the nefarious enticements cloaked in secrecy as cited herein. It appears on the record that the judicial system in American has been hijacked and turned into a lucrative machine with the sole purpose of amassing wealth and power.

The noted author, Alex Carey, an Australian