

Who is Required to Have
a Social Security Number -
and Can a Company Require
Self-Employed Independent
Contractors
to Have One?

By Stephen R. Renfrow© 2001, Sui Juris

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Without Prejudice, UCC 1-207

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Who is Required to Have a SSN?

The answer may shock you!

Today, everyday, Americans are constantly confronted with greater and more frequent requests from all too many sources that they provide their Social Security Number (SSN).

Private parties of all kinds deem it essential to obtain the SSN of everyone with whom they may conduct any business. Does the law demand that everybody applies for and obtains a SSN, or is this simply a purported obligation?

The first inquiry regarding the legal duty to apply for and obtain a SSN must involve an examination of the Constitution for the united States of America and the powers granted therein to Congress. Congress can only possess powers, which are contained, expressly or by necessary implication, within the text of the Constitution, particularly Art. 1, Sec. 8. Being straightforward and to the point, the problem here for Social Security is that no particular clause in this or any other article of the Constitution is sufficient to sustain such power to compel a domestic American to participate in a compulsory retirement or benefits scheme and rightly so. The power to thus mandate participation in Social Security must therefore be one that is based upon an implied power or else it is simply voluntary.

To determine if this power is one arising by implication, a study of various Supreme Court cases regarding the limits of Congressional power is essential. The States are arguably the governmental entities, which might possess the inherent municipal power to compel participation in a retirement scheme; but, if the States might have this power, an issue that appears to not have as yet been decided, does Congress have a corresponding power? Can Congress assume this inherent power of a State and claim it as its own?

Examples of Supreme Court cases that place some real limits upon the powers of Congress are many. For example;

In the License Tax Cases, 72 U.S. 462 (1866), the Supreme Court held that Congress could not authorize the conduct of business within the states in order to tax that business.

In *United States v. DeWitt*, 76 U.S. 41 (1870), the Court held that a penal regulation in a tax act could not be enforced in a state.

In *United States v. Fox*, 94 U.S. 315 (1877), the Court held that the United States could not receive property via a testamentary devise contrary to state law.

In *United States v. Fox*, 94 U.S. 670 (1878), a penal statute remotely related to bankruptcy laws was held inapplicable in the States.

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In *Patterson v. Kentucky*, 97 US. 501 (1879), the Court held that U.S. patent laws conferred no superior rights within the States.

In *United States v. Steffens*, 100 U.S. 82 (1879), federal trademark legislation unconnected with "interstate commerce" was held inapplicable inside the States.

In *Baldwin v. Franks*, 120 U.S. 678, 7 S.Ct. 656 (1887), certain penal, federal civil rights legislation was held unenforceable "within a state".

In *Ex parte Burrus*, 136 U.S. 586, 10S.Ct. 850 (1890), and *De La Rama v. De La Rama*, 201 U.S. 303, 26 S.Ct. 485 (1906), the Court held that domestic relations matters were solely state concerns.

In *Reagan v. Mercantile Trust Co.*, 154 U.S. 413, 14 S.Ct. 1060 (1894), it was held that federally created corporations engaged in business in the States were subject to state laws.

In *Keller v. United States*, 213 U.S. 138, 29 S.Ct. 470 (1909), it was held that congress could not exercise police powers within the States.

In *Coyle v. Smith*, 221 U.S. 559, 31 S.Ct. 688 (1911), it was held Congress could not dictate to a state, Oklahoma, where to locate its state capitol.

In *Hammer v. Dagenhart*, 247 U.S. 251, 38 S.Ct. 529 (1918), and *Bailey v. Drexel Furniture Co.*, 259 U.S. 20, 42 S.Ct. 449 (1922), the Court held that congressional attempts to regulate and control manufacturing activities in the States were unconstitutional; see also *Hill v. Wallace*, 259 U.S. 44, 42 S.Ct. 453 (1922).

In *United Mine Workers of America v. Coronado Coal Co.*, 259 U.S. 344, 42 S.Ct. 570 (1922), the Court held that Congress could not regulate coal mining in the States.

