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RM 10211.600 Requests for an SSN from an Alien without Work Authorization

SSA **will not** assign an SSN to an alien who is illegally residing in the U.S. or currently in lawful immigration status in the U.S., but does not have Department of Homeland Security (DHS) work authorization, unless the alien has a valid nonwork reason for an SSN.

A. Evidence requirements for obtaining an SSN for nonwork purposes

Evaluate evidence for nonwork SSN applications.

1. Establish a valid nonwork reason

The only valid nonwork reasons are:

- a Federal statute or regulation requires that the alien provide his or her SSN to get the particular benefit or service to which he or she has otherwise established entitlement; or
- a State or local law requires the alien who is legally in the U.S. to provide his or her SSN to get public assistance benefits to which the alien has otherwise established entitlement and for which all other requirements have been met.

2. Document a nonwork SSN

To obtain an SSN for a nonwork purpose, the alien must provide:

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- evidence of age, identity, and current alien status; and
- a letter from the appropriate government entity that explains the need for the SSN.

NOTE: If the alien resides outside the U.S. and requests an SSN at a Foreign Service Post, he or she does not need to provide evidence of alien status.

3. Evaluate evidence to establish the need for an SSN

Obtain an original letter or form letter from the government entity to document a valid nonwork reason. Most government entities use a form letter to facilitate processing the large number of requests they receive.

Administration of qualifying programs varies by state. In some states, the qualifying program is administered by a state agency, while in other states, the agency with authority over the qualifying program delegates the day-to-day program administration to county offices.

NOTE: Verify any questionable letters with the issuing agency.

a. Establish a precedent for the authorized official for signing documentation (i.e., original letters and forms) of valid nonwork reasons

Before accepting an original letter or form that documents valid nonwork reasons, the FO must contact the government entity to establish a precedent for the official(s) with the authority to sign letters and forms that document valid nonwork reasons:

- The signatory on the form letter must be a member of management.
- The FO must establish a precedent and accept only the precedent signature for documenting nonwork reasons.
- Should the official leave his or her position, the FO must establish another precedent with the new staff management official.

b. Accept only letters that meet SSA criteria

The letter or form letter from the government entity to document a valid nonwork reason:

- must be dated and on letterhead stationery;
- must specifically identify the alien, the nonwork reason an SSN is required, the relevant statute or regulations requiring the SSN as a condition to receive the benefit or service, and the name and telephone number of an official to contact so that the information provided may be verified;
- must state that the alien meets all the requirements to receive the benefit or service, except for an SSN; **and**
- must have the wet signature of the authorized official for the government entity. For

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additional requirements on establishing an FO precedent for the authorized official, see [RM 10211.600A.3.a](#) in this section.

NOTE: The FO may accept **only** documentation for a valid nonwork reason that meets **all** of the criteria.

IMPORTANT: Consult regional instructions for information on special requirements in your region.

For information on valid reasons for SSA to assign an SSN, see [RM 10211.610](#).

For examples of invalid nonwork reasons, see [RM 10211.615](#).

B. Title II and Title XVI documentation

If the applicant alleges entitlement to Title II or Title XVI (or both) benefits, access the MBR and SSID to verify the alleged entitlement to either or both programs. For only Title II entitlement, SSNAP requires a claim number in the Account Number field of the Non-Work Reason and Documentation section of the Proof of Legal Alien Status screen. SSNAP does not require an account number to document Title XVI entitlement.

C. References

- [RM 10205.210](#), When an Applicant Requests a Receipt for Filing an Application for an SSN Card
- RM 10211.500, Evidence for an SSN Card for an Undocumented Alien
- [GN 03340.000](#), Access to SSA Data – Disclosure – Table of Contents
- RM 10225.005, Issuing a Numident Printout and a Social Security Number (SSN) Printout
- [GN 03325.025](#), Request for SSN Printout and/or Numident Printouts
- RM 10215.110, Policy on Providing Written Notice and Second Review When SSN or Card Cannot be Issued

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RM 10211.610 Valid Reasons to Assign an SSN for Nonwork Purposes

Some laws and regulations require an SSN to obtain benefits or services. Following are examples of benefits and services that an alien could receive when legally in the U.S. without work authorization (or, in some cases, outside the U.S.) that require an SSN.

