

**Gerald Brown**

January 28, 2004

RE: Passport Application

To Whom it may concern:

The application form for a U.S. Passport (DS-11) asks for information in a manner that might be construed as somewhat misleading. Because government forms are legal documents which must contain correct and true information, I wish to clarify the information I'm providing so that it is understood in its proper legal context.

1. The instruction at the top of the page directs the applicant to provide information in all capital letters. However, my legal name is not given in all capital letters as you can see from my birth certificate. My legal name is written in both upper and lower case letters and to write it in all capital letters would be to misrepresent my legal name. When the passport is issued, it should also have my name written in both upper and lower case letters.
2. I have left the request for a Social Security Number blank because the U.S. Department of Health and Human Services, Social Security Administration in Baltimore, Maryland, has informed me that the Social Security Act does not require an American to have an SSN. In a letter dated March 24, 1995, signed by Vincent Sanudo, Director, Office of Public Inquiries, stated: "The Social Security Act does not require an individual to have a Social Security number (SSN) to live and work in the United States, nor does it require an SSN simply for the purpose of having one." If the Act of Congress does not require an American to have an SSN to live and work in America, then it cannot be a requirement to obtain a U.S. passport.
3. Having been born of American parents in Trenton, New Jersey, and currently domiciled in California as a California Citizen, I am a U.S. Citizen as contemplated in the U.S. Constitution at Article I, Section 2, clause 2 and Section 3, clause 3; Article II, Section 1, clause 5; Article III, Section 2, clause 1; Article IV, Section 2, clause 1; the Tenth Amendment; and the Eleventh Amendment. I am not, nor do I qualify to be, a U.S. Citizen pursuant to the Fourteenth Amendment. See the California Supreme Court decision in *Van Valkenburg v. Brown*, 43 Cal. 43 (1872).
4. ~~I have left the information~~ blank regarding my previous U.S. Passport that was issued to me back in about 1978. That document was lost many years ago and I have no other specific information regarding it.

Respectfully,

Gerald Brown