



**"Those who say it cannot be done should not interfere with those of us who are doing it"© - S. Hickman**

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## The Informer

### When is a Social Security Number not a Social Security Number AND Will the real Beneficiary please stand up

Two questions arise when looking at the IRS administration Code of Federal Regulations (CFR's,) which is the title to this article. I start with the IRS code and bold the statement that generates questions..

[Code of Federal Regulations]  
[Title 26, Volume 17]  
[Revised as of April 1, 2001]  
From the U.S. Government Printing Office via GPO Access  
[CITE: 26CFR301.7701-11]

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TITLE 26--INTERNAL REVENUE

CHAPTER I--INTERNAL REVENUE SERVICE, DEPARTMENT OF  
THE TREASURY--

(Continued)

Discovery of Liability and Enforcement of Title

Sec. 301.7701-11 Social security number.  
For purposes of this chapter, the term social security number means the taxpayer identifying number of an individual or estate which is assigned pursuant to section 6011(b) or corresponding provisions of prior law, or pursuant to section 6109, and in which nine digits are separated by hyphens as follows: 000-00-0000. Such **term does not include a number with a letter as a suffix** which is used to identify an **auxiliary beneficiary** under the social security program. The terms ``account number" and ``social security number" refer to the same number.

[T.D. 7306, 39 FR 9947, Mar. 15, 1974] \*

Please note that the **TERM** "Social Security Number" does **NOT** include a number that has a letter after it, such as an "A". So a number 123-45-678 is a Social Security number, but 123-45-678 A is not a Social Security number. All Retired people have this letter after their number. Therefore they, by the law above, do not and cannot not use that number and claim it is a Social Security Number. Under the Law as provided, by the regulations, one cannot be asked to supply a Social Security number when he has a letter after the number.

Now the second part is this "auxiliary beneficiary". I was under the impression that I would be a beneficiary under this program. Every one argues that it is this "beneficiary status" that makes one a "taxpayer." Apparently, by the very regulation above you are not a beneficiary, only an auxiliary beneficiary. So let us look at some definitions first to put this on a good foundation.

Webster's 7<sup>th</sup> Ed. Collegiate Dictionary 1970

Beneficiary= *n.* one who receives something: as 1.a: the person designated to receive the income of a trust estate b: the person named (as in an insurance policy) to receive proceeds or benefits accruing.

Ballentine's Law Dictionary 3<sup>rd</sup> Ed

Beneficiary= A person who receives a benefit or advantage. Cite omitted A person receiving or entitled to receive a gift, a devise, or legacy: a cestui que trust: a person who is entitled to receive or who is receiving profit, benefit, or advantage from a contract or from an estate.

We all know from US Supreme Court decisions of Fleming v Nestor, Stewart Machine Co.v Davis, and Helvering v Davis in the 1930's and the Congressional Hearings in 1953 on SS, that SS is not insurance; no one has no vested rights in SS; there is no "account" as all the money goes into the general treasury; IRS considers SS payments a GIFT; SS is a direct "special income tax on employees" and the tax on employers is a "excise tax" and the "two taxes are totally separate,"; "SS is not an accrued property right,"; "employees have no contractual interest in SS" and that "Not a dollar goes into the Account by force of the challenged act alone, unaided by acts to follow."

So the definitions in the two books given above cannot fit the SS beneficiary but for one aspect-The GIFT. Congress appropriates annually from the general treasury and NOT from a special "account", SS payments and as the Courts and Congressional Hearings stated, this can be stopped when ever Congress decides it has no money in the General Treasury to make these annual SS payments.

But before you jump to conclusions you forgot about the "auxiliary beneficiary" is NOT the beneficiary. So lets us look at what the term "auxiliary" means.

Webster's

Auxiliary= *n.* 1 a: an auxiliary person, group or device; b: a Roman Catholic titular bishop assisting a diocesan bishop and not having a right of succession 2: an auxiliary boat or ship.

Auxiliary= *a.* 1a: offering or providing help b: **functioning in a subsidiary capacity.** 3a: SUPPLEMENTARY. (Dictionary emphasis)

Ballentine's Law Dictionary

Auxiliary= Collateral; incidental; conducive; assisting. See ancillary  
Ancillary= **Subordinate**

So this "auxiliary beneficiary" is subordinate to the beneficiary. The CFR did say auxiliary and did not use the bare term beneficiary. Did you ever hear the term used in the fire house or the VFW when referring to the auxiliary? The ladies auxiliary? They are not the firemen nor the vets but are subordinate to them correct? So they assist the firemen and the vets.

