

Certification of Federal Employer Privilege Status

Section 1 • Instructions to Man, Company or Organization - Notice: see the Code of Federal Regulations [20CFR202.1]

Notice: Before completing this form, please review the information below carefully. At 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, private companies, organizations, man, and “employers” (you; respondent(s)) are requested to disclose their proper determination of their federal “employer” privilege status at [20CFR202.11] for certain People.

If Section 2 below has been completed, the Undersigned worker specified on line 1a has requested that you disclose the information required by this form to certify your Federal Employer Privilege status. (The company or organization on the worker’s behalf may also pro-actively initiate this determination.)

Please complete and sign Section 3 below certifying the correct determination, positive or negative, of your federal “employer” privilege status. Provide one signed copy of this form to the worker, and retain one signed copy for the worker’s permanent file. This Notice is the Presentment for Discovery; Knowledge at Good faith in harmony with the Fair Use of the Uniform Commercial Code [UCC] at [UCC §1-202. Notice; Knowledge]. If you elect to not complete this form; or if you elect to leave a certain item unanswered, your silence shall be presumed to stand as your silent, voluntary agreement, and attest to your confirmed admission that the default answer, clearly Noticed, and expressed therein at each item below, is the true, correct, and not misleading statement of the Fact, to the best of your knowledge and belief; sufficient to satisfy the worker’s burden of establishing the Fact, for the “trier of the fact”; enforceable at any Court of competent jurisdiction for America.

DEFINITION OF “FEDERAL PRIVILEGE WORKER”: The term “federal privilege worker” includes (delimited) an officer, employee, or elected or appointed official of the United States, a federal territory, 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 “federal privilege worker” also includes an officer of a corporation.

DEFINITION OF “FEDERAL PRIVILEGE TRADE OR BUSINESS” (activity): The term “federal privilege trade or business” (activity) means any service, of whatever nature, performed (1) within the federal territory, or under a contract which is entered into within the federal territory, or if the employee is employed on an American vessel or American aircraft; or (2) if it is service which is designated or recognized under an agreement entered into under section 233 (“International Agreements”) of the Social Security Act; or (3) as an employee of a person who is, or for an employer which is, (a) the United States or any instrumentality thereof, (b) an individual who is a resident of the federal territory, (c) a partnership 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.

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” shall not be deemed to exclude other things, districts, possessions, territories, etc., otherwise within the meaning of the term defined.)

Notice: Strictly Limited.

Section 2 • Determination Request Completed and signed by man, male and female or completed by company or organization.

1a Worker’s Name Robert Vincent Crifasi © MMVII	1b Calendar Year(s) (Must be after 1954.) 2006 - 2007
1c Social Security Number (Either Social Security number or date of birth must be provided.) None	1d Date of Birth April 24, ICD 1948
2a Man, Company or Organization’s Name (respondent): Mobil Technology, Inc., dba MotoSAT: Attn Resident Agent, Jim Pendleton	2b Respondent’s Identification Number
3a Company or Organization’s Address 1955 S. Milestone Dr.	3b State Where Incorporated, if a corporation
4 Company or Organization’s City, State, Zip Code Salt Lake City, Utah 84104	

I hereby request that the respondent named on line 2a determine whether I constitute a federal privilege worker status, and whether my position (job) constitutes, or will 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.) My Liberty; Mine Unalienable Rights, and All Rights are Claimed, and Reserved at Law. Without Prejudice. digital Isl RobBot: Robert Vincent Crifasi	5b Date October 21, ICD2007
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Section 3 • Verification: Completed, and signed (items 18a; 18b) by the duly authorized agent for the respondent identified on line 2a. (Full explanation must accompany any positive certification of federal privilege status.)

6 The worker identified on line 1a:

is a federal privilege worker (statutory “employee”). Explain: _____

is not a federal privilege worker (statutory “employee”). (Notice: Default) (Stop)

7 For the period specified on line 1b, as of today's date, the service performed for the respondent named on line 2a:

is partially or completely a **federal privilege activity**. Explain: _____

is **not** a federal privilege activity; respondent is **not** a company that enjoys the federal **statutory privilege** to claim the reserved **federal status** within the meaning of the term "**employer**" as construed and defined at **[Form I-9]**; or **[20CFR202.1]**. The respondent's **presumption** of federal "employer" privilege is self executed, and its federal "employer" status is "**Terminated**" at **[Form I-9; Section 2]**; or **[20CFR202.11]** as of the worker's date of hire specified on item 1b. (Notice: Default). (Stop)

8 For the remainder of the current calendar year, the service anticipated to be performed for the respondent named on line 2a:

is partially or completely a **federal privilege activity**. Explain: _____

is **not** a federal privilege activity; respondent is **not** a company that enjoys the federal **statutory privilege** to claim the reserved **federal status** within the meaning of the term "**employer**" as construed and defined at **[20CFR202.1]**. The respondent's **presumption** of federal "employer" privilege is self executed, and its federal "employer" status is "**Terminated**" at **[Form I-9; Section 2]**; or **[20CFR202.11]** as of the worker's date of hire specified on item 1b. (Notice: Default). (Stop)

Important: Do not complete line 8 if the current calendar year is not within the period specified on line 1b.

