

Form:

IRS Pub. 1915 (Understanding your IRS Taxpayer Identification Number)

Description:

This is the IRS publication for Understanding your IRS Taxpayer Identification Number. Review the IRS Web site at www.irs.gov for any revision to this form.



Understanding Your IRS

Individual
Taxpayer
Identification
Number
ITIN



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UNDERSTANDING YOUR IRS INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER

IRS assistance is available to help you
prepare your Form W-7/W-7(SP)

In the United States, call:
1-800-829-1040 (toll-free) or

Visit an IRS Taxpayer Assistance Center (TAC) or
Call your local IRS Taxpayer Assistance Center.

For listings of your local IRS TACs or IRS authorized
Acceptance Agents, go to www.irs.gov.

Overseas help can be obtained
from the following IRS offices:

Location	Address	Telephone Number
Beijing, China (By Appointment Only)	United States Embassy No. 55 Anjialou Rd. Chaoyang District, Beijing Peoples Republic of China	[86] (10) 8531-3983 Ext 4805
London, England	United States Embassy 24/31 Grosvenor Square London W1A 1AE England United Kingdom	[44] (207) 408-8077
Paris, France	United States Embassy 2 Avenue Gabriel 75382 Paris Cedex 08, France Physical Address: United States Consulate 2, Rue St. Florentin 75001 Paris, France	[33] (1) 4312-2555
Frankfurt, Germany	U.S. Consulate Frankfurt Geissener Str. 30 60435 Frankfurt am main, Germany. See www.irs.gov .	[40] (60) 7535-3823

Persons outside the U.S. may call 1-267-941-1000 for
assistance (this is not a toll-free call).

IMPORTANT INFORMATION TO NOTE:

1. A passport is a stand alone document for proof of your “identity” and “foreign status” only. If you submit an original valid passport (copy certified by the issuing agency), you do not need to submit a combination of at least two or more other current documents from the Table on Page 21. However, any supplemental documentation to prove “Exception” criteria, must always be submitted along with your Form W-7
2. You may not e-file a tax return(s) using an ITIN in the year in which it is received. If you apply for and receive an ITIN this year, you may not e-file any tax return using that ITIN (including prior year returns) until next year. (See Page 10 for additional information on e-filing).
3. Rental income distributions that are subject to federal tax withholding/and or reporting have been added to Exception 1(d).
4. The entry date in the U.S. (Line 6d, Form W-7) must contain the complete date on which you entered the United States for the purpose for which you are requesting an ITIN. The date should be entered in month/day/year format (mm/dd/yyyy). If you have not entered the U.S. enter “Never entered the United States” on this line.
5. Copies of a passport must include the U.S. visa pages if a visa is required for your Form W-7 application. (For example if you check reason box (f) or (g) on Form W-7, make sure to include a copy of the visa).

REMINDERS:

1. All documents must be original documents or copies certified by the issuing agency.
2. Apply using the most current Form W-7, Application for IRS Individual Taxpayer Identification Number or Form W-7(SP), Solicitud de Número de Identificación Personal del Contribuyente del Servicio de Impuestos Internos. All subsequent notices and correspondence will be sent to you in the language of the original Form W-7/W-7(SP) that you submit to IRS.
3. All ITIN applications (including those submitted by Acceptance Agents) must have an original valid U.S. Federal income tax return attached to Form W-7. ITINs will not be assigned prior to the taxpayer filing a valid U.S. Federal income tax return (Form 1040, 1040A, 1040EZ, 1040NR, 1040NR-EZ, 1040X), to pay or claim withheld taxes unless an “exception” to the tax return filing requirement is met (see

“Exceptions” later in this publication).

4. If an ITIN is being requested for a dependent under 14 years of age (18 if a student) then one of the supporting documents to prove “foreign status” and “identity” must be a Birth Certificate, unless a passport is submitted.
5. Supply original proof of identity and foreign status documents or copies certified by the issuing agency – there are only 13 acceptable documents (see the “Supporting Documentation Table” later in this Publication). The IRS will only accept original documents or copies certified by the issuing agency. If you will need your documentation for any purpose within 60 days of submitting your ITIN application, you may wish to apply in person at designated IRS TAC offices where your passports and National IDs (these are the only documents designated TAC offices are reviewing) will be reviewed and returned to you immediately.
6. First apply for a Social Security Number (SSN) *if entering the U.S. with a green card or visa* that permits you to obtain employment in the U.S. If the Social Security Administration (SSA) will not issue a SSN, a letter of denial must be obtained and attached to your Form W-7. This requirement remains the same if you are requesting an ITIN under an “exception”, or attaching a U.S. Federal income tax return. Refer to “Exceptions” for additional information for students, researchers and professors and individuals receiving honoraria payments.
7. Submit All Powers of Attorney to the IRS in English. Any POA’s received in a foreign language will be considered invalid, unless accompanied by a certified English translation.
8. If you are a guardian or other legally responsible person, requesting an ITIN for your dependent under 18 years of age, (18 if a student), submit documentation along with Form W-7 to prove your relationship to the applicant. These documents can include adoption papers or court appointment papers showing legal guardianship. The dependent must be listed on the U.S. Federal income tax return that is attached to your Form W-7.
9. Mail Form W-7/W-7(SP), proof of identity documents and an original valid U.S. Federal income tax return to:

Internal Revenue Service
ITIN Operations

P.O. Box 149342
Austin, TX 78714-9342

If you are using a private delivery service and need to provide a street address, send your Form W-7 package to:

Internal Revenue Service
ITIN Operations
Mail Stop 6090-AUSC
3651 S. Interregional, Hwy 35
Austin, TX 78741-0000

CAUTION: If you are attaching your tax return to the Form W-7, do not use the mailing address in the instructions for your tax return. Do not send a “copy” of the return to any other IRS office.

You can apply for an ITIN by mail, at any IRS Taxpayer Assistance Center in the United States and at IRS offices abroad.

You can also apply through an Acceptance Agent, (see “What are Acceptance Agents?” later in this publication).

The IRS will send your ITIN in the form of an assignment letter. An ITIN does not change your immigration status or grant your right to work in the United States. An ITIN is for tax purposes only.

GENERAL INFORMATION

What is an ITIN?

An ITIN is a tax processing number, issued by the Internal Revenue Service, for certain resident and nonresident aliens, their spouses, and their dependents. It is a nine-digit number beginning with the number “9”, has a range of numbers from “70” to “88”, “90” to “92” and “94” to “99” for the fourth and fifth digits and is formatted like a SSN (i.e. 9XX-7X-XXXX).

The ITIN is only available to individuals who are required to have a taxpayer identification number for tax purposes but who do not have, and are not eligible to obtain a SSN from the Social Security Administration (SSA). Only individuals who have a valid filing requirement or are filing a U.S. Federal income tax return to claim a refund of over-withheld tax are eligible to receive an ITIN. Generally a U.S. Federal income tax return must accompany the ITIN application, unless the individual meets one of the “exceptions.” (See “Exceptions”). Caution: Applications for individuals who are requesting an ITIN as a spouse or a dependent of a primary taxpayer, must attach a valid U.S. Federal income tax return to the Form W-7.

ITINs are issued regardless of immigration status

because both resident and nonresident aliens may have United States Federal tax filing and payment responsibilities under the Internal Revenue Code.

What is the purpose of an ITIN?

ITINs are used for tax purposes only, and are not intended to serve any other purpose. IRS issues ITINs to help individuals comply with the U.S. tax laws, and to provide a means to efficiently process and account for tax returns and payments for those not eligible for Social Security Numbers.

An ITIN:

1. Does not authorize work in the U.S. or provide eligibility for Social Security Benefits or the Earned Income Tax Credit.
2. Is not valid for identification outside of the tax system.
3. Does not change immigration status.

An applicant must enter his/her ITIN in the space provided for the SSN when completing and filing a U.S. Federal income tax return (Form 1040, 1040A, 1040EZ, 1040NR, 1040NR-EZ, 1040X).

NOTE: When applying for an ITIN for the purpose of filing a valid U.S. Federal income tax return, the applicant is required to file the tax return with the Form W-7/W-7(SP) application unless specifically meeting an exception to the tax return requirement. (See “Exceptions”).

When did IRS start issuing ITINs and why?



In 1996, the U.S. Department of the Treasury issued regulations that introduced the ITIN, and required foreign persons to use an ITIN as their unique identification number on Federal tax returns (T.D. 8671, 1996-1 C.B.314). The regulations

were intended to address the concern by the IRS and the U.S. Department of the Treasury that, without a unique number, taxpayers could not be identified effectively and tax returns could not be processed efficiently.

Are ITINs valid for identification?

ITINs are not valid for identification outside of the tax system and should not be offered as identification for non-tax purposes. ITIN applicants are not required to apply in person.

How do I know if I need an ITIN?

If you do not have a Social Security Number (SSN) and are not eligible to obtain a SSN, but you are required to furnish a tax identification number to file a U.S. Federal

income tax return, be claimed as a spouse or dependent on a U.S. tax return or furnish a tax identification number for any other Federal tax purpose, you must apply for an ITIN. An alien individual cannot have both an ITIN and a SSN.

If you are eligible for a SSN, you must first apply for one. Persons eligible to receive a Social Security Number are not eligible to receive an ITIN. Treasury regulations governing Internal Revenue Code Section 6109 require a valid taxpayer identification number for each person listed on the tax return. If the Social Security Administration denies the applicant's request for a SSN they will issue a letter of denial. That letter must be attached to the Form W-7 when it is submitted to the IRS.

NOTE: Although most applicants are required to file their U.S. Federal income tax return by attaching it to Form W-7/W-7(SP), there are exceptions to this requirement. (See “Exceptions”).

Who Must Apply?

Any individual who is not eligible to obtain a SSN but who must furnish a taxpayer identification number to the IRS must apply for an ITIN on Form W-7/W-7(SP).

Do not complete Form W-7/W-7(SP) if you have a SSN or if you are eligible to obtain a SSN (i.e., A United States citizen or person lawfully admitted for employment).

Applicants must have a valid filing requirement and file an original valid U.S. Federal income tax return with their ITIN applications, unless they meet one of the exceptions listed later in this publication.

NOTE: “Exceptions” relate to the “tax return filing requirement only”. They do not relate to the “tax purpose”. Therefore, all individuals must have a “tax purpose” for requesting an ITIN, whether or not a U.S. Federal income tax return is submitted to the IRS with Form W-7.

To determine if you have a filing requirement, see Publication 17, “Your Federal Income Tax” or Publication 519, “A United States Tax Guide for Aliens”.

Examples of who needs an ITIN:

- A nonresident alien individual eligible to obtain the benefit of a reduced tax withholding rate under an income tax treaty. See Pub. 515, “Withholding of Tax on Nonresident Aliens and Foreign Entities”.
- A nonresident alien individual not eligible for a SSN who is required to file a U.S. Federal income tax return or who is filing a U.S. tax return only to claim a refund.

- A nonresident/resident alien individual not eligible for a SSN who elects to file a joint U.S. Federal income tax return with a spouse who is a U.S. citizen or resident.
- A U.S. resident alien (based on the substantial presence test) who files a U.S. Federal income tax return but who is not eligible for a SSN. For information about the substantial presence test, see **Pub. 519**, U.S. Tax Guide for Aliens.
- An alien spouse, claimed as an exemption on a U.S. Federal income tax return, who is not eligible to obtain a SSN.
- An alien individual eligible to be claimed as a dependent on a U.S. Federal income tax return but who is not eligible to obtain a SSN. To determine if an alien individual is eligible to be claimed as a dependent on a United States Federal income tax return, see **Pub. 501**, “Exemptions, Standard Deductions, and Filing Information”, and **Pub. 519**, “A United States Tax Guide for Aliens”.
- A nonresident alien student, professor, or researcher who is required to file a United States Federal income tax return but who is not eligible for a SSN.

