

WHY YOU AREN'T ELIGIBLE FOR SOCIAL SECURITY



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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	Date
X	

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 who
15 demands that you produce a Social Security Number in order to qualify for a job, government service, privilege, or benefit.
16 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.
20 4. Business associates and partners.
21 5. Schools who want your child to provide a SSN on a school form.

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

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

8 **2 Social Security Definitions**

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

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

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

12 **Table 1: Social Security Definitions**

Word	Definition	Location within Social Security Act(s)
"United States"	<p>ORIGINAL 1935 ACT DEFINITION: <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>CURRENT DEFINITION: <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>ORIGINAL 1935 ACT DEFINITION: <i>"The term State (except when used in section 531) includes Alaska, Hawaii, and the District of Columbia."</i></p> <p>CURRENT DEFINITION: <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^[31]) 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 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</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>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)^[234] 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 Social
6 Security Number for the exclusive purpose of getting a Driver’s License. See SSA website FAQs. Below is the question
7 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 employment*
12 *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 C.F.R. §422.104](#)
18 at:

19 <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>

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

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

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

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

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

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

20 *“It is no longer open to question that the general government, unlike the states, Hammer v. Dagenhart, 247 U.S.*
21 *251, 275, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, possesses no inherent power in respect of the internal*
22 *affairs of the states; and emphatically not with regard to legislation.”*
23 *[Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]*

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

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

- 32 2. A person born within and domiciled within states of the Union is classified as a “national” but not a “citizen” under
33 federal law. He is NOT a “U.S. citizen” under [8 U.S.C. §1401](#). See references below for exhaustive proof of this:
34 2.1. Why You are a “National” or a “State National” and not a “U.S. Citizen”, Form #05.006:
35 <http://sedm.org/Forms/FormIndex.htm>
36 2.2. Tax Deposition Questions, Form #03.016, Section 14: Citizenship
37 <http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Deposition.htm>
38 3. Because people born in and domiciled within states of the Union are neither “[U.S. citizens](#)” under [8 U.S.C. §1401](#) nor
39 “lawful permanent residents”, which are “aliens”, then they do not qualify for the Social Security Program. If they sign
40 up, then they must commit perjury on the SS-5 form by indicating that they are “[U.S. citizens](#)”. Consequently, the vast
41 majority of persons within states of the Union who signed up for the program are NOT eligible, and the moneys they
42 contributed to the program were contributed illegally.
43 4. The reason the U.S. government is willing to “look the other way” by accepting unqualified applicants from states of the
44 Union is because Social Security is the main method by which the IRS manufactures “taxpayers”, which are persons
45 subject to federal jurisdiction and the Internal Revenue Code Subtitle A. A person who does not sign up for Social
46 Security or a Social Security Number, unless he completes and submits a W-4 or 1040 form voluntarily, cannot be made
47 liable for federal income taxes under I.R.C. Subtitle A.
48 5. Offering of Social Security to people in states of the Union is an enlargement of federal powers beyond what the
49 Constitution authorizes over citizens of the states who would otherwise be “foreign” and outside of the jurisdiction of
50 the federal government. The U.S. Supreme Court said that the states CANNOT consent to such an enlargement of federal
51 powers or the breakdown of the Separation of Powers that it causes.

52 *State officials thus cannot consent to the enlargement of the powers of Congress beyond those enumerated in*
53 *the Constitution. Indeed, the facts of this case raise the possibility that powerful incentives might lead both*

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

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

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

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

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

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

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

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

Why You Aren't Eligible for Social Security

Copyright Sovereignty Education and Defense Ministry, <http://sedm.org>
Form 06.001, Rev. 10-27-2007

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

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

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

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

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

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

(15) “United States” means -

(A) a Federal corporation;

(B) an agency, department, commission, board, or other entity of the United States; or

(C) an instrumentality of the United States.

