

CONSTRUCTIVE NOTICE

To: (Person being served)

Date:

Of: (Name and address of Institution)

This instrument serves notice to the person and/or business, agency, corporation or other entity that the below named Citizen does not have and/or refuses to disclose a social security number. This Right is protected under the First, Fourth, Fifth, Ninth, and Tenth amendments to United States Constitution and provisions of the Privacy Act. The Privacy Act makes it unlawful to require an individual to disclose or furnish a social security number for any purpose, unless the disclosure or furnishing of the number is specifically required by law.

The federal courts have ruled that private sector solicitors may not obtain social security numbers until they comport their solicitations to comply with disclosure requirements of the Privacy Act, including informing customers of the voluntary nature of such disclosure, the source of authority for requesting such disclosure, and possible uses to which disclosed numbers might be put. *Yeager v. Hackensack Water Co.*, 615 F.Supp. 1087 (1985).

Any person who is found violating the rights of a Citizen may be subject to the damages sustained by the individual and the costs of the action together with attorney fees. See *Doyle v. Wilson*, 529 F.Supp. 1343 (1982). Violation of 18 USC §§241, 242; 42 USC §§1983, 1985 1986 shall subject you personally and may also subject you to fines of up to \$10,000.00, and imprisonment for up to ten years, or both.

Federal regulations provide you an alternative, 26 CFR §§31.6011, 301.6109 and 31 CFR §§103.28, 103.34, 103.35, employers, banks and payers are required to ask for the social security number, but they shall not be in violation of this requirement if they have made a reasonable effort to secure such identification and are unable to secure the information.

Your policy must comply with the law and cannot violate the law or the Rights of Citizens.

Compliance with the Law and this Citizen's intent, as expressly evidenced and implied by this document, is demanded.

Noncompliance with this Notice and Demand shall result in the filing of a formal complaint with the appropriate State and federal agencies against the above named and/or representative(s).

Constructive Notice issued by:

Representing:

Witness:

Date