9 **Notice:** TITLE 20--EMPLOYEES' BENEFITS: CHAPTER II--RAILROAD RETIREMENT BOARD: PART 20 - EMPLOYERS UNDER THE ACT-- Sec. 202.1 Statutory provisions.

The term "**employer**" means any **carrier** (as defined in subsection 1(m) of this section), and any **company** which is **directly** or **indirectly owned** or **controlled** by one or more such **carriers** or under **common control** therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service, and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad..."

For the period specified on line 1b, as of today's date, the service performed for this respondent named on line 2a:

is partially or completely a genuine "**employer**": meaning any carrier **as defined in subsection 1(m) of this section** **[20CFR202.1]**.

Explain using **clear** and **precise** common **words** what is **the exact meaning of**: "**... any carrier as defined in subsection 1(m) of this section**":

is **not** a company that enjoys the federal **statutory privilege** to claim the reserved **federal status** within the meaning of the term "**employer**" as construed and defined at **[20CFR202.1]**. The respondent's **presumption** of federal "employer" privilege is self executed, and its presumption of federal "employer" status is "**Terminated**" at **[20CFR202.11]** as of the worker's date of hire specified on item 1b. (Notice: Default). (Stop)

10 **Notice:** TITLE 20--EMPLOYEES' BENEFITS: CHAPTER II--RAILROAD RETIREMENT BOARD: PART 202 - EMPLOYERS UNDER THE ACT-- Sec. 202.11

Termination of employer status. The **employer status** of any company or person shall terminate whenever such **company** or person **loses** any of the **characteristics essential** to the **existence** of an **employer status**.

For the period specified on line 1b, as of today's date, the service performed for this respondent named on line 2a:

is partially or completely a **[20CFR202.11]** statutory "**carrier**" holding **genuine characteristics essential** to the **existence** of an **employer status activity** "Under the Act" **[20CFR202.1]**.
Explain:

is **not** a company that enjoys the federal **statutory privilege** to claim the reserved **federal status** within the meaning of the term "**employer**" as construed and defined at **[20CFR202.1]**. The respondent's **presumption** of federal "employer" privilege is self executed, and its presumption of federal "employer" status is "**Terminated**" at **[20CFR202.11]** as of the worker's date of hire specified on item 1b. (Notice: Default).

11 **Knowledge:** On worker's date of hire specified on line 1b, the HR Manager issued to the worker the form I-9 bearing the express heading:

Department of Homeland Security U.S. Citizenship and Immigration Services Form I-9 (Rev. 05/31/05)Y
EMPLOYERS MUST RETAIN COMPLETED FORM I-9 PLEASE DO NOT MAIL COMPLETED FORM I-9 TO ICE OR
USCIS OMB No. 1615-0047; Expires 03/31/07 Employment Eligibility Verification

false. *Explain:* _____

True. (Notice: Default)

12 **Notice:** I-9 Section 2 clearly defines: Employer. For the purpose of completing this form, the term "employer" includes those recruiters and referrers for a fee who are agricultural associations, agricultural employers or farm labor contractors.

For the period specified on line 1b, as of today's date, the service performed for the respondent named on line 2a:

is partially or completely a genuine I-9 "employer" within the delimited meaning of: "... includes those recruiters and referrers for a fee who are agricultural associations, agricultural employers or farm labor contractors." *Explain:*

is **not** a company that enjoys the federal statutory privilege to claim the reserved federal status within the meaning of the term "employer" as construed and defined on face of the the Department of Homeland Security U.S. Citizenship and Immigration Services **Form I-9**. The respondent's presumption of federal "employer" privilege is self executed, and its presumption of federal "employer" status is "**Terminated**" as of the worker's date of hire specified on item 1b. (Notice: Default). (**Stop**)

13 **Notice:** Form I-9 clearly states on its face: Submission of the information required in this form is voluntary. However, an individual may not begin employment unless this form is completed, since employers are subject to civil or criminal penalties if they do not comply with the Immigration Reform and Control Act of 1986.