In *Linder v. United States*, 268 U.S. 5, 45 S.Ct. 446 (1925), it was held that congress could not regulate the practice of medicine in the States.

In *Industrial Ass'n. of San Francisco v. United States*, 268 U.S. 64, 45 S.Ct. 403 (1925), the construction industry was deemed to be inherently of local concern and beyond Congressional powers.

In *Indian Motorcycle Co. v. United States*, 283 U.S. 570, 51 S.Ct. 601 (1931), the Court held that congress could not impose a sales tax on items sold to state and local governments. Before the advent of Social Security, a statutorily mandated retirement system applicable to interstate carriers was held unconstitutional in *Railroad Retirement Board v. Alton R. Co.*, 295 U.S. 330, 55 S.Ct. 758 (1935).

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The case of Hopkins Fed. S. & L. Ass'n. v. Cleary, 296 U.S. 315, 56 S.Ct. 235 (1935), stands for the proposition that congress cannot "federalize" state financial institutions over objections from the States.

The cases of A.L.A. Schecter Poultry Corp. v. United States, 295 U.S. 495, 55 S.Ct. 837 (1935), Panama Refining Co. v. Ryan, 293 U.S. 388, 55 S.Ct. 241 (1935), and Carter v. Carter Coal Co., 298 US. 238, 56 S.Ct. 855 (1936), emasculated most of the National Industrial Recovery Acts in part on the grounds of invasion of reserved powers of the States.

In United States v. Butler, 297 U.S. 1, 56 S.Ct. 312 (1936), the Court held that Congress had no direct power to regulate agricultural production within the States. Finally, in Oregon v. Mitchell, 400 U.S. 112, 91 S.Ct. 260 (1970), it was held that congress could not dictate voter qualifications to the States. The above decisions as well as others do place severe restraints upon the powers of Congress. As it should well be!

The genesis of Social Security was the events of the Great Depression. While that era saw extraordinary unemployment and a tremendous decline in national production, still it was not as cataclysmic as other events in our nation's history, such as the War Between the States. Further, no constitutional amendment was adopted during this era, which can offer any basis for an expansion of congressional powers. The legislation that started Social Security in 1935 must be viewed in the light of the various Supreme Court cases decided within a few decades of that legislation and prior thereto. When Congress adopted the Social Security Act in 1935, the Supreme Court had already held in Railroad Retirement Board, supra, that congress had no authority to establish a retirement scheme through its most tremendous power, its control over interstate commerce. Additionally, the revolutionary acts of Congress adopted in the two preceding decades had been emasculated in a series of Supreme Court decisions. Are we to suppose that, against this legal background, Congress decided to enact legislation of the caliber, which had been struck as unconstitutional in the same year?

In the Social Security Act, Congress imposed excise taxes upon employers and those tax receipts were to be deposited with the Treasury. The act further provided schemes whereby participants could enjoy unemployment and retirement benefits. When the act was adopted, parties opposed thereto made challenges to the act, relying upon some, if not all, of the various cases cited above. The major arguments mounted against the act were premised upon invasion of State rights. In Steward Machine Co. v. Davis, 301 U.S. 548, 57 S.Ct. 883 (1937), an employer challenged the unemployment tax imposed upon it and the Court held that such tax was an excise that Congress could impose. In reference to the contention that the subject matter of the act was properly within the historical field reserved to the states, the Court held that Congress could enact legislation to aid the states in an area of great concern. The court placed considerable emphasis upon the fact that the States were reluctant to adopt unemployment acts because such taxes created differentials between States that had such legislation and those, which did not. By creating a national unemployment act, this difference was eliminated and a great benefit to the American people resulted. The Court, therefore, found nothing constitutionally

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objectionable to the act. In *Helvering v. Davis*, 301 U.S. 619, 57 S.Ct. 904 (1937), the same rationale was used to uphold the retirement features of the act. The importance of these two cases upholding the Social Security Act concerns the issues which these cases raised: neither of them addressed the issue of whether there was a requirement for any American to join Social Security. The reason that this issue was not raised is because there is no such requirement, unless of course one works for a State government which has contracted into Social Security; see *Public Agencies Opposed to Social Security Entrapment (POSSE) v. Heckler*, 613 F.Supp. 558 (E.D. Cal., 1985), rev., 477 U.S. 41, 106 S.Ct. 2390 (1986).

