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# POMS Section: RM 10211.510

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Effective Dates: 10/01/2010 - Present

TN 14 (09-10)

## RM 10211.510 Actions Required When an Alien's Status Changes

A change in an applicant's lawful alien status sometimes requires an update to the Numident and, in most cases, the issuance of an original or replacement SSN card.

### A. Evidence when an alien's status changes

If the alien applies to the Department of Homeland Security (DHS) for a different alien status and DHS approves that request, DHS issues a new immigration document reflecting the newly-approved alien status. For enumeration purposes, the new immigration document supersedes all previously issued immigration documents.

If an applicant submits more than one unexpired immigration document, accept the immigration document showing the most recent issue date. The document with the most recent issue date reflects the applicant's most **current** lawful alien status and is the evidence of lawful alien status that you must verify with DHS before processing the SSN application.

**NOTE:** If an applicant submits an expired I-94 and an unexpired Employment Authorization Document (EAD, I-766), see [RM 10211.420](#).

### B. Examples of when an alien's status changes

An alien's status can change for several reasons, including:

#### 1. A nonimmigrant is now allowed to work

Examples:

- A nonimmigrant, who was not employment authorized and had no valid reason for a non-work SSN, may later obtain and submit evidence of employment authorization from DHS. For example, the applicant submits an Employment Authorization Document (EAD, Form I-766) or an Arrival/Departure Record (Form I-94) showing an employment-authorized class of admission. See [RM 10211.420](#).
- A nonimmigrant, who was not employment authorized and had no valid non-work reason for an SSN, may later submit evidence of becoming an immigrant (aka lawful permanent resident (LPR)). For example, the applicant submits a Permanent Residence Card (Form I-551). See [RM 10211.025](#).
- An asylee, refugee, or citizen of a Compact of Free Association nation, that was issued an unrestricted card based on their class of admission, may later submit an I-551. See [RM 10211.025](#) and [RM 10211.050](#).
- A deportable alien may obtain a limited or indefinite stay with permission to work. For example, the deportable alien submits an EAD.

See [RM 10211.420](#).

## **2. An alien is no longer allowed to work**

Examples:

- A nonimmigrant had temporary employment authorization, did not leave the country when the I-94 expired, and now has a valid non-work need for a replacement SSN card.
- An alien (legal or illegal) was assigned an SSN before evidence of lawful alien status was a requirement (May 1978).
- An alien was assigned an SSN as a conditionally legalized alien and is subsequently denied legalization.

See [RM 10211.605](#) - [RM 10211.620](#).

## **C. Processing an alien's change in lawful alien status**

The Social Security Number Application Process (SSNAP) considers information including that on the SSN application, the Numident, and document verifications (e.g., SAVE responses) to:

- Determine the appropriate legend to include on an SSN card;
- Determine if a replacement SSN card can be issued;
- Create or update the Numident data.

The following subsections explain when to issue an SSN card and whether a legend is

printed on the card.

## 1. An alien is now allowed to work

### a. Original or new SSN

Tell the applicant that an SSN card will be issued.

### b. Replacement SSN card or an update to an applicant's record

When issuing a replacement SSN card, if possible, obtain and destroy the old card per RM 10201.075.

- Issue a replacement SSN card when *either* \_\_\_\_\_, based on the change, the card's legend will be different *or* \_\_\_\_\_ the applicant expresses the need for a replacement card (subject to SSA's card limits).
- If the legend remains the same and the applicant does not need a replacement card, use the suppress card issuance button on the Additional Info screen in SSNAP per the SSNAP User Guide.

Tell the applicant whether an SSN card will be issued.

### c. Legend on SSN card based on evidence of employment authorization

Evidence	Legend
Evidence of employment authorization for a nonimmigrant	Card legend: "VALID FOR WORK WITH DHS AUTHORIZATION." <b>See Also:</b> <a href="#">RM 10211.420</a>
Evidence of lawful permanent residence (LPR)	Card legend: None (unrestricted card). <b>See Also:</b> <ul style="list-style-type: none"> <li>• <a href="#">RM 10211.025</a>, for LPR evidence</li> <li>• <a href="#">RM 10211.050</a>, for information on citizens from a Compact of Free Association (CFA) nation</li> <li>• <a href="#">RM 10211.185</a>, for information on refugees</li> <li>• <a href="#">RM 10211.205</a>, for information on asylees</li> <li>• RM 10211.075, for applicants who have no evidence of lawful alien status.</li> </ul>

Evidence of US citizenship

Card legend: None (unrestricted card).

## 2. An alien no longer allowed to work

When possible, recover and destroy the old card per RM 10201.075. Based on the evidence, take one of the following actions:

- If the alien submits a valid non-work reason, see [RM 10211.620](#). Tell the applicant a new SSN card will be issued. Card legend: "NOT VALID FOR EMPLOYMENT"; or
- If the alien does not submit a valid non-work reason (e.g., you are updating the Numident to show the applicant is no longer work authorized), use the suppress card issuance button on the Additional Info screen in SSNAP per the SSNAP User Guide.

SSNAP will update the Numident to show that the applicant no longer has employment authorization and the current alien status (legal or illegal).

### See Also:

RM 10235.005, for the Numident data that indicates employment status, residency, and citizenship.

## D. Processing when a status change is pending

While DHS is processing a status change, DHS may take the alien's I-94, leaving the alien with no official documentation until the DHS action is completed.

### 1. An alien alleges a valid non-work reason

If an alien alleges a valid non-work reason, follow these procedures:

- If the alien submits proof of a valid reason for an SSN card, process the application per [RM 10211.600](#). Card legend: "NOT VALID FOR EMPLOYMENT"
- If there is no valid reason for non-work SSN, advise the applicant to return to the FO when they receive the final DHS notification of status change.

### 2. An alien alleges DHS employment authorization

If an alien alleges DHS employment authorization while the change of status request is being processed, ask to see the DHS issued EAD and follow these procedures:

- If the alien presents a valid EAD, process the request for an employment authorized SSN card.
- If the alien does not have an EAD, advise the applicant to contact DHS for the

appropriate documentation; i.e., temporary I-551 stamp in the passport or on Form I-94 or an EAD. See [RM 10211.025](#) and [RM 10211.420](#).

**CAUTION:** Require an applicant submit an EAD when an alien is awaiting a deportation hearing or deportation alleges employment authorization.

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*RM 10211.510 - Actions Required When an Alien's Status Changes - 10/01/2010*

*Batch run: 10/01/2010*

*Rev:10/01/2010*

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