

WHY YOU AREN'T ELIGIBLE FOR SOCIAL SECURITY

Last revised: 10/27/2007

1	Introduction	4
2	Social Security Definitions.....	5
3	Requirements for Joining Social Security.....	6
4	What are the legal consequences of participating in Social Security?	9
5	Background on Social Security Numbers	11
6	Compelled use of Social Security Numbers	12
7	Who Owns the Social Security Number and Card?	13
8	Detailed Answers to Common Questions from recipients of this form About Your Social Security Participation	15
9	Questions that Readers, Grand Jurors, and Petit Jurors Should be Asking the Government	17
10	Resources for Further Study and Rebuttal	26

TABLE OF AUTHORITIES

Constitutional Provisions

Art. I, Sec, 10	13
Art. I, Sect 9, Cl. 3.....	13
Article 1, Section 10.....	12
Bill of Rights	18
First Amendment.....	8
Fourteenth Amendment.....	8, 12
Thirteenth Amendment.....	16

Statutes

18 U.S.C. §1581	8
18 U.S.C. §1589	8
18 U.S.C. §208	11
18 U.S.C. §241	8
26 U.S.C. §1	10
26 U.S.C. §162	10
26 U.S.C. §32	10
26 U.S.C. §6903	9, 10
26 U.S.C. §7701(a)(9) and (a)(10)	11
28 U.S.C. §3002(15)(A).....	9
42 U.S.C. §1301	22
42 U.S.C. §1301(a)(1).....	5
42 U.S.C. §1301(a)(2).....	5
42 U.S.C. §1994	8
42 U.S.C. §408	8, 12, 25
42 U.S.C. §414(c).....	6
44 U.S.C. §1505(a)(1).....	9, 12
5 U.S.C. §553(a)(2).....	9, 12

8 U.S.C. §1101(a)(21)	25
8 U.S.C. §1401	6, 7, 15, 23, 24, 25
Current Social Security Act, Section 1101(a)(1).....	5
Current Social Security Act, Section 1101(a)(2).....	5
Current Social Security Act, Section 214(c)	6
Privacy Act of 1954, 5 U.S.C. §552a	12
Privacy Act, 5 U.S.C. §552a	11
Social Security Act as of 2005, Section 1101	22, 23
Social Security Act of 1935.....	26
Social Security Act of 1935, Section 1101(a)(1).....	5
Social Security Act of 1935, Section 1101(a)(2).....	5
Social Security Act, Section 1101	15
Social Security Act, Section 1101(a)(2).....	22
Social Security Act, Title II, Section 207	14
U.S. Code, Title 42, Chapter 7	22

Regulations

20 CFR §422.103	16, 21
20 CFR §422.104	6, 11, 15, 23
20 CFR §422.104(a).....	22
26 CFR §301.6109-1(g)	12
26 CFR §31.3401(c)-1.....	9, 11

Cases

Alden v. Maine, 527 U.S. 706 (1999)	10
Ashton v. Cameron County Water Improvement District No. 1, 298 U.S. 513; 56 S.Ct. 892 (1936).....	7, 23
Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio St. 16; 76 N.E. 91; 11 L.R.A., N.S., 1012 (1905).....	16
Becker v. United States, 451 U.S. 1306 (1981).....	7, 23
Bridgeport v. New York & N. H. R. Co., 36 Conn. 255, 4 Arn.Rep. 63	17
Buckley v. Valeo, 424 U.S. 1, 118 -137 (1976)	8
Budd v. People of State of New York, 143 U.S. 517 (1892).....	10
Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d 321, 325	7, 23
Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)	7, 11, 15, 23
Downes v. Bidwell, 182 U.S. 244 (1901).....	19
Elliott v. City of Eugene, 135 Or. 108, 294 P. 358, 360.....	17
Flemming v. Nestor , 363 U.S. 603 (1960)	13, 21
Flemming v. Nestor, 363 U.S. 603, 610, 80 S.Ct. 1367 (1960).....	13, 21
Frost v. Railroad Commission, 271 U.S. 583; 46 S.Ct. 605 (1926)	19
Gulf Refining Co. v. Cleveland Trust Co., 166 Miss. 759, 108 So. 158, 160	17
Haig vs Agee, 453 U.S. 280 (1981).....	25
Hammer v. Dagenhart, 247 U.S. 251, 275 , 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724.....	7, 11, 23
INS v. Chadha, 462 U.S. 919, 944 -959 (1983)	8
Lord v. Equitable Life Assur. Soc., 194 N.Y. 212, 81 N. E. 443, 22 L.R.A.,N.S., 420	17
Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954).....	12
N.Y. v. re Merriam 36 N.E. 505; 141 N.Y. 479; affirmed 16 S.Ct. 1073; 41 L. Ed. 287	9
National League of Cities v. Usery, 426 U.S., at 842 , n. 12.....	8
New York v. United States, 505 U.S. 144 (1992)	8
Newblock v. Bowles, 170 Okl. 487, 40 P.2d 1097, 1100.....	7, 23
Norton v. Shelby County, 118 US 425 (1885)	24
Pack v. Southwestern Bell Tel. & Tel. Co., 215 Tenn. 503, 387 S.W.2d 789, 794	20
People v. Utica Ins. Co.. 15 Johns., N.Y., 387, 8 Am.Dec. 243	17
Pierce v. Emery, 32 N.H. 484.....	17
Poindexter v. Greenhow, 114 U.S. 270; 5 S.Ct. 903 (1885).....	24
State v. Black Diamond Co., 97 Ohio St. 24, 119 N.E. 195, 199, L.R.A.1918E, 352.....	17
State v. Fernandez, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240.....	17

State v. Topeka Water Co., 61 Kan. 547, 60 P. 337.....	17
United States v. Brown, 381 U.S. 437, 448-49, 85 S.Ct. 1707, 1715, 14 L.Ed. 484, 492	13
United States v. Lovett, 328 U.S. 303, 315, 66 S.Ct. 1073, 1079, 90 L.Ed. 1252.....	13
Virginia Canon Toll Road Co. v. People, 22 Colo. 429, 45 P. 398 37 L.R.A. 711	17
West Coast Disposal Service, Inc. v Smith (Fla App) 143 So 2d 352.....	18
Whitbeck v. Funk, 140 Or. 70, 12 P.2d 1019, 1020.....	17

Other Authorities

19 Corpus Juris Secundum (C.J.S.), Corporations, §884	9
3 Com. 262 [4th Am. Ed.] 322	17
Am.Jur.2d, Franchises, §4; 36 Am.Jur.2d Franchises, §4	18
American Jurisprudence 2d Legal Encyclopedia, Franchises, §1, Footnote 7	18
American Jurisprudence, 2d, United States, Section 42: Interest on Claim	10
Black’s Law Dictionary, Fourth Edition, p. 1693	18
Black’s Law Dictionary, Fourth Edition, pp. 786-787	18
Black’s Law Dictionary, Sixth Edition, p. 1231.....	20
Black’s Law Dictionary, Sixth Edition, p. 165.....	13
Black’s Law Dictionary, Sixth Edition, p. 581.....	7, 23
California DMV Driver’s License Application, Form DMV-44.....	4
Corpus Juris Secundum Legal Encyclopedia, Territories, §1.....	19
Denial of Application Affidavit, Form #06.004	5
Federal Enforcement Authority in States of the Union, Form #05.032.....	26
Government Instituted Slavery Using Franchises, Form #05.030.....	26
Great IRS Hoax, Form #11.302, section 5.6.16	11
Prov. 11:15	14
Prov. 6:1-5.....	15
Proverbs 17:18.....	14
Resignation of Compelled Social Security Trustee, Form #06.002.....	26
Social Security Handbook	26
Social Security Legislative History	26
Social Security Policy Manual, Form #06.013	26
Social Security Program Operations Manual System (POMS)	26
Social Security SS-5 Application for a Social Security Card.....	21
Social Security Website.....	26
Tax Deposition Questions, Form #03.016, Section 14: Citizenship.....	7
Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 556	13
Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 842	14
Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 943	14
Why You are a “National” or a “State National” and not a “U.S. Citizen”, Form #05.006	7, 16, 24
Your Rights Regarding Social Security Numbers	26

1 **1 Introduction**

2 In a number of corporate states of the Union, there is often a legal requirement to provide a Social Security Number when
3 applying for a various types of licenses, privileges, and benefits or when going to work for a company. The only exception
4 to this rule in most cases is if:

- 5 1. The applicant has a religious objection to having or using a Social Security Number
6 2. The applicant is NOT eligible for Social Security.

7 Below is an example of such a requirement from the California DMV Driver’s License Application, Form DMV-44:

8 **Figure 1: California DMV-44 Drivers License Application Front Statement**

3 COMPLETE THIS SECTION ONLY IF YOU ARE NOT ELIGIBLE FOR A SOCIAL SECURITY NUMBER:	
I certify under penalty of perjury under the laws of the State of California that no Social Security Number has ever been issued to me and I am not presently eligible for a Social Security Number. I understand that pursuant to Vehicle Code Section 12801 I must provide my Social Security Number to the Department of Motor Vehicles when one is assigned to me.	
Signature X	Date

9
10 On the back of the same form, we found the following note:

11 **Figure 2: California DMV-44 Drivers License Application Back Statement**

DISCLOSURE STATEMENTS

- **SOCIAL SECURITY NUMBER COLLECTION DISCLOSURE — You are required by law to provide your Social Security Number, if you are eligible for one, or your application will be denied. An applicant who is legally present in the United States, but not authorized to work and therefore ineligible for a Social Security Number may still be eligible for a California Driver License/Identification Card.**
 Authority to collect the social security number is 42 U.S.C. 405 and California Vehicle Code §1653.5, §4150, §4150.2, §12800, and §12801. It will be used in the administration of driver license laws and motor vehicle registration laws and to respond to requests for information from the:
 - Franchise Tax Board for tax administration
 - Any agency operating pursuant to 42 U.S.C. 601 et seq.
 It will be used to aid in the collection of monies owed in connection with:
 - ✓ failure to pay fines or failure to appear in court by an applicant
 - ✓ Aid to Families with Dependent Children
 - ✓ Child Support
 - ✓ Establishment of Paternity
- DMV verifies your social security number, name and birth date on our records with the Social Security Administration. You will not be issued or be able to renew your driver license or identification card until the Social Security Administration verifies the information you have provided is correct. By applying for a driver license or identification card, you authorize and consent to a search of any and all databases at the Social Security Administration by the California Department of Motor Vehicles, to verify the information you have provided.
- The mailing address listed on the front of this application will be the address shown on your driver license or identification card.

12
13 The purpose of this pamphlet is to introduce exculpatory, court admissible evidence showing why the average American is
14 not, never has been, and never will be eligible to participate in Social Security. The audience for the pamphlet is anyone
15 who demands that you produce a Social Security Number in order to qualify for a job, government service, privilege, or
16 benefit. This might include:

- 17 1. The Department of Motor Vehicles, in the case of driver’s licenses.
18 2. Private employers who are accepting your job application.
19 3. Financial institutions where you are opening new accounts.

- 1 4. Business associates and partners.
- 2 5. Schools who want your child to provide a SSN on a school form.