If you have an application for a SSN pending, do not file Form W-7/W-7(SP). Complete Form W-7/W-7(SP) **only** when the SSA notifies you that a SSN cannot be issued. Proof that the SSA denied your request for a SSN must be included with your submission of Form W-7/W-7(SP), whether you are attaching your U.S. Federal income tax return or requesting an ITIN under one of the “exceptions”.

To request a SSN, use Form SS-5, “Application for a Social Security Card, (Original, Replacement or Correction)”. This form can be obtained from the SSA or downloaded from the IRS web site at <http://www.irs.gov>. To find out if you are eligible to obtain a SSN, contact your nearest SSA Office.

IMPORTANT NOTE: If you are filing for an extension of time to file a United States Federal income tax return (Form 4868 or Form 2688) or making an estimated payment with Forms 4868, 2688, or Form 1040-ES/1040-ES (NR), “Estimated Tax for Individuals/Estimated Tax for Nonresident Aliens” **do not** file the Form W-7/W-7(SP) with these forms. Write **“ITIN TO BE REQUESTED”** wherever the ITIN or SSN is requested. An ITIN will be issued **only** after you have filed a valid U.S. Federal income tax return and have met all other requirements.

How do I apply for an ITIN?

You must complete Form W-7/W-7(SP) and attach a valid U.S. Federal income tax return, unless you qualify for an exception. Include your original, or copy certified by the issuing agency of identity documents along with the “letter of denial” from the SSA (if applicable). Because you are filing your tax return as an attachment to your ITIN application, you should not mail your return to the address listed in the Form 1040, 1040A or 1040EZ instructions. Instead, send your return, Form W-7/W-7(SP) and proof of identity documents to the address listed in the Form W-7 instructions:

Internal Revenue Service
ITIN Operations
P.O. Box 149342
Austin, TX 78714-9342

You may also apply using the services of an IRS-authorized Acceptance Agent or visit an IRS Taxpayer Assistance Center (TAC) in lieu of your mailing the information to the IRS. TACs in the United States provide help with ITIN applications on a walk-in basis. TACs are available to:

- Assist taxpayers in the preparation of the Form W-7/W-7(SP).
- Answer questions about Form W-7/W-7(SP).
- Review and/or validate your identity designated TAC offices will validate passports and National ID documents for primary, secondary and dependents in person.
- Forward your Form W-7/W-7(SP), and accompanying U.S. Federal income tax return, if applicable, to the IRS processing service center.

For overseas assistance contact one of the overseas IRS offices listed in the front of this publication.

Telephone assistance is also available by calling the IRS toll-free number at 1-800-829-1040 (inside the United States) for information and help in completing your Form W-7/W-7(SP) and your tax return.

International applicants may call 1-267-941-1000 (not a toll free number) for assistance. This number is not available for residents of the U.S.

REMINDER: Use the most current version of Form W-7 to avoid delays in processing or the application being returned to you.



Deceased Taxpayers

Beginning April 1, 2009, the IRS began processing Forms W-7, *Application for IRS Individual Taxpayer Identification Number*, for deceased taxpayers. When an ITIN is being requested, the word “Deceased” should be written across the top of the Form W-7. In addition to meeting all requirements in the Form W-7 instructions for obtaining an ITIN, **additional documentation** to substantiate the death of the individual must be provided pursuant to the chart below.

IF YOU ARE	THEN YOU MUST ATTACH
(a) The surviving spouse filing an original or amended joint return with your deceased spouse	• Form W-7 • US Federal income tax return • Documentation substantiating “identity” and “foreign status”
(b) The court appointed executor or administrator of the deceased’s estate filing an original tax return on behalf of the deceased	• Form W-7 • US Federal income tax return • Documentation substantiating “identity” and “foreign status” along with • A court certificate showing your appointment
(c) Not the surviving spouse claiming a refund on a joint return and there was no executor or administrator of the deceased’s estate appointed	• Form W-7 • US Federal income tax return • Documentation substantiating “identity” and “foreign status” along with • Form 1310 • A copy of the Certificate of Death

- If a Form W-7 is attached for a deceased taxpayer under 18 years of age, then one of the documents proving “identity” must be a birth certificate, unless a passport is submitted.

Where Can I get a Form W-7/W-7(SP)?

Forms can be obtained by:

- Calling 1-800-829-3676 within the continental United States only. Bulk quantities may also be ordered through this number.
- Using a personal computer to download Form W-7/W-7(SP) from our world wide web site at <http://www.irs.gov>
- Visiting the nearest IRS Taxpayer Assistance Center or Overseas IRS office.
- Writing to:
Internal Revenue Service
National Distribution Center

1201 N. Mitsubishi Motorway
Bloomington, IL 61705-6613

What information must be included on Form W-7/W-7(SP)?

Form W-7/W-7(SP) will request the following type of information:

- Reason for applying
- Applicant’s full name (and birth name if different)
- Applicant’s foreign address
- Applicant’s country of citizenship
- Applicant’s mailing address
- Applicant’s date and place of birth
- Information about a passport or visa
- The signature of the applicant, or if the applicant is a dependent under the age of 18, it may be the signature of the parent, court appointed guardian or Power of Attorney. (see “Signature” later in this Publication).

NOTE: In addition to completing the form you must also attach appropriate identification documents and a valid US Federal income tax return (unless an exception to the return filing requirement is met).

General information for the completion of Form W-7/W-7(SP) begins on Page 13.

Where do I attach my Form W-7/W-7(SP)?

If you are required to file a U.S. Federal income tax return with this form, attach Form W-7/W-7(SP) to the **front** of your return. If you are applying for more than one ITIN for the same return (such as for a spouse or dependents) attach all Forms W-7/W-7(SP) in the order that the individuals are listed on the tax return.

Where do I file my Form W-7/W-7(SP)?

By Mail: Mail your completed application, your original U.S. Federal income tax return and any other substantiating or supporting identification documents listed on the Supporting Documentation Table to:

Internal Revenue Service
ITIN Operations
P.O. Box 149342
Austin, TX 78714-9342

If you are using a private delivery service send your Form W-7 package to

Internal Revenue Service
ITIN Operations

Mail Stop 6090-AUSC
3651 S. Interregional, Hwy 35
Austin, TX 78741-0000

CAUTION: Do not use the mailing address in the instructions for your U.S. Federal income tax return; use the address above. Do not send a copy of the return to any other IRS office.

In Person: You can apply for an ITIN by bringing your completed forms and documentation to any IRS Taxpayer Assistance Center (TAC) in the United States and most IRS offices abroad. Participating IRS TACs will only certify passports and national identification cards that are original documents or copies certified by the issuing agency. These documents are returned to you on site. Any other types of documents presented at TACs are forwarded with the complete application to the IRS processing center.

Through Acceptance Agents: You can also apply through an Acceptance Agent authorized by the IRS to facilitate the ITIN application process for you. To obtain a list of authorized Acceptance Agents in your area, visit the IRS website at <http://www.irs.gov>.

REMINDER: Keep a copy of your application for your records.

What are Acceptance Agents?

Acceptance Agents (AAs) are persons (individuals or entities (colleges, financial institutions, accounting firms, etc.)) who have entered into formal agreements with the IRS that permit them to assist applicants in obtaining ITINs. Certifying Acceptance Agents (CAAs) are individuals or entities who assume a greater responsibility. They are authorized to verify the applicant's claim of "identity" and "foreign status", by reviewing supporting documentation and verifying the authenticity, accuracy and completeness of the documents for primary and secondary taxpayers. They will submit Form W-7, U.S. federal income tax return and any supplemental documentation to the IRS on your behalf. Applications for dependents must be submitted with the original documents or copies certified by the issuing agency. In addition, once the ITIN is issued, the CAA receives your number directly from IRS.

IRS does not charge a fee to obtain an ITIN, however, a person acting as an AA/CAA may charge a fee for his/her services. A list of authorized Acceptance Agents is available on the IRS website at <http://www.irs.gov>.

NOTE: Even if you are utilizing the services of an Acceptance Agent, you must follow all procedures outlined in this Publication for obtaining an ITIN, (i.e. attaching Form W-7/W-7(SP) to your U.S. Federal income tax return, unless you meet one of the "exceptions" to the tax return filing requirement). Acceptance Agents only facilitate the application process and are not authorized to issue the ITIN directly.

Will I have to pay to get an ITIN?

The IRS does not require payment of a fee for issuing an ITIN. However, fees may apply if you choose to use the services of an Acceptance Agent.

When should I apply for my ITIN?

Complete Form W-7/W-7(SP) as soon as you are ready to file your U.S. Federal income tax return, since you must attach the return to your application. However if you meet one of the exceptions to the tax return filing requirement, submit your completed Form W-7/W-7(SP), along with your proof of "identity" and "foreign status" and the required supplemental documents to substantiate your qualification for the exception, as soon as possible after you determine you are covered by an exception. You can apply for an ITIN any time during the year; however, if the tax return you attach to Form W-7 is filed after the return's due date, you may owe interest and/or penalties.

How long does it take to get an ITIN?

If you qualify for an ITIN and your application is complete, you will receive a letter from the IRS assigning your tax identification number usually within six weeks (8 to 10 weeks if requested during peak tax time (January 15 through April 30) or from abroad). Applications mailed from abroad may take considerably longer. If you have not received a response within the referenced time period, you may call 1-800-829-1040 (toll-free within the United States) to request the status of your application. Taxpayers overseas can contact one of the IRS offices listed in the front of this publication or call 1-267-941-1000 (not a toll-free number).

Can I get an ITIN if I am an undocumented alien?

Yes, if you are required to file a U. S. Federal income tax return or qualify to be listed on another individual's



tax return as a spouse or dependent, you must have either a valid SSN or an ITIN. If you are an undocumented alien and cannot get a SSN, you must get an ITIN for tax purposes. Remember, having an ITIN does not:

- Give you the right to work in the United States,
- Change your immigration status, or
- Entitle you to the Earned Income Tax Credit or Social Security benefits.
- Beginning January 2013, new ITINs will now be issued for a five-year period rather than an indefinite period.

Can I e-file a tax return with an ITIN?

Yes, however, you can only e-file a tax return using an ITIN in the calendar year following the year in which you receive it. For example, if you apply for and receive an ITIN this year, you may not e-file any tax return (including prior year returns) using that ITIN, until next year.

Due to IRS e-file limitations on prior year tax returns, in January 2013 you may only e-file tax returns for years 2012 and 2011.

Is the Form W-7 available in any foreign language?

Yes, this form is available in Spanish as Form W-7(SP), Solicitud de Número de Identificación Personal del Contribuyente del Servicio de Impuestos Internos.

DOCUMENTATION

What are the documentation requirements when applying for an ITIN?

The Form W-7 Application must be accompanied by the following documentation when applying for an ITIN:

1. Your original valid U.S. Federal income tax return for which the ITIN is needed along with the letter of denial from the SSA (if applicable). However if one of the exceptions to the tax return filing requirement applies, you must also attach the documentation that is required to support that exception.
2. The original documents or copies of documents certified by the issuing agency that substantiate the information provided on the Form W-7/W-7(SP). The supporting documentation must be consistent with the applicant's information provided on Form W-7/W-7(SP). For example, the name, date of birth and country of citizenship on the document you submit, must be the same as lines 1a, 4 and 6a of the Form W-7/W-7(SP).