Included are guidelines explaining the required evidence for assigning an SSN. If you have any questions regarding whether the statute or regulation that the alien is relying upon meets the requirements, check with the Regional Office.

A. Examples of federally funded benefits

Most aliens eligible for federally funded benefits are work authorized and eligible for SSNs. In rare cases, a lawfully present alien who is not work authorized may be entitled to receive a federally funded benefit and, therefore, may be eligible for an SSN (e.g., Cuban-Haitian entrants).

1. Title II benefit

The Social Security Act ([42 USC 405](#) (c)(2)(F)) requires a Social Security beneficiary to provide his or her SSN as a condition for receipt of benefits under Title II of the Social Security Act.

NOTE: For additional requirements to be fully or currently insured and to establish entitlement to any Title II benefit based on the alien worker's earnings, see [RS 00301.102](#).

2. Medicare eligibility due to end stage renal disease (ESRD)

Medicare due to ESRD is a federally funded benefit and is a valid nonwork reason for assigning a nonwork SSN if the individual has provided documentation that he or she is otherwise entitled to this benefit.

NOTE: An undocumented alien parent or spouse is **not** eligible for a nonwork SSN merely to establish insured status for purposes of a dependent's ESRD claim. We will **only** assign a nonwork SSN when an individual establishes his or her **own** entitlement to benefits.

3. Title XIX Medicaid program

Since Medicaid flows from SSI entitlement in most States, alien Medicaid recipients are generally work authorized, and thus eligible for SSNs. However, an alien whose eligibility for Medicaid does not derive from SSI entitlement must provide documentation that he or she meets Medicaid eligibility or documentation of some other valid nonwork reason (see [42 USC 1320b-7](#)).

4. Temporary Assistance for Needy Families (TANF)

Most alien TANF recipients should be work-authorized aliens and, thus, eligible for SSNs. However, if an alien, not otherwise eligible for an SSN, provides documentation that he or she meets eligibility for TANF, consider this a valid nonwork reason (based on [42 USC 1320b-7](#)).

5. Food Stamps

Some aliens in the U.S. may be eligible for food stamps.

6. Other programs and laws

There may be other Federal laws requiring an individual to furnish his or her SSN to be paid the benefit or to receive the service. Field Offices should check with Regional Offices if they question whether the law or regulation the State agency cites meets the requirements for assigning an SSN.

7. State or local benefits

In some instances, a State or local government may require an SSN for an individual to receive benefits from a State public assistance program (i.e., a fully or partially State-funded program [benefit or service] based on need).

If you have any questions regarding whether the statute or regulation that the alien is relying upon meets the requirements, check with the Regional Office.

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B. References

- [GN 03325.001](#), Disclosure and Verifications of SSNs without Consent
 - [GN 03340.000](#), Access to SSA Data – Disclosure
 - [RM 10205.210](#), When Applicant Requests a Receipt for Filing an Application for an SSN Card
 - RM 10225.005, Issuing Numidents and Social Security Number Printouts
 - [GN 03325.025](#), Request for SSN Printout and Numident Printouts
 - RM 10215.110, Providing Written Notice When SSN or Card Cannot be Issued
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BASIC (10-09)

RM 10211.615 Invalid Nonwork Reasons for SSN Assignment

Aliens may request SSNs for a variety of benefits and services. However, not all of these benefits and services serve as valid reasons for assigning an SSN for nonwork purposes. Following is a list of benefits and services that are **not** valid for assigning a new SSN.

A. Examples of benefits and services for which aliens may request an SSN

1. Federal and State income tax purposes

Under U.S. tax law, taxpayers and certain other individuals must provide a Taxpayer Identification Number (TIN) to IRS ([26 USC 6109](#)). The TIN may be either the SSN assigned by SSA, or an Individual Taxpayer Identification Number (ITIN), a 9-digit number assigned by IRS.

IRS assigns an ITIN to a taxpayer, spouse, or dependent who needs a TIN for tax purposes, but does not otherwise meet SSA's requirements for an SSN.

2. Earned Income Credit (EIC)

Only work-authorized aliens are eligible for EIC (as the taxpayer claiming the EIC or as the qualifying child). Such eligible aliens may apply for SSNs.

EIC is **not** a valid **nonwork** reason for assigning an SSN.

3. State tax laws

State laws may require an alien to provide, for State tax purposes, the SSN issued to him or her by SSA, but SSA does not assign SSNs for nonwork purposes solely for State tax purposes.