3 You are encouraged to provide this pamphlet attached to any application in which the recipient is likely to challenge your
 4 statement that you aren't eligible for Social Security, don't have a Social Security Number, and/or never applied for one.
 5 We will conclude this pamphlet with a brief series of questions based on the evidence presented, which will leave the reader
 6 with no option but to acknowledge the conclusions of this pamphlet. If you are denied a job, a financial account, a license
 7 of any kind, a business opportunity, or an education for your child because of failure to disclose a Social Security number,
 8 we strongly recommend that you use the following form to develop legal evidence useful in court in prosecuting and filing
 9 criminal complaints against those who discriminated against you:

Denial of Application and Discrimination Affidavit, Form #06.013
<http://sedm.org/Forms/FormIndex.htm>

10 **2 Social Security Definitions**

11 The Social Security Act and its legislative history may be read on the SSA website at:

12 <http://www.ssa.gov/history/law.html>

13 The following definitions are provided as found in the Social Security Act, which you may read at:

14 **Table 1: Social Security Definitions**

Word	Definition	Location within Social Security Act(s)
"United States"	<p><u>ORIGINAL 1935 ACT DEFINITION:</u> <i>"(2) The term United States when used in a geographical sense means the States, Alaska, Hawaii, and the District of Columbia."</i></p> <p><u>CURRENT DEFINITION:</u> <i>"(2) The term "United States" when used in a geographical sense means, except where otherwise provided, the States."</i></p>	<ol style="list-style-type: none"> 1. Social Security Act of 1935, Section 1101(a)(2). 2. Current Social Security Act, Section 1101(a)(2). 3. 42 U.S.C. §1301(a)(2)
"State"	<p><u>ORIGINAL 1935 ACT DEFINITION:</u> <i>"The term State (except when used in section 531) includes Alaska, Hawaii, and the District of Columbia."</i></p> <p><u>CURRENT DEFINITION:</u> <i>"(1) The term 'State', except where otherwise provided, includes the District of Columbia and the Commonwealth of Puerto Rico, and when used in titles IV, V, VII, XI, XIX, and XXI includes the Virgin Islands and Guam. Such term when used in titles III, IX, and XII also includes the Virgin Islands. Such term when used in title V and in part B of this title also includes American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands. Such term when used in titles XIX and XXI also includes the Northern Mariana Islands and American Samoa. In the case of Puerto Rico, the Virgin Islands, and Guam, titles I, X, and XIV, and title XVI (as in effect without regard to the amendment made by section 301 of the Social Security Amendments of 1972^[3]) shall continue to apply, and the term 'State' when used in such titles (but not in title XVI as in effect pursuant to such amendment after December 31, 1973) includes</i></p>	<ol style="list-style-type: none"> 1. Social Security Act of 1935, Section 1101(a)(1). 2. Current Social Security Act, Section 1101(a)(1). 3. 42 U.S.C. §1301(a)(1)

	<p><i>Puerto Rico, the Virgin Islands, and Guam. Such term when used in title XX also includes the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands. Such term when used in title IV also includes American Samoa.”</i></p>	
<p>“Currently insured individual”</p>	<p>CURRENT DEFINITION:</p> <p>(c)²³⁴¹ For purposes of subsections (a) and (b), the criterion specified in this subsection is that the individual, if not a United States citizen or national—</p> <p>(1) has been assigned a social security account number that was, at the time of assignment, or at any later time, consistent with the requirements of subclause (I) or (III) of section 205(c)(2)(B)(i); or</p> <p>(2) at the time any such quarters of coverage are earned—</p> <p>(A) is described in subparagraph (B) or (D) of section 101(a)(15) of the Immigration and Nationality Act,</p> <p>(B) is lawfully admitted temporarily to the United States for business (in the case of an individual described in such subparagraph (B)) or the performance as a crewman (in the case of an individual described in such subparagraph (D)), and</p> <p>(C) the business engaged in or service as a crewman performed is within the scope of the terms of such individual's admission to the United States.</p>	<ol style="list-style-type: none"> 1. Current Social Security Act, Section 214(c) 2. 42 U.S.C. §414(c)

1 **3 Requirements for Joining Social Security**

2 The process of applying for a Social Security Number is started by filling out the SSA form SS-5 available at:

3 <http://www.socialsecurity.gov/online/ss-5.html>

4 The requirements for joining Social Security are as follows:

- 5 1. “noncitizens”, which are those who are not statutory “U.S. citizens” pursuant to [8 U.S.C. §1401](#), cannot apply for a
6 Social Security Number for the exclusive purpose of getting a Driver’s License. See SSA website FAQs. Below is the
7 question on their website relating to this:

8 [Can a noncitizen obtain a Social Security number to get a drivers license?](#)

9 *QUESTION: Can a noncitizen obtain a Social Security number to get a drivers license?*

10 *ANSWER: No. We no longer can assign an SSN to a noncitizen solely for the purpose of obtaining a driver's*
11 *license. Noncitizens otherwise ineligible for an SSN can, however, obtain one for purposes other than*
12 *employment when-*

- 13 • A Federal statute or regulation requires the noncitizen to provide an SSN to get a particular benefit
- 14 or service; or
- 15 • A State or local law requires the noncitizen to provide a SSN to get general assistance benefits.

- 16 2. Only “[U.S. citizens](#)” and “lawful permanent residents” (aliens), both of whom have in common a legal domicile within
17 the “United States” (federal territory) can lawfully apply for a Social Security Number and card. See [20 CFR §422.104](#)
18 at:

1 <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=29edc22b3b6cf25bba8e4f1e7c8161d9&rgn=div8&view=text&node=20:2.0.1.1.10.2.455.3&idno=20>

4 Since the above regulation is found in Title 20 of the Code of Federal Regulations, and the name of that title is
5 “Employee’s Benefits”, those who join the Social Security program agree to act as federal “employees” from that point
6 forward. Look at the name of the Title yourself at: <http://ecfr.gpoaccess.gov/>.

- 7 3. The [current Social Security Act, Section 1101](#), contains definitions of key terms used on the Social Security Website.
8 The definitions of “State” and “United States” , which we repeat in section 2 earlier, indicate that a statutory “[U.S. citizen](#)”
9 as used in the Act, means a person born in the District of Columbia or a federal territory or possession and
10 domiciled there. The definition of the term does *not* include the states of the Union, and under the Rules of Statutory
11 Construction, it is safe to conclude that what is not explicitly included is purposefully excluded.

12 *“expressio unius, exclusio alterius”—if one or more items is specifically listed, omitted items are purposely
13 excluded. Becker v. United States, 451 U.S. 1306 (1981)*

14 *“Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that **the expression of one
15 thing is the exclusion of another.** Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d 321, 325; Newblock v. Bowles,
16 170 Okl. 487, 40 P.2d 1097, 1100. Mention of one thing implies exclusion of another. **When certain persons
17 or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be
18 inferred.** Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects
19 of a certain provision, other exceptions or effects are excluded.”
20 [Black’s Law Dictionary, Sixth Edition, p. 581]*

21 Persons domiciled in states of the Union on other than federal territory are NOT eligible for Social Security because:

- 22 1. The Supreme Court has indicated that Congress has NO LEGISLATIVE JURISDICTION within states of the Union:

23 *“It is no longer open to question that **the general government, unlike the states,** Hammer v. Dagenhart, [247](#)
24 [U.S. 251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the
25 internal affairs of the states; and emphatically not with regard to legislation.**”
26 [Carter v. Carter Coal Co., [298 U.S. 238](#), 56 S.Ct. 855 (1936)]*

27 *“The difficulties arising out of our dual form of government and the opportunities for differing opinions
28 concerning the relative rights of state and national governments are many; **but for a very long time this court
29 has steadfastly adhered to the doctrine that the taxing power of Congress does not extend to the states or
30 their political subdivisions.** The same basic reasoning which leads to that conclusion, we think, requires like
31 limitation upon the power which springs from the bankruptcy clause. United States v. Butler, supra.”
32 [Ashton v. Cameron County Water Improvement District No. 1, 298 U.S. 513; 56 S.Ct. 892 (1936)]*

33 By implication, the Social Security program can ONLY be offered to those domiciled in the District of Columbia and
34 the territories and possessions of the United States and NOT to persons domiciled in states of the Union.

- 35 2. A person born within and domiciled within states of the Union is classified as a “national” but not a “citizen” under
36 federal law. He is NOT a “U.S. citizen” under [8 U.S.C. §1401](#). See references below for exhaustive proof of this:
37 2.1. Why You are a “National” or a “State National” and not a “U.S. Citizen”, Form #05.006:
38 <http://sedm.org/Forms/FormIndex.htm>
39 2.2. Tax Deposition Questions, Form #03.016, Section 14: Citizenship
40 <http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Deposition.htm>
41 3. Because people born in and domiciled within states of the Union are neither “[U.S. citizens](#)” under [8 U.S.C. §1401](#) nor
42 “lawful permanent residents”, which are “aliens”, then they do not qualify for the Social Security Program. If they sign
43 up, then they must commit perjury on the SS-5 form by indicating that they are “[U.S. citizens](#)”. Consequently, the vast
44 majority of persons within states of the Union who signed up for the program are NOT eligible, and the moneys they
45 contributed to the program were contributed illegally.
46 4. The reason the U.S. government is willing to “look the other way” by accepting unqualified applicants from states of
47 the Union is because Social Security is the main method by which the IRS manufactures “taxpayers”, which are person
48 subject to federal jurisdiction and the Internal Revenue Code Subtitle A. A person who does not sign up for Social
49 Security or a Social Security Number, unless he completes and submits a W-4 or 1040 form voluntarily, cannot be
50 made liable for federal income taxes under I.R.C. Subtitle A.
51 5. Offering of Social Security to people in states of the Union is an enlargement of federal powers beyond what the
52 Constitution authorizes over citizens of the states who would otherwise be “foreign” and outside of the jurisdiction of

1 the federal government. The U.S. Supreme Court said that the states CANNOT consent to such an enlargement of
2 federal powers or the breakdown of the Separation of Powers that it causes.