NOTE: IRS will mail your original documents (passport, etc.) back to you at the mailing address you entered on your Form W-7. If you plan to move, ensure that you use a mailing address where you will be able to receive your mail. By visiting a designated IRS TAC office to apply for an ITIN, an IRS employee can review your passport and National ID and return it to you immediately. This alleviates any long delays waiting for your original documentation (passports, etc.) to be returned to you by mail.

Applicants are permitted to include a prepaid Express Mail or courier envelope for faster return delivery of their documents.

The documentation you present must:

1. Verify your identity by containing your name and photograph and support your claim of foreign status. (see "Supporting Documentation Table" in the Exhibits).
2. Be an original document
3. Be a copy of an original document if you do any of the following:

- Have the copies certified by the issuing agency of the original record.

- Officers at U.S. Embassies and Consulates overseas may provide notarial and authentication services. Contact the Consular Section, American Citizens Services of the U.S. embassy or consulate in advance to determine the hours of operation for these services.

4. Notarized copies are acceptable for these situations ONLY:

- Reason code "a" and "h" are both checked and no tax return is attached and claiming a Tax Treaty Benefit.

- Military spouses and military dependents without an SSN who need an ITIN. (Military spouses use box "e" on Form W-7 and dependents use box "d"). Exceptions to the new documentation requirements will be made for military family members satisfying the documentation requirements by providing a copy of the spouse or parent's U.S. military identification, or applying from an overseas APO/FPO address. Reason code "d" is checked with an FPO/APO address or military ID only. Reason code "e" is checked with an FPO/APO address or military ID only.

5. Be current, i.e. not expired. The definition of “current” for applying for an ITIN is as follows:

- Birth certificates do not contain expiration dates and, therefore, will be considered current.
- Passports and National Identification cards displaying an “expiration” date will be considered current only if the date displayed on the document has not expired prior to the date the Form W-7/W-7(SP) is submitted.
- School records (used only for children under the age of 14; under the age of 18 if a student) will be considered current only if the date displayed on the records is not more than one (1) year prior to the date the Form W-7/W-7(SP) is submitted.
- Medical records will be accepted for dependents under 6 years of age. Medical records must be accompanied by a letter on official letterhead from the Federal authority, physician, hospital or clinic who administered the care of the child. The letter is required to show the child’s name, date of birth and a verifiable address and the name, address and phone number of the of the doctor, hospital or clinic where treatment was administered.

“Original” documents you submit will be returned to you. You do not need to provide a return envelope. “Copies” of documents will not be returned. If your original documents are not returned within 60 days, you may call the IRS (see “Telephone Help”) to inquire as to the status. Applicants are permitted to include a prepaid Express Mail or courier envelope for faster return delivery of their documents. The IRS will then return the documents in the envelope provided by the applicant A.

What documents are acceptable as proof of identity and foreign status?

IRS has streamlined the number of documents the agency will accept as proof of identity and foreign status to obtain an ITIN. If you submit an original passport or a properly notarized or certified copy of a valid passport you do not need to submit any other documents from the list below.

NOTE: Copies of a passport must include the U.S. visa pages if a visa is required for your Form W-7 application. If you do not have a passport, you must provide a combination of current documents (at least two or more) that show your name and photograph and support your claim of identity and foreign status. With the exception

of children under 14 years of age (under 18 years of age if a student), at least one document you present must contain a recent photograph. If you are requesting an ITIN as a “dependent”, documentation to prove “foreign status” and “identity” must include a civil “Birth Certificate”, unless a Passport is submitted.

NOTE: If you submit copies of original documents that display information on both sides (front and back), the copy that is submitted must also show the information from both sides of the document.

Listed below are the only documents that will be accepted by IRS:

1. Passport (stand alone document)
 2. United States Citizenship and Immigration Services (USCIS) photo identification
 3. Visa issued by the US Department of State
 4. United States driver’s license
 5. United States military identification card
 6. Foreign driver’s license
 7. Foreign military identification card
 8. National identification card. The document must be current, and contain the individual’s name, address, photograph, date of birth and expiration date (i.e. Mexican Matricula card)
 9. U. S. State identification card
 10. Foreign voter’s registration card
 11. Civil birth certificate *
 12. Medical records (dependent’s only – under 6 years of age;
 13. School Records (dependent’s only - under 14 years of age; under 18 years of age if a student) *
- (* may be used to establish foreign status only if documents are foreign.)

NOTE: You may subsequently be requested to provide a certified translation of foreign language documents.

If you have applied for a Social Security Number, but the Social Security Administration has denied your request, your ITIN application must also contain an official letter, form, or other documentation from the SSA providing proof that your application was denied. (This pertains only to persons who have been issued a Visa from the US Department of State that enables them to obtain a SSN.) This proof must be attached to your Form W-7/W-7(SP) or your application for an ITIN will be rejected.



Students who enter the U.S. on an “F”, “J”, or “M” visa, but who will not be employed and are here only for the purpose of study, or persons present in the U.S. who are receiving only honoraria payments, do not have to go to the SSA to try and obtain a Social Security Number first. A letter from the Designated School Official (DSO), Responsible Officer (RO) or Authorized School Official can be submitted in lieu of a letter from the SSA when a U.S. Federal income tax return is attached or when an exception is being claimed. Student and Exchange Visitor Program (SEVP) approved institutions for non-resident alien students and exchange visitors and their dependents classified under section 101(a)(15)(F), (M) or (J) of the Immigration and Nationality Act {8 U.S.C. 1101(a)(15)(F), (M) or (J)} A certification letter is required for each Form W-7 application: primary, associated secondary (spouse) and dependent(s). (See the Exception Chart at the end of this publication.)

What is a National Identification Card?

Some foreign governments issue identification cards to their citizens. IRS will accept these cards as proof of identity and foreign status in combination with other documents described above if the card is current (i.e. not expired) and contains the applicant’s name, address, photograph, and date of birth.

EXCEPTIONS

What are the “exceptions” to the requirement to attach a U.S. Federal income tax return?

Although most ITIN applicants must attach a valid U.S. Federal income tax return to their Form W-7 application, there are limited circumstances under which an ITIN will be issued without an attached return. If any of the five exceptions listed below apply to you, you will **not** need to attach a tax return to your W-7/W-7(SP).

These exceptions are explained in detail in the Exhibit section at end of this Publication. If you claim an exception to the requirement to submit a valid original U.S. Federal income tax return with Form W-7/W-7(SP) you must submit proof of your claim in lieu of the tax return.

NOTE: Applicants with a VISA that is valid for employment, and who will be employed in the U.S., should first apply for a SSN with the Social Security Administration (SSA).

If you are unable to obtain a SSN after completing Form SS-5, a denial letter from the SSA must be attached to your Form W-7/W-7(SP) or your application will be rejected. Remember, you are not eligible for an ITIN if you are eligible to obtain a SSN.

Exception 1. Third Party Withholding on Passive Income;

■ Third Party Withholding on Passive Income. IRS information reporting and/or tax withholding is required and apply to third parties (frequently banks and other financial institutions), who will request a TIN from you to enable them to comply with U.S. Treasury Regulations. To obtain an ITIN under this exception, you must include supporting documentation with your Form W-7/W-7(SP) showing that you own an asset that generates income subject to IRS information reporting and/or tax withholding requirements that will take place within the current tax year. A letter or signed statement from your bank, financial institution or withholding agent must be attached.

Exception 2. Wages, Salary, Compensation and Honoraria Payments with Tax Treaty Benefits Claimed; Scholarships, Fellowships and Grants with Tax Treaty Benefits Claimed; Scholarships, Fellowships and Grants – No Tax Treaty Benefits Claimed; or Gambling Winnings with Tax Treaty Benefits Claimed

■ Wages, Salary or Compensation and Honoraria Payments* - Tax Treaty Benefits claimed. IRS information reporting and tax withholding is required by law and apply to third parties who will request a TIN from you to enable them to comply with U.S. Treasury Regulations. To obtain a TIN under this exception, you must attach a letter from the SSA denying your request for a Social Security Number.

* Individuals present in the U.S. who are receiving honoraria payments only, **do not** have to apply for a SSN or submit letter of denial from the SSA. A letter from the Authorized School Official who extended the invitation will suffice.

■ Scholarship, Fellowship or Grant Income. IRS information reporting and/or tax withholding is required by law and apply to third parties who will request a TIN from you to enable them to comply with U.S. Treasury Regulations. Students on a F-1, J-1 or M-1 visa who will not be working while studying in the U.S., will not have to apply for a SSN. Student and Exchange Visitor Program (SEVP) approved institutions for non-resident alien students and exchange visitors and their dependents classified under section 101(a)(15)(F), (M) or (J) of the Immigration and



Nationality Act (8 U.S.C. 1101(a)(15)(F), (M) or (J)) A certification letter is required for each Form W-7 application: primary, associated secondary (spouse) and dependent(s).

- **Gambling Winnings – Tax Treaty Benefits claimed.** If you are a nonresident alien visitor with gambling winnings, your Form W-7/W-7(SP) will be processed under an exception (2) only if submitted through the appropriate gaming official serving as an authorized ITIN Acceptance Agent.

Exception 3. Thirty Party Reporting of Mortgage Interest

Under the Internal Revenue laws, most recipients (lenders) of home mortgage interest report the amount of interest they receive from the borrower to both the IRS and the borrower. This reporting is usually done on a Form 1098, Mortgage Interest Statement. First time filers who secure a home loan may seek an ITIN to provide to their lender.

Exception 4. Third Party Withholding – Disposition by a Foreign Person of United States Real Property Interest

A tax withholding obligation is generally imposed on a buyer or other transferee (withholding agent) when a United States real property interest is acquired from a foreign person. This withholding serves to collect the tax that may be owed by the foreign person. In some instances, the foreign person may apply for a withholding certificate to reduce or eliminate withholding on the disposition of the real property. An ITIN would be needed for this transaction.

Exception 5. TD-9363.

This exception may apply if you have an IRS reporting requirement under Treasury Decision 9363 and are submitting Form W-7, Form 13350, and supplemental documentation. See the Exception Tables for information on the requirements for claiming Exception 5.

DEPENDENCY/EXEMPTION ISSUES

(See IRS Publication 501 for who qualifies to be claimed as a dependent.)

What are the rules for dependents?

Residents of Mexico, Canada, or U.S. nationals must use the same rules as U.S. citizens to determine who is a dependent and for which dependents exemptions can be claimed. For residents of the Republic of Korea (South Korea) there are two additional requirements, and for students and business apprentices from India they must also be able to claim the benefits of the United States-India tax treaty. See publication 501 (Exemptions, Standard Deduc-

tion and Filing Information), for additional information and to determine who may qualify as a dependent.

The dependent for which the Form W-7 is being submitted must be listed on the attached U.S. Federal income tax return.

NOTE: If your request for an Adoption Taxpayer Identification Number (ATIN) has been denied your dependent may be eligible for an ITIN. If you live abroad and are requesting an ITIN for a foreign child who has been adopted or legally placed in your home pending adoption, remember to include a copy of the legal documents evidencing your relationship to the child.

EMPLOYMENT ISSUES

Are ITINs valid for work purposes?

ITINs do not authorize individuals to work in the United States and are not valid for employment purposes. However, if you are required to file a U. S. Federal income tax return and are ineligible to receive a SSN, you must obtain an ITIN.

Which aliens are eligible to receive Social Security Numbers?

