



SOCIAL SECURITY

March 21, 2008

Mr. Albert [REDACTED]
[REDACTED]
Orlando, Florida [REDACTED]

Dear Mr. [REDACTED]:

This letter is in response to your correspondence about the Social Security program. People cannot voluntarily end their participation in the program. Under Federal law, the payment of Social Security taxes is mandatory, regardless of the citizenship or place of residence of either the employer or the employee. Unless specifically exempt by law, everyone working in the United States is required to pay Social Security taxes.

Similarly, people cannot withdraw the Social Security taxes that they have already paid. Social Security taxes paid by employees and employers are not placed in individual accounts but are used to pay benefits to workers and their families today. To be paid these benefits, a person must **voluntarily** file an application.

The Social Security Administration is required by law (at section 205 of the Social Security Act) to maintain records of workers' earnings and to establish any other records necessary to carry out our responsibilities under the Social Security Act. Because many people have the same name, or change their name, a reliable and permanent system was needed to distinguish one individual from another in our records. Congress established the Social Security account number system to meet that need.

The Supreme Court has upheld the constitutionality of the Social Security system, as established by the Social Security Act, and mandatory individual participation. We will not respond further to your correspondence about voluntary participation in the Social Security program or the withdrawal of Social Security taxes.

The Internal Revenue Service has jurisdiction over the issue of liability for Social Security taxes; the United States Citizenship and Immigration Services has jurisdiction over the issue of citizenship. If you have questions about either of those subjects, you should contact one of those offices.

Sincerely,

Sheryll Ziporkin
Acting Associate Commissioner
Office of Public Inquiries

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