4. Banking or monetary purposes

With limited exceptions, an individual must provide a Taxpayer Identification Number (TIN) to a financial institution for an account or other monetary transaction (loan, mortgage, stock or bond purchase) for tax purposes. The TIN may be either the SSN assigned to the individual, when applicable, or an ITIN assigned by the IRS.

If the alien has been present in the U.S. for less than 6 months, he or she is exempt from providing a TIN for banking purposes and should ask the financial institution for Form W-8 (Certificate of Foreign Status). IRS assigns ITINs for banking purposes to aliens not authorized to work who have been present in the U.S. for 180 days or more. However, SSA does not assign SSNs solely for this purpose.

5. State driver's license or identity card

A driver's license is not a "valid nonwork reason" for assigning an SSN, and SSA does not assign an SSN for this purpose. However, an alien applying for an SSN for a commercial driver's license should be able to present Department of Homeland Security (DHS) evidence of work authorization and, therefore, should be eligible for an SSN.

A State may request an applicant to provide his or her SSN to obtain a State-issued non-driver identity card. However, the Social Security Act does not require SSA to assign an SSN solely for this purpose, and SSA does not do so.

6. Other State-issued licenses or certificates

A State may require an applicant to provide his or her SSN to obtain a State-issued license (e.g., vocational or professional license, marriage license, gun license, hunting license, or fishing license). While States are required to record the SSNs of marriage license applicants and, for child-support enforcement purposes, to individuals granted divorce decrees, SSA is not required to assign SSNs solely for any of these reasons and does not do so.

7. Savings Bonds

Treasury regulations ([31 CFR 353.5 - 353.6](#)) require an individual registering a Series EE or HH savings bond to provide the taxpayer identification number of the owner or first named co-owner. Treasury regulations also restrict who may own a bond.

The following lists who may own a bond, if they purchase the bond through a payroll

savings plan:

- residents of the U.S., its territories or possessions, or Puerto Rico;
- citizens of the U.S. residing abroad;
- civilian employees of the U.S. or members of its armed services; and
- residents of Canada or Mexico who work in the U.S.

A nonresident alien (or one temporarily in the U.S.) may be designated a co-owner or beneficiary. However, SSA does not assign an SSN solely for this purpose.

8. Student loan

An applicant for a Federal Student Assistance Program loan is required to provide his or her SSN ([20 USC 1091\(a\)\(4\)\(B\)](#)). However, the aid is provided only to U.S. citizens, aliens lawfully admitted for permanent residence, or to individuals with one of the following immigration designations:

- "Refugees,"
- "Asylum Granted,"
- "Indefinite Parole" or "Humanitarian Parole,"
- "Cuban-Haitian Entrant, Status Pending," or
- "Conditional Entrant" (valid only if issued before April 1, 1980).

Nonimmigrant visitors, whether authorized to work or not, are not eligible for student loans. Therefore, SSA does not assign an SSN solely for this purpose.

9. School lunch program

The individual on whose behalf an application is made for school lunch program benefits does not need an SSN. The adult household member who signs the application for the free or reduced-price lunch must provide either his or her SSN or an indication that he or she has not been assigned an SSN. Thus, a letter from SSA indicating that an SSN cannot be assigned generally meets school lunch program requirements. SSA does not assign an SSN solely for this purpose (see [7 CFR 245.2](#)).

10. HUD housing

Each member of the family, age six or older, must provide his or her SSN to the Department of Housing and Urban Development (HUD) or a statement that an SSN has not been assigned. Thus, a letter from SSA indicating that an SSN cannot be assigned generally meets HUD program requirements. SSA does not assign an SSN solely for this purpose.

11. School purposes

A school policy may require a student to provide an SSN to enroll in school. Some schools use the SSN as a student identifier, when the student has one. However, because schools are not mandated to use the SSN in administering educational programs, when the student does not have an SSN or prefers not to provide his or her SSN, the school should assign the student an internal student number.

Although the application forms for the SAT, GRE, and other educational tests have a space to show the SSN, the student is not required to provide an SSN to take the test. SSA does not assign an SSN solely for this purpose.

12. Representative payees and SSI deemors

SSA does not assign SSNs to representative payees or SSI deemors who are not otherwise eligible for an SSN.