Certain aliens by virtue of their nonimmigrant status are authorized to work in the United States. Some of the individuals must apply to the United States Citizenship and Immigration Services (USCIS) for an Employment Authorization Document (EAD). Any nonresident alien holding an EAD, or who is already authorized to work in the United States, is eligible to receive a SSN.

If you have an EAD, do not complete a Form W-7/W-7(SP) application unless the SSA has rejected your request for a SSN. Supporting documentation from the SSA substantiating the denial must be attached to your application. For more information on who is eligible to receive a Social Security Number, refer to the Social Security Administration website at <http://www.socialsecurity.gov>.

What student visas qualify for employment?

Students who enter the United States under certain U.S. visas may be eligible to work in the United States. For more information on who is eligible to work and who must apply for an EAD, refer to the U.S. Citizenship and Immigration Services (USCIS) web site at <http://uscis.gov>.

Which foreign students qualify for ITINs?

The employment rules for foreign students in the United States are set forth in appropriate United States Customs and Immigration Services (USCIS) laws and regulations.

Information on these laws and regulations can be obtained from the nearest USCIS office, the USCIS website at <http://uscis.gov>, or the appropriate office of the foreign students' university or learning institution. Generally, foreign students eligible to work in the United States, and who will be employed, should apply for a SSN. However, if they are denied a SSN, they may be eligible to apply for an ITIN by attaching the documentation from the SSA, substantiating the denial, to their Form W-7. (See the Exception Chart in the back of this publication for additional information on F-1, J-1 and M-1 students).

GENERAL INFORMATION FOR COMPLETION OF FORM W-7/W-7(SP)

Line by Line Instructions for Completing Form W-7/W-7(SP).

Please ensure that each line on Form W-7 is completed. If any of the fields are left blank or the information is not valid, the Form W-7 application will be suspended or rejected for incomplete or missing information. Enter N/A on the lines that do not pertain to you.

NOTE: If you discover that you have made an error on a Form W-7 that has already been submitted to the IRS, please do not file another Form W-7 with the correct information. Instead, wait until you have received correspondence from the IRS requesting the documentation or information and send it with your reply.

Reason You Are Submitting Form W-7/W-7(SP):

You must check only one box to indicate the reason you are completing Form W-7/W-7(SP). If more than one box applies to you, check the box that best explains your reason for submitting the Form. **Exception:** If you check box “a” or “f”, then box “h” may also be checked. Treaty Country and Treaty Article must also be present, if applicable. Refer to IRS Publication 901, “Tax Treaties” if you need additional information.

REMINDER

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

☐ **a** Nonresident alien required to obtain ITIN to claim tax treaty benefit

☐ **b** Nonresident alien filing a U.S. tax return

☐ **c** U.S. resident alien **(based on days present in the United States)** filing a U.S. tax return

☐ **d** Dependent of U.S. citizen/resident alien

☐ **e** Spouse of U.S. citizen/resident alien

☐ **f** Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception

☐ **g** Dependent/spouse of a nonresident alien holding a U.S. visa

☐ **h** Other (see instructions)

Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ▶

Additional information for **a** and **f**: Enter treaty country ▶ and treaty article number ▶

IF	THEN
Box “a” or Box “f” is checked and a tax treaty benefit is being claimed	The “treaty country” and “treaty article number” must be entered in the space provided under box h.
Box “d” or “e” is checked	The full name and SSN or ITIN of the U.S. person who is the citizen/resident alien must be present in the space provided.
Box “h” is checked	The information describing in detail the reason that the ITIN is being requested must be present in the space provided
Box “f” or “g” is checked	A copy of the individual’s visa must be attached unless they are entering the U.S. from Canada, Bermuda, Bahamas, Cayman Islands or Turks and Caicos Islands.

Note: See “Exhibits” at the end of this publication for examples of completed Forms W-7

Line 1 – Name:

L.1a. Enter your legal name as it appears on your documents. This entry should reflect your name as it will appear on a United States Federal income tax return. **Caution:** Your ITIN will be established using this name. If you do not use this name on your tax return, the processing of the tax return may be delayed until discrepancies are resolved.

Name (see instructions) Name at birth if different ▶	1a First name Mary	Middle name Jane	Last name Doe
	1b First name Marv	Middle name Jane	Last name Smith

L.1b. If an entry is present, it must reflect the applicants’ name as it appears on their birth certificate.

If you are applying for an ITIN as a spouse or dependent of a U.S. citizen **or** resident alien, the full name of that person who is the citizen/resident alien must be entered in the space provided next to reason box (d) or (e).

d ☒ Dependent of U.S. citizen/resident alien	Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ▶
e ☐ Spouse of U.S. citizen/resident alien	
	John Doe SSN: 123-45-XXXX

Line 2 - Applicant’s Mailing Address:

If a mailing address is used that is different from the address where the applicant normally resides (Line 3), then the address must include the street, city/town, province (if any), state/country and zip/foreign postal code.

Applicant’s mailing address	2 Street address, apartment number, or rural route number. If you have a P.O. box, see page 4. 1234 Market Street Apt. 1AAA
	City or town, state or province, and country. Include ZIP code or postal code where appropriate. Philadelphia, PA 19104

Note: Do not use a P.O. Box or an “in care of” (c/o) address instead of a street address if you are entering just a “country name” on Line 3.

Line 3 – Foreign Address:

Enter your complete foreign address (non-U.S.) including street, city/town, province (if any), country and foreign postal code, in the country where you permanently or normally reside outside of the U.S.* If treaty benefits are being claimed, this address is usually the address in the treaty country. If you do not have a permanent residence, due to relocation to the U.S., enter only the “name” of the foreign country where you last resided **.

Do not enter a post office box or an “in care of” (c/o) address on this line. If you do your application may be rejected.

Foreign address (if different from above) (see instructions)	3 Street address, apartment number, or rural route number. Do not use a P.O. box number. 120 White House Way
	City or town, state or province, and country. Include ZIP code or postal code where appropriate. Southgate, Sheffield S72 1HF England

*

Foreign address (if different from above) (see instructions)	3 Street address, apartment number, or rural route number. Do not use a P.O. box number.
	City or town, state or province, and country. Include ZIP code or postal code where appropriate. England

**

Line 4 – Birth Information:

Enter your date of birth in month/day/year format (i.e. July 7, 19xx would be entered as 07/07/19xx) and your country of birth. If available, provide the city and state or province. You must identify the country in which you were born. To be eligible for an ITIN, your birth country must be recognized as a foreign country by the U.S. Department of State.

Birth information	4 Date of birth (month / day / year) 07 / 07 / 19XX	Country of birth Italy	City and state or province (optional) Venice
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Line 5 – Gender:

Check the appropriate box for your gender.

5	☐ Male
	☒ Female

Line 6 – Other Information:

L.6a. Country(ies) of Citizenship.

Enter the complete country name in which you are a citizen. Two (2) countries may be listed where dual citizenship applies. If two countries are listed, separate the countries with a slash (/). Enter the complete country name(s); do not abbreviate.

6a Country(ies) of citizenship Italy

L.6b. Foreign Tax Identification Number.

If your country of residence has issued you a tax identification number, enter that number on line 6b. For example, if you are a resident of Canada you would enter your Canadian Social Insurance Number.

6b Foreign tax I.D. number (if any) XXXXXXXXXXXX

L.6c. Type of U.S. Visa

Enter only U.S. nonimmigrant visa information. Include the USCIS classification, number of the visa, and the expiration date in month/day/year format. For example, if you have a F-1 visa that is numbered 11111111, and has an expiration date of June 13, 2010, you would enter it as “F-1”, “No.11111111”, “06/13/2010”.

Individuals who checked reason box “f” (student, professor or researcher) must submit a passport evidencing a valid visa issued by the US Department of State.

6c Type of U.S. visa (if any), number, and expiration date F-1 No. 11111111 06/13/2010

Note: Individuals in possession of an I-20/I-94 document(s) should attach a copy to their Form W-7.

L.6d. Identification Documents.

Check the appropriate box. If the “other” box is checked, then write-in the type of documentation in the space provided. If the applicant presents a valid passport, then no other documents are necessary to prove “identity” and “foreign status”. **A passport is the only stand-alone document.** If you do not have a passport, you must use the documents listed under the **Supporting Documentation Table** and you will be required to provide more than one current document to verify your identity and foreign status. With the exception of children under 14 years of age (under 18 years of age if a student), at least one document you present must contain a recent photograph. A birth

certificate must be one of the documents used to prove “foreign status” and “identity” for a dependent under the age of 14.

6d Identification document(s) submitted (see instructions)			
☒ Passport	☐ Driver's license/State I.D.	☐ USCIS documentation	☐ Other
Issued by: Austria No.: XXXXXXXXXX		Exp. date: 10 / 04 / 2010	Entry date in U.S. 02 / 14 / 2009

REMINDER: If you are submitting multiple documents use only the information from one of those documents to complete Line 6d. Enter the information for the second document on a separate sheet of paper and attach to Form W-7/W-7(SP).

Enter the name of the State or Country or other issuer, the identification number (if any) appearing on the document(s), the expiration date, and the date on which you entered the United States for the purpose for which you are requesting ITIN. The “entry date in U.S.” must contain the complete date on which you entered the United States (if applicable). The date should be entered in month/day/year format. (i.e. February 14, 2009 would be entered as 02/14/2009). If you have not entered the U.S. enter “N/A” on this line. You may subsequently be requested to provide a certified translation of foreign language documents.

L.6e/6f. Previous Temporary TIN or EIN.

If you were ever issued a “Temporary Identification Number” (TIN or ITIN) or an Employer Identification Number (EIN) from IRS, check the “Yes” box, and enter the number on line 6f, along with the name under which it was issued. If more than one temporary number was issued or a temporary number and an EIN, attach a separate continuation sheet listing all of the previous numbers issued to you. If you never had a temporary TIN or an EIN, or you do not know your temporary TIN or EIN, check the “No/Do not know” box.

6e Have you previously received a U.S. temporary taxpayer identification number (TIN) or employer identification number (EIN)?	
☐ No/Do not know. Skip line 6f.	
☒ Yes. Complete line 6f. If more than one, list on a sheet and attach to this form (see instructions).	
6f Enter: TIN or EIN ▶	9XX-28-XXXX
Name under which it was issued ▶	Mary J. Smith

A temporary TIN is a nine-digit number issued by the IRS to persons who file a return and make a payment without providing a taxpayer identifying number. You would have been issued this number if you filed a U.S. Federal income tax return and did not have a Social Security Number. This temporary TIN will appear on any correspondence the IRS sent you concerning that return.

An EIN is a nine-digit number (for example, 12-XXXXXXX) assigned by the IRS to businesses.

L.6g. Name of college/university/or company – (must be completed only if reason box “f” is checked).

If you checked reason box “f”, you must provide the name of the educational institution and the city and state in which it is located. You must also indicate your length of stay.

If you are temporarily in the United States for business purposes, you must provide the name of the company with whom you are conducting your business and the city and state in which it is located. Also enter your length of stay in the U.S.

Reason box f:

f ☒ Nonresident alien student, professor, or researcher filing a U.S. tax return
--

Line 6g

6g Name of college/university or company (see instructions)	ABC University
City and state	Philadelphia, PA
Length of stay	4 years

SIGNATURE

Who can sign the Form W-7/W-7(SP) if the applicant is a dependent under 18 years of age?

If the applicant is under 18 years of age the applicant, their parent or court appointed guardian can sign if the child can not. The individual (if other than the applicant) must type or print his or her name in the space provided and check the appropriate box that indicates their relationship to the applicant. If the individual is signing as a court-appointed guardian, a copy of the court-appointment papers showing the legal guardianship must be attached.