The above review should readily demonstrate that there is indeed a real question concerning the point of whether one must submit an application to join Social Security. The cases, which challenged the constitutionality of Social Security, simply did not address this issue, and it appears that no cases have yet dealt with it. The reason for this absence of a challenge to such alleged requirement can only be explained by analyzing the act itself to determine if there is such a requirement. Because congress lacks the constitutional authority to compel membership in Social Security, the act simply imposes no such requirement.

The modern day act is codified at 42 U.S.C., sections 301-433. If there were a requirement that every American join the Social Security scheme, one would expect to find language in the act similar to the following: "Every American of the age of 18 years or older shall submit an application with the Social Security Administration and shall provide thereon the information required by regulations prescribed by the Secretary. Every member of Social Security shall pay the taxes imposed herein and records of such payments shall be kept by the Secretary for determining the amount of benefits to which such member is entitled hereunder." In FACT, no such or similar language appears within the act, and particularly there is no section thereof which could remotely be considered as a mandate that anyone join Social Security. The closest section of the act, which might relate to this point is the requirement of one seeking benefits under the act, that they must apply for the same. Nevertheless, this relates to an entirely different point than a requirement that one join.

Since the statutory scheme fails to impose such requirement, the next question to be asked is whether perhaps the Social Security regulations themselves might impose such duty. But here, the regulations are no broader than the act itself, and the duty to apply for and obtain a Social Security card or number boils down to the following found at 20 Code of Federal Regulations (C.F.R.), section 422.103:

"(b) applying for a number."

"(1) Form SS-5. An individual needing a social security number may apply for one by filing a signed Form SS-5, 'Application for a Social Security Card,' at any social security office and submitting the required evidence..."

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"(2) Birth Registration Document. The Social Security Administration (SSA) may enter into an agreement with officials of a State... to establish, as part of the official birth registration process, a procedure to assist SSA in assigning social security numbers to newborn children. Where an agreement is in effect, a parent, as part of the official birth registration process, need not complete a Form SS-5 and may request that SSA assign a social security number to the newborn child."

"(C) How numbers are assigned. "

"(1) Request on Form SS-5. If the applicant has completed a Form SS-5, the social security office...that receives the completed Form SS-5 will require the applicant to furnish documentary evidence... After review of the documentary evidence, the completed Form SS-5 is forwarded... to SSA's central office... If the electronic screening or other investigation does not disclose a previously assigned number, SSA's central office assigns a number and issues a social security number card..."

"(2) Request on birth registration document. Where a parent has requested a social security number for a newborn child as part of an official birth registration process described in paragraph (b)(2) of this section, the State vital statistics office will electronically transmit the request to SSA's central office...Using this information, SSA will assign a number to the child and send the social security number to the child at the mother's address."

The purported duty to apply for and obtain a Social Security number therefore boils down to this: you get it - if you request it. There is no legal compulsion to do so.

With the act of applying for and obtaining a SSN being entirely voluntary, the next question to be asked is whether any State can force you to use this number which is voluntary in the first place. This appears to have been addressed by section 7 of the Privacy Act of 1974, 88 Stat. 1896. Section 7 reads as follows:

(a)(1) It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number.

(2) the provisions of paragraph (1) of this subsection shall not apply with respect to
(A) any disclosure which is required by Federal statute, or
(B) the disclosure of a social security number to any Federal, state or local agency maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted prior to such date to verify the identity of an individual.

(b) Any Federal, State, or local government agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary by what statutory or other authority such number is solicited, and what uses will be made of it."

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Thus, it seems perfectly logical, that if having a Social Security number is not mandatory but purely voluntary, then no state; agency; company; nor any individual can use the lack of a number in any adverse way against anyone. Neither the State, nor any agency; company; or individual, can make that which is voluntary under federal law - mandatory under State law nor any such agency or company's rules or policies. So the **answer is - obviously not!** At least obvious when you have the facts. Here is another ...