3 State officials thus cannot consent to the enlargement of the powers of Congress beyond those enumerated in
4 the Constitution. Indeed, the facts of this case raise the possibility that powerful incentives might lead both
5 federal and state officials to view departures from the federal structure to be in their personal interests. Most
6 citizens recognize the need for radioactive waste disposal sites, but few want sites near their homes. As a result,
7 while it would be well within the authority of either federal or state officials to choose where the disposal sites
8 will be, it is likely to be in the political interest of each individual official to avoid being held accountable to the
9 voters for the choice of location. If [505 U.S. 144, 183] a federal official is faced with the alternatives of
10 choosing a location or directing the States to do it, the official may well prefer the latter, as a means of shifting
11 responsibility for the eventual decision. If a state official is faced with the same set of alternatives - choosing a
12 location or having Congress direct the choice of a location - the state official may also prefer the latter, as it
13 may permit the avoidance of personal responsibility. The interests of public officials thus may not coincide with
14 the Constitution's intergovernmental allocation of authority. Where state officials purport to submit to the
15 direction of Congress in this manner, federalism is hardly being advanced. "
16 [New York v. United States, 505 U.S. 144 (1992)]

- 17 6. If the State government cannot do it, then neither can the sovereign people in the states without violating the
18 Constitution and destroying the protection for our liberties effected by the [Separation of Powers](#):

19 *The answer follows from an understanding of the fundamental purpose served by our Government's federal*
20 *structure. The Constitution does not protect the sovereignty of States for the benefit of the States or state*
21 *governments as abstract political entities, or even for the benefit of the public officials governing the States. To*
22 *the contrary, the Constitution divides authority between federal and state governments for the protection of*
23 *individuals. State sovereignty is not just an end in itself: "Rather, federalism secures to citizens the liberties*
24 *that derive from the diffusion of sovereign power." Coleman v. Thompson, 501 U.S. 722, 759 (1991)*
25 *(BLACKMUN, J., dissenting). "Just as the separation and independence of the coordinate branches of the*
26 *Federal Government serve to prevent the accumulation of excessive power in any one branch, a healthy*
27 *balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse*
28 *from either front." Gregory v. [505 U.S. 144, 182] Ashcroft, 501 U.S., at 458 . See The Federalist No.*
29 *51, p. 323. (C. Rossiter ed. 1961).*

30 Where Congress exceeds its authority relative to the States, therefore, the departure from the constitutional
31 plan cannot be ratified by the "consent" of state officials. An analogy to the separation of powers among the
32 branches of the Federal Government clarifies this point. The Constitution's division of power among the
33 three branches is violated where one branch invades the territory of another, whether or not the encroached-
34 upon branch approves the encroachment. In Buckley v. Valeo, 424 U.S. 1, 118 -137 (1976), for instance, the
35 Court held that Congress had infringed the President's appointment power, despite the fact that the President
36 himself had manifested his consent to the statute that caused the infringement by signing it into law. See
37 National League of Cities v. Usery, 426 U.S., at 842, n. 12. In INS v. Chadha, 462 U.S. 919, 944 -959 (1983),
38 we held that the legislative veto violated the constitutional requirement that legislation be presented to the
39 President, despite Presidents' approval of hundreds of statutes containing a legislative veto provision. See id.,
40 at 944-945. The constitutional authority of Congress cannot be expanded by the "consent" of the governmental
41 unit whose domain is thereby narrowed, whether that unit is the Executive Branch or the States.
42 [New York v. United States, 505 U.S. 144 (1992)]

43 Any attempt to compel a person domiciled within a state of the Union on other than federal territory and protected by the
44 Bill of Rights, to sign up for Social Security or to have or to use a Social Security Number against their will and without
45 their consent, and in violation of the [Separation of Powers Doctrine](#) within the Constitution therefore constitutes:

- 46 1. Conspiracy Against Rights in violation of the Fourteenth Amendment and [18 U.S.C. §241](#)
47 2. Violation of [42 U.S.C. §408](#).
48 3. Violation of the Fourth Amendment right to privacy, because the information will be used to track me and hunt me like
49 an animal.
50 4. An offense to my religious beliefs in violation of the [First Amendment](#).
51 5. Compelling me to comply with a law that I am not subject to.
52 6. Enticement into federal and state tax slavery in violation of the [Thirteenth Amendment](#), [42 U.S.C. §1994](#), and [18](#)
53 [U.S.C. §1581](#), and [18 U.S.C. §1589](#).
54 7. Compelled association in violation of the [First Amendment](#), whereby I am being compelled to maintain a domicile
55 within federal jurisdiction and be subject to federal law, even though I otherwise would not be. Please rebut the
56 following article if you disagree:
57 <http://famguardian.org/Subjects/Taxes/Articles/DomicileBasisForTaxation.htm>

1 If you have further questions or doubts about how the unlawful administration of the Social Security System is being
2 abused to break down the separation of powers between state and federal governments that is the foundation of the U.S.
3 Constitution, please see and rebut the article below, and answer the questions at the end of section 9:

4 [Resignation of Compelled Social Security Trustee](http://sedm.org/Forms/FormIndex.htm), Form #06.002
5 <http://sedm.org/Forms/FormIndex.htm>

6 **4 What are the legal consequences of participating in Social Security?**

7 When a person signs up for social security, their legal status changes as follows:

- 8 1. Signing up for Social Security makes one into a “Trustee”, agent, and fiduciary of the United States government under
9 [26 U.S.C. §6903](#). The United States government is a foreign corporation with respect to a state of the Union, but it
10 becomes a “domestic” corporation when you are acting as an “employee” and agent.

11 *“The United States Government is a foreign corporation with respect to a state.” [N.Y. v. re Merriam 36 N.E.
12 505; 141 N.Y. 479; affirmed 16 S.Ct. 1073; 41 L. Ed. 287] [underlines added]”
13 [19 Corpus Juris Secundum (C.J.S.), Corporations, §884]*

- 14 2. The United States Government is defined as a “federal corporation” in [28 U.S.C. §3002\(15\)\(A\)](#):

15 *TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE*
16 *PART VI - PARTICULAR PROCEEDINGS*
17 *CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE*
18 *SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS*
19 *Sec. 3002. Definitions*

20 *(15) “United States” means -*
21 *(A) a Federal corporation;*
22 *(B) an agency, department, commission, board, or other entity of the United States; or*
23 *(C) an instrumentality of the United States.*

- 24 3. The Trust you are acting as a Trustee for is an “employee” of the United States government within the meaning of the
25 Internal Revenue Code under 26 CFR §31.3401(c)-1.
- 26 4. You, when acting as a Trustee, are an “officer or employee” of a federal corporation called the “United States”.
- 27 5. The legal “domicile” of the Trust you are acting on behalf of is the “District of Columbia”. This is where the “res” or
28 “corpus” of the Social Security Trust has its only legal existence as a “person”. See:
29 <http://famguardian.org/Subjects/Taxes/Articles/DomicileBasisForTaxation.htm>
- 30 6. The Social Security Number is the “Trustee License Number”. Whenever you write your name anywhere on a piece of
31 paper, and especially in conjunction with your all caps name, such as “JOHN SMITH”, you are indicating that you are
32 acting in a Trustee capacity. The only way to remove such a presumption is to black out the number or not put it on the
33 form, and then to correct whoever sent you the form or notice to clarify that you are not acting as a Trustee or
34 government employee, but instead are acting as a natural person. See:
35 <http://sedm.org/ProductInfo/RespLtrs/AboutSSNs/AboutSSNs.htm>
- 36 7. As an “officer or employee of a corporation”, you are the proper subject of the penalty and criminal provisions of the
37 Internal Revenue Code under:
38 7.1. [26 U.S.C. §6671\(b\)](#)
39 7.2. [26 U.S.C. §7343](#)
- 40 8. The Internal Revenue Code becomes enforceable against you without the need for implementing regulations. The
41 following statutes say that implementing regulations published in the Federal Register are not required in the case of
42 federal employees or contractors:
43 8.1. [5 U.S.C. §553\(a\)\(2\)](#)
44 8.2. [44 U.S.C. §1505\(a\)\(1\)](#)
- 45 9. As a Trustee over the Social Security Trust, you are a “public officer” engaged in a “trade or business” as defined in [26](#)
46 [U.S.C. §7701\(a\)\(26\)](#). Consequently, the earnings of the federal corporation you preside over as Trustee are taxable
47 under the Internal Revenue Code. You are exercising the functions of a “public office” because you are exercising
48 fiduciary duty over payments paid to the Federal Government. You are in business with Uncle Sam and essentially

1 become a “Kelly Girl”. Income taxes are really just the “profits” of the Social Security trust created when you signed
2 up for the program, which are “kicked back” to the mother corporation called the “United States”.

- 3 10. All items that you take deductions on under [26 U.S.C. §162](#), earned income credit under [26 U.S.C. §32](#), or a graduated
4 rate of tax under [26 U.S.C. §1](#) become “effectively connected with a trade or business”, which is a code word for
5 saying that they are public property, because a “trade or business” is a “public office”. This “trade or business” then
6 becomes a means of earning you “revenue” or “profit” as a private individual, because it serves to reduce your tax
7 liability as a Trustee filing 1040 returns for the Social Security Trust. What the government doesn’t tell you, however,
8 is that you can’t reduce a liability you wouldn’t have if had just been smart enough not to sign up for Social Security to
9 begin with! See the following article for more details on “The trade or business scam” for further details:
10 <http://famguardian.org/Subjects/Taxes/Articles/TradeOrBusinessScam.htm>
11 11. Below is what the Supreme Court said about all property you donated for “public use” by the Trust in acquiring
12 reduced tax liability:

13 *“Surely the matters in which the public has the most interest are the supplies of food and clothing; yet can it be*
14 *that by reason of this interest the state may fix the price at which the butcher must sell his meat, or the vendor of*
15 *boots and shoes his goods? Men are endowed by their Creator with certain unalienable rights, -life, liberty, and*
16 *the pursuit of happiness;’ and to ‘secure,’ not grant or create, these rights, governments are instituted. That*
17 *property which a man has honestly acquired he retains full control of, subject to these limitations: First, that*
18 *he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's*
19 *benefit; second, that if he devotes it to a public use, he gives to the public a right to control that use; and*
20 *third, that whenever the public needs require, the public may take it upon payment of due compensation.*
21 *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

22 Therefore, whatever you take deductions on comes under the jurisdiction of the Internal Revenue Code, which is the
23 vehicle by which the “public” controls the use of your formerly private property. Every benefit has a string attached,
24 and in this case, the string is that you as Trustee, and all property you donate for temporary use by the Trust then comes
25 under the jurisdiction of the Internal Revenue Code and the Social Security Act.

- 26 12. Your Trust employer, the “United States” government, is your new boss. As your new boss, it does not need territorial
27 jurisdiction over you. All it needs is “in rem” jurisdiction over the property you donated to the trust, which includes all
28 your earnings. All this property, while it is donated to a public use, becomes federal property under government
29 management. That is why the Slave Surveillance Number is assigned to all accounts: to track government property,
30 contracts, and employees.
- 31 13. Because the property already is government property while you are using it in connection with a “trade or business”,
32 then you implicitly have already given the government permission to repossess that which always was theirs. That is
33 why they can issue a “Notice of Levy” without any judicial process and immediately and conveniently take custody of
34 your bank accounts, personal property, and retirement funds: Because they have the mark of the Beast, the Slave
35 Surveillance Number on them, which means you already gave them to your new benefactor and caretaker, the United
36 States Government.
- 37 14. The United States Government does *not* need territorial jurisdiction over you in order to drag you into federal court
38 while you are acting as one of its Trustees and fiduciaries under [26 U.S.C. §6903](#). Any matter relating to federal
39 contracts, whether they are Trust Contracts or federal employment contracts (with the “Trustee”), may ONLY be heard
40 in a federal court. It is a violation of the separation of powers doctrine for a state to hear a matter which might affect
41 the federal government. See [Alden v. Maine, 527 U.S. 706 \(1999\)](#). Federal Jurisdiction over Trustees is indeed
42 “subject matter jurisdiction”, but it doesn’t derive primarily from the Internal Revenue Code. Instead it derives from
43 the agency and contract you maintain as a “Trustee”:

44 *American Jurisprudence, 2d*
45 *United States*
46 *§ 42 Interest on claim [77 Am Jur 2d UNITED STATES]*

47 *The interest to be recovered as damages for the delayed payment of a contractual obligation to the United*
48 *States is not controlled by state statute or local common law. 75 In the absence of an applicable federal statute,*
49 *the federal courts must determine according to their own criteria the appropriate measure of damages. 76*
50 *State law may, however, be adopted as the federal law of decision in some instances. 77*
51 *[American Jurisprudence, 2d, United States, Section 42: Interest on Claim]*

- 52 15. The U.S. Supreme Court has always given wide latitude to manage its own “employees” which includes both its Social
53 Security Trusts and the Trustees who are exercising agency over the Trust and its corpus or property. You better bow
54 down and worship your new boss: Uncle Sam!