Adults other than a parent or court appointed guardian can sign the Form W-7, only if a Form 2848, *Power of Attorney and Declaration of Representative*, has been signed by a parent or court-appointed guardian authorizing the individual to sign for the applicant.

Who can sign the Form W-7/W-7(SP) if the applicant is a dependent 18 years of age or older?

If the applicant is 18 years of age or older, the applicant can sign or appoint their parent, court appointed guardian or other individual to sign. The individual (if other than the applicant) must type or print his or her name in the space provided, check the appropriate box that indicates their relationship to the applicant, and attach Form 2848 (*Power of Attorney and Declaration of Representative*) signed by the applicant.

Note: All Powers of Attorney (POAs) submitted to the IRS must be in English. Any POAs received in a foreign language will be considered invalid unless accompanied by a certified English translation. The POA must clearly state the purpose for which it is intended under the “tax matters” section. Refer to the IRS web site at www.irs.gov for additional information on Power of Attorney.

MAILING THE APPLICATION

Where should I mail my application?

Mail your Form W-7/W-7(SP) to the following address:

Internal Revenue Service
ITIN Operations
P.O. Box 149342
Austin, TX 78714-9342

If you are using a private delivery service and need to provide a street address, send your form W-7 package to:

Internal Revenue Service
ITIN Operations
Mail Stop 6090-AUSC
3651 S. Interregional, HWY 35
Austin, TX 78741-0000

ADDITIONAL INFORMATION

Where can I go to get help with my ITIN application?

You may call the IRS toll-free number at 1-800-829-1040 (inside of the United States) for information about where to go to get help in completing your Form W-7/W-7(SP) and U.S. Federal income tax return. International applicants may call 1-267-941-1000 (not a toll-free number) for assistance. (This number is not available for residents of the U.S.)

You may visit or make an appointment to visit designated* IRS Taxpayer Assistance Center (TAC), where IRS personnel are available to:

- Assist taxpayers in the preparation of the Form W-7/W-7(SP);
- Answer questions about Form W-7/W-7(SP);
- Review and/or validate your passport and National ID documents ;
- Help you respond to an IRS notice regarding your application for an ITIN; and
- Forward your Form W-7/W-7(SP), and accompanying U.S. Federal income tax return if appropriate (see “Exceptions”) to the Austin Service Center.

* To find a list of local IRS TACs, proceed to the IRS website at www.irs.gov.

Reminder: If you are planning to use the services of an overseas IRS TAC office, make sure to call or check their web site first to determine their office hours.

You may also use the services of an IRS-authorized Acceptance Agent.

Where can I obtain additional information to help me with my ITIN application?

For details on resident and nonresident alien status and the tests for residency (including the substantial presence test), see Publication 519.

For details on individuals who can be claimed as dependents and on obtaining a SSN for a dependent, see Publication 501 and Publication 519.

These publications are available free from the IRS. To order the publications:

- Call 1-800-829-3676 within the continental United States only. Bulk quantities may also be ordered through this number.
- Request a copy by mail by writing to:
IRS
National Distribution Center
1201 N. Mitsubishi Motorway
Bloomington, IL 61705-6613
- Visit your nearest IRS TAC (Taxpayer Assistance Center)
- Retrieve a copy from the IRS web site at www.irs.gov.

Where can I “call” to get help with my Form W-7/W-7(SP) application?

If after reading the Form W-7/W-7(SP) instructions and our free publications, you are still not sure how to complete your application or have additional questions, you may call IRS for assistance at any of the telephone numbers listed below.

- Inside the United States at 1-800-829-1040. Assistance provided to callers from Alaska and Hawaii will be based on the hours of operation in the Pacific Time zone.
- Outside the United States only, you may call 1-267-941-1000 (not a toll free number), or any of the overseas offices listed in the beginning of this publication.

FREQUENTLY ASKED QUESTIONS AND ANSWERS

What are the documentation requirements when applying for an ITIN?

The applicant will need to submit documentation that is current (has not expired), and that proves both identity and foreign status (i.e. contains name, address, photograph and supports the foreign status claim.) For the definition of “current” for ITIN purposes, see “Documentation”. A passport is the only document that can stand-alone and provide all of the information required. In all other circumstances the applicant will

(18 if a student)). With the exception of children under 14 years of age (under 18 years of age if a student), at least one must include a recent photograph.

Does the “National Identity” card include the “Mexican Matricula” card as acceptable identification for applying for an ITIN?

The Matricula card is an acceptable form of identification when applying for an ITIN.

Can I send in a photocopy of my documentation?

You can send in photocopies of your original documentation, however, all photocopies must be either:

- Certified by the issuing agency;

What are the rules of the Earned Income Tax Credit (EITC) as they relate to an ITIN?

A taxpayer using an ITIN is not eligible for EITC. To claim the EITC the claimant must file a return as a citizen or legal resident of the United States on Form 1040. In addition, the claimant, spouse and qualifying child(ren) listed on the return must have valid “work related” Social Security Numbers. If the claimant is married, he or she must file a return using the Married Filing Joint status (for the exception to this rule, see Publication 501, Marital Status – “Married Persons Living Apart”).



What are the rules for the Child Tax Credit/ Additional Child Tax Credit (CTC) as they relate to an ITIN?

Although your child may be able to obtain an ITIN for purposes of being claimed as a dependent on your U.S. Federal income tax return, your child must be a U.S. citizen, U.S. national or U.S. resident to be considered a “qualifying child” for purposes of the Child Tax Credit. Refer to IRS Publication 972 (Child Tax Credit) for additional information.

Can an ITIN be used to file a delinquent or amended return for prior years?

An ITIN can be used for any valid, delinquent or amended tax returns (income, estate, gift or refund claim). Furnishing an ITIN on a return does not eliminate your need to satisfy the eligibility standards for claiming specific exemptions, credits, etc. If the U.S. Federal income tax return you attach to Form W-7 is filed after the return's due date, you may owe interest and/or penalties. You should file your current year tax return by the prescribed due date.

Are ITINs valid for dependents if I file a delinquent U.S. Federal income tax return?

ITINs will be accepted for dependents on current and delinquent returns. Dependents can be claimed only when the dependency tests are met.

What steps do I have to take when I have an ITIN and become eligible for a Social Security Number?

Make proper application for a SSN and upon receipt advise the IRS in writing of your new SSN. Your correspondence should be sent to the address listed for filing your U.S. Federal income tax return. The new SSN will become the primary number and must be used for all future filing purposes. The IRS will void the ITIN. All prior tax information under the ITIN will be associated with the new SSN.

What do I do if I think I once had a SSN, but I'm not sure?

Check with the SSA before applying for an ITIN. The SSA website is located at <http://www.socialsecurity.gov>.

What documentation will I need to advise the IRS that the Social Security Administration will not provide me with a SSN?

If you are eligible to obtain a SSN, the IRS will not issue you an ITIN unless you can document that the SSA denied your request for a SSN. Supporting

documentation (such as a letter or statement) from the SSA substantiating the denial **must** be attached to your application. If you are a student on an F-1, J-1 or M-1 visa who will not be working while studying in the U.S., you will no longer have to apply for a SSN first. You will be permitted to provide a letter from your Designated School Official (DSO) or Responsible Officer (RO), stating that you will not be securing employment in the U.S. or receiving any type of income from personal services. Additionally, you will be permitted to provide a letter from your Authorized School Official if you have been invited to the United States for a specific presentation and will be receiving an honoraria payment.

What do I do if I think I once had an IRS temporary number?

If you had a temporary Taxpayer Identification Number (TIN), but are unsure or cannot recall the number, indicate on Form W-7/W-7(SP) that you might have previously had such a number(s) and the name under which you think the number was issued. IRS will perform research to locate your number as part of the processing of your W-7/W-7(SP).

What do I do if my name has changed since I received my ITIN?

If the change only affects your legal name, you will only need to request a name change by sending a letter directly to the address listed for filing your U.S. Federal income tax return. Include an explanation of the circumstances leading to the change (marriage, divorce, etc.) and submit documentation to support your request. Examples include:

- A copy of a marriage license.
- A copy of a divorce certificate.
- An official court related document validating the name change.

What do I do if my address has changed since I received my ITIN?

If you change your street address or mailing address, you should complete a Form 8822 (Change of Address) and send it directly to the IRS address in that form's instructions.

Will the IRS issue ITINs to individuals that are experiencing delays in securing a SSN?

The IRS will not issue ITINs in such situations. If a person is entitled to a Social Security Number, then they are not eligible for an ITIN.

EXHIBITS

SUPPORTING DOCUMENTATION TABLE

An “X” in the “Foreign Status” and/or “Identity” column, indicates that the supporting documentation satisfies that category.

A **passport** is the only **stand-alone** document that will prove both identity and foreign status (i.e. if a passport is submitted, then the applicant does not need to submit any other supporting documentation). If a passport is not submitted then a **combination** of at least two other current documents displaying the applicant’s name and photograph, and supporting their claim of identity and foreign status must be provided. With the exception of children under 14 years of age (under 18 years of age if a student), at least one document submitted must contain a recent photograph.

Type of Supporting Documentation	Foreign Status	Identity
PASSPORT (the only stand-alone document)	X	X
United States Citizenship and Immigration Services (USCIS) Photo Identification	X	X
Visa issued by the US Department of State.	X	X
United States Driver’s License		X
United States Military identification Card		X
Foreign Driver’s License		X
Foreign Military Identification Card	X	X
National Identification Card (must be current, and contain name, photograph, address, date of birth and expiration date)	X	X
United States State Identification Card		X
Foreign Voter’s Registration Card	X	X
Civil Birth Certificate	X *	X
Medical Records (valid for dependents only - under 6 years of age)	X *	X
School Records (valid for dependents only - under 14 years of age (under 18 years of age if a student.))	X *	X

* May be used to establish foreign status only if documents are foreign.

EXCEPTIONS TO THE TAX RETURN FILING REQUIREMENT CHART

EXCEPTION #1

Third Party Withholding on Passive Income

Information reporting and withholding requirements apply to third parties (frequently banks and other financial institutions) who will request an ITIN to enable them to file information reports that are required by law.

- Form 8805, Foreign Partner's Information Statement of Section 1446 Withholding Tax;
- Form 1042-S, Foreign Person's United States Source Income Subject to Withholding from Distributions from Pensions, Dividends, Annuities, Interest, Retirement, Profit-Sharing Plans, IRA, Insurance Contracts, etc.;
- Form 1099-INT, Interest Income
- Schedule K-1, Partner's share of income, Credits, Deductions, etc.

NOTE: Federal Tax Withholding and/or IRS Information Reporting must take place within the current tax year.