3. The Trust you are acting as a Trustee for is an “employee” of the United States government within the meaning of the Internal Revenue Code under 26 C.F.R. §31.3401(c)-1.
4. You, when acting as a Trustee, are an “officer or employee” of a federal corporation called the “United States”.
5. The legal “domicile” of the Trust you are acting on behalf of is the “District of Columbia”. This is where the “res” or “corpus” of the Social Security Trust has its only legal existence as a “person”. See:
<http://famguardian.org/Subjects/Taxes/Articles/DomicileBasisForTaxation.htm>
6. The Social Security Number is the “Trustee License Number”. Whenever you write your name anywhere on a piece of paper, and especially in conjunction with your all caps name, such as “JOHN SMITH”, you are indicating that you are 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 form, and then to correct whoever sent you the form or notice to clarify that you are not acting as a Trustee or government employee, but instead are acting as a natural person. See:
<http://sedm.org/ProductInfo/RespLtrs/AboutSSNs/AboutSSNs.htm>
7. As an “officer or employee of a corporation”, you are the proper subject of the penalty and criminal provisions of the Internal Revenue Code under:
 - 7.1. [26 U.S.C. §6671\(b\)](#)
 - 7.2. [26 U.S.C. §7343](#)
8. The Internal Revenue Code becomes enforceable against you without the need for implementing regulations. The following statutes say that implementing regulations published in the Federal Register are not required in the case of federal employees or contractors:
 - 8.1. [5 U.S.C. §553\(a\)\(2\)](#)
 - 8.2. [44 U.S.C. §1505\(a\)\(1\)](#)
9. As a Trustee over the Social Security Trust, you are a “public officer” engaged in a “trade or business” as defined in [26 U.S.C. §7701\(a\)\(26\)](#). Consequently, the earnings of the federal corporation you preside over as Trustee are taxable under the Internal Revenue Code. You are exercising the functions of a “public office” because you are exercising fiduciary duty over payments paid to the Federal Government. You are in business with Uncle Sam and essentially become a “Kelly Girl”. Income taxes are really just the “profits” of the Social Security trust created when you signed up for the program, which are “kicked back” to the mother corporation called the “United States”.
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 rate of tax under [26 U.S.C. §1](#) become “effectively connected with a trade or business”, which is a code word for saying that they are public property, because a “trade or business” is a “public office”. This “trade or business” then becomes a means of earning you “revenue” or “profit” as a private individual, because it serves to reduce your tax liability as a

Trustee filing 1040 returns for the Social Security Trust. What the government doesn't tell you, however, 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 begin with! See the following article for more details on "The trade or business scam" for further details:

<http://famguardian.org/Subjects/Taxes/Articles/TradeOrBusinessScam.htm>

11. Below is what the Supreme Court said about all property you donated for "public use" by the Trust in acquiring reduced tax liability:

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

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

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

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

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

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

If you want to know more about the above, please consult [Great IRS Hoax](#), Form #11.302, Section 5.6.16 available at:

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

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

3 Resignation of Compelled Social Security Trustee, Form #06.002
4 <http://sedm.org/Forms/FormIndex.htm>

5 **5 Background on Social Security Numbers**

6 All those assigned Social Security Numbers are federal “employees”. For the proof, we refer you to the Privacy Act, [5 U.S.C.](#)
7 [§552a](#), which says:

8 [TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552a](#)
9 [§ 552a. Records maintained on individuals](#)

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

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

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

18 [26 C.F.R. §31.3401\(c\)-1 Employee:](#)

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

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

27 “It is no longer open to question that **the general government, unlike the states,** *Hammer v. Dagenhart*, [247 U.S.](#)
28 [251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, *Ann.Cas.*1918E 724, **possesses no inherent power in respect of the internal**
29 **affairs of the states; and emphatically not with regard to legislation.**“
30 [*Carter v. Carter Coal Co.*, [298 U.S. 238](#), 56 S.Ct. 855 (1936)]

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

38 Having a Social Security Number also creates a “presumption” that you are domiciled in the “United States”, which is defined
39 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 “residents aliens”
40 listed below have in common is a “domicile” in the “United States”:

41 [26 C.F.R. §301.6109-1\(g\)](#)

42 (g) *Special rules for taxpayer identifying numbers issued to foreign persons--(1) General rule--(i) Social*
43 *security number. **A social security number is generally identified in the records and database of the Internal***
44 *Revenue Service as a number belonging to a U.S. citizen or resident alien individual. A person may establish*

1 *a different status for the number by providing proof of foreign status with the Internal Revenue Service under*
2 *such procedures as the Internal Revenue Service shall prescribe, including the use of a form as the Internal*
3 *Revenue Service may specify. Upon accepting an individual as a nonresident alien individual, the Internal*
4 *Revenue Service will assign this status to the individual's social security number.*