1 If you want to know more about the above, please consult *Great IRS Hoax*, Form #11.302, Section 5.6.16 available at:

2 <http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>

3 If you want a detailed proof of the above, consult the free pamphlet below. The pamphlet also includes documentation
4 whereby you can legally quit Social Security for good:

5 *Resignation of Compelled Social Security Trustee*, Form #06.002

6 <http://sedm.org/Forms/FormIndex.htm>

7 **5 Background on Social Security Numbers**

8 All those assigned Social Security Numbers are federal “employees”. For the proof, we refer you to the Privacy Act, [5](#)
9 [U.S.C. §552a](#), which says:

10 [TITLE 5 > PART 1 > CHAPTER 5 > SUBCHAPTER II > § 552a](#)
11 [§ 552a. Records maintained on individuals](#)

12 (a) Definitions.— For purposes of this section—

13 (13) the term “Federal personnel” means officers and employees of the Government of the United States,
14 members of the uniformed services (including members of the Reserve Components), individuals entitled to
15 receive immediate or deferred retirement benefits under any retirement program of the Government of the
16 United States (including survivor benefits).

17 The above is also confirmed by the regulation which authorizes issuance of the number at [20 CFR §422.104](#). That section
18 falls under Title 20 of the Code of Federal Regulations, which is entitled “Employee’s Benefits”. The “employee” they are
19 talking about is that defined in 26 CFR §31.3401(c)-1:

20 [26 CFR §31.3401\(c\)-1 Employee:](#)

21 “...the term [employee] includes officers and employees, whether elected or appointed, of the United States, a
22 [federal] State, Territory, Puerto Rico or any political subdivision, thereof, or the District of Columbia, or
23 any agency or instrumentality of any one or more of the foregoing. The term ‘employee’ also includes an
24 officer of a corporation.”

25 The federal government has no jurisdiction within a state to control behavior of private employees, and therefore the only
26 type of “employee” they can be referring to in the context of Social Security Numbers is public employees who work for
27 the federal government. Note that Title 20 of the Code of Federal Regulations qualifies as “legislation” in the context of
28 the Supreme Court ruling below:

29 “It is no longer open to question that the general government, unlike the states, *Hammer v. Dagenhart*, [247](#)
30 [U.S. 251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, possesses no inherent power in respect of the
31 internal affairs of the states; and emphatically not with regard to legislation.”
32 [*Carter v. Carter Coal Co.*, [298 U.S. 238](#), 56 S.Ct. 855 (1936)]

33 IRS also has a code word or “word of art” that they use to describe this employment relationship. It is called a “trade or
34 business”, which is defined in [26 U.S.C. §7701\(a\)\(26\)](#) as “the functions of a public office”. A “trade or business” is the
35 main thing that is taxable under Subtitle A of the Internal Revenue Code. To supply an SSN is to admit that you are a
36 federal “employee” who is engaged in a taxable activity. Any bank account which has the number attached also effectively
37 becomes property of the federal government, because the number, which is government property, can only be used in the
38 execution of the official duties of a federal “employee” in the furtherance of a “public purpose”. To use public property for
39 any other purpose is illegal under [18 U.S.C. §208](#).

40 Having a Social Security Number also creates a “presumption” that you are domiciled in the “United States”, which is
41 defined in the I.R.C. as the “District of Columbia” in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10). What “U.S. citizens” and
42 “residents aliens” listed below have in common is a “domicile” in the “United States”:

2 (g) *Special rules for taxpayer identifying numbers issued to foreign persons--(1) General rule--(i) Social*
3 *security number. A social security number is generally identified in the records and database of the Internal*
4 *Revenue Service as a number belonging to a U.S. citizen or resident alien individual. A person may establish*
5 *a different status for the number by providing proof of foreign status with the Internal Revenue Service*
6 *under such procedures as the Internal Revenue Service shall prescribe, including the use of a form as the*
7 *Internal Revenue Service may specify. Upon accepting an individual as a nonresident alien individual, the*
8 *Internal Revenue Service will assign this status to the individual's social security number.*

9 The U.S. Supreme Court also admitted that this very domicile is the basis for instituting federal income taxes:

10 *"Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in*
11 *transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes. Since the*
12 *Fourteenth Amendment makes one a citizen of the state wherein he resides, the fact of residence creates*
13 *universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter*
14 *obviously includes a duty to pay taxes, and their nature and measure is largely a political matter. Of course,*
15 *the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most*
16 *obvious illustration being a tax on realty laid by the state in which the realty is located."*
17 *[Miller Brothers Co. v. Maryland, [347 U.S. 340](#) (1954)]*

18 Therefore, if someone asks you for a Social Security Number on any form or application, indirectly they are asking you two
19 questions identified below. If you give them a number, your answer to both questions is YES:

- 20 1. Are you a federal "employee" on official business?
21 2. Is your domicile in the District of Columbia?

22 Therefore, those who don't consent to be federal "employee", domiciliaries of the federal zone, or "taxpayers" cannot
23 indicate a number on any government form and where one is requested, must instead indicate:

- 24 1. Nothing: Wait if they ask you. If they insist, put one of the following 3
25 2. "NA"= "None Available" or Not Applicable"
26 3. "NONE"= NONE or "NONE TO GIVE"

27 **6 Compelled use of Social Security Numbers**

28 The use and disclosure of Social Security Numbers is governed by the Privacy Act of 1954, [5 U.S.C. §552a](#) and following.
29 The Social Security Act itself also makes it a crime to compel the disclosure of Social Security Numbers against the wishes
30 of the party:

31 *TITLE 42 - THE PUBLIC HEALTH AND WELFARE*
32 *CHAPTER 7 - SOCIAL SECURITY*
33 *SUBCHAPTER II - FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE BENEFITS*
34 [Sec. 408. Penalties](#)

35 (a) *In general*
36 *Whoever -...*

37 (8) *discloses, uses, or compels the disclosure of the social security number of any person in violation of the laws*
38 *of the United States; shall be guilty of a felony and upon conviction thereof shall be fined under title 18 or*
39 *imprisoned for not more than five years, or both.*

40 Additional facts about the compelled use of Social Security Numbers:

- 41 1. [Article 1, Section 10](#) of the Constitution makes it unconstitutional for the government to institute a Bill of Attainder,
42 which is a penalty absent a court hearing.
43 2. According to [44 U.S.C. §1505\(a\)\(1\)](#) and [5 U.S.C. §553\(a\)\(2\)](#), all laws "having general applicability [to everyone] and
44 legal effect" must have implementing regulations published in the Federal Register, and if none are published, the
45 statute can ONLY be applied against federal employees and contractors.
46 3. There are no implementing regulations authorizing any penalties on natural persons for failure to use or provide Social
47 Security Numbers.

1 Unless Driver's Licenses are not required in order to drive, then denial of a Driver's License for Failure to disclose or use a
2 Social Security Number constitutes an unconstitutional Bill of Attainder that may only be used against federal "employees"
3 and contractors, based on the above.

4 **"Bill of attainder.** Legislative acts, no matter what their form, that apply either to named individuals or to
5 easily ascertainable members of a group in such a way as to inflict punishment on them without a judicial trial.
6 *United States v. Brown*, 381 U.S. 437, 448-49, 85 S.Ct. 1707, 1715, 14 L.Ed. 484, 492; *United States v. Lovett*,
7 328 U.S. 303, 315, 66 S.Ct. 1073, 1079, 90 L.Ed. 1252. An act is a "bill of attainder" when the punishment is
8 death and a "bill of pains and penalties" when the punishment is less severe; both kinds of punishment fall
9 within the scope of the constitutional prohibition. U.S.Const. Art. I, Sect 9, Cl. 3 (as to Congress); Art. I, Sec,
10 10 (as to state legislatures)."
11 [Black's Law Dictionary, Sixth Edition, p. 165]

12 **7 Who Owns the Social Security Number and Card?**

13 The Social Security Act regulations identify who owns the Social Security Number and Card:

14 Title 20: Employees' Benefits
15 [PART 422—ORGANIZATION AND PROCEDURES](#)
16 [Subpart B—General Procedures](#)
17 [§ 422.103 Social security numbers.](#)

18 (d) Social security number cards. A person who is assigned a social security number will receive a social
19 security number card from SSA within a reasonable time after the number has been assigned. (See §422.104
20 regarding the assignment of social security number cards to aliens.) **Social security number**
21 **cards are the property of SSA and must be returned upon request.**

22 Now let's look at whether you can "have" a "Social Security Number" or card. Merriam Webster's College Dictionary
23 defines the word "have" as follows:

24 **"have:** 1. a: to hold or maintain as a possession, privilege, or entitlement; 2: to feel obligation in regard to;
25 3: to stand in a certain relation to; 4 a: to acquire or get possession of: OBTAIN; b: RECEIVE; 5 a: to be
26 marked or characterized by..."
27 [Webster's Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 556]

28 If the Social Security Number is to be considered a "privilege" or an "entitlement", then it must also be contractual and it
29 must be YOUR personal property. Without a contract entitling you to collect and exclusively own and control any alleged
30 benefit, then it can't be called "entitlement". At best it is gambling, and the right of "entitlement" is about as trustworthy as
31 our politician's ability to balance the budget. Below is proof right from the Supreme Court that having a number entitles
32 you to NOTHING:

33 "We must conclude that **a person covered by the Act has not such a right in benefit payments...** This is not to
34 say, however, that Congress may exercise its power to modify the statutory scheme free of all constitutional
35 restraint."
36 [Flemming v. Nestor, [363 U.S. 603](#) (1960)]

37
38 "The Social Security system may be accurately described as a form of social insurance, enacted pursuant to
39 Congress' power to "spend money in aid of the `general welfare,'" *Helvering v. Davis*, *supra*, at 640, whereby
40 persons gainfully employed, and those who employ them, are taxed to permit the payment of benefits to the
41 retired and disabled, and their dependents. Plainly the expectation is that many members of the present
42 productive work force will in turn become beneficiaries rather than supporters of the program. But each
43 worker's benefits, though flowing from the contributions he made to the [363 U.S. 603, 610] national economy
44 while actively employed, are not dependent on the degree to which he was called upon to support the system by
45 taxation. **It is apparent that the noncontractual interest of an employee covered by the Act cannot be soundly**
46 **analogized to that of the holder of an annuity, whose right to benefits is bottomed on his contractual**
47 **premium payments.**"
48 [Flemming v. Nestor, [363 U.S. 603](#), 610, 80 S.Ct. 1367 (1960)]

49 Notice the very particular language "statutory scheme" used in the above case. It is definitely as "scheme" alright! At least
50 our government is honest on that point! Therefore, neither Social Security nor the Social Security Number nor the card
51 itself:

- 1 1. Constitute a “privilege”, or “entitlement”.
- 2 2. Constitute a legal “right” or anything that is enforceable in a court of law.
- 3 3. Are “contractual”.
- 4 4. Constitute a tangible “benefit” of any kind.
- 5 5. Can be “owned” by anyone other than the government itself. The Social Security Card, in fact, is identified as property
- 6 of the government, meaning “public property”.

