

# Chapter 1. Rules for Everyone



*This chapter discusses Rules 1 through 6. You must meet all six rules to qualify for the earned income credit. If you do not meet all six rules, you cannot get the credit and you do not need to read the rest of the publication.*

**Note.** If you meet all six rules in this chapter, then read either chapter 2 or chapter 3 (whichever applies) for more rules you must meet.

## Rule 1. Social Security Number (SSN)

### Rule 1 You Must Have a Valid Social Security Number (SSN)

**Valid SSN.** To claim the EIC, you **must** have a valid SSN for you and your spouse (if filing a joint return) and any qualifying child. (See *Rule 7* if you have a qualifying child.) A valid SSN is one that allows you to work. SSNs are issued by the Social Security Administration. Most SSNs are issued to U.S. citizens or to persons who have permission from the Immigration and Naturalization Service to work in the United States. Some SSNs are issued only for use in applying for or receiving federally funded benefits. You can claim the EIC only if you have an SSN that allows you to work. If your social security card says “Not valid for employment,” you cannot get the EIC.

**U.S. citizen.** If you were a U.S. citizen when you received your SSN, you have a valid SSN.

**SSN missing or incorrect.** If an SSN for you or your spouse is missing from your tax return or is incorrect, you may not get the EIC.

**Other taxpayer identification number.** You cannot get the EIC if, instead of an SSN, you (or your spouse if filing a joint return) have an individual taxpayer identification number (ITIN). ITINs are issued by the Internal Revenue Service to noncitizens who cannot get an SSN.

**No SSN.** If you do not have a valid SSN that allows you to work, put “No” directly to the right of line 60a (Form 1040), line 38a (Form 1040A), or to the right of the word “below” on line 8b (Form 1040EZ). You cannot claim the EIC.

**Getting an SSN.** If you (or your spouse if filing a joint return) do not have an SSN, you can apply for one by filing **Form SS-5** with the Social Security Administration.

**Filing deadline approaching and still no SSN.** If the filing deadline is approaching and you still do not have an SSN, you have two choices.

- 1) Request an automatic 4-month extension of time to file your return. You can get this extension by filing Form 4868, *Application for Automatic Extension of Time to File U.S. Individual Income Tax Return*. Or, you can file for an extension by phone, using tax software, or through a tax professional. Getting an extension does not give you extra time to pay any tax owed. You should pay any amount you expect to owe to avoid interest or penalty charges. For more information, see the instructions for Form 4868.
- 2) File the return on time without claiming the EIC. After receiving the SSN, file an amended return (Form 1040X), *Amended U.S. Individual Income Tax Return*, claiming the EIC. Attach a filled-in Schedule EIC, *Earned Income Credit*, if you have a qualifying child.