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

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

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

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

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

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

23 **6 Compelled use of Social Security Numbers**

24 The use and disclosure of Social Security Numbers is governed by the Privacy Act of 1974, [5 U.S.C. §552a](#) and following.
25 The Social Security Act itself also makes it a crime to compel the disclosure of Social Security Numbers against the wishes
26 of the party:

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

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

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

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

- 37 1. [Article 1, Section 10](#) of the Constitution makes it unconstitutional for the government to institute a Bill of Attainder,
38 which is a penalty absent a court hearing.
39 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
40 legal effect" must have implementing regulations published in the Federal Register, and if none are published, the statute
41 can ONLY be applied against federal employees and contractors.
42 3. There are no implementing regulations authorizing any penalties on natural persons for failure to use or provide Social
43 Security Numbers.

44 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
45 Social Security Number constitutes an unconstitutional Bill of Attainder that may only be used against federal "employees"
46 and contractors, based on the above.

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

9 **7 Who Owns the Social Security Number and Card?**

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

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

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

19 Now let’s look at whether you can “have” a “Social Security Number” or card. Merriam Webster’s College Dictionary
20 defines the word “have” as follows:

21 **“have: 1. a: to hold or maintain as a possession, privilege, or entitlement; 2: to feel obligation in regard to;**
22 **3: to stand in a certain relation to; 4 a: to acquire or get possession of: OBTAIN; b: RECEIVE; 5 a: to be**
23 **marked or characterized by...”**
24 [Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 556]

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

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

34
35 **“The Social Security system may be accurately described as a form of social insurance, enacted pursuant to**
36 **Congress’ power to “spend money in aid of the `general welfare,” Helvering v. Davis, supra, at 640, whereby**
37 **persons gainfully employed, and those who employ them, are taxed to permit the payment of benefits to the retired**
38 **and disabled, and their dependents. Plainly the expectation is that many members of the present productive work**
39 **force will in turn become beneficiaries rather than supporters of the program. But each worker’s benefits, though**
40 **flowing from the contributions he made to the [363 U.S. 603, 610] national economy while actively employed,**
41 **are not dependent on the degree to which he was called upon to support the system by taxation. It is apparent**
42 **that the noncontractual interest of an employee covered by the Act cannot be soundly analogized to that of the**
43 **holder of an annuity, whose right to benefits is bottomed on his contractual premium payments.”**
44 [Flemming v. Nestor, [363 U.S. 603](#), 610, 80 S.Ct. 1367 (1960)]

45 Notice the very particular language “statutory scheme” used in the above case. It is definitely a “scheme” alright! At least
46 our government is honest on that point! Therefore, neither Social Security nor the Social Security Number nor the card itself:

- 47 1. Constitute a “privilege”, or “entitlement”.
- 48 2. Constitute a legal “right” or anything that is enforceable in a court of law.
- 49 3. Are “contractual”.
- 50 4. Constitute a tangible “benefit” of any kind.

1 5. Can be “owned” by anyone other than the government itself. The Social Security Card, in fact, is identified as property
2 of the government, meaning “public property”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **8 Detailed Answers to Common Questions from recipients of this form About Your Social** 4 **Security Participation**

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

6 **ANSWER #1:** No. It is impossible for anyone, including you, to legally “have” or possess such a number. You cannot own
7 or exclusively control information: You can only “know” it. Furthermore, 20 C.F.R. §422.104 says that only
8 federal “employees” can be assigned numbers and I am not a federal “employee”.

9
10 **QUESTION #2:** Do you know what your Social Security Number is?

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

13
14 **QUESTION #3:** Were you ever eligible to participate in Social Security the past or did you ever ask for one?

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

24
25 **QUESTION #4:** What do you mean, I don’t qualify?

26 **ANSWER #4:** The analysis in this pamphlet, section 2 shows that the program can only be offered to “U.S. citizens” under
27 [8 U.S.C. §1401](#) or “lawful permanent residents”. Both of these groups have in common a domicile in the
28 “United States” which is defined in the Social Security Act, Section 1101 as the District of Columbia and the
29 territories and possessions of the United States. I am not part of either one of these two groups and neither
30 are you. The Social Security Act is “legislation” and the Supreme Court said that congress has NO POWER
31 to legislate within states. Here is what they said:

32 *“It is no longer open to question that **the general government, unlike the states**, Hammer v. Dagenhart, [247 U.S.](#)
33 [251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the internal**
34 **affairs of the states; and emphatically not with regard to legislation.**”
35 [Carter v. Carter Coal Co., [298 U.S. 238](#), 56 S.Ct. 855 (1936)]*

36 Are you going to sit here and tell me the Social Security Act is NOT legislation? If you do, you are admitting
37 that it isn’t law and that I don’t have to follow it. What part of the phrase “no inherent power in respect of
38 the internal affairs of states” do you NOT understand, sir?