7 Now lets look at the definition of “ownership”:

8 *“Own: 1 a: to have or hold as property; POSSESS b: to have power over: CONTROL. . . 2: to acknowledge to*
9 *be true, valid, or as claimed: ADMIT. . .]”*
10 *[Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 842]*

11 Webster’s then defines “property” as follows:

12 *“property: 2 a: something owned or possessed. . . b: the exclusive right to possess, enjoy, and dispose of a*
13 *thing: OWNERSHIP c: something to which a person has a legal title. . .]”*
14 *[Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 943, Emphasis added]*

15 Based on the above, a Social Security Number cannot be classified as “property”, because the person who uses it doesn’t
16 exclusively control its use. For instance:

- 17 1. The number is selected and issued by the Social Security Administration, not you.
- 18 2. Once issued, the number is the property of the government, not you.
- 19 3. You do not control which government agencies may use or maintain the number in their records, and they in practice
- 20 do not ask you for permission when they share it among the agencies.
- 21 4. If you die, the number can and will be recycled and assigned to someone else.
- 22 5. You are not given a choice of when you can or cannot use it. If it were yours, you could choose when you DON’T
- 23 want to use it, but government agencies chronically disregard the requirement for consent and compel the use and
- 24 disclosure of the number.
- 25 6. You cannot gift or bequeath the number or any of the benefits that go with the number to anyone else. The Social
- 26 Security Act, Section 207, specifically says that none of the so-called “benefits” are transferable to any third party:

27 [Social Security Act, Title II, Section 207](#)

28 *SEC. 207. [42 U.S.C. 407] (a) The right of any person to any future payment under this title shall not be*
29 *transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under*
30 *this title shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation*
31 *of any bankruptcy or insolvency law.*

32 Therefore, neither the number nor the corpus of the Social Security Trust are transferable or are therefore “property” that
33 can be “owned” or controlled. As the Webster’s definition of “property” shows, *ownership implies complete, exclusive*
34 *control*. In fact and in real practice, you as a private person control *no aspect* of your participation in the Social Security
35 program or the use of the number. Instead, the government uses it to control you! Therefore, the purpose and the result of
36 using the number is that YOU, not the NUMBER, become government property under government control. It is the
37 equivalent of a dog license that the government uses to track every aspect of your behavior with computers.

38 In conclusion, the Social Security Number and the Social Security Card are the property of the government, not you and it
39 is impossible for you to “have” such a number that never was and never will be yours to begin with. The use of it
40 guarantees nothing but the fact that you become government property, a “taxpayer”, and surety for the debts of a
41 government that is completely out of control. The bible says Christians cannot be surety for anyone:

42 *“A man devoid of understanding shakes hands in a pledge, and becomes surety for his friend.”*
43 *[Proverbs 17:18, Bible, NKJV]*

44 *“He who is surety for a stranger will suffer, but one who hates being surety is secure.”*
45 *[Prov. 11:15, NKJV]*

1 "My son, if you become surety for your friend, if you have shaken hands in pledge for a stranger, you are
2 snared by the words of your mouth; you are taken by the words of your mouth. So do this, my son, and deliver
3 yourself: for you have come into the hand of your friend [slavery!]: Go and humble yourself; plead with your
4 friend. Give no sleep to your eyes, nor slumber to your eyelids. Deliver yourself like a gazelle from the hand of
5 the hunter; and like a bird from the hand of the fowler."
6 [Prov. 6:1-5, Bible, NKJV]

7 For further information about Social Security Numbers and Cards, see the SSA website at:

8 <http://www.socialsecurity.gov/pubs/10002.html>

9 **8 Detailed Answers to Common Questions from recipients of this form About Your Social** 10 **Security Participation**

11 **QUESTION #1:** Do you have a Social Security Number?

12 **ANSWER #1:** No. It is impossible for anyone, including you, to legally "have" or possess such a number. You cannot
13 own or exclusively control information: You can only "know" it. Furthermore, 20 CFR §422.104 says that
14 only federal "employees" can be assigned numbers and I am not a federal "employee".

15
16 **QUESTION #2:** Do you know what your Social Security Number is?

17 **ANSWER #2:** I just got through telling you that I don't have one. Furthermore, I am not eligible to receive one or to
18 participate in the Social Security Program.

19
20 **QUESTION #3:** Were you ever eligible to participate in Social Security the past or did you ever ask for one?

21 **ANSWER #3:** I never signed up for the program EVER and I have never been eligible. Other people such as my parents
22 may have thought that they had the authority to sign up for me, but since I never consented and never
23 participated in the application process, then I never applied, and even if application had been made, it was
24 made fraudulently, because not only I, but you also do not qualify by law to participate in the program.
25 Furthermore, I sent official legal papers to the Social Security Administration resigning from the system.
26 Let me show you a copy of the papers I sent in. Therefore, I do not participate and I do not wish to sign up
27 again. [Show them the following document you sent to SSA which is available free below:
28 *Resignation of Compelled Social Security Trustee*, Form #06.002
29 <http://sedm.org/Forms/FormIndex.htm>]

30
31 **QUESTION #4:** What do you mean, I don't qualify?

32 **ANSWER #4:** The analysis in this pamphlet, section 2 shows that the program can only be offered to "U.S. citizens" under
33 [8 U.S.C. §1401](#) or "lawful permanent residents". Both of these groups have in common a domicile in the
34 "United States" which is defined in the Social Security Act, Section 1101 as the District of Columbia and
35 the territories and possessions of the United States. I am not part of either one of these two groups and
36 neither are you. The Social Security Act is "legislation" and the Supreme Court said that congress has NO
37 POWER to legislate within states. Here is what they said:

38 *"It is no longer open to question that **the general government, unlike the states**, Hammer v. Dagenhart, [247](#)
39 [U.S. 251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the**
40 **internal affairs of the states; and emphatically not with regard to legislation.**"
41 [Carter v. Carter Coal Co., [298 U.S. 238](#), 56 S.Ct. 855 (1936)]*

42 Are you going to sit here and tell me the Social Security Act is NOT legislation? If you do, you are
43 admitting that it isn't law and that I don't have to follow it. What part of the phrase "*no inherent power in*
44 *respect of the internal affairs of states*" do you NOT understand, sir?

45
46 **QUESTION #5:** How could I not be a "[U.S. citizen](#)"? Don't "[U.S. citizens](#)" qualify?

47 **ANSWER #5:** The term "United States", for the purposes of citizenship in [8 U.S.C. §1401](#), is limited to the District of
48 Columbia and the territories and possessions of the United States. The federal government is a foreign
49 corporation with respect to a state and its laws and legislative jurisdiction do not extend into the states.
50 Therefore, a federal law which defines what a "U.S. citizen" is can't identify you as one. It's a basic tenet
51 of law that the laws of any state cannot apply outside its own territory. The states of the Union are NOT
52 territory of the federal government.

1 "Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the
2 law of comity must necessarily rest, the following maxims: First 'that every nation possesses an exclusive
3 sovereignty and jurisdiction within its own territory'; secondly, 'that no state or nation can by its laws directly
4 affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural
5 born subjects or others.' The learned judge then adds: 'From these two maxims or propositions there follows a
6 third, and that is that whatever force and obligation the laws of one country have in another depend solely upon
7 the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and
8 upon its own express or tacit consent.' Story on Conflict of Laws §23."
9 [*Baltimore & Ohio Railroad Co. v. Chambers*, 73 Ohio St. 16; 76 N.E. 91; 11 L.R.A., N.S., 1012 (1905)]

10 In fact, you are what is called a "national and not a citizen" under federal law, and I'd be happy to give you
11 all the evidence you need to prove it for yourself.

12 [Give them the link to our pamphlet below:

13 [Why You are a "National" or a "State National" and not a "U.S. Citizen"](http://sedm.org/Forms/FormIndex.htm), Form #05.006
14 <http://sedm.org/Forms/FormIndex.htm>]

15 The guy who wrote this pamphlet [above] has studied this subject for FIVE YEARS and had his work
16 reviewed by over a MILLION people. Are you going to accuse him of being wrong without even looking
17 at the evidence? Isn't that rather presumptuous of you? I don't run my life by presumptions, but by law
18 and facts, and anyone who doesn't do the same is a threat to my liberty and a law breaker. Are you going to
19 follow the law like any patriotic American should, or am I going to have to engage your supervisor into
20 this interchange and escalate what should have been a simple thing.

21
22 **QUESTION #6:** Your interpretation of the Social Security Act is absurd! What you are basically saying is that the Social
23 Security Administration has been violating the law all these years and that all of the people who joined the
24 program who live within the states of the Union are not eligible to participate or to receive benefits. I can't
25 believe that!

26 **ANSWER #6:** The only rational basis for belief is what the law actually says. Look at the definitions for yourself in
27 section 2 of this pamphlet and tell me why they are either wrong or why my interpretation of them is wrong.
28 They seem pretty straightforward to me. If you think I'm wrong, then simply prove it by answering the
29 questions at the end of this pamphlet and disprove the evidence for yourself. If you can't do it, then please
30 quit bothering me and give me my driver's license WITHOUT the Social Security Number that I'm asking.
31 If you won't issue it, then please sign this form indicating that you refused my application, so that if I get
32 stopped for driving without a license, I have proof to show the officer that you said you couldn't and
33 wouldn't issue me one.

34 **QUESTION #7:** Well why don't you give me the number you used to have before you quit the program (if you indicated
35 leaving the program)?

36 **ANSWER #7:** It's illegal for me to do that. The Social Security regulations at [20 CFR §422.103](#) identify the Social
37 Security Number and card as the property of the United States government.

38 *Title 20: Employees' Benefits*
39 [PART 422—ORGANIZATION AND PROCEDURES](#)
40 [Subpart B—General Procedures](#)
41 [§422.103 Social security numbers.](#)

42 (d) Social security number cards. A person who is assigned a social security number will receive a social
43 security number card from SSA within a reasonable time after the number has been assigned. (See §422.104
44 regarding the assignment of social security number cards to aliens.) **Social security number**
45 **cards are the property of SSA and must be returned upon request.**

46 Consequently, it is public property which can only be used for a public purpose. I am not acting as a public
47 employee or a federal employee on official business during this application process and I would be
48 committing a crime to abuse public property that is not mine for a private purpose. Furthermore, you can't
49 compel me to act as a federal "employee" in this particular circumstance. That's slavery in violation of the
50 Thirteenth Amendment. Are you asking me to violate the law by abusing government property, because if
51 you are, I'm going to report you to your supervisor!?! [If they have further questions, please ask them to
52 rebut the questions at the end, which point out that if they continue to insist on providing a number, they are

1 compelling you to break the law and compelling you to associate with the federal government as an
2 “employee”, which is slavery.]