Question:

What should the American people do who are opposed to Social Security, be it the contention that it is, or may be the prelude to the "Beast's number", i.e. for their religious reason; or for whatever reason?

Answer:

If you have such a number ... Revoke it - due to Fraud. Order our NMT Book and Legal Forms which show you how to do so. See www.nmt-psp.com

If you do not have such a number, you should inform those requesting the number that;

- (a) legally there is no obligation to have one, and
- (b) morally there is no reason to have one, and
- (c) therefore such a number cannot be required by any company; agency; quasi or de facto agency; nor local; State; or federal government; or quasi de facto government entity.

What if I told you that we could prove to you beyond a reasonable shadow of a doubt that such a number is the Beast's Number¹? Then the issue would be one of religion. And to deny you your right to work or sub-contract, etc. would be a violation of your God given, constitutionally protected and secured rights and freedoms. This would therefore be a matter to pursue in a United States District Court. Any attorney worth his degree should be chomping at the bit for such an opportunity to be rich and famous on such a case! Just mention Title VII of the 1964 Civil Rights Act.

The problem stems from when a company's response is something to the tune of;

¹ When you trade your name for a government issued number, you then become a "*strawman*" and are incorporated into the New World Order's scheme headed by the United Nations. A *strawman* is an artificial person (a creation of the State) same as a corporation, and does not enjoy any of the God given rights of a natural person. You may consider this a subtle point of law, but because of the dumbing down of America few people understand that the American Republic, under the Constitution of the united States, recognizes that rights come from God, not privileges granted by Government as is in a Democracy (i.e. Communism).

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"... we are required by corporate law to collect SSN's to report income to the IRS of any member who makes \$600 or more with our company. ...".

Member of what? They may be required to report (*see corporation definition below*) - but ONLY if you provide them with such a number. Thus their ignorance of the law engages you the Sovereign² Citizen (*without a number*) in a legal standoff. Should you pursue them? Or convince them of their wrongful ways? The simplest and obvious course would be to convince them. However, the self-aggrandizing; elitist class; of egotist known to man - those of the lawyering syndicate, refuse to believe that they could be wrong. And furthermore would not want to admit to company boards that they gave them wrong legal advice and documentation regarding hiring and distributorships.

A case in point is Taco Bell who lost in court³ and therefore had to change their simple Application for a Job by making the SSN blank read "*optional*". In reality, all requests are voluntary for the reasons stated above. It's just that hiring personnel are ignorant of the fact that if you don't give them a number - they are relieved from liability.

A company's personnel dept. and even their legal dept. usually assumes that the IRS Code [IRC] §6109(A)(3) requires the employer to get the number from the employee. It actually says "*shall request*". In addition, they assume that a penalty will be imposed under IRC §6721(A)(2)(b) for failure to do so. However, the provisions of IRC §6721(c)(1)(b) applies and the penalty mentioned must be waived pursuant to IRC §6724(a) because of "reasonable cause". That reasonable cause being, that no such SSN exist or was provided. And all the company need do is provide an Affidavit to the IRS that they asked for a SSN, SIN or TIN and none was provided due to the fact that the individual did not have one.

The company may also mention, or cite to you, Public Law 101-239, the Omnibus Budget Restoration Act passed in congress on December 19, 1989. IRC Section 310.6676-1 states in part;

"Under Section 301.6109-1(c) a payer is required to request the identifying number of the payee. If after such a request has been made, the payee does not furnish the payer with his identifying number, the penalty will not be assessed against the payer."

Moreover, the above does not even need addressed if one is an independent self-employed contractor such as a distributor or sub-contractor, by reason of the fact that he/she is not an employee (*in the general as well as the defined sense*) and is responsible for their own taxes if any. This is even stated on most "Terms of Agreement" of Distributor Applications that this author has seen. Do they not know what that means? The ignorance and stupidity of people totally astounds me. Especially when they ignore this info.

