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# International Programs



## Totalization Agreement with France

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## Introduction

An agreement, effective July 1, 1988, between the United States and France improves Social Security protection for people who work or have worked in both countries. It helps many people who, without the agreement, would not be eligible for monthly retirement, disability or survivors benefits under the Social Security system of one or both countries. It also helps people who would otherwise have to pay Social Security taxes to both countries on the same earnings.

The agreement covers Social Security taxes (including the U.S. Medicare portion) and retirement, disability and survivors insurance benefits. It does not cover benefits under the U.S. Medicare program or the Supplemental Security Income (SSI) program.

This document covers highlights of the agreement and explains how it may help you **while you work** and **when you apply for benefits**.

## The Agreement May Help You, Your Family And Your Employer

- **While you work**—If your work is covered by both the U.S. and French Social Security systems, you (and your employer, if you are employed) would normally have to pay Social Security taxes to both countries for the same work. The agreement eliminates this double coverage, so that taxes are paid to only one system (see the section on "[Coverage And Social Security Taxes](#)" section).
- **When you apply for benefits**—You may have some Social Security credits in both the U.S. and France but not have enough to be eligible for benefits in one country or the other.

The agreement makes it easier to qualify for benefits by letting you add together your Social Security credits in both countries. For more details, see the section on "[Monthly Benefits](#)".

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## Coverage And Social Security Taxes

Before the agreement, employees, employers and self-employed persons could, under certain circumstances, be required to pay Social Security taxes to both the United States and France for the same work.

Under the agreement, if you work as an employee in the United States, you normally will be covered by the United States, and you and your employer will pay Social Security taxes only to the United States. If you work as an employee in France, you normally will be covered by France, and you and your employer pay Social Security taxes only to France.

On the other hand, if your employer sends you from one country to work for that employer or an affiliate in the other country for five years or less, you will continue to be covered by your home country and you will be exempt from coverage in the other country. For example, if a U.S. company sends an employee to work for that employer or an affiliate in France for no more than five years, the employer and the employee will continue to pay only U.S. Social Security taxes and will not have to pay in France.

Special rules apply to self-employed persons who, without the agreement, would have to pay Social Security taxes to both countries (see the [table](#) below).

### Summary of Agreement Rules

The following table shows whether your work is covered under the U.S. or French Social Security system. If you are covered under U.S. Social Security, you and your employer (if you are an employee) must pay U.S. Social Security taxes. If you are covered under the French system, you and your employer (if you are an employee) must pay French Social Security taxes. "[Certificate Of Coverage](#)" section explains how to get a form from the country where you are covered that will prove you are exempt in the other country.

Your Work Status	Coverage And Taxes

<b><i>You are working in France:</i></b>	
<i>For a U.S. employer who:</i>	
<ul style="list-style-type: none"> <li>• Sent you to work in France for five years or less</li> </ul>	U.S.
<ul style="list-style-type: none"> <li>• Sent you to work in France for more than five years</li> </ul>	France
<ul style="list-style-type: none"> <li>• Hired you in France</li> </ul>	France
<i>For a non-U.S. employer</i>	France
<i>For the U.S. government and you are a:</i>	
<ul style="list-style-type: none"> <li>• U.S. national</li> </ul>	U.S. (either Social Security or federal retirement program)
<ul style="list-style-type: none"> <li>• French national</li> </ul>	France
<b><i>You are working in the U.S.:</i></b>	

**NOTE:** As the table indicates, a U.S. worker employed in France can be covered by U.S. Social Security only if he or she works for a U.S. employer in France who.

*employer. A **U.S. employer** includes a corporation organized under the laws of the United States or any state, a partnership if at least two-thirds of the partners are U.S. residents, an individual who is a resident of the U.S. or a trust if all the trustees are U.S. residents. The term also includes a foreign affiliate of a U.S. employer if the U.S. employer has entered into an agreement with the Internal Revenue Service under section 3121(l) of the Internal Revenue Code to pay Social Security taxes for U.S. citizens and residents employed by the affiliate.*

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## Certificate Of Coverage

A certificate of coverage issued by one country serves as proof of exemption from Social Security taxes on the same earnings in the other country.

### Certificates For Employees

To establish an exemption from compulsory coverage and taxes under the French system, your employer must request a certificate of coverage (form SE 404-2) from the U.S. at this address:

Social Security Administration  
Office of International Programs  
P.O. Box 17741  
Baltimore, Maryland 21235-7741  
U.S.A.

If preferred, the request may be sent by FAX to **(410) 966-1861**. Please note this FAX number should only be used to request certificates of coverage.

No special form is required to request a certificate, but, the request must be in writing and provide the following information:

- Full name of worker (including maiden name);
- Date and place of birth;
- Citizenship;
- Country of worker's permanent residence;
- U.S. Social Security number;
- Date of hire;
- Country of hire;
- Name and address of the employer in the U.S. and France;
- Date of transfer and anticipated date of return; and
- A statement, signed by your employer, certifying that you, and any family members who live with you in France, are

covered by an employer-sponsored or other private health insurance plan while in France (see [NOTE](#) below).