3 **9 Questions that Readers, Grand Jurors, and Petit Jurors Should be Asking the Government**

4 These questions are provided for readers, Grand Jurors, and Petit Jurors to present to the government or anyone else who
5 would challenge the facts and law appearing in this pamphlet, most of whom work for the government or stand to gain
6 financially from perpetuating the fraud. If you find yourself in receipt of this pamphlet, you are demanded to answer the
7 questions within 10 days. Pursuant to [Federal Rule of Civil Procedure 8\(b\)\(6\)](#), failure to deny within 10 days constitutes an
8 admission to each question. Pursuant to [26 U.S.C. §6065](#), all of your answers must be signed under penalty of perjury. We
9 are not interested in agency policy, but only sources of reasonable belief identified in the pamphlet below:

Reasonable Belief About Income Tax Liability, Form #05.007
<http://sedm.org/Forms/FormIndex.htm>

10 Your answers will become evidence in future litigation, should that be necessary in order to protect the rights of the person
11 against whom you are attempting to unlawfully enforce federal law.

12 1. Admit that Social Security is a franchise.

13 *FRANCHISE. A special privilege conferred by government on individual or corporation, and which does not*
14 *belong to citizens of country generally of common right. Elliott v. City of Eugene, 135 Or. 108, 294 P. 358,*
15 *360. In England it is defined to be a royal privilege in the hands of a subject.*

16 *A "franchise," as used by Blackstone in defining quo warranto, (3 Com. 262 [4th Am. Ed.] 322), had reference*
17 *to a royal privilege or branch of the king's prerogative subsisting in the hands of the subject, and must arise*
18 *from the king's grant, or be held by prescription, but today we understand a franchise to be some special*
19 *privilege conferred by government on an individual, natural or artificial, which is not enjoyed by its citizens in*
20 *general. State v. Fernandez, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240.*

21 *In this country a franchise is a privilege or immunity of a public nature, which cannot be legally exercised*
22 *without legislative grant. To be a corporation is a franchise. The various powers conferred on corporations*
23 *are franchises. The execution of a policy of insurance by an insurance company [e.g. Social Insurance/Social*
24 *Security], and the issuing a bank note by an incorporated bank [such as a Federal Reserve NOTE], are*
25 *franchises. People v. Utica Ins. Co., 15 Johns., N.Y., 387, 8 Am.Dec. 243. But it does not embrace the property*
26 *acquired by the exercise of the franchise. Bridgeport v. New York & N. H. R. Co., 36 Conn. 255, 4 Arn.Rep.*
27 *63. Nor involve interest in land acquired by grantee. Whitbeck v. Funk, 140 Or. 70, 12 P.2d 1019, 1020. In a*
28 *popular sense, the political rights of subjects and citizens are franchises, such as the right of suffrage, etc.*
29 *Pierce v. Emery, 32 N.H. 484; State v. Black Diamond Co., 97 Ohio St. 24, 119 N.E. 195, 199, L.R.A.1918E,*
30 *352.*

31 *Elective Franchise. The right of suffrage; the right or privilege of voting in public elections.*

32 *Exclusive Franchise. See Exclusive Privilege or Franchise.*

33 *General and Special. The charter of a corporation is its "general" franchise, while a "special" franchise*
34 *consists in any rights granted by the public to use property for a public use but-with private profit. Lord v.*
35 *Equitable Life Assur. Soc., 194 N.Y. 212, 81 N. E. 443, 22 L.R.A.,N.S., 420.*

36 *Personal Franchise. A franchise of corporate existence, or one which authorizes the formation and existence of*
37 *a corporation, is sometimes called a "personal" franchise. as distinguished from a "property" franchise, which*
38 *authorizes a corporation so formed to apply its property to some particular enterprise or exercise some special*
39 *privilege in its employment, as, for example, to construct and operate a railroad. See Sandham v. Nye, 9*
40 *Misc.ReP. 541, 30 N.Y.S. 552.*

41 *Secondary Franchises. The franchise of corporate existence being sometimes called the "primary" franchise of*
42 *a corporation, its "secondary" franchises are the special and peculiar rights, privileges, or grants which it may,*
43 *receive under its charter or from a municipal corporation, such as the right to use the public streets, exact tolls,*
44 *collect fares, etc. State v. Topeka Water Co., 61 Kan. 547, 60 P. 337; Virginia Canon Toll Road Co. v. People,*
45 *22 Colo. 429, 45 P. 398 37 L.R.A. 711. The franchises of a corporation are divisible into (1) corporate or*
46 *general franchises; and (2) "special or secondary franchises. The former is the franchise to exist as a*
47 *corporation, while the later are certain rights and privileges conferred upon existing corporations. Gulf*
48 *Refining Co. v. Cleveland Trust Co., 166 Miss. 759, 108 So. 158, 160.*

1 *Special Franchisee. See Secondary Franchises, supra.*
2 *[Black's Law Dictionary, Fourth Edition, pp. 786-787]*

3 YOUR ANSWER: ___ Admit ___ Deny

- 4 2. Admit that all franchises are based on contracts and require the mutual, continuing consent of BOTH parties to the
5 transaction.

6 *American Jurisprudence 2d*
7 *Franchises, Section 4: Generally*

8 *As a rule, **franchises spring from contracts between the sovereign power and private citizens, made upon***
9 ***valuable considerations, for purposes of individual advantage as well as public benefit.**¹ and thus a franchise*
10 *partakes of a double nature and character. So far as it affects or concerns the public, it is publici juris and is*
11 *subject to governmental control. The legislature may prescribe the manner of granting it, to whom it may be*
12 *granted, the conditions and terms upon which it may be held, and the duty of the grantee to the public in*
13 *exercising it, and may also provide for its forfeiture upon the failure of the grantee to perform that duty. But*
14 *when granted, it becomes the property of the grantee, and is a private right, subject only to the governmental*
15 *control growing out of its other nature as publici juris.²*
16 *[Am.Jur.2d, Franchises, §4; 36 Am.Jur.2d Franchises, §4]*

17 YOUR ANSWER: ___ Admit ___ Deny

- 18 3. Admit that private parties who participate in government franchises become “public officers” of one kind or another,
19 exercising agency on behalf of the government granting the privilege.

20 *“A franchise is a contract with a sovereign authority by which the grantee is licensed to conduct a business of a*
21 ***quasi-governmental nature** within a particular area. *West Coast Disposal Service, Inc. v Smith (Fla App) 143**
22 *So 2d 352”*
23 *[American Jurisprudence 2d Legal Encyclopedia, Franchises, §1, Footnote 7]*

24 YOUR ANSWER: ___ Admit ___ Deny

- 25 4. Admit that the rights guaranteed by the Bill of Rights are “unalienable”.

26 *“We hold these truths to be self-evident, that **all men are created equal, that they are endowed by their Creator***
27 ***with certain unalienable Rights**, that among these are Life, Liberty and the pursuit of Happiness.--That to*
28 *secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the*
29 *governed, -“*
30 *[Declaration of Independence]*

31 YOUR ANSWER: ___ Admit ___ Deny

- 32 5. Admit that an “unalienable right” possessed by a private person cannot be sold, transferred, or lawfully bargained away
33 in relation to the government without violating the Bill of Rights.

34 *“Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred.”*
35 *[Black's Law Dictionary, Fourth Edition, p. 1693]*

36 YOUR ANSWER: ___ Admit ___ Deny

- 37 6. Admit that because Constitutionally protected rights cannot be sold, aliened, or bargained away by a private person in
38 relation to the government, then the government cannot lawfully offer franchises that cause a surrender of
39 Constitutional rights to property to anyone protected by the Constitution.

¹ State v Real Estate Bank, 5 Ark 595; State ex rel. Hutton v Baton Rouge, 217 La 857, 47 So 2d 665.

² Georgia R. & Power Co. v Atlanta, 154 Ga 731, 115 SE 263; Lippencott v Allander, 27 Iowa 460; State ex rel. Hutton v Baton Rouge, 217 La 857, 47 So 2d 665; Tower v Tower & S. Street R. Co. 68 Minn 500, 71 NW 691.

Generally, as to the terms and conditions of franchises and governmental control or regulation thereof, see §§ 24 et seq., , see §§ 38 et seq., infra.

1 "It would be a palpable incongruity to strike down an act of state legislation which, by words of express
2 divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by
3 which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable
4 privilege which the state threatens otherwise to withhold. It is not necessary to challenge the proposition that,
5 as a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as it
6 sees fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is that it
7 may not impose conditions which require the relinquishment of Constitutional rights. If the state may compel
8 the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender
9 of all. It is inconceivable that guaranties embedded in the Constitution of the United States may thus be
10 manipulated out or existence."

11 [Frost v. Railroad Commission, 271 U.S. 583; 46 S.Ct. 605 (1926)]

12 YOUR ANSWER: ___ Admit ___ Deny

13 7. Admit that the only place not protected by the Constitution is federal territory and foreign countries.

14 "Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and
15 uniform to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase
16 or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every
17 state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the
18 definition of Webster, 'a government in which the supreme power resides in the whole body of the people,
19 and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of
20 the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana,
21 Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of
22 government bearing a much greater analogy to a British Crown colony than a republican state of America,
23 and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by
24 the President. It was not until they had attained a certain population that power was given them to organize a
25 legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the
26 Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over
27 them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the
28 privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."

29 [Downes v. Bidwell, 182 U.S. 244 (1901)]

30 YOUR ANSWER: ___ Admit ___ Deny

31 8. Admit that states of the Union are not federal "territory" as ordinarily used in federal or state law.

32 Corpus Juris Secundum Legal Encyclopeida, Territories
33 "§1. Definitions, Nature, and Distinctions

34 "The word 'territory,' when used to designate a political organization has a distinctive, fixed, and legal
35 meaning under the political institutions of the United States, and does not necessarily include all the
36 territorial possessions of the United States, but may include only the portions thereof which are organized
37 and exercise governmental functions under act of congress."

38 "While the term 'territory' is often loosely used, and has even been construed to include municipal subdivisions
39 of a territory, and 'territories of the' United States is sometimes used to refer to the entire domain over which
40 the United States exercises dominion, the word 'territory,' when used to designate a political organization, has
41 a distinctive, fixed, and legal meaning under the political institutions of the United States, and the term
42 'territory' or 'territories' does not necessarily include only a portion or the portions thereof which are organized
43 and exercise government functions under acts of congress. The term 'territories' has been defined to be
44 political subdivisions of the outlying dominion of the United States, and in this sense the term 'territory' is not a
45 description of a definite area of land but of a political unit governing and being governed as such. The question
46 whether a particular subdivision or entity is a territory is not determined by the particular form of government
47 with which it is, more or less temporarily, invested.

48 "Territories' or 'territory' as including 'state' or 'states.'" While the term 'territories of the' United States
49 may, under certain circumstances, include the states of the Union, as used in the federal Constitution and in
50 ordinary acts of congress "territory" does not include a foreign state.

51 "As used in this title, the term 'territories' generally refers to the political subdivisions created by congress,
52 and not within the boundaries of any of the several states."