² Understand that "*Since in common usage, the term person does not include the sovereign, statutes not employing the phrase are ordinarily construed to exclude it.*" *Unites States v. Fox*, 94 U.S. 315

³ See *EEOC v. ISC*; Case No. CA3-92-0169-T in US District Court Dallas Division

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Another example is IRS form 8300: **Report of Cash Payments Over \$10,000 Received in a Trade or Business**. Within the instructions accompanying this form, is stated in part;

"Taxpayer identification number (TIN). - *You must furnish the correct TIN of the person or persons from whom you receive the cash and, IF APPLICABLE, the person or persons on whose behalf the transaction is being conducted. ...*

If you requested but are not able to get a TIN for one or more of the parties to a transaction within 15 days following the transaction, file the report and attach a statement explaining why the TIN is not included." [Emphasis added]

Be sure to investigate the **OMB Number** usually in the upper right hand corner of any and all IRS Form documents to determine their validity. You will undoubtedly find the particular form does not even apply to you, your company or organization.

Appreciate and understand the fact that the Internal Revenue Code⁴ can not even come into play if the self-employed individual is not a taxpayer. **No Subject Matter nor In Personam Jurisdiction exists** and must be challenged (*would be reversible error on appeal*). A nontaxpayer, in respect to the IRC, is one who is **not subject to any internal revenue tax** and is therefore **not subject to any provisions of the IRC nor subject to the jurisdiction of the IRS**. This **FACT** is shown by the ruling in the case of Economy Plumbing and Heating vs. U.S., 470 F.2d 585, at 589 (1972) wherein the Court reaffirmed and quoted from the decision in the case of Long vs. Rasmussen, 281 F.2d 236, at 238 (1962) which stated:

"The revenue laws are a code or system in regulation of tax assessments and collection. THEY RELATE TO TAXPAYERS, AND NOT TO NONTAXPAYERS. The latter are without their scope. NO PROCEDURE IS PRESCRIBED FOR NONTAXPAYERS, and NO ATTEMPT is made to ANNUL any of THEIR RIGHTS and remedies in due course of law. With them Congress does not assume to deal, and they are neither of the subject nor of the object of the revenue laws."
(Emphasis added)

Since you have read this far, I would like to take you further down the rabbit hole and show that a Company is not necessarily an Employer, and its workers are not necessarily Employees! Remember that the Social Security Tax is a tax just like the Income Tax!

In fact, the Federal Income Tax is EXACTLY what it claims -- a tax on "FEDERAL" income! Moreover, the "Internal" Revenue Service has power ONLY over the INTERNAL revenue of the federal government. To prove to you that the IRS Code is designed to extract taxes from FEDERAL employees, let's take a look at the definition for "EMPLOYEE." (See footnote on includes and including⁵)

⁴ Cannot be cited as Title 26 as it was NEVER passed into Positive Law.

⁵ Include is always inclusive [only]. But the words listed after includes and including cannot be expanded to include other things not within the exact meaning of the term defined. To avoid vagueness in statutory construction, if the meaning of the term is "expansive" rather than "inclusive", the words "including but not limited to" are generally used. See IRC 7701(c) and Montillo Salt Co. v. Utah 221 U.S. 452 at 455

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Section 3401 (c) :

"EMPLOYEE. - For purposes of this chapter, the term 'employee' includes an officer, employee, or elected official of the United States, a State, or any political subdivision thereof, or the District of Columbia, or any agency or instrumentality of any one or more of the foregoing. The term 'employee' also includes an officer of a corporation."

To be an "EMPLOYEE", you have to WORK FOR THE GOVERNMENT, or be an officer of a corporation! And guess what this means regarding having your employer take money out of your paycheck? But what if you are an "officer of a corporation" as stated in the Code (above)? Well, you will learn that your business does not even QUALIFY to pay taxes, under the Internal Revenue Code!

Section 7701 (a) (3) :

"CORPORATION. - The term 'corporation' includes associations, joint-stock companies, and insurance companies." [emphasis added]

That doesn't sound like YOUR Company, does it? And, further study of the Tax Code will reveal that the "corporation" must be formed in, doing business in, or receiving "income" from - the District of Columbia, otherwise it is considered to be a "foreign corporation"! So much for the "officer of a corporation" problem in the "Employee" definition. Further, if your business is not incorporated, take a look at the definition provided for a "TRADE OR BUSINESS ".