39
40 **QUESTION #5:** How could I not be a “[U.S. citizen](#)”? Don’t “[U.S. citizens](#)” qualify?

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

47 *“Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the*
48 *law of comity must necessarily rest, the following maxims: First ‘that **every nation possesses an exclusive***
49 *sovereignty and jurisdiction within its own territory’; secondly, ‘that no state or nation can by its laws directly*
50 *affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural*
51 *born subjects or others.’ The learned judge then adds: ‘From these two maxims or propositions there follows a*
52 *third, and that is that whatever force and obligation the laws of one country have in another depend solely upon*

1 *the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and*
2 *upon its own express or tacit consent." Story on Conflict of Laws §23."*
3 *[Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]*

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

6 [Give them the link to our pamphlet below:

7 *Why You are a "National" or a "State National" and not a "U.S. Citizen"*, Form #05.006
8 <http://sedm.org/Forms/FormIndex.htm>]

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

15
16 **QUESTION #6:** Your interpretation of the Social Security Act is absurd! What you are basically saying is that the Social
17 Security Administration has been violating the law all these years and that all of the people who joined the
18 program who live within the states of the Union are not eligible to participate or to receive benefits. I can't
19 believe that!

20 **ANSWER #6:** The only rational basis for belief is what the law actually says. Look at the definitions for yourself in section
21 2 of this pamphlet and tell me why they are either wrong or why my interpretation of them is wrong. They
22 seem pretty straightforward to me. If you think I'm wrong, then simply prove it by answering the questions
23 at the end of this pamphlet and disprove the evidence for yourself. If you can't do it, then please quit bothering
24 me and give me my driver's license WITHOUT the Social Security Number that I'm asking. If you won't
25 issue it, then please sign this form indicating that you refused my application, so that if I get stopped for
26 driving without a license, I have proof to show the officer that you said you couldn't and wouldn't issue me
27 one.

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

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

32 *Title 20: Employees' Benefits*
33 [PART 422—ORGANIZATION AND PROCEDURES](#)
34 [Subpart B—General Procedures](#)
35 [§422.103 Social security numbers.](#)

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

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

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

These questions are provided for readers, Grand Jurors, and Petit Jurors to present to the government or anyone else who would challenge the facts and law appearing in this pamphlet, most of whom work for the government or stand to gain financially from perpetuating the fraud. If you find yourself in receipt of this pamphlet, you are demanded to answer the questions within 10 days. Pursuant to [Federal Rule of Civil Procedure 8\(b\)\(6\)](#), failure to deny within 10 days constitutes an admission to each question. Pursuant to [26 U.S.C. §6065](#), all of your answers must be signed under penalty of perjury. We 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>

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

1. Admit that Social Security is a franchise.

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

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

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

Elective Franchise. The right of suffrage: the right or privilege of voting in public elections.

Exclusive Franchise. See *Exclusive Privilege or Franchise*.

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

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

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

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

1 YOUR ANSWER: ___Admit ___Deny

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

4 *American Jurisprudence 2d*
5 *Franchises, Section 4: Generally*

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

15 YOUR ANSWER: ___Admit ___Deny

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

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

22 YOUR ANSWER: ___Admit ___Deny

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

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

29 YOUR ANSWER: ___Admit ___Deny

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

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

34 YOUR ANSWER: ___Admit ___Deny

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

38 *“It would be a palpable incongruity to strike down an act of state legislation which, by words of express*
39 *divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by*

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 which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable
2 privilege which the state threatens otherwise to withhold. It is not necessary to challenge the proposition that, as
3 a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as it sees
4 fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is that it may
5 not impose conditions which require the relinquishment of Constitutional rights. If the state may compel the
6 surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender of all.
7 It is inconceivable that guaranties embedded in the Constitution of the United States may thus be manipulated
8 out or existence."
9 [Frost v. Railroad Commission, 271 U.S. 583, 46 S.Ct. 605 (1926)]