53 [Corpus Juris Secundum Legal Encyclopedia, Territories, §1]

54 YOUR ANSWER: ___ Admit ___ Deny

1 9. Admit that Social Security Numbers and Social Security Cards are the property of the U.S. government and not the
2 person in physical possession of them:

3 *Title 20: Employees' Benefits*
4 [PART 422—ORGANIZATION AND PROCEDURES](#)
5 [Subpart B—General Procedures](#)
6 [§ 422.103 Social security numbers.](#)

7 (d) Social security number cards. A person who is assigned a social security number will receive a social
8 security number card from SSA within a reasonable time after the number has been assigned. (See §422.104
9 regarding the assignment of social security number cards to aliens.) **Social security number**
10 **cards are the property of SSA and must be returned upon request.**

11 YOUR ANSWER: ___ Admit ___ Deny

12 10. Admit that because Social Security Numbers and Social Security Cards are the property of the U.S. government, then
13 they constitute property devoted to a “public purpose” or “public use”:

14 **“Public purpose.** *In the law of taxation, eminent domain, etc., this is a term of classification to distinguish the*
15 *objects for which, according to settled usage, the government is to provide, from those which, by the like usage,*
16 *are left to private interest, inclination, or liberality. The constitutional requirement that the purpose of any tax,*
17 *police regulation, or particular exertion of the power of eminent domain shall be the convenience, safety, or*
18 *welfare of the entire community and not the welfare of a specific individual or class of persons [such as, for*
19 *instance, federal benefit recipients as individuals]. “Public purpose” that will justify expenditure of public*
20 *money generally means such an activity as will serve as benefit to community as a body and which at same time*
21 *is directly related function of government. Pack v. Southwestern Bell Tel. & Tel. Co., 215 Tenn. 503, 387*
22 *S.W.2d 789, 794.*

23 *The term is synonymous with governmental purpose. As employed to denote the objects for which taxes may be*
24 *levied, it has no relation to the urgency of the public need or to the extent of the public benefit which is to*
25 *follow; the essential requisite being that a public service or use shall affect the inhabitants as a community,*
26 *and not merely as individuals. A public purpose or public business has for its objective the promotion of the*
27 *public health, safety, morals, general welfare, security, prosperity, and contentment of all the inhabitants or*
28 *residents within a given political division, as, for example, a state, the sovereign powers of which are exercised*
29 *to promote such public purpose or public business.”*
30 *[Black’s Law Dictionary, Sixth Edition, p. 1231, Emphasis added]*

31 YOUR ANSWER: ___ Admit ___ Deny

32 11. Admit that only public “employees” on official duty can possess, use, or control property devoted to a “public use”.

33 YOUR ANSWER: ___ Admit ___ Deny

34 12. Admit that it is illegal to use public property for a *private* purpose:

35 [TITLE 18 > PART 1 > CHAPTER 11 > § 208](#)
36 [§ 208. Acts affecting a personal financial interest](#)

37 (a) Except as permitted by subsection (b) hereof, **whoever, being an officer or employee of the executive**
38 **branch of the United States Government, or of any independent agency of the United States,** a Federal
39 Reserve bank director, officer, or employee, or an officer or employee of the District of Columbia, including a
40 special Government employee, **participates personally and substantially as a Government officer or employee,**
41 **through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or**
42 **otherwise, in a judicial or other proceeding, application, request for a ruling or other determination,**
43 **contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his**
44 **knowledge, he, his spouse, minor child, general partner, organization in which he is serving as officer,**
45 **director, trustee, general partner or employee, or any person or organization with whom he is negotiating or**
46 **has any arrangement concerning prospective employment, has a financial [or personal/private] interest—**

47 *Shall be subject to the penalties set forth in section 216 of this title.*

48 YOUR ANSWER: ___ Admit ___ Deny

1 13. Admit that the Social Security SS-5 Application for a Social Security Card constitutes an agreement to become
2 “federal personnel” and a “public officer” and “trustee” over public property.

3 [TITLE 5 > PART 1 > CHAPTER 5 > SUBCHAPTER II > § 552a](#)
4 [§ 552a. Records maintained on individuals](#)

5 (a) Definitions.— For purposes of this section—

6 (13) the term “Federal personnel” means officers and employees of the Government of the United States,
7 members of the uniformed services (including members of the Reserve Components), individuals entitled to
8 receive immediate or deferred retirement benefits under any retirement program of the Government of the
9 United States (including survivor benefits).

10 YOUR ANSWER: ___ Admit ___ Deny

11 14. Admit that the number assigned by the Social Security Administration called a Social Security Number is created,
12 owned, reissued, and controlled exclusively by the Social Security Administration.

13 Title 20: Employees' Benefits
14 [PART 422—ORGANIZATION AND PROCEDURES](#)
15 [Subpart B—General Procedures](#)
16 [§ 422.103 Social security numbers.](#)

17 (d) Social security number cards. A person who is assigned a social security number will receive a social
18 security number card from SSA within a reasonable time after the number has been assigned. (See §422.104
19 regarding the assignment of social security number cards to aliens.) Social security number cards are the
20 property of SSA and must be returned upon request.

21 See also: Exhibit 1058; <http://sedm.org/Exhibits/ExhibitIndex.htm>

22 YOUR ANSWER: ___ Admit ___ Deny

23 15. Admit that the Social Security Number is primarily used to control you, and that you have no control or ownership
24 over how the government uses or discloses it.

25 YOUR ANSWER: ___ Admit ___ Deny

26 16. Admit that it is impossible to “have” a number. A number is information and you can know information but you can’t
27 own it unless it is copyrighted.

28 YOUR ANSWER: ___ Admit ___ Deny

29 17. Admit that claiming a number or participating in Social Security guarantees NOTHING, according to the Supreme
30 Court.

31 “We must conclude that a person covered by the Act has not such a right in benefit payments... This is not to
32 say, however, that Congress may exercise its power to modify the statutory scheme free of all constitutional
33 restraint.”
34 [Flemming v. Nestor, [363 U.S. 603](#) (1960)]
35

36 “The Social Security system may be accurately described as a form of social insurance, enacted pursuant to
37 Congress’ power to “spend money in aid of the general welfare.” Helvering v. Davis, supra, at 640, whereby
38 persons gainfully employed, and those who employ them, are taxed to permit the payment of benefits to the
39 retired and disabled, and their dependents. Plainly the expectation is that many members of the present
40 productive work force will in turn become beneficiaries rather than supporters of the program. But each
41 worker’s benefits, though flowing from the contributions he made to the [363 U.S. 603, 610] national economy
42 while actively employed, are not dependent on the degree to which he was called upon to support the system by
43 taxation. It is apparent that the noncontractual interest of an employee covered by the Act cannot be soundly
44 analogized to that of the holder of an annuity, whose right to benefits is bottomed on his contractual
45 premium payments.”
46 [Flemming v. Nestor, [363 U.S. 603](#), 610, 80 S.Ct. 1367 (1960)]

1 YOUR ANSWER: ___Admit ___Deny

- 2 18. Admit that without a guaranteed benefit, anyone using a number cannot claim any legally enforceable right or
3 entitlement or “property”.

4 YOUR ANSWER: ___Admit ___Deny

- 5 19. Admit that you have stated you cannot and will not issue a driver’s license to a person without a Social Security
6 Number unless they are not eligible to apply for Social Security.

7 YOUR ANSWER: ___Admit ___Deny

- 8 20. Admit that applicant has stated he is *not* eligible for the Social Security program and is not acting as a federal
9 “employee”, agent, fiduciary, or contractor in the context of this application for a Driver’s License.

10 YOUR ANSWER: ___Admit ___Deny

- 11 21. Admit that the Social Security Act is found on the Social Security website at the following address:

12 http://www.ssa.gov/OP_Home/ssact/comp-ssa.htm

13 YOUR ANSWER: ___Admit ___Deny

- 14 22. Admit that the Social Security Act is also found in the [U.S. Code, Title 42, Chapter 7](#) available on the web at the
15 address below:

16 http://www4.law.cornell.edu/uscode/html/uscode42/usc_sup_01_42_10_7.html

17 YOUR ANSWER: ___Admit ___Deny

- 18 23. Admit that only statutory “U.S. citizens” and “lawful permanent residents” may apply for the Social Security program.
19 See website above and [20 CFR §422.104\(a\)](#).

20 YOUR ANSWER: ___Admit ___Deny

- 21 24. Admit that the term “United States” is defined in the current Social Security Act in section 1101(a)(2) as follows:

22 [*SEC. 1101. \[42 U.S.C. 1301\] \(a\) When used in this Act—*](#)

23 *“(2) The term “United States” when used in a geographical sense means, except where otherwise provided, the*
24 *States.”*

25 *[Social Security Act as of 2005, Section 1101]*

26 YOUR ANSWER: ___Admit ___Deny

- 27 25. Admit that the term “State” is defined in the current Social Security Act in section 1101(a)(1) as follows:

28 *Social Security Act*
29 [*SEC. 1101. \[42 U.S.C. 1301\] \(a\) When used in this Act—*](#)

30 *(1) The term ‘State’, except where otherwise provided, includes the District of Columbia and the*
31 *Commonwealth of Puerto Rico, and when used in titles IV, V, VII, XI, XIX, and XXI includes the Virgin Islands*
32 *and Guam. Such term when used in titles III, IX, and XII also includes the Virgin Islands. Such term when used*
33 *in title V and in part B of this title also includes American Samoa, the Northern Mariana Islands, and the Trust*
34 *Territory of the Pacific Islands. Such term when used in titles XIX and XXI also includes the Northern Mariana*
35 *Islands and American Samoa. In the case of Puerto Rico, the Virgin Islands, and Guam, titles I, X, and XIV, and*
36 *title XVI (as in effect without regard to the amendment made by section 301 of the Social Security Amendments*

1 of 1972[3]) shall continue to apply, and the term 'State' when used in such titles (but not in title XVI as in effect
2 pursuant to such amendment after December 31, 1973) includes Puerto Rico, the Virgin Islands, and Guam.
3 Such term when used in title XX also includes the Virgin Islands, Guam, American Samoa, and the Northern
4 Mariana Islands. Such term when used in title IV also includes American Samoa."
5 [Social Security Act as of 2005, Section 1101]

6 YOUR ANSWER: ___ Admit ___ Deny

7 26. Admit that states of the Union are not included in the above definition of either "State" or "United States".

