

New Social Security Card Application Requisites Raise Eyebrows

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On August 10, 2015, the Social Security Administration (SSA) adopted a final rule that, as of September 9, 2015, eliminates the requirement that applicants seeking to obtain a new or replacement Social Security number card submit “documentary evidence.” The Social Security number (SSN) is issued on a Social Security Card and consists of a nine-digit number issued to U.S. citizens, permanent residents, and temporary (working) foreign nationals residents. The number is issued by the SSA, an independent agency of the United States government. Although its primary purpose is to track individuals for Social Security purposes, the Social Security number has become a *de facto* national identification number for taxation and other purposes. For employers, the card serves as one of the primary forms of employment eligibility on USCIS Form I-9.

In its final rule [published in the Federal Register](#), the SSA removed the word “documentary” from its description of citizenship, age and identity evidence required to obtain an original or replacement SSN. Instead, the new rule provides the agency and the public with different options for verifying an applicant’s identity and other eligibility factors, noting that it will continue to obtain this evidence through data matches with other government agencies.

Critics of the rule change claim the Obama Administration is making it easier for unauthorized immigrants to fraudulently work by obtaining SSNs. In reply, the SSA claims the rule provides the agency and the public with different options for verifying an applicant’s identity and other eligibility factors, noting that it will continue to require the same evidence to establish citizenship, age and identity. The new rule will also remove the requirement that individuals seeking a replacement SSN card file an SS-5 form, allowing them instead to complete a “prescribed application,” which the agency said would simply be the application form — whether paper, online or another method — that it determines to be the most efficient and user friendly. In addition, the SSA will release, through a gradual, state-by-state rollout, an online application that will permit adult U.S. citizens who are not reporting any changes to their record to apply for replacement SSN cards electronically after registering through the [“my Social Security” portal](#).

In fulfillment of United States Citizenship and Immigration Service (USCIS) Form I-9 requisites, employers are likely to find more rapid turnaround should employees lack a lost or misplaced social security card requiring reissuance. USCIS Form I-9 requisites permit employers to initiate employment, in most contexts, if hired employees can verify within three (3) days employment

eligibility through the documentary requires of USCIS Form I-9, including presentation of a valid social security card under “List C” of USCIS Form I-9.

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