Section 7701 (a) :

"TRADE OR BUSINESS. - The term 'trade or business' includes the performance of the functions of a public office." [emphasis added]

Also;

"If no information or return is filed, [the] Internal Revenue Service cannot assess you" .

- Gary Makovski, Special IRS Agent,
testifying under oath in US. vs. Long⁶

On a Religious Note:

The majority of Americans have, in fact, wittingly or unwittingly converted wholly and without reservation, as evidenced by their deeds and acts, to become true believers in the "STATE" as their Godhead!

In America, Christianity has been the greatest religious casualty in the rise of the twin religions of Democracy and "the STATE" as the peoples' new religions of choice. While

⁶ The entire trial transcript is available from us on 3 1/2" diskette for \$5. It is included with the "NO MORE TAXES" book. See end of this report for ordering info or www.nmt-psp.com

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millions continue to pay lip service to Christianity, they direct their worshipful respects, always first to Democracy and "the STATE". The truth of this proposition is *prima facie* evidenced by the acts of most alleged Christianity practitioners, as opposed to their lip service. A mere introductory list of such acts would include the following:

- i. They petition "the STATE" for permission to preach their Christian message by obtaining state-issued corporate charters for their churches,
- ii. They deal in usurious contracts by way of mortgages on church property,
- iii. They seek licenses from the STATE for permission to marry,
- iv. They register their children, like chattel, with "the STATE" at birth,
- v. They send their children to STATE-controlled schools,
- vi. They subscribe to "the STATE's" social insurance scheme, et cetera.
- vii. And they force this 'SIN' Gov't Beast issued number upon their child by Fraud.

Clearly by their acts and deeds, "the STATE", in the name of Democracy, is their religion and their Godhead -- for they would sooner offend their Christian God than "the STATE" any time they are put to the pinch.

Like true believers in any religion, those Americans are found to be slavishly committed to the dogma propagated by "the STATE's" priesthood and do accept with out reservations its private corporate tenets, its private corporate benefits, its private corporate demands, and its private corporate rulings without ever once questioning its *de facto, corpora ficta* authority that is strictly private in nature yet masquerading as the people's bona fide government.

So What's the Bottom Line?

If you are the Company, you must realize that you cannot withhold any money from the paycheck of your workers, without their consent. Usually in the form of the IRS form W-4, of which normally they will write Exempt on the line so stated for that purpose [see IRC 3402(n)]. However, it need only be an Affidavit from that individual. And according the IRC only a copy of the birth certificate is required identifying the individual as a natural born Citizen. If you do withhold without their consent, that would leave you open to liability for "Conversion of Funds", and if you're in cahoots with the IRS (or anyone else) – Title 18 USC §241 & §242. Title 18 is the U.S. Criminal Code.

U.S. CRIMINAL CODE: TITLE 18

SEC. 241. CONSPIRACY AGAINST RIGHTS OF CITIZENS

IF TWO OR MORE PERSONS CONSPIRE TO INJURE, OPPRESS, THREATEN OR INTIMIDATE ANY CITIZEN IN THE FREE EXERCISE OR ENJOYMENT OF ANY RIGHT OR PRIVILEGE SECURED TO HIM BY THE CONSTITUTION OR LAWS OF THE UNITED STATES, OR BECAUSE OF HIS HAVING SO EXERCISED THE SAME; OR
IF TWO OR MORE PERSONS GO IN DISGUISE ON THE HIGHWAY, OR ON THE PREMISES OF

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ANOTHER, WITH THE INTENT TO PREVENT OR HINDER HIS FREE EXERCISE OR ENJOYMENT OF ANY RIGHT OR PRIVILEGE SO SECURED, SHALL BE FINED NOT MORE THAN \$10,000 OR IMPRISONED NOT MORE THAN TEN YEARS OR BOTH; AND IF DEATH RESULTS, THEY SHALL BE SUBJECT TO IMPRISONMENT FOR ANY TERM OF YEARS OR FOR LIFE.