8 YOUR ANSWER: ___ Admit ___ Deny

9 27. Admit that under the rules of statutory construction, that which is not explicitly included is excluded by implication:

10 "*expressio unius, exclusio alterius*"—if one or more items is specifically listed, omitted items are purposely
11 excluded. *Becker v. United States*, 451 U.S. 1306 (1981)

12 "*Expressio unius est exclusio alterius*. A maxim of statutory interpretation meaning that **the expression of one**
13 **thing is the exclusion of another**. *Burgin v. Forbes*, 293 Ky. 456, 169 S.W.2d 321, 325; *Newblock v. Bowles*,
14 170 Okl. 487, 40 P.2d 1097, 1100. Mention of one thing implies exclusion of another. **When certain persons**
15 **or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be**
16 **inferred**. Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects
17 of a certain provision, other exceptions or effects are excluded."
18 [*Black's Law Dictionary, Sixth Edition, p. 581*]

19 YOUR ANSWER: ___ Admit ___ Deny

20 28. Admit that the federal government has no legislative jurisdiction within states of the Union according to the U.S.
21 Supreme Court:

22 "*It is no longer open to question that **the general government, unlike the states**, *Hammer v. Dagenhart*, **247**
23 **U.S. 251, 275**, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the**
24 **internal affairs of the states; and emphatically not with regard to legislation.**"
25 [*Carter v. Carter Coal Co.*, **298 U.S. 238**, 56 S.Ct. 855 (1936)]*

26 "*The difficulties arising out of our dual form of government and the opportunities for differing opinions*
27 *concerning the relative rights of state and national governments are many; **but for a very long time this court***
28 ***has steadfastly adhered to the doctrine that the taxing power of Congress does not extend to the states or***
29 ***their political subdivisions***. The same basic reasoning which leads to that conclusion, we think, requires like
30 limitation upon the power which springs from the bankruptcy clause. *United States v. Butler*, *supra*."
31 [*Ashton v. Cameron County Water Improvement District No. 1*, **298 U.S. 513**; 56 S.Ct. 892 (1936)]

32 YOUR ANSWER: ___ Admit ___ Deny

33 29. Admit that the Social Security Act qualifies as "legislation" as indicated in the above cites.

34 YOUR ANSWER: _____

35 30. Admit that it is ILLEGAL for the Social Security Administration to approve an application from a person who is not a
36 statutory "U.S. citizen" under [8 U.S.C. §1401](#) or lawful "permanent resident".

37 Title 20: Employees' Benefits
38 [PART 422—ORGANIZATION AND PROCEDURES](#)
39 [Subpart B—General Procedures](#)
40 § 422.104 Who can be assigned a social security number.

41 (a) Persons eligible for SSN assignment. We can assign you a social security number if you meet the evidence
42 requirements in §422.107 and you are:

43 (1) A United States citizen; or

1 (2) An alien lawfully admitted to the United States for permanent residence or under other authority of law
2 permitting you to work in the United States (§422.105 describes how we determine if a nonimmigrant alien is
3 permitted to work in the United States); or

4 (3) An alien who cannot provide evidence of alien status showing lawful admission to the U.S., or an alien with
5 evidence of lawful admission but without authority to work in the U.S., if the evidence described in §422.107(e)
6 does not exist, but only for a valid nonwork reason. We consider you to have a valid nonwork reason if:

7 (i) You need a social security number to satisfy a Federal statute or regulation that requires you to have a
8 social security number in order to receive a Federally-funded benefit to which you have otherwise established
9 entitlement and you reside either in or outside the U.S.; or

10 (ii) You need a social security number to satisfy a State or local law that requires you to have a social security
11 number in order to receive public assistance benefits to which you have otherwise established entitlement, and
12 you are legally in the United States.

13 YOUR ANSWER: ____Admit ____Deny

14 31. Admit that persons domiciled within the exclusive jurisdiction of a state of the Union on other than federal territory are
15 neither statutory “U.S. citizen” under [8 U.S.C. §1401](#) nor lawful “permanent resident”.

16 See:

<p>17 http://sedm.org/Forms/FormIndex.htm 18 <u>Why You are a “National” or a “State National” and not a “U.S. Citizen”</u>, Form #05.006</p>

17 YOUR ANSWER: ____Admit ____Deny

18 32. Admit that an illegal or unconstitutional act does not constitute an “act” of a government, but simply the act of a
19 private individual masquerading as a public officer:

20 “... the maxim that the King can do no wrong has no place in our system of government; yet it is also true, in
21 respect to the State itself, that whatever wrong is attempted in its name is imputable to its government and not
22 to the State, for, as it can speak and act only by law, whatever it does say and do must be lawful. That which
23 therefore is unlawful because made so by the supreme law, the Constitution of the United States, is not the
24 word or deed of the State, but is the mere wrong and trespass of those individual persons who falsely spread
25 and act in its name.”

26 “This distinction is essential to the idea of constitutional government. To deny it or blot it out obliterates the
27 line of demarcation that separates constitutional government from absolutism, free self- government based on
28 the sovereignty of the people from that despotism, whether of the one or the many, which enables the agent of
29 the state to declare and decree that he is the state; to say ‘L’Etat, c’est moi.’ Of what avail are written
30 constitutions, whose bills of right, for the security of individual liberty, have been written too often with the
31 blood of martyrs shed upon the battle-field and the scaffold, if their limitations and restraints upon power may
32 be overpassed with impunity by the very agencies created and appointed to guard, defend, and enforce them;
33 and that, too, with the sacred authority of law, not only compelling obedience, but entitled to respect? And how
34 else can these principles of individual liberty and right be maintained, if, when violated, the judicial tribunals
35 are forbidden to visit penalties upon individual offenders, who are the instruments of wrong, whenever they
36 interpose the shield of the state? **The doctrine is not to be tolerated.** The whole frame
37 and scheme of the political institutions of this country, state and federal, protest against it. Their continued
38 existence is not compatible with it. It is the doctrine of absolutism, pure, simple, and naked, and of
39 communism which is its twin, the double progeny of the same evil birth.”
40 [U.S. Supreme Court in [Poindexter v. Greenhow](#), 114 U.S. 270; 5 S.Ct. 903 (1885)]

41 YOUR ANSWER: ____Admit ____Deny

42 33. Admit that an illegal or unconstitutional act is an “act” of a private individual that certainly cannot be recognized as an
43 act of any kind on the part of a legitimate government.

44 “An unconstitutional act is not a law; it confers no rights; it imposes no duties; it affords no protection; it
45 creates no office; it is in legal contemplation, as inoperative as though it had never been passed.”
46 [Norton v. Shelby County, [118 US 425](#) (1885)]

1 YOUR ANSWER: ___Admit ___Deny

2 34. Admit that an illegally issued Social Security Number is not a Social Security Number, but simply an illegal act that
3 cannot be recognized and certainly not benefited from by anyone exercising a lawful, constitutional function of
4 government.

5 YOUR ANSWER: ___Admit ___Deny

6 35. Admit that persons born in states of the Union are “nationals” under [8 U.S.C. §1101](#)(a)(21) but not “citizens” under [8](#)
7 [U.S.C. §1401](#). If you disagree, please rebut:

8 <http://famguardian.org/Subjects/LawAndGovt/Citizenship/WhyANational.pdf>

9 YOUR ANSWER: ___Admit ___Deny

10 36. Admit that applicant has stated under penalty of perjury that he is NOT neither a statutory “U.S. citizen” as defined in
11 [8 U.S.C. §1401](#) nor a “lawful permanent resident”.

12 YOUR ANSWER: ___Admit ___Deny

13 37. Admit that applicant has provided to you a copy of his U.S. passport, proving that he is a “national” as defined in [8](#)
14 [U.S.C. §1101](#)(a)(21).

15 *“...the only means by which an American can lawfully leave the country or return to it - absent a Presidentially*
16 *granted exception - is with a passport... As a travel control document, **a passport is both proof of identity and***
17 ***proof of allegiance to the United States.** Even under a travel control statute, however, a passport remains in a*
18 *sense a document by which the Government vouches for the bearer and for his conduct. ”*
19 *[Haig vs Agee, 453 U.S. 280 (1981)]*

20 YOUR ANSWER: ___Admit ___Deny

21 38. Admit that those who either never applied for Social Security or whose application was made by others who they never
22 authorized cannot be obligated to participate and that any number that might have been assigned under such
23 circumstance is illegally obtained and invalid because issued without consent.

24 YOUR ANSWER: ___Admit ___Deny

25 39. Admit that it is a federal crime to compel the use or disclosure of Social Security Numbers.

26 *TITLE 42 - THE PUBLIC HEALTH AND WELFARE*
27 *CHAPTER 7 - SOCIAL SECURITY*
28 *SUBCHAPTER II - FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE BENEFITS*
29 [Sec. 408. Penalties](#)

30 *(a) In general*
31 *Whoever -...*

32 *(8) discloses, uses, or compels the disclosure of the social security number of any person in violation of the laws*
33 *of the United States; shall be guilty of a felony and upon conviction thereof shall be fined under title 18 or*
34 *imprisoned for not more than five years, or both.*

35 YOUR ANSWER: ___Admit ___Deny

36 **Affirmation:**

37 I declare under penalty of perjury as required under [26 U.S.C. §6065](#) that the answers provided by me to the foregoing
38 questions are true, correct, and complete to the best of my knowledge and ability, so help me God. I also declare that these
39 answers are completely consistent with each other and with my understanding of both the Constitution of the United States,

1 Internal Revenue Code, Treasury Regulations, the Internal Revenue Manual, and the rulings of the Supreme Court but not
2 necessarily lower federal courts.

3 Name (print): _____

4 Signature: _____

5 Date: _____

6 Witness name (print): _____

7 Witness Signature: _____

8 Witness Date: _____

9 **10 Resources for Further Study and Rebuttal**

10 If you were unable to find your specific questions or concerns answered, thousands of pages of additional resources are
11 available that back up everything in this pamphlet below:

12 If you would like to learn more about the subjects covered in this pamphlet, please consult the following companion
13 publications:

- 14 1. *Social Security Policy Manual, Form #06.013*- Manual which teaches how to live without a Social Security Number.
15 <http://sedm.org/Forms/FormIndex.htm>
- 16 2. *Social Security: Mark of the Beast*. Describes why Social Security violates the Bible.
17 <http://famguardian.org/Publications/SocialSecurity/TOC.htm>
- 18 3. *Great IRS Hoax*- Free book which documents why the federal income tax laws are violated by the IRS and why the
19 average American is not subject to the I.R.C.
20 <http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>
- 21 4. *Government Instituted Slavery Using Franchises*, Form #05.030. Shows how unconstitutionally administered federal
22 franchises such as Social Security are used to destroy constitutional rights and break down the separation of powers
23 between the state and federal government.
24 <http://sedm.org/Forms/FormIndex.htm>
- 25 5. *Federal Enforcement Authority in States of the Union*, Form #05.032. Proves that the federal government has no
26 ability to legislate within a state of the Union.
27 <http://sedm.org/Forms/FormIndex.htm>
- 28 6. *Resignation of Compelled Social Security Trustee*, Form #06.002. Provides a method to withdraw an illegal social
29 security application.
30 <http://sedm.org/Forms/FormIndex.htm>
- 31 7. *42 U.S.C. Chapter 7: Social Security*-U.S. code version of Social Security
32 <http://www4.law.cornell.edu/uscode/42/ch7.html>
- 33 8. *Social Security Website*- Website of Social Security Administration
34 <http://ssa.gov>
- 35 9. *Social Security Legislative History*
36 <http://www.ssa.gov/history/law.html>
- 37 10. *Social Security Act of 1935*
38 <http://www.ssa.gov/history/35actinx.html>
- 39 11. *Social Security Program Operations Manual System (POMS)*
40 <https://secure.ssa.gov/apps10/poms.nsf/partlist!OpenView>
- 41 12. *Your Rights Regarding Social Security Numbers*- Article which describe your rights relating to the use and disclosure
42 of Social Security Numbers
43 <http://famguardian.org/Subjects/Taxes/ChallJurisdiction/YourRightsAndSSNs.htm>
- 44 13. *Social Security Handbook*
45 http://www.ssa.gov/OP_Home/handbook/ssa-hbk.htm