Third Party Withholding on Passive Income	Persons who are eligible to Claim Exception 1 include:	Documentation to be submitted by individuals who are eligible to claim Exception 1:
	1(a) Individuals who are partners of a U.S. or foreign partnership that invests in the U.S. and who own assets that generate income subject to IRS information reporting and/or Federal tax withholding requirements; or	1(a) To support Exception 1(a), submit a copy of the portion of the partnership or LLC Agreement; displaying the partnership's EIN (Employer Identification Number) and showing that the applicant is a partner in a partnership that is conducting business in the United States.
	1(b) Individuals who have opened an interest bearing bank deposit account that generates income which is effectively connected with their U.S. trade or business and is subject to IRS information reporting and/or Federal tax withholding; or	1(b) To support Exception 1(b), submit a signed letter from the Bank on their official letterhead, displaying your name and stating that you have opened a business account which is subject to IRS information reporting and/or federal tax withholding on the interest generated during the current tax year.
	1(c) Individuals who are "resident aliens" for tax purposes and have opened up an interest bearing bank deposit account that generates income subject to IRS information reporting and/or withholding of Federal income tax; or	1(c) To support Exception 1(c), submit a signed letter from the Bank on their official letterhead, displaying your name and stating that you have opened an individual deposit account which is subject to IRS information reporting and/or federal tax withholding on the interest generated during the current tax year.
	1(d) Individuals who are receiving distributions during the current year of income such as pensions, annuities, rental income, royalties, dividends, etc., and are required to provide an ITIN to the withholding agent (i.e. investment company, insurance company, financial institution, etc.) for the purposes of tax withholding and/or reporting requirements.	1(d) To support Exception 1(d), submit documentation in the form of a signed letter or document from the withholding agent, on official letterhead, showing the individual's name and evidencing that an ITIN is required to make distributions to the individual during the current tax year, which are subject to Federal tax withholding and/or IRS reporting requirements.

EXCEPTION #2

Wages, Salary, Compensation and Honoraria payments with Tax Treaty Benefits Claimed; or Scholarships, Fellowships and Grants with Tax Treaty Benefits Claimed; or Scholarships, Fellowships and Grants No Tax Treaty Benefits Claimed; or Gambling Winnings with Tax Treaty Benefits Claimed.

Information Reports for which the ITIN is being requested. Information reports include but are not limited to:

- Form 1042-S, Foreign Person's United States Source Income Subject to Withholding

NOTE: Federal Tax Withholding and/or IRS Information Reporting must take place within the current tax year.

2a. Wages, Salary, Compensation and Honoraria* payments <i>Claiming the Benefits of a Tax Treaty</i>	Persons who are eligible to Claim Exception 2(a) include: ■ Individuals claiming the benefits of a tax treaty who are either exempt or subject to a reduced rate of withholding of tax on their wages, salary, compensation and honoraria payments, and ■ Who will be submitting Form 8233 to the payer of the income.	Documentation to be submitted by individuals who are eligible to claim Exception 2(a) . ■ A letter of employment from the payer of the income, or ■ A copy of the employment contract, or ■ A letter requesting your presence for a speaking engagement, etc. along with: ■ Information on the Form W-7/W-7(SP) application that the person is entitled to claim the benefits of a tax treaty, and ■ A copy of the completed withholding agent's portion of Form 8233 attached to the Form W-7/W-7(SP), and a letter from the Social Security Administration (SSA)*, stating that the individual is ineligible to receive a Social Security Number. * Individuals present in the U.S. who are receiving honoraria payments, do not have to obtain a letter of denial from the SSA. A letter from the Authorized School Official stating the purpose of the visit and that the individual will be receiving payment in the form of an honoraria will suffice.
2b. Scholarships, Fellowships and Grants. <i>Claiming the Benefits of a Tax Treaty</i>	Persons who are eligible to Claim Exception 2(b) include: ■ Individuals claiming the benefits of a tax treaty who are either exempt from or subject to a reduced rate of tax on their income from scholarships, fellowships, or grants (i.e. foreign students, scholars, professors, researchers, or any other individual) and ■ Who will be submitting Form W-8BEN to the withholding agent.	Documentation to be submitted by individuals who are eligible to claim Exception 2(b) . ■ A letter or official notification from the Educational Institution (i.e. College or University) awarding the non-compensatory scholarship, fellowship, or grant, or ■ A copy of a contract with a College, University or Educational Institution, along with: ■ A copy of your passport showing a valid Visa issued by the US Department of State. ■ Evidence (information) displayed on the Form W-7/W-7(SP) application that the person is entitled to claim the benefits of a tax treaty, and ■ A copy of the W-8BEN that was submitted to the withholding agent, attached to the Form W-7/W-7(SP);

EXCEPTION #2

**Wages, Salary, Compensation and Honoraria payments with Tax Treaty Benefits Claimed; or
Scholarships, Fellowships and Grants with Tax Treaty Benefits Claimed; or
Scholarships, Fellowships and Grants No Tax Treaty Benefits Claimed; or
Gambling Winnings with Tax Treaty Benefits Claimed. (continued)**

NOTE: Federal Tax Withholding and/or IRS Information Reporting must take place within the current tax year.

2b. Scholarships, Fellowships and Grants. (continued) <i>Claiming the Benefits of a Tax Treaty</i>	Persons who are eligible to Claim Exception 2(b) include:	Documentation to be submitted by individuals who are eligible to claim Exception 2(b). ■ A letter from the Social Security Administration (SSA)*, stating that the individual is ineligible to receive a Social Security Number. Note: *Students on a F-1, J-1 or M-1 visa who will <u>not</u> be working while studying the U.S., will not have to apply for a SSN. They will be permitted to provide a letter from their Designated School Official (DSO) or Responsible Officer (RO), stating that they will <u>not</u> be securing employment in the U.S. or receiving any type of income from personal services. This applies whether a U.S. Federal income tax return is attached to Form W-7 or Exception 2 is being claimed.
2(b) Scholarships, Fellowships and Grants from Student and Exchange Visitor Program (SEVP) approved colleges/universities/institutions <i>The Student and Exchange Visitor Program (SEVP) approved institutions for non-resident alien students and exchange visitors and their dependents classified under section 101(a)(15)(F), (M) or (J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F), (M) or (J)) A certification letter is required for each Form W-7 application: primary, associated secondary (spouse) and dependent(s).</i>	Claiming tax treaty benefits, exempt or subject to reduced rate of tax And Who will be submitting Form W-8 BEN to the withholding agent.	Certification letter for supporting identification documents. The certification letter must: ■ Be on original, official college, university or institution letterhead with a verifiable address ■ Provide applicant's full name and Student Exchange Visitor's Information ■ Include the Information System (SEVIS) number ■ Certify the applicant's registration in the SEVIS program ■ Certify that the student presented an unexpired passport, visa or other identification documents for review ■ List the identification documents provided to verify identity and foreign status ■ Be signed and dated by a SEVIS official, Principal Designated School Official (PDSO), Designated School Official (DSO), Responsible Officer (RO) or Alternate Responsible Officer (ARO) of a certified school exchange program with a verifiable contact telephone number You must also: ■ Attach copies of documents used to verify the applicant's identity and foreign status from the approved list of documents as presented in the Form W-7 instructions (passport must include copy of valid visa issued by U.S. Department of State)

EXCEPTION #2

**Wages, Salary, Compensation and Honoraria payments with Tax Treaty Benefits Claimed; or
Scholarships, Fellowships and Grants with Tax Treaty Benefits Claimed; or
Scholarships, Fellowships and Grants No Tax Treaty Benefits Claimed; or
Gambling Winnings with Tax Treaty Benefits Claimed. (continued)**

NOTE: Federal Tax Withholding and/or IRS Information Reporting must take place within the current tax year.

		■ Attach a copy of DS-2019, Certificate of Eligibility for Exchange Visitor Status (J-1 status) and/or copy of the I-20, Certificate of Eligibility for Non-Immigrant Student Status ■ Include the treaty country and article number that supports the claim to a tax treaty benefit on Form W-7 ■ Include a letter from DSO or RO stating that the applicant will not be securing employment in the U.S. or receiving any type of income from personal services Note: Students on F-1, J-1 or M-1 visa will not have to apply for a SSN. They are permitted to provide a letter from their DSO or RO stating that they will not be securing employment in the U.S. See example of a SEVP certification letter from a SEVP institution. This letter may include statements from the DSO/RO stating applicant will not be securing employment in the U.S.
2c. Scholarships, Fellowships and Grants. <i>No Tax Treaty Benefits</i>	Persons who are eligible to Claim Exception 2(c) include: ■ Individuals receiving non-compensatory income from scholarships, fellowships, or grants (i.e. foreign students, scholars, professors, researchers, or any other individual) that is subject to IRS information reporting and/or tax withholding requirements during the current year.	Documentation must be submitted by individuals who are eligible to claim Exception 2(c) ■ A letter or official notification from the Educational Institution (i.e. College or University) awarding the non-compensatory scholarship, fellowship, grant or ■ A copy of a contract with a College, University or Educational institution, along with: ■ A copy of your passport showing a valid visa issued by the US Department of State. ■ A letter from their Designated School Official (DSO) or Responsible Officer (RO) stating that the individual is receiving non-compensatory income from scholarships, fellowships, or grants, that is subject to IRS information reporting and/or tax withholding requirements:* * This letter must be attached to Form W-7, or your application for an ITIN will be denied. and ■ A letter from the Social Security Administration (SSA) stating that the individual is ineligible to receive a Social Security Number.

EXCEPTION #2

Wages, Salary, Compensation and Honoraria payments with Tax Treaty Benefits Claimed; or Scholarships, Fellowships and Grants with Tax Treaty Benefits Claimed; or Scholarships, Fellowships and Grants No Tax Treaty Benefits Claimed; or Gambling Winnings with Tax Treaty Benefits Claimed. (continued)

NOTE: Federal Tax Withholding and/or IRS Information Reporting must take place within the current tax year.

		Note: Students on a F-1, J-1 or M-1 visa who will <u>not</u> be working while studying the U.S., will not have to apply for a SSN. They will be permitted to provide a letter from their Designated School Official (DSO), or Responsible Officer (RO), stating that they will not be securing employment in the U.S. or receiving any type of income from personal services. This applies whether a U.S. Federal income tax return is attached to Form W-7 or Exception 2 is being claimed.
2d. Gambling Income <i>Claiming the Benefits of a Tax Treaty</i>	Persons who are eligible to Claim Exception 2(d) include: ■ Nonresident Aliens visiting the U.S. who have gambling winnings; and ■ Who are claiming the benefits of U.S. Tax Treaty for an exempt or reduced rate of Federal tax withholding on that income; and ■ Who will be utilizing the services of a gaming official acting as an IRS ITIN Acceptance Agent	Documentation must be submitted through the services of an appropriate gaming official serving as an IRS ITIN Acceptance Agent to apply for an ITIN under Exception 2(d) . Note: If you do not secure the services of a gaming official, you may still file a Form 1040NR at the end of the tax year with a Form W-7/W-7(SP), attaching a copy of the Form 1042-S displaying the amount of tax withheld. Your 1040NR return should also display the tax treaty article number and country under which you are claiming the treaty benefits.

EXCEPTION #3

Third Party Reporting of Mortgage Interest

Information reporting and/or withholding requirements apply to third parties (frequently banks and other financial institutions) who will request an ITIN to enable them to file information reports that are required by law.

- Form 1098, Mortgage Interest Statement.

NOTE: Federal Tax Withholding and/or IRS Information Reporting must take place within the current tax year.

Exception 3 Third Party Reporting of Mortgage Interest	Documentation to be submitted by individuals who are eligible to claim Exception 3 includes: ■ Individuals who show evidence of a home mortgage loan. This would include a copy of the contract of sale or similar documentation, showing evidence of a home mortgage loan on real property located in the United States.
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EXCEPTION #4

Third Party Withholding – Disposition By a Foreign Person of United States Real Property Interest

Information reporting and withholding requirements apply to third parties (frequently banks and other financial institutions) who will request an ITIN to enable them to file information reports that are required by law.

- Form 8288, U.S. Withholding Tax Return for Dispositions by Foreign Persons of U.S. Real Property Interests,
- Form 8288A, Statement of Withholding on Dispositions by Foreign Persons of U.S. Real Property Interests.
- Form 8288B, Application for Withholding Certificate for Dispositions by Foreign Persons of U.S. Real Property Interests.

