



SOCIAL SECURITY
Office of Communications

November 16, 2010

Ms. Mara Keisling
Executive Director
National Center for Transgender Equality
1325 Massachusetts Avenue NW, Suite 700
Washington, D.C. 2005

Dear Ms. Keisling:

Thank you for your inquiry about the use of gender information within our Social Security Number Verification System (SSNVS). SSNVS is a free service that allows registered employers and certain third-party submitters to verify the names and Social Security Numbers (SSNs) of employees against Social Security Administration (SSA) records for wage reporting purposes.

SSA can only post wages correctly when employers and submitters report employee wages under the correct name and SSN. Accurate earnings information is vitally important to the administration of our Social Security program because an employee's earnings record is the basis for computing retirement, survivors, and disability benefits.

As we discussed, gender is an optional field in the SSNVS. We regret that there has been some confusion over this optional field in SSNVS. We take the concerns you have raised very seriously, and we are considering removal of this optional gender field from SSNVS. Until these changes can be made to SSNVS, you may suggest that an employer not enter the optional gender field.

We also want to reiterate the employer's responsibilities related to the proper use of SSNVS as outlined in the SSNVS Handbook found at http://www.ssa.gov/employer/ssnvs_handbk.htm. This handbook states that the gender field is optional when using SSNVS. In addition, a failure of the information to match SSA's records is not a basis, in and of itself, for employers to take any adverse action against an employee, such as laying off, suspending, firing, or discriminating. An employer that uses the failure of the information to match SSA's records to take inappropriate adverse action against an employee may violate State or Federal law.

If an employer has further questions about the use of SSNVS, the employer can contact our Employer Reporting Assistance service, at:

- 1-800-772-6270 (toll free), Monday – Friday, 7:00 a.m. to 7:00 p.m. Eastern Standard Time, *or*
- E-mail: employerinfo@ssa.gov, *or*
- TDD/TYY call 1-800-201-7165 (toll free).

Please let me know if you have any additional questions or if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Aviva Sufian".

Aviva Sufian
Associate Commissioner of External Affairs
(410) 966-7996