

A BRIEF PERTAINING TO BILL C-31
{IGA BETWEEN THE DEPARTMENT OF TREASURY (IRS)
AND THE GOVERNMENT OF CANADA}

I was born in the U. S. in 1946. I finished all university work in 1970. I immediately went into military service. I served two years active duty in the U. S. army, as was required at that time. I was honourably discharged in September of 1972. I am a veteran. In December of 1973, my wife and I immigrated to Canada. I spent slightly over one year working in the U. S. prior to our permanent move to Canada. We were not running away from anything, just looking to make a life for ourselves. We had good friends in British Columbia, so that was our first location in Canada.

In 1979, I became a Canadian citizen. We had decided to live here, and I wanted to be able to vote. We have legally resided in Canada for over 40 years, with no connection to the U. S. other than occasionally visiting relatives. No home, no property, no address, no money, nothing. I have been a Canadian citizen for 35 years. My wife became a citizen last summer. At the time I became a Canadian citizen, I was told by any and all sources that I would automatically lose my U. S. citizenship. And according to U. S. law at that time, I did. I swore allegiance to a "foreign" power, and I took a job with the Yukon Territorial government - both expatriating acts. That was fine with me. In 1979, I consciously and willingly made the choice to become a Canadian citizen, despite the understanding that I would lose my U. S. citizenship. I gave the matter no more thought. Until now.

In 2010, due to incompetent financial and administrative government activities and decisions, the U. S. found itself desperate for money. One of the ideas that came out of that situation was the FATCA legislation. Right from the start, it was an ill-conceived, arrogant, bullying, desperate and, as far as I can tell, unconstitutional action. Due to the U. S. - Canada Tax Treaty, we have never owed any taxes to the U. S. However, due to ignorance on our part, and disinterested non-enforcement on the part of the U. S. government, we have never filed tax forms with the U. S. We never knew this was required, due to the fact that I had become Canadian, and also due to the fact that the U. S. is the only country on the face of the earth that utilizes citizenship-based taxation. Who knew?

Now, having lived and worked in Canada (and faithfully paid my taxes) for 40 years, I am being punished by my adopted country, because I wasn't born here. I have been sold out to the great bully to the south. Canada, in

its willingness to anxiously relinquish its sovereignty as a unique and distinct nation, in order to bail out the big banks, has done the ble. How absolutely pathetic. How patently disgraceful. And how blatantly illegal. This Conservative government should be mightily ashamed. Canada was quick enough to condemn Eritrea, a despotic country that charges its citizens abroad a scant 2% tax. What a sweet deal as compared to the avarice demonstrated by the U. S.

The IRS realized early on that the vast majority of expatriates owed no taxes to the U. S. So, they concocted egregious fines and penalties for simply not having filed every year. And Mr. Douglas Schulman of the IRS discovered FBAR. I'm sure he got a bonus for that. People are being fined many times their total worth, for not informing the U. S. of "foreign" bank accounts, bank accounts used in their country of residence and citizenship for day-to-day activities. The IRS has already determined that it will cost far more to administer FATCA and FBAR than any revenue they might ever hope to collect. This is more about punishing U. S. citizens for daring to leave the U. S. and live somewhere else (how dare they), than it is about seeking out tax evaders.

I thought that when I became a Canadian citizen, I would enjoy all the rights and privileges and protection of any citizen. Not so. Mr. Harper, and his obsequious, spineless gaggle of Conservative MP's, have determined that I am a second rate Canadian citizen, not having all the rights and privileges, and undeserving of the protection, afforded natural born Canadian citizens. How do they just one day decide to do this?

Canada has spent so many years and so much effort trying to legitimize its sovereignty from the U. S., and then in one fell swoop ... it has become nothing more than a northern extension of the U. S. It is no longer a proud, distinctive, sovereign nation. This government has allowed the IRS (Treasury Dept.) to move into MY country and have its way with certain designated second-rate Canadian citizens. Cowards. Cowards, indeed. Shameful.

I have had a great deal of pride in my adopted country since the day I first moved here. Today not so much.

This is a serious matter, and goes far beyond any notion of taxes and penalties. It is a blatant selling out of the citizens of a sovereign nation by that same sovereign nation, to another nation, simply out of fear of being fiscally penalized by an indebted, threatening, bullying nation. How very pathetic-

ic.

Due to its own lack of competent leadership, the U. S. has been an embarrassment for many years, and I have not thought of myself as a U. S. "person" for 35 years. Now, I'm not so proud to be Canadian anymore.

Nothing I can do about it. The current government will do whatever is the most fiscally convenient for them. The position of the Harper government is, as close as I can determine:

Even though you are a legally documented citizen of Canada, we will turn over any and all heretofore private and confidential banking information to a foreign government, just because they ask for it, and because Canada is deathly afraid of possible financial and other punishment from the U. S. We are very scared of the bully to the south. We accept that the U. S. can designate anyone they want as a "U. S. person", despite their residence, history, whether or not they have ever owed taxes to the U. S., and in direct conflict with the Canadian Charter of Rights and Freedoms. Even though you are a citizen of Canada, we have chosen to violate your guaranteed rights in lieu of sustaining possible monetary retribution from the U. S. Suck it up, citizens. We're in charge, and there's nothing you can do about it.

It is a very, very sad day for Canada. FATCA is already a disaster. It becomes more and more unenforceable as each day passes. And yet, Canada eagerly and willingly signed on to it. OH, Canada. What have you done? Had you simply had the courage and conviction to stand up to the U. S., their entire punitive scheme would have collapsed. And nations all over the world would have held you in awe, and would have followed your lead. Now, you are viewed as even more of a timid, frightened little nation than anyone ever thought you were before. You missed your chance to really shine. You blew the opportunity to truly distinguish Canada as a sovereign nation that looks out for its citizens. All of its citizens. You, Mr. Harper, and all of your minions, have done this country a great vice. Perhaps some day, under competent and patriotic leadership, we can recover. But it will be a long time. You have done a great deal of damage. And hundreds of thousands of us will never forget.

In closing, I would like to add my support to the recently proposed amend-

ment to the IGA:

Notwithstanding any other provision of this Act or the Agreement, for all purposes related to the implementation of this Act and the Agreement, "US Person" and "Specified US Person" shall not include any person who is a Canadian citizen or legal permanent resident who is ordinarily resident in Canada.

Summation:

1. (Preferred) Do not approve the reckless and poorly thought out IGA between the United States Department of Treasury (IRS) and the Government of Canada

OR

2. Include in the body of same IGA, the proposed amendment as stated above.

Rem Ricks