10 YOUR ANSWER: ___ Admit ___ Deny

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

12 "Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform
13 to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase or
14 conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every
15 state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the
16 definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and
17 is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the
18 territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan,
19 Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing
20 a much greater analogy to a British Crown colony than a republican state of America, and to vest the legislative
21 power either in a governor and council, or a governor and judges, to be appointed by the President. It was not
22 until they had attained a certain population that power was given them to organize a legislature by vote of the
23 people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress
24 thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that
25 the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of
26 habeas corpus, as well as other privileges of the bill of rights."
27 [Downes v. Bidwell, [182 U.S. 244](#) (1901)]

28 YOUR ANSWER: ___ Admit ___ Deny

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

30 *Corpus Juris Secundum Legal Encyclopeida, Territories*
31 *"§1. Definitions, Nature, and Distinctions*

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

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

46 *"Territories' or 'territory' as including 'state' or 'states.'" While the term 'territories of the' [United States](#) may,*
47 *under certain circumstances, include the states of the Union, as used in the federal Constitution and in*
48 *ordinary acts of congress "territory" does not include a [foreign state](#).*

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

51 [*Corpus Juris Secundum Legal Encyclopedia, Territories, §1*]

52 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 security
8 number card from SSA within a reasonable time after the number has been assigned. (See §422.104 regarding
9 the assignment of social security number cards to aliens.) **Social security number cards are**
10 **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 money*
20 *generally means such an activity as will serve as benefit to community as a body and which at same time is directly*
21 *related function of government. Pack v. Southwestern Bell Tel. & Tel. Co., 215 Tenn. 503, 387 S.W.2d. 789, 794.*

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

30 YOUR ANSWER: ___ Admit ___ Deny

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

32 YOUR ANSWER: ___ Admit ___ Deny

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

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

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

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

47 YOUR ANSWER: ___ Admit ___ Deny

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

3 [TITLE 5 > PART I > 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, owned,
12 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 over
24 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 Court.

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

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

45 YOUR ANSWER: ___ Admit ___ Deny

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

3 YOUR ANSWER: ___Admit ___Deny

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

6 YOUR ANSWER: ___Admit ___Deny

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

9 YOUR ANSWER: ___Admit ___Deny

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

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

12 YOUR ANSWER: ___Admit ___Deny

13 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 address
14 below:

15 <https://www.law.cornell.edu/uscode/text/42/chapter-7>

16 YOUR ANSWER: ___Admit ___Deny

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

19 YOUR ANSWER: ___Admit ___Deny

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

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

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

24 [Social Security Act as of 2005, Section 1101]

25 YOUR ANSWER: ___Admit ___Deny

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

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

29 (1) The term ‘State’, except where otherwise provided, includes the District of Columbia and the Commonwealth
30 of Puerto Rico, and when used in titles IV, V, VII, XI, XIX, and XXI includes the Virgin Islands and Guam. Such
31 term when used in titles III, IX, and XII also includes the Virgin Islands. Such term when used in title V and in
32 part B of this title also includes American Samoa, the Northern Mariana Islands, and the Trust Territory of the
33 Pacific Islands. Such term when used in titles XIX and XXI also includes the Northern Mariana Islands and
34 American Samoa. In the case of Puerto Rico, the Virgin Islands, and Guam, titles I, X, and XIV, and title XVI (as
35 in effect without regard to the amendment made by section 301 of the Social Security Amendments of 1972[31])
36 shall continue to apply, and the term ‘State’ when used in such titles (but not in title XVI as in effect pursuant to
37 such amendment after December 31, 1973) includes Puerto Rico, the Virgin Islands, and Guam. Such term when

1 used in title XX also includes the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.
2 Such term when used in title IV also includes American Samoa.”
3 [Social Security Act as of 2005, Section 1101]

4 YOUR ANSWER: ____Admit ____Deny

5 26. Admit that states of the Union are not included in the above definition of either “State” or “United States”.

6 YOUR ANSWER: ____Admit ____Deny

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

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

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

17 YOUR ANSWER: ____Admit ____Deny

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

20 “It is no longer open to question that **the general government, unlike the states**, *Hammer v. Dagenhart*, 247 U.S.
21 251, 275, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the internal**
22 **affairs of the states; and emphatically not with regard to legislation.**”
23 [*Carter v. Carter Coal Co.*, 298 U.S. 238, 56 S.Ct. 855 (1936)]

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

30 YOUR ANSWER: ____Admit ____Deny

31 29. Admit that the Social Security Act qualifies as “legislation” as indicated in the above cites.