B. Handling requests based on invalid nonwork reasons

When an alien applies for an SSN for nonwork purposes and gives an invalid reason, provide written notice, using Form SSA-L676, to explain why we cannot assign an SSN or issue a card (see RM 10215.110).

If the alien applies for an SSN for Federal or State income tax purposes, or for banking or monetary purposes, tell the alien:

- SSA does not assign an SSN solely for these purposes; and
- He or she can complete Form W-7 (Application for IRS Individual Taxpayer Identification Number) to apply for an ITIN through IRS.

NOTE: If you provide the alien with an SSA-L676, advise him or her to send a copy with the IRS Form W-7. Doing so enables IRS to more readily determine eligibility for an ITIN.

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BASIC (10-09)

RM 10211.620 Scenarios Involving SSN Card Requests by Aliens Not Authorized to Work

The following scenarios provide examples of the types of situations field offices may encounter involving SSN card requests by aliens who are not authorized to work.

A. Alien wants an SSN card to work

If an alien who is not authorized by the Department of Homeland Security (DHS) to work wants an SSN card to work:

1. Explain that, without a DHS document authorizing employment, we cannot issue an SSN card for work purposes;
NOTE: Work includes both employment and self-employment.
2. Tell the alien to contact the nearest DHS office to discuss the possibility of changing his or her alien status to one that allows him or her to work or to obtain work authorization;
3. Give the alien Form SSA-L670, indicating that the applicant did not provide evidence of work authorization.

NOTE: If the applicant insists on filing an application and SSA processing it, explain that we will not assign an SSN nor issue a card. Provide written notice, using Form SSA-L676, to explain that we cannot assign an SSN or issue a card because he or she did not present appropriate authorization permitting him or her to work in the U.S.

For information on providing written notice to an SSN applicant, see RM 10215.110.

1. Alien alleges a nonwork need for an original SSN card

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If an alien who is not authorized by DHS to work alleges a valid nonwork reason for an SSN:

1. Determine if the alien has a current, valid, nonwork reason for an original SSN card.
2. If so, obtain the evidence of age, identity, lawful alien status, and documentation of eligibility from the appropriate government entity (see [RM 10211.600A.](#)).
3. When the required information is submitted, annotate the nonwork reason and documentation on the SSNAP Proof of Legal Alien Status screen.
4. Caution the alien that the SSN card will contain the legend "NOT VALID FOR EMPLOYMENT" and that, if he or she uses it to work in the U.S., SSA will notify DHS. Verify the evidence of alien status per [RM 10213.085](#).
5. If the alien has not provided the required information, use Form SSA-L676 to explain that we cannot assign an SSN or issue a card because the applicant did not present evidence of appropriate authorization for work in the U.S. and has not provided evidence of a valid nonwork reason for an SSN. For information on providing written notice to an SSN applicant, see RM 10215.110.

IMPORTANT: Some State agencies require that an alien applying for a benefit or service and alleging not to have an SSN obtain a written notice (Form SSA-L676) from SSA stating that SSA cannot assign the alien an SSN. However, the notice only verifies that the person did not submit appropriate documents. Be sure the State agency understands that SSA does not verify documents of individuals who are clearly not eligible for SSNs.

2. Alien alleges a nonwork reason for a replacement SSN card

If an alien who is not authorized by DHS to work requests a replacement SSN card, follow these steps:

1. Determine if the alien has a current, valid, nonwork reason for a replacement SSN card and obtain documentation of eligibility from the appropriate government entity per [RM 10211.600A.3](#).
2. If the alien provides the required information, enter the nonwork reason and documentation (i.e., the DHS form number (e.g., I-94) and other required alien evidence) on the Proof of Alien Status SSNAP screen.
For additional information, see the SSNAP User Guide .
3. Caution the alien that the SSN card will contain the legend "NOT VALID FOR EMPLOYMENT" and that, if he or she uses it to work in the U.S., SSA will notify DHS.
4. If the alien has not provided the required information, provide written notice, using Form SSA-L676, to explain that we cannot issue a replacement SSN card because the applicant has not provided evidence of a current, valid, nonwork reason for an SSN. For information on providing written notice to an SSN applicant, see RM 10215.110.

NOTE: Be alert for changes in the individual's DHS work authorization status that may mean that he or she is entitled to an SSN card without a restrictive legend.

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