For the period specified on line 1b, as of today's date, the service performed for the respondent named on line 2a:

is partially or completely a genuine I-9 "employer" within the meaning of: "... includes those recruiters and referrers for a fee who are agricultural associations, agricultural employers or farm labor contractors" within the statutory provisions construed at the Immigration Reform and Control Act of 1986.
Explain:

is **not** a company that enjoys the federal statutory privilege to claim the reserved federal status within the meaning of the term "employer" as construed and defined on face of the the Department of Homeland Security U.S. Citizenship and Immigration Services **Form I-9**. The respondent's presumption of federal "employer" privilege is self executed, and its presumption of federal "employer" status is "**Terminated**" as of the worker's date of hire specified on item 1b. (Notice: Default).

14 **Notice:** The response, or the default response required by each of the preceding items express sufficient knowledge to satisfy the burden of establishing the following explicit Fact, clearly expressed herein, and not rebutted at any written material fact signed under Notarial jurat by a duly delegated representative agent from the federal government; or the state government:

"No law compels a work eligible man, male and female, to submit a form W-4 or W-9 (or their equivalent) or to disclose an SSN as a condition of being hired or keeping one's job. With the exception of an order from a court of competent jurisdiction issued by a duly qualified judge, no amounts can be lawfully taken from one's ordinary pay (for taxes, fees or other charges) without the worker's explicit, knowing, voluntary, written consent."

false. *Explain:* Statute at Large published in the Federal Register; statute; implementing regulation:

True. Worker **cannot be compelled to submit** government forms; or to **volunteer** an **SSN**. (Notice: Default)

15 **Notice:** The response, or the default response required by each of the preceding items express sufficient knowledge to satisfy the burden of establishing the following explicit Fact, clearly expressed herein, and not rebutted at any written material fact signed under Notarial jurat by a duly delegated representative agent from the federal government; or the state government:

Three conditions must be present for Federal Insurance Contribution Act (FICA) "tax" liability, (all three, not just 1 or 2):

- a. the relationship of the statutory "employer-employee" must exist.
- b. the remuneration paid by the "employer" must constitute "wages" ("*disposable*" pay) for purposes of the tax.
- c. the "employee" must perform services which constitute "covered employment", (as opposed to "excepted employment") for purpose of the tax.

false. *Explain:* Statute at Large published in the Federal Register; statute; implementing regulation:

True. Worker is not a statutory "employee". (Notice: Default)

16 **Notice:** The response, or the default response required by each of the preceding items express sufficient knowledge to satisfy the burden of establishing the following explicit Fact, clearly expressed herein, and not rebutted at any written material fact signed under Notarial jurat by a duly delegated representative agent from the federal government; or the state government:

8 Federal Register, Tuesday, September 7, 1943, §404.104, pg. 12267

Employee: "The term employee specifically includes officers, and employees whether elected or appointed, of the United States, a state, territory, or political subdivision thereof; or the District of Columbia; or any agency; or instrumentality of any one or more of the foregoing." (Emphasis added)

false. *Explain:* Statute at Large published in the Federal Register; statute; implementing regulation:

True. Worker is not a statutory federal/state "employee". (Notice: Default)

17 **Notice:** Worker identified on item 1a has express explicit, knowing, voluntary, written consent, and:

Submitted by the worker's own volition, to the Company identified on item 2a, the "properly executed" government form W-4; or form W-9; or form I-9; or their Social Security Administration account Number (SSN) with sufficient Notice; Knowledge of the terms and conditions construed therein.

Thereby, the Worker identified on item 1a, by his/her own volition, and by his/her express signature, specifically requests to be treated as an I-9 immigrant farm worker; or volunteers to be treated as a statutory "employee" [20CFR203.2]; to apply to the Social Security Administration under the Railroad Retirement Board Act for FICA "benefits".

True. One copy of this herewith Uniform Commercial Code: UCC § 202. Notice; Knowledge form titled: Certification of Federal Employer Privilege Status (or its equivalent) completed by a duly delegated representative for the company is given to the worker before filling out any/all government forms. Attach one copy of the Notice given to the worker identified on item 1a to this form.

False. (Notice: Default) The Company identified on item 2a is at FAULT [at UCC 1-201(16)], thereby creating fraud through material misrepresentation that vitiates all forms, contracts, testimony, agreements, etc., expressed or implied, from the beginning, [estoppel at UCC 1-103(b): UCC 1-308(a)].

Certification: I attest, under penalties of perjury, that to the best of my knowledge and belief this document is true, correct and complete.

18a Signature of Authorized Representative for the Company or Organization; or for a man, male and female, in private capacity.	18b Date
19a Print Name	19b Title

Notice: Certification of Federal Employer Privilege Status - MMVII (c.e., 2007) v4