SEC. 242. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

WHOEVER, UNDER COLOR OF LAW, STATUTE, ORDINANCE, REGULATION, OR CUSTOM, WILLFULLY SUBJECTS ANY INHABITANT OF ANY STATE, TERRITORY, OR DISTRICT TO THE DEPRIVATION OF ANY RIGHTS, PRIVILEGES, OR IMMUNITIES SECURED OR PROTECTED BY THE CONSTITUTION OR LAWS OF THE UNITED STATES, OR TO DIFFERENT PUNISHMENTS, PAINS, OR PENALTIES, ON ACCOUNT OF SUCH INHABITANT BEING AN ALIEN, OR BY REASON OF HIS COLOR, OR RACE, THAN ARE PRESCRIBED FOR THE PUNISHMENT OF CITIZENS, SHALL BE FINED NOT MORE THAN \$1,000 OR IMPRISONED NOT MORE THAN ONE YEAR, OR BOTH; AND IF DEATH RESULTS SHALL BE SUBJECT TO IMPRISONMENT FOR ANY TERM OF YEARS OR FOR LIFE.

In addition, if you are attempting to require (before hire) a SSN, SIN, or TIN from an individual who does not have such a Government I.D. Number, then it could be determined that you are in violation of the Privacy Act, and also leave you open and liable under the Civil Rights Act. Requesting a W-9 will not necessarily relieve you either, as some individuals cannot file a W-9, depending on their status.

Therefore, as stated previously, if you are confronted with an individual that does not have such a government issued number your only recourse is to write an Affidavit that you requested such, and that the individual in question does not have a number and that their documentation shows that they are a Citizen of the United States of America. You would be relieved from penalty and from reporting, as there is no obligation to report if the person is not a "taxpayer" as defined by the Internal Revenue Code. Notwithstanding as previously stated, you may not be a "Employer" as defined within the IRC. You therefore would not be subject to the courts in regards to this matter in an IRS pursued case. (i.e. No Subject Matter Jurisdiction)

Quotes About Social Security:

"When you pay social security taxes, you are in no way making provision for your own retirement. You are paying the pensions of those who are already retired. Once you understand this, you see that whether you will get the benefits you are counting on when you retire depends on whether Congress will levy enough taxes, borrow enough, or print enough money..."

-W. Allen Wallis, former Chairman
of the 1975 Advisory Council
on Social Security, May 27, 1976

Special Report on Who is Required to Have a Social Security Number, cont.

"There is no prospect that today's younger workers will receive all the Social Security and Medicare benefits currently promised them."

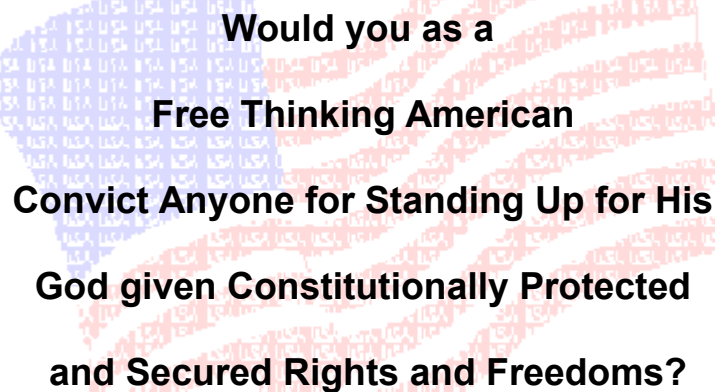
-Dorcas Hardy,
former Social Security Commissioner
and author of "Social Insecurity",
quoted in the December 1995 Reader's Digest.

"All we have to do now is to inform the public that the payment of social security taxes is voluntary and watch the mass exodus."

-Walter E. Williams,
John M. Olin Distinguished Professor of Economics at George
Mason University in Fairfax, VA, January 24, 1996.