32 YOUR ANSWER: _____

33 30. Admit that it is ILLEGAL for the Social Security Administration to approve an application from a person who is not a
34 statutory “U.S. citizen” under 8 U.S.C. §1401 or lawful “permanent resident”.

35 Title 20: Employees' Benefits
36 PART 422—ORGANIZATION AND PROCEDURES
37 Subpart B—General Procedures
38 § 422.104 Who can be assigned a social security number.

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

41 (1) A United States citizen; or

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

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

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

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

YOUR ANSWER: ___ Admit ___ Deny

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

See:

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

YOUR ANSWER: ___ Admit ___ Deny

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

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

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

YOUR ANSWER: ___ Admit ___ Deny

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

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

YOUR ANSWER: ___ Admit ___ Deny

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

4 YOUR ANSWER: ___Admit ___Deny

5 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](#)
6 [U.S.C. §1401](#). If you disagree, please rebut:

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

8 YOUR ANSWER: ___Admit ___Deny

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

11 YOUR ANSWER: ___Admit ___Deny

12 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](#)
13 [U.S.C. §1101\(a\)\(21\)](#).

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

19 YOUR ANSWER: ___Admit ___Deny

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

23 YOUR ANSWER: ___Admit ___Deny

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

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

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

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

34 YOUR ANSWER: ___Admit ___Deny

35 **Affirmation:**

36 I declare under penalty of perjury as required under [26 U.S.C. §6065](#) that the answers provided by me to the foregoing
37 questions are true, correct, and complete to the best of my knowledge and ability, so help me God. I also declare that these
38 answers are completely consistent with each other and with my understanding of both the Constitution of the United States,
39 Internal Revenue Code, Treasury Regulations, the Internal Revenue Manual, and the rulings of the Supreme Court but not
40 necessarily lower federal courts.

1 Name (print): _____

2 Signature: _____

3 Date: _____

4 Witness name (print): _____

5 Witness Signature: _____

6 Witness Date: _____

7 **10 Resources for Further Study and Rebuttal**

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

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

- 12 1. *Social Security Policy Manual*, Form #06.013- Manual which teaches how to live without a Social Security Number.
13 <http://sedm.org/Forms/FormIndex.htm>
- 14 2. *Social Security: Mark of the Beast*, Form #11.407. Describes why Social Security violates the Bible.
15 <http://famguardian.org/Publications/SocialSecurity/TOC.htm>
- 16 3. *Great IRS Hoax*, Form #11.302- Free book which documents why the federal income tax laws are violated by the IRS
17 and why the average American is not subject to the I.R.C.
18 <http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>
- 19 4. *Government Instituted Slavery Using Franchises*, Form #05.030. Shows how unconstitutionally administered federal
20 franchises such as Social Security are used to destroy constitutional rights and break down the separation of powers
21 between the state and federal government.
22 <http://sedm.org/Forms/FormIndex.htm>
- 23 5. *Federal Enforcement Authority in States of the Union*, Form #05.032. Proves that the federal government has no ability
24 to legislate within a state of the Union.
25 <http://sedm.org/Forms/FormIndex.htm>
- 26 6. *Resignation of Compelled Social Security Trustee*, Form #06.002. Provides a method to withdraw an illegal social
27 security application.
28 <http://sedm.org/Forms/FormIndex.htm>
- 29 7. *42 U.S.C. Chapter 7: Social Security*-U.S. code version of Social Security
30 <https://www.law.cornell.edu/uscode/text/42/chapter-7>
- 31 8. *Social Security Website*- Website of Social Security Administration
32 <http://ssa.gov>
- 33 9. *Social Security Legislative History*
34 <http://www.ssa.gov/history/law.html>
- 35 10. *Social Security Act of 1935*
36 <http://www.ssa.gov/history/35actinx.html>
- 37 11. *Social Security Program Operations Manual System (POMS)*
38 <https://secure.ssa.gov/apps10/poms.nsf/partlist!OpenView>
- 39 12. *Your Rights Regarding Social Security Numbers*- Article which describe your rights relating to the use and disclosure of
40 Social Security Numbers
41 <http://famguardian.org/Subjects/Taxes/ChallJurisdiction/YourRightsAndSSNs.htm>
- 42 13. *Social Security Handbook*
43 http://www.ssa.gov/OP_Home/handbook/ssa-hbk.htm