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NOTICE: Private Certification of § 3401(d) Employ

er Status.

Private Certification of § 3401(c) Employee Status.

Before completing this form, please review the information below carefully. Section 1 • Instructions to Man, Company, or Organization

Notice: see the Code of Federal Regulations [28 C.F.R. 16] I. Under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.) and DOJ FOIA and Privacy Act Regulations (28 C.F.R. Part 16 (2006) )

Production or Disclosure of Material or Information, And pursuant to United States Code (U.S.C.) Title 26: certain “employers” who are required under Chapter 24 of Subtitle C to withhold taxes on “employees” treated as “taxpayers”, and all “employers” doing business in the private sector are requested to certify their proper legal determination of their enumerated American Employer

status (STATE of the UNITED STATES CORP)

and/or 26 U.S.C. § 3401(d) employer status at [ 20CFR202.11] for certain ordinary

American workers

.[See: Title 26 U.S.C. "Subtitle C – Employment Taxe s; Chapter 24 – Collection of Income Tax at

Source on Wages" –26 U.S.C. § 3102(b) specifically states who is liable for the FICA tax].II.

If Section 2 below has been completed, the Undersigned private worker shown on line 1a has requested

that you provide the information required by this form to certify your Federal / State Employer section 3401(d) “employer” status and holding the characteristics essential to such status. Full disclosure is

required by 5 U.S.C. § 552. The public record can be used as evidence in any court under the rules of

federal evidence under Rule 803 (8). (The company or organization on the worker’s behalf may also pro-

actively initiate this determination.)III.

Please complete and sign Section 3 below

thereby certifying the correct determination, positive or negative, of Federal / State section 3401(d) employer status. Provide one signed copy of this form to the worker and retain one signed copy for the worker’s permanent file. IV.

This Notice is a Presentment for full disclosure in Good faith in harmony with the Fair Use of the Uniform Commercial Code [UCC]:at[UCC §1-202. Notice; Knowledge

]. All rights are claimed and reserved at [UCC §1-308(a)] – Without Prejudice.V. IMPLIED LEGAL AND CONSTRUCTIVE NOTICE: Respondent is hereby requested to provide -in written and/or electronic form - the completed information (questions 2a through 4b)and the certified answers to the three (3)interrogatory questions

#6, #7, and #8 contained herein within ten (10) business days from the verifiable date of service of this NOTICE : else , the default answers clearly and precisely expressed therein shall be deemed as agreed upon and admitted to as the truth, and are final without objection, and are deemed admissible in any court of competent jurisdiction pursuant to the Utah state (U.R.C.P.) and Federal Rules of Civil Procedure (F.R.C.P.), Rule 26: General Provisions Governing Discovery, etc., and Rule 33: Interrogatories to Parties, and Rule 36:(b) Effect of Admission, etc ., and other applicable U.R.C.P and F.R.C.P. rules

of evidence.VI.

Definitions used herein are pursuant to Title 26 U.

S.C. and corresponding STATE revenue codes,

and the Social Security Administration (SSA) Handbo

ok § 962: American employer.

1.

DEFINITION OF “

Title 26 U.S.C. (IRC) § 3401(c) employee” status

: The

term

IRC § 3401(c)

“employee” specifically includes officers and emplo

yees whether elected or appointed, of the United St

ates,

a State, Territory, or any political subdivision th

ereof, or the District of Columbia, or any agency o

r

instrumentality of any one or more of the foregoing

. The term “employee” also includes an officer of a

corporation. (The terms “includes” and “including”

when used in a definition contained in this title s

hall not

be deemed to exclude other things otherwise within

the meaning of the term defined.).

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2. DEFINITION OF “

FEDERAL TRADE OR BUSINESS

” (activity)

: The

term

“federal trade or

business ” includes the performance of the function

s of a public office and/or means any service (acti

vity),

of whatever nature, performed (1) within the federa

l territory, or under a contract which is entered i

nto

within the federal territory, or if the employee is

employed on an American vessel or American aircraf

t; or

(2) if it is service which is designated or recogni

zed under an agreement entered into under section 2

33

(“International Agreements”) of the Social Security

Act; or (3) as a § 3401(c) employee of a person wh

o is,

or for an § 3401(d) employer which is, (a) the Unit

ed States or any instrumentality thereof, (b) an in

dividual

who is a resident of the federal territory, (c) a p

artnership or a trust, if two-thirds or more of the

partners or

trustees are residents of the federal territory, or

(d) a corporation organized under the laws of the

federal

territory or any federal territory. The term § 3401

(d) “employer” means the person for whom an individ

ual

performs or performed any service, of whatever natu

re, as the § 3401(c) employee of such person,

3. DEFINITION OF “

FEDERAL TERRITORY

”

: The

term

“federal territory” includes and shall be

construed to include the District of Columbia, the

Commonwealth of Puerto Rico, the Virgin Islands,

Guam, and American Samoa. (The term “includes” shal

l not be deemed to exclude other things, districts,

possessions, territories, etc., otherwise within th

e meaning of the term defined.).