NOTE: Federal Tax Withholding and/or IRS Information Reporting must take place within the current tax year.

Exception 4

Third Party Withholding – Disposition By a Foreign Person of United States Real Property Interest.

A withholding obligation is generally imposed on a buyer or other transferee (withholding agent) when a United States real property interest is acquired from a foreign person. In some instances the foreign person may apply for a withholding certificate to reduce or eliminate withholding on the disposition of real property.

Documentation to be submitted by individuals who are eligible to claim **Exception 4** includes:

- A completed Form 8288-B and a copy of the contract of the sale.
- For the seller of the property, copies of Forms 8288 and 8288-A submitted by the buyer should be attached to the Form W-7/W-7(SP).

EXCEPTION #5

Filing Under TD-9363 with Registration Form 13350

NOTE: Federal Tax Withholding and/or IRS Information Reporting must take place within the current tax year.

Reporting Obligations under Treasury Decision 9363

Persons who are eligible to Claim **Exception 2(d)** include:

Individuals who are required by law to comply with Treasury Decision 9363 (TD-9363) and who must obtain an ITIN to meet this requirement.

Documentation to be submitted by individuals who are eligible to claim **Exception 5** includes:

- Form W-7 and Form 13350
along with
- A letter from the employer on corporate letterhead stating that the individual has been designated to comply with IRS reporting.

EXAMPLES OF COMPLETED FORM W-7S FOR “EXCEPTIONS”

EXCEPTION 1 – THIRD PARTY WITHHOLDING ON PASSIVE INCOME

An Interest in a U.S. Partnership – No Tax Treaty Benefits

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b**, **c**, **d**, **e**, or **g**, you must file a tax return with Form W-7 unless you meet one of the exceptions (see instructions).

- a** ☐ Nonresident alien required to obtain ITIN to claim tax treaty benefit
b ☐ Nonresident alien filing a U.S. tax return
c ☐ U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
d ☐ Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
e ☐ Spouse of U.S. citizen/resident alien }
f ☐ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa
h ☒ Other (see instructions) ► **Exception 1(a) – A Partnership Interest**
Additional information for **a** and **f**: Enter treaty country ► and treaty article number ►

Pension Income – No Tax Treaty Benefits

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b**, **c**, **d**, **e**, or **g**, you must file a tax return with Form W-7 unless you meet one of the exceptions (see instructions).

- a** ☐ Nonresident alien required to obtain ITIN to claim tax treaty benefit
b ☐ Nonresident alien filing a U.S. tax return
c ☐ U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
d ☐ Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
e ☐ Spouse of U.S. citizen/resident alien }
f ☐ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa
h ☒ Other (see instructions) ► **Exception 1(d) – Pension Income**
Additional information for **a** and **f**: Enter treaty country ► and treaty article number ►

Pension Income – With Tax Treaty Benefits

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b**, **c**, **d**, **e**, or **g**, you must file a tax return with Form W-7 unless you meet one of the exceptions (see instructions).

- a** ☒ Nonresident alien required to obtain ITIN to claim tax treaty benefit
b ☐ Nonresident alien filing a U.S. tax return
c ☐ U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
d ☐ Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
e ☐ Spouse of U.S. citizen/resident alien }
f ☐ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa
h ☒ Other (see instructions) ► **Exception 1(d) – Pension Income**
Additional information for **a** and **f**: Enter treaty country ► **United Kingdom** and treaty article number ► **18**

Royalty Income – With Tax Treaty Benefits

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b**, **c**, **d**, **e**, or **g**, you must file a tax return with Form W-7 unless you meet one of the exceptions (see instructions).

- a** ☒ Nonresident alien required to obtain ITIN to claim tax treaty benefit
b ☐ Nonresident alien filing a U.S. tax return
c ☐ U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
d ☐ Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
e ☐ Spouse of U.S. citizen/resident alien }
f ☐ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa
h ☒ Other (see instructions) ► **Exception 1(d) – Royalty Income**
Additional information for **a** and **f**: Enter treaty country ► **Italy** and treaty article number ► **12**

- a. Wages, Salaries, Compensation and Honoraria Payments – With Tax Treaty Benefits
- b. Scholarships, Grants, Fellowships – With Tax Treaty Benefits
- c. Scholarships, Grants, Fellowships – No Tax Treaty Benefits
- d. Gambling Winnings – With Tax Treaty Benefits

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

a ☒ Nonresident alien required to obtain ITIN to claim tax treaty benefit

b ☐ Nonresident alien filing a U.S. tax return

c ☐ U.S. resident alien **(based on days present in the United States)** filing a U.S. tax return

d ☐ Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ▶

e ☐ Spouse of U.S. citizen/resident alien }

f ☐ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception

g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa

h ☒ Other (see instructions) ▶ **Exception 2(a) Wages**

Additional information for **a** and **f**: Enter treaty country ▶ **Slovenia** and treaty article number ▶ **15**

Wages – With Tax Treaty Benefits – Also attach a Letter from the Social Security Administration denying your request for a Social Security Number. (Remember to complete information for University and Length of Stay on Line 6g.)

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

a ☐ Nonresident alien required to obtain ITIN to claim tax treaty benefit

b ☐ Nonresident alien filing a U.S. tax return

c ☐ U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return

d ☐ Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ▶ -----

e ☐ Spouse of U.S. citizen/resident alien } -----

f ☒ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception

g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa

h ☒ Other (see instructions) ▶ **Exception 2(a) Wages – Teaching**

Additional information for **a** and **f**: Enter treaty country ▶ **France** and treaty article number ▶ **20**

Other information	6a Country(ies) of citizenship France	6b Foreign tax I.D. number (if any)	6c Type of U.S. visa (if any), number, and expiration date H-1B 345678891 01/01/20XX
	6d Identification document(s) submitted (see instructions) ☒ Passport ☐ Driver's license/State I.D. ☐ USCIS documentation ☐ Other Issued by: France No.: XXXXXXXXXX Exp. date: 02/ 27 /20xx Entry date in U.S. 01/ 31 /xxxx		
	6e Have you previously received a U.S. temporary taxpayer identification number (TIN) or employer identification number (EIN)? ☒ No/Do not know. Skip line 6f. ☐ Yes. Complete line 6f. If more than one, list on a sheet and attach to this form (see instructions).		
	6f Enter: TIN or EIN ► and Name under which it was issued ►		
	6g Name of college/university or company (see instructions) The XYZ Institute for International Learning City and state New York, NY Length of stay 60 days		

Honoraria Payment – With Tax Treaty Benefits – There is no requirement to attach a Letter from the Social Security Administration denying your request for a Social Security Number. A letter from the Authorized School Official will suffice. (Remember to complete information for University and Length of Stay on Line 6g.)

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

- a** ☒ Nonresident alien required to obtain ITIN to claim tax treaty benefit
b ☐ Nonresident alien filing a U.S. tax return
c ☐ U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
d ☐ Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
e ☐ Spouse of U.S. citizen/resident alien }
f ☐ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa
h ☒ Other (see instructions) ► **Exception 2(a) Honoraria Payment**
Additional information for **a** and **f**: Enter treaty country ► **France** and treaty article number ► **14**

Other information	6a Country(ies) of citizenship France	6b Foreign tax I.D. number (if any)	6c Type of U.S. visa (if any), number, and expiration date B-1 56565656 04/28/20XX
	6d Identification document(s) submitted (see instructions) ☒ Passport ☐ Driver's license/State I.D. ☐ USCIS documentation ☐ Other Issued by: France No.: XXXXXXXXXX Exp. date: 04/ 31 /20xx Entry date in U.S. 05/ 14 /xxxx		
	6e Have you previously received a U.S. temporary taxpayer identification number (TIN) or employer identification number (EIN)? ☒ No/Do not know. Skip line 6f. ☐ Yes. Complete line 6f. If more than one, list on a sheet and attach to this form (see instructions).		
	6f Enter: TIN or EIN ► and Name under which it was issued ►		
	6g Name of college/university or company (see instructions) Any Place University City and state Any Place, NY Length of stay 3 days		

Scholarship Income – With Tax Treaty Benefits (Also complete information for University and Length of Stay on Line 6g.)

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

- a** ☐ Nonresident alien required to obtain ITIN to claim tax treaty benefit
b ☐ Nonresident alien filing a U.S. tax return
c ☐ U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
d ☐ Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
e ☐ Spouse of U.S. citizen/resident alien }
f ☒ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa
h ☒ Other (see instructions) ► **Exception 2(b) Scholarship Income**
Additional information for **a** and **f**: Enter treaty country ► **Norway** and treaty article number ► **16**

Other information	6a Country(ies) of citizenship Norway	6b Foreign tax I.D. number (if any)	6c Type of U.S. visa (if any), number, and expiration date F-1 12345678 01/01/20XX
	6d Identification document(s) submitted (see instructions) ☒ Passport ☐ Driver's license/State I.D. ☐ USCIS documentation ☐ Other _____ Issued by: Norway No.: XXXXXXXXXX Exp. date: 01 / 31 /20xx Entry date in U.S. 04 / 27 /xxxx		
	6e Have you previously received a U.S. temporary taxpayer identification number (TIN) or employer identification number (EIN)? ☒ No/Do not know. Skip line 6f. ☐ Yes. Complete line 6f. If more than one, list on a sheet and attach to this form (see instructions).		
	6f Enter: TIN or EIN ► _____ and Name under which it was issued ► _____		
	6g Name of college/university or company (see instructions) Any Town University _____ City and state Any Town, N.J. Length of stay 4 years		

Grant Income – With Tax Treaty Benefits (Also complete information for University and Length of Stay on Line 6g.)

Reason you are submitting Form W-7. Read the instructions for the box you check. Caution: If you check box b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions (see instructions).	
a ☐ Nonresident alien required to obtain ITIN to claim tax treaty benefit	
b ☐ Nonresident alien filing a U.S. tax return	
c ☐ U.S. resident alien (based on days present in the United States) filing a U.S. tax return	
d ☐ Dependent of U.S. citizen/resident alien	Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ► _____
e ☐ Spouse of U.S. citizen/resident alien	
f ☒ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception	
g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa	
h ☒ Other (see instructions) ► Exception 2(b). Grant Income _____	
Additional information for a and f : Enter treaty country ► Spain and treaty article number ► 22	

Other information	6a Country(ies) of citizenship Spain	6b Foreign tax I.D. number (if any)	6c Type of U.S. visa (if any), number, and expiration date J-1 34343434 09/03/20XX
	6d Identification document(s) submitted (see instructions) ☒ Passport ☐ Driver's license/State I.D. ☐ USCIS documentation ☐ Other _____ Issued by: Spain No.: XXXXXXXXXX Exp. date: 12 / 18 /20xx Entry date in U.S. 03 / 22 /xxxx		
	6e Have you previously received a U.S. temporary taxpayer identification number (TIN) or employer identification number (EIN)? ☒ No/Do not know. Skip line 6f. ☐ Yes. Complete line 6f. If more than one, list on a sheet and attach to this form (see instructions).		
	6f Enter: TIN or EIN ► _____ and Name under which it was issued ► _____		
	6g Name of college/university or company (see instructions) The Learning University _____ City and state Philadelphia, PA Length of stay 3 years		

Scholarship Income – No Tax Treaty Benefits (Also complete information for University and Length of Stay on Line 6g.)