Parting Words:

It is said that life and liberty stand essentially on the same ground, life being useless without liberty. Thus the law allows people to protect liberty as they would their life. When one is unlawfully deprived of his liberty he has suffered a "false imprisonment", whether it be by arrest, imprisonment, or improper procedure. To safeguard liberty, the Common Law has for over a thousand years established certain rules and procedures that must be followed before one can be deprived of their liberty by way of arrest or imprisonment. These rules and procedures are part of "**due process of law**", and any officer or person that does not follow them can be sued for "false arrest" & "false imprisonment".



**Would you as a
Free Thinking American
Convict Anyone for Standing Up for His
God given Constitutionally Protected
and Secured Rights and Freedoms?**

Is There a Solution to the Social Security Swindle?

Our Senators and Congressmen don't pay in to Social Security, and, of course, they don't collect from it. The reason is that they have a special retirement plan that they voted for themselves many years ago. For all practical purposes, it works like this:

When they retire, they continue to draw their same pay, until they die, except that it may be increased from time to time, by cost of living adjustments. It matters not whether they deserve it or not. They have placed themselves in an upper class above You!

For instance, former Senator Bradley, and his wife, may be expected to draw \$7,900,000, with Mrs. Bradley drawing \$275,000 during the last year of her life. This is calculated on an average life span for each. This may be well and good, except that they paid nothing in on any kind of retirement, and neither does any other Senator or Congressman.

This fine retirement comes right out of the General Fund: Your tax money. While you who volunteered to pay for it all, draw an average of \$1000/month from the "Social In-security Plan".

Imagine for a moment that you could structure a retirement plan so desirable that people would have extra deducted so that they could increase their own personal retirement income. A retirement plan that works so well, that Railroad employees, Postal Workers, and others who aren't in it, would clamor to get in. That is how good Social Security could be, if only one small change was made.

That change is to jerk the Golden Fleece retirement out from under the Senators and Congressmen, and put them in Social Security with the rest of us.

Then watch how fast they fix it!!!



Special Report on Who is Required to Have a Social Security Number, cont.

"Like everyone else, you were born into bondage. Born into a prison that you cannot smell or taste or touch. A prison for your mind. Do you want to see, or do you want to know how deep the Rabbit Hole goes?"

Morpheus - "The Matrix"

Research Material: (Note – the domain HomeBizNet is no longer up)

- "NO MORE TAXES", by Stephen Renfrow©, all rights reserved; to Order – Visit this website <http://www.nmt-pp.com> instead of HomeBizNet.
- "THE COMMERCE GAME EXPOSED: Learn How to Play 'Accepted for Value'"; Publ. The American Voice, to Order see <http://www.homebiznet.nu/Reports/CGE.html>
- "The FALSE PROPHET and the IMAGE OF THE BEAST", by James Lloyd; Christian Media P.O. Box 448 Jacksonville, Oregon 97530; request a copy of their Newspaper.
- "GETTING HIRED WITHOUT A SOCIAL SECURITY NUMBER", Citizens for Sovereignty, div. of Free the People P.O. Box 370 Sunset Beach, California 90742.
- "VULTURES IN EAGLES CLOTHING", by Lynne Meredith; We the People P.O. Box 370 Sunset Beach, California 90742
- "THE COMPLETE INTERNAL REVENUE CODE", Research Institute of America Inc. 90 5th Avenue New York, NY 10011
- "The UCC CONNECTION - Free Yourself from Legal Tyranny", Americans for Constitutional Government P.O. Box 99 Lancaster, Ohio 43130
- "THE TAX RACKET - Government Extortion from A to Z", Martin L. Gross; Ballantine Books, New York
- "WHAT YOU AREN'T SUPPOSED TO KNOW ABOUT THE LEGAL PROFESSION - An Expose of Lawyers, Law Schools, Judges and More", Laurens r. Schwartz; Shapolsky Publishers Inc., New York
- "CIVIL LIABILITY IN CRIMINAL JUSTICE" 2nd Ed., H.E. Barrineau, III; Anderson Publishing Co., Cincinnati Ohio
- And years of research into various court decisions, along with personal experience in U.S. District Court regarding said subject matter.