We have one other definition for auxiliary and that is Black's Law 5<sup>th</sup> Ed  
Auxiliary= Aiding; attendant on; ancillary (qv); as, an auxiliary bill in equity, an auxiliary receiver. Synonymous with "subsidiary".  
Subsidiary=Under another's control. Term is often short for "subsidiary corporation"; i.e. one that is run and owned by another company which is called a "parent." Of secondary importance.

Just on this basis alone, with what we have to go by, the facts show that the recipients are only the auxiliary of the true beneficiary. Why not say just beneficiary? Now who might that be? Could it be the Congress that took all your contributions and used them as they saw fit when your contributions all went into the General Treasury so they could do what they wanted? Could you, who collect SS, be getting the bone minus the meat so to speak? Much like the auxiliary of the Vet or Firemen get a small portion of the total donations and the firemen get to use the majority for equipment? You all must know that "contributions" are really forced exactions of a "special income tax" that you paid all these years, which is over and above the regular income tax illegally collected. Strangely there is not one definition in the entire Title 42 on this term "auxiliary beneficiary" that I can find using a word search and neither in the CFR sections for 42 USC. There is one other CFR that the term Auxiliary beneficiary appears and that is in Housing and Urban Development.

24 CFR 5.214 (4) Social Security Number (SSN) means the nine-digit number that is assigned to a person by the Social Security Administration and that identifies the record of the person's earnings reported to the Social Security Administration. **The term does not include a number with a letter as a suffix that is used to identify an auxiliary beneficiary.**

SSA means the Social Security Administration.

Being the SS payments are really a gift from the true beneficiary, one would not expect to get any more than what Congress decides to appropriate each year on this Ponzi scheme. After all you are "of secondary importance" to the real beneficiary who has used your money taken to further the beneficiaries goals, hence you are referred as the "auxiliary beneficiary" in 26 CFR 7701 (11). Legally we cannot be called a beneficiary if none of the contracts exist; no insurance plan is in effect; there is no trust fund whatsoever as stated in the Supreme Court cases and the Congressional Hearings of 1953 and as just recently confirmed by Treasury Secretary O'Neill in the Freedom Foundation article

The Social Security Fraud  
by Sheldon Richman, September 2001

simply by telling  
Trust Fund has no  
the truth. He had the temerity to say that the Social Security  
tangible assets. It's empty.

O'Neill is right. The Trust Fund is a figment of our collective

imagination.

There's no "there" there. It doesn't exist.

With that in mind and the fact it is a gift from Congress you can now see why the use of the term "Auxiliary beneficiary." So when people on SS are asked for a SS # they legally can say they have none. I wonder what all these agencies would say when they get the answer like,

"I have no Social Security Number by law and look to 26 CFR 301.7701 (11). Now if you persist then I have the right to report you to the government for harassment and a violation of the law demanding something I do not have."

So that is what the "A" stands for after the number, "Auxiliary." So before the "A" or letter was added you could call it the Social Slave Number that the beneficiaries (Congress) uses the funds collected and then give you a "gift" for the use of it and can disband it anytime they want and you have no say whatsoever as an "Auxiliary Beneficiary who is of "secondary importance."

\* **Note** The above 26 CFR 7701 (11) was amended to read as it does now by the Federal Register

Vol. 39, No. 52 March 14, 1974. Also it states at 301.6109 (g) "Nonresident alien exclusion. This section shall not apply to nonresident aliens, foreign corporations, foreign partnerships, or foreign private foundations that do not have income effectively connected with a trade or business within the United States and do not have an office or place of business or fiscal or paying agent in the United States."

This is but another proof that in my Book *Which One Are You*, published in 1990 I was right on point that we are nonresident aliens BY TERMS of legal art and therefore, are excluded from obtaining a SS # and becoming an income tax payer. When reading the Federal Register one can plainly see that the United States is not the 50 states in Union, therefore, all corporations created in the states are foreign to the United States and do not fall under the "domestic" corporation term of art that corporations believe to be them. And, people in these states who are NOT US citizens are therefore, BY TERMS OF ART, nonresident aliens never subject to income tax or wage tax UNLESS they are having a source of income effectively connected to the business or trade of the United States. Of course you have to realize that the United States is that area inhabited by criminals called Congress and as espoused by the US supreme court in the John Barron case 7 Peters 243, that the Constitution and the Bill of Rights were for the people of the United States and not for the people in the States in Union. Therefore, all United States laws pertain only to that area owned and controlled by Congress, AKA United States, and cannot pertain to the states or the people not US citizens within the several states.

Sincerely  
The Informer