Reason you are submitting Form W-7. Read the instructions for the box you check. Caution: If you check box b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions (see instructions).	
a ☐ Nonresident alien required to obtain ITIN to claim tax treaty benefit	
b ☐ Nonresident alien filing a U.S. tax return	
c ☐ U.S. resident alien (based on days present in the United States) filing a U.S. tax return	
d ☐ Dependent of U.S. citizen/resident alien	Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ► _____
e ☐ Spouse of U.S. citizen/resident alien	
f ☒ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception	
g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa	
h ☒ Other (see instructions) ► Exception 2(c). Scholarship Income _____	
Additional information for a and f : Enter treaty country ► _____ and treaty article number ► _____	

Other information	6a Country(ies) of citizenship Argentina	6b Foreign tax I.D. number (if any)	6c Type of U.S. visa (if any), number, and expiration date J-1 01010101 12/01/20XX
	6d Identification document(s) submitted (see instructions) ☒ Passport ☐ Driver's license/State I.D. ☐ USCIS documentation ☐ Other Issued by: Argentina No.: XXXXXXXXXX Exp. date: 05/ 19 /20xx Entry date in U.S. 01/ 01 /xxxx		
	6e Have you previously received a U.S. temporary taxpayer identification number (TIN) or employer identification number (EIN)? ☒ No/Do not know. Skip line 6f. ☐ Yes. Complete line 6f. If more than one, list on a sheet and attach to this form (see instructions).		
	6f Enter: TIN or EIN ► and Name under which it was issued ►		
	6g Name of college/university or company (see instructions) University of Classic Study City and state Atlanta, GA Length of stay 3 years		

Gambling Winnings – Tax Treaty Benefits Claimed – (Form W-7 must be submitted through a gaming official who is an IRS authorized Acceptance Agent)

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

☒ **a** Nonresident alien required to obtain ITIN to claim tax treaty benefit
☐ **b** Nonresident alien filing a U.S. tax return
☐ **c** U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
☐ **d** Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
☐ **e** Spouse of U.S. citizen/resident alien }
☐ **f** Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
☐ **g** Dependent/spouse of a nonresident alien holding a U.S. visa
☒ **h** Other (see instructions) ► **Exception 2(d) Gambling Winnings**
Additional information for **a** and **f**: Enter treaty country ► **United Kingdom** and treaty article number ► **22**

EXCEPTION 3 – MORTGAGE INTEREST

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

☐ **a** Nonresident alien required to obtain ITIN to claim tax treaty benefit
☐ **b** Nonresident alien filing a U.S. tax return
☐ **c** U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
☐ **d** Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
☐ **e** Spouse of U.S. citizen/resident alien }
☐ **f** Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
☐ **g** Dependent/spouse of a nonresident alien holding a U.S. visa
☒ **h** Other (see instructions) ► **Exception 3 – Mortgage Interest**
Additional information for **a** and **f**: Enter treaty country ► and treaty article number ►

EXCEPTION 4 – DISPOSITION OF A REAL PROPERTY INTEREST

(FIRPTA – Foreign Investment in Real Property Tax Act)

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

☐ **a** Nonresident alien required to obtain ITIN to claim tax treaty benefit
☐ **b** Nonresident alien filing a U.S. tax return
☐ **c** U.S. resident alien (**based on days present in the United States**) filing a U.S. tax return
☐ **d** Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ►
☐ **e** Spouse of U.S. citizen/resident alien }
☐ **f** Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception
☐ **g** Dependent/spouse of a nonresident alien holding a U.S. visa
☒ **h** Other (see instructions) ► **Exception 4 – Disposition of Real Property**
Additional information for **a** and **f**: Enter treaty country ► and treaty article number ►

EXCEPTION 5 – TREASURY DECISION 9363

Reason you are submitting Form W-7. Read the instructions for the box you check. **Caution:** If you check box **b, c, d, e, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions** (see instructions).

a ☐ Nonresident alien required to obtain ITIN to claim tax treaty benefit

b ☐ Nonresident alien filing a U.S. tax return

c ☐ U.S. resident alien **(based on days present in the United States)** filing a U.S. tax return

d ☐ Dependent of U.S. citizen/resident alien } Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions) ▶

e ☐ Spouse of U.S. citizen/resident alien }

f ☐ Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception

g ☐ Dependent/spouse of a nonresident alien holding a U.S. visa

h ☒ Other (see instructions) ▶ **Exception 5 - T.D. 9363.**

Additional information for **a** and **f**: Enter treaty country ▶ and treaty article number ▶

Other information	6a Country(ies) of citizenship	6b Foreign tax I.D. number (if any)	6c Type of U.S. visa (if any), number, and expiration date
	6d Identification document(s) submitted (see instructions)		
	☐ Passport ☐ Driver's license/State I.D. ☐ USCIS documentation ☐ Other		
	Issued by: No.: Exp. date: / / Entry date in U.S. / /		
	6e Have you previously received a U.S. temporary taxpayer identification number (TIN) or employer identification number (EIN)? ☐ No/Do not know. Skip line 6f. ☐ Yes. Complete line 6f. If more than one, list on a sheet and attach to this form (see instructions).		
	6f Enter: TIN or EIN ▶ EIN of Corporation and Name under which it was issued ▶ Name under which EIN was established		
	6g Name of college/university or company (see instructions) City and state Length of stay		

FORM W-7/W-7(SP) CHECK LIST

Prior to submitting your Form W-7 and attached documentation (if applicable) did you remember to:

1. Verify that you are completing the most current version of the Form W-7/W-7(SP).
2. Verify that the entries on the Form W-7/W-7(SP) do not conflict with the supporting documentation presented.
3. Ensure that the entries are typewritten or printed clearly and legibly in ink.
4. Ensure that you checked the appropriate box indicating the "Reason you are Submitting Form W-7/W-7(SP)."
5. Verify that the name on Line 1 matches the name on the supporting documentation.
6. Enter your complete mailing address on line 2.
7. Enter your permanent foreign address on Line 3, or if you have relocated to the United States, just enter the name of the foreign country where you last resided.
8. Verify that the country of birth is present on Line 4, and that the date of birth is entered in a month/day/year (MM/DD/YYYY) format.
9. Place an "X" in the appropriate "gender" box on line 5.
10. Ensure that you entered your complete visa information (if applicable) on line 6c.
11. Check that you entered your complete date of entry (if applicable) in a month/day/year (MM/DD/YYYY) format.
12. Check that all Form W-7/W-7(SP) applications have a signature that matches the signature on the supporting documentation, or in the case of a delegate, reflects the delegate's relationship to the applicant.

13. Enter the date of the application in a month/day/year (MM/DD/YYYY) format.

14. Submit:

- Your completed valid U.S. Federal income tax return or documents substantiating that you meet an exception to the tax return filing requirement.
- A letter, form or other documentation from the Social Security Administration (if applicable) stating that you are not eligible to receive a SSN
- A letter from the Designated School Official or Responsible Officer (if applicable) stating that you are here for the purposes of study and will not be receiving income for personal services, or Authorized School Official in the case of an honoraria payment.
- Supporting documentation proving your identity and foreign status.

15. Attach Power of Attorney (POA) (if applicable) – Form 8821 or Form 2848.

16. Mail your package to:

Internal Revenue Service
ITIN Operations
P.O. Box 149342
Austin, TX 78714-9342

or if using an overnight private delivery service:

Internal Revenue Service
ITIN Operations
Mail Stop 6090-AUSC
3651 S. Interregional, Hwy 35
Austin, TX 78741-0000

SAMPLE LETTER FROM WITHHOLDING AGENT

(To Be Used as a Guide for Providing Required Information)

(Written on Official Letterhead of Withholding Agent)

To: IRS
ITIN POLICY SECTION

To Whom it May Concern:

This is to certify that _____
Name of Account Holder
has an account with this organization which will be generating income during the current tax year that is subject to IRS information reporting requirements and/or withholding of Federal income tax. The applicant, therefore, is requesting an ITIN to provide to us for our reporting, withholding and distribution procedures.

Sincerely,

Date of Signature

Signature of Official

Printed Name of Official

COPY OF FORM W-7

Application for IRS Individual Taxpayer Identification Number

Form
(Rev. January 2010)
Department of the Treasury
Internal Revenue Service

W-7

Application for IRS Individual
Taxpayer Identification Number

See instructions.
For use by individuals who are not U.S. citizens or permanent residents.

OMB No. 1545-0074

An IRS individual taxpayer identification number (ITIN) is for federal tax purposes only.

FOR IRS USE ONLY

Before you begin:

Do not submit this form if you have, or are eligible to get, a U.S. social security number (SSN).

Getting an ITIN does not change your immigration status or your right to work in the United States and does not make you eligible for the earned income credit.

Reason you are submitting Form W-7. Read the instructions for the box you check. Caution: If you check box b, c, d, e, f, or g, you must file a tax return with Form W-7 unless you meet one of the exceptions (see instructions).

a Nonresident alien required to get ITIN to claim tax treaty benefit

b Nonresident alien filing a U.S. tax return

c U.S. resident alien (based on days present in the United States) filing a U.S. tax return

d Dependent of U.S. citizen/resident alien Enter name and SSN/ITIN of U.S. citizen/resident alien (see instructions)

e Spouse of U.S. citizen/resident alien

f Nonresident alien student, professor, or researcher filing a U.S. tax return or claiming an exception

g Dependent/spouse of a nonresident alien holding a U.S. visa

h Other (see instructions)

Additional information for a and f: Enter treaty country and treaty article number

Name
(see instructions)
Name at birth if different

1a First name

Middle name

Last name

1b First name

Middle name

Last name

Applicant's
mailing address

2 Street address, apartment number, or rural route number. If you have a P.O. box, see page 4.

City or town, state or province, and country. Include ZIP code or postal code where appropriate.

Foreign (non-U.S.) address
(if different from above)
(see instructions)

3 Street address, apartment number, or rural route number. Do not use a P.O. box number.

City or town, state or province, and country. Include ZIP code or postal code where appropriate.

Birth
information

4 Date of birth (month / day / year)

Country of birth

City and state or province (optional)

5 Male
Female

Other
information

6a Country(ies) of citizenship

6b Foreign tax I.D. number (if any)

6c Type of U.S. visa (if any), number, and expiration date

6d Identification document(s) submitted (see instructions)

Passport
Driver's license/State I.D.

USCIS documentation
Other

Issued by: No.: Exp. date: / / Entry date in United States / /

6e Have you previously received a U.S. temporary taxpayer identification number (TIN) or employer identification number (EIN)?

No/Do not know. Skip line 6f.
Yes. Complete line 6f. If more than one, list on a sheet and attach to this form (see instructions).

6f Enter: TIN or EIN
Name under which it was issued

and

6g Name of college/university or company (see instructions)

City and state

Length of stay

Sign
Here

Under penalties of perjury, I (applicant/delegate/acceptance agent) declare that I have examined this application, including accompanying documentation and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I authorize the IRS to disclose to my acceptance agent returns or return information necessary to resolve matters regarding the assignment of my IRS individual taxpayer identification number (ITIN), including any previously assigned taxpayer identifying number.

Signature of applicant (if delegate, see instructions)

Date (month / day / year)

Phone number
()

Name of delegate, if applicable (type or print)

Delegate's relationship to applicant

Parent Court-appointed guardian
Power of Attorney

Signature

Date (month / day / year)

Phone ()
Fax ()
EIN
Office Code

Name and title (type or print)

Name of company

Keep a copy for your records.

Acceptance Agent's Use ONLY

For Paperwork Reduction Act Notice, see page 5.

Cat. No. 10229L

Form W-7 (Rev. 1-2010)

36 Individual Taxpayer Identification Number