Section 2 • Determination Request Completed and sig

ned by a duly authorized agent for the company

or organization.

1a. Worker.

1b. Calendar Year(s).

(Must be after 1954).

1c. Social Security Number

(Either Social Security number or date of

birth must be provided).

1d. Date of Birth.

2a. Company or Organization’s Name.

2b. “Employer” Identification Number,

if known.

3a. Company or Organization’s Address.

3b. State Where Incorporated, if a

corporation.

4. Company or Organization’s City, State, Zip Code

.

4b. Company or Organization’s

Country of Origin.

I hereby request that the man, company or organizat

ion named on line 2a determine whether my job at th

e Company

constitutes Title 26 U.S.C. (IRC) § 3401(c) employe

e status, and whether my position constitutes or wi

ll constitute a federal

privilege activity for the period specified on line

1b.

5a. Worker’s Signature

(Not required if Section 2 is completed by

company or organization.)

All Rights Claimed and Reserved without

Prejudice.

5b. Date.

Section 3 • NOTICE: Verification must be completed

and signed by an authorized agent for the

company or organization. (Full explanation and the

documentary evidence listed in Section 4 must

accompany any positive certification of § 3401(d) e

mployer status.)

6. For the period specified on line 1b, is

(was)

the worker named on line (1a) an IRC § 3401(c) emp

loyee?

□

Yes. Explain:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .

□

No, worker is not an IRC § 3401(c) employee. (Noti

ce: Default.)

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7.

For the period specified on line 1b, as of today’s

date, is

(was)

the service performed for this company

or organization by the worker named on line (1a) -

partially or completely for an American Employer

pursuant to IRC § 3401(d), engaged in a federal gov

ernment privileged activity, “trade or business”?

□

Yes. Explain:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .

□

No, the Company is not an IRC § 3401(d) employer e

ngaged in a federal privileged activity.

(Notice: Default.)

8. For the remainder of the current calendar year,

is the service anticipated to be performed for this

company or organization by the worker named on line

(1a) - partially or completely an American Employe

r,

section 3401(d) employer engaged in a federal privi

leged activity, “trade or business”?

□

Yes. Explain: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

□

No, the Company is not an IRC § 3401(d) employer e

ngaged in a federal privilege activity.

(Notice: Default.)

Important: Do not complete line 8 if the current ca

lendar year is not within the

period specified on line 1b.

Certification: I attest, under penalties of perjury

that to the best of my knowledge and belief, the

answers provided in this document are true, correct

, and complete.

9a. Signature of Authorized Representative for the

Company or

Organization, or for man, male and female, in priva

te capacity.

9b. Date.

10a. Print Name.

10b. Title.

Section 4 • Documentary Evidence that must accompan

y any positive certification of federal United

States section 3401(d) employer status or any State

employer status.

A) A verified copy of the Treasury's delegation of

authority to the Entity pursuant to IRC §7701(a)(16

) and

26 CFR §§310.7701-16, identifying the Entity as a d

uly authorized withholding agent specific to me.

(When no copies are provided, no documents exist.)

B) A verified copy of the Treasury's delegation of

authority to the Entity pursuant to IRC §6301 ident

ifying

the Entity as a duly authorized tax collector speci

fic to me.

(When no copies are provided, no documents exist.)

C) A verified copy of the Treasury's delegation of

authority to the Entity pursuant to IRC §6201 ident

ifying

the Entity as duly authorized to make inquiries, de

terminations and assessments specific to me. (When

no

copies are provided, no documents exist.)

D) A verified copy of Section 218 Voluntary Agreeme

nt which the Entity entered into with the federal

government for coverage of social security specific

to me, pursuant to 42 USC §418. (When no copies a

re

provided, no documents exist.)

E) A verified copy of the agreement signed by me co

nsenting to participate in any federal and/or state

social

insurance (trust) or social welfare program, in whi

ch I explicitly consented to have amounts taken fro

m my

pay for such participation. (When no copies are pr

ovided, no documents exist.)