In addition, your employer must indicate if you remain an employee of the U.S. company while working in France or if you become an employee of the U.S. company's affiliate in France. If you become an employee of an affiliate, your employer must indicate if the U.S. company has an agreement with the Internal Revenue Service under section 3121(I) of the Internal Revenue Code to pay U.S. Social Security taxes for U.S. citizens and residents employed by the affiliate and, if yes, the effective date of the agreement.

Your employer can also request a certificate of U.S. coverage for you over the Internet using a special online request form available at [www.socialsecurity.gov/coc](http://www.socialsecurity.gov/coc). Only an employer can use the online form to request a certificate of coverage. A self-employed person must submit a request by mail or fax.

***NOTE:*** *In addition to retirement, survivors and disability benefits, French Social Security taxes cover several other benefit programs including France's national health insurance program. As a result, a worker exempted from paying French Social Security taxes by the agreement cannot receive free health care services or other benefits under the French health insurance system. If you meet all of the other requirements for exemption from French Social Security taxes while working in France, you or your employer must arrange for private health insurance before the exemption may apply.*

To establish your exemption from coverage under the U.S. Social Security system, your employer in France must request a certificate of coverage (either form SE-404-1 or SE-404-2) from the local French agency for sickness insurance that collects your Social Security taxes in France.

The same information required for a certificate of coverage from the United States is needed to get a certificate from France except that:

- You must show your French Social Security number rather than your U.S. Social Security number; and
- Your employer doesn't need to certify that you and your family are covered by private health insurance.

### **Certificates For Self-Employed Persons**

If you are self-employed and would normally have to pay Social Security taxes to both the U.S. and French systems, you can establish your exemption from one of the taxes by writing to:

- If you will be covered by the United States (see [table](#) above),

the U.S. Social Security Administration at the address in "[Certificates For Employees](#)" section; or

- If you will be covered by France (see [table](#) above), the local French agency that collects your French Social Security taxes.

Be sure to provide the following information in your letter:

- Full name (including maiden name);
- Date and place of birth;
- Citizenship;
- Country of permanent residence;
- U.S. and/or French Social Security number;
- Nature of self-employment activity;
- Dates the activity was or will be performed;
- Name and address of your trade or business in both countries; and
- If you are requesting a certificate from the United States, a statement certifying that you, and any family members who live with you in France, are covered by a private health insurance plan while in France (see [NOTE](#) above).

### **Effective Date Of Coverage Exemption**

The certificate of coverage you receive from one country will show the effective date of your exemption from paying Social Security taxes in the other country. Generally, this will be the date you began working in the other country.

Certificates of coverage issued by France should be retained by the employer in the United States in case of an audit by the Internal Revenue Service (IRS). No copies should be sent to IRS unless specifically requested by IRS. However, a self-employed individual must attach a **photocopy** of the certificate to his or her tax return each year as proof of the U.S. exemption.

Copies of certificates of coverage issued by the United States will be provided for both the employee and employer. It will be their responsibility to present the certificate to the French authorities when requested to do so. To avoid any difficulties, your employer (or you, if you are self-employed) should request a certificate as early as possible, preferably before your work in the other country begins.

If you or your employer request a certificate of coverage, you should read the Privacy Act and Paperwork Reduction Act Statements below.

## **If You Submit Information or Answer Questions To Request A Certificate Of Coverage**

### **Privacy Act and Paperwork Reduction Act Statements**

#### **Privacy Act**

The *Privacy Act* requires us to notify you that we are authorized to collect this information by section 233 of the *Social Security Act*. While it is not mandatory for you to furnish the information to the Social Security Administration (SSA), a certificate of coverage cannot be issued unless a request has been received. The information is needed to enable SSA to determine if work should be covered only under the U.S. Social Security system in accordance with an international agreement. Without the certificate, work may be subject to taxation under both the U.S. and the foreign Social Security systems.

#### **Paperwork Reduction Act Notice**

This information collection meets the clearance requirements of 44 U.S.C. section 3507, as amended by section 2 of the *Paperwork Reduction Act of 1995*. You are not required to answer these questions unless we display a valid Office of Management and Budget (OMB) control number. We estimate that it will take you about 30 minutes to read the instructions, gather the necessary facts, and write down the information to request a certificate of coverage.

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## **Monthly Benefits**

The following table shows the various types of Social Security benefits payable under the U.S. and French Social Security systems and briefly describes the eligibility requirements that normally apply for each type of benefit. If you don't meet the requirements for these benefits, the agreement may help you to qualify (see "[How Benefits Can Be Paid](#)" section).

This table is only a general guide. You can get more specific information about U.S. benefits here on our web site or at [any U.S. Social Security office](#) or by calling our toll-free number at **1-800-772-1213**. You can get more detailed information about the French system by writing to the French address in "[For More Information](#)" section or by visiting the French Social Security system's

web site at [www.cleiss.fr/](http://www.cleiss.fr/).

Under U.S. Social Security, you may earn up to four credits each year depending on the amount of your covered earnings. The amount needed to earn a work credit goes up slightly each year. For more information, see [How You Earn Credits](#) (SSA Publication No. 05-10072).

Under the French system, credits are measured in calendar quarters. To simplify the information in the table, requirements are shown in years of credits.

### Monthly Benefits and Eligibility Requirements

RETIREMENT OR OLD-AGE BENEFITS	
UNITED STATES	FRANCE
<p><b>Worker</b>-Full benefit at <a href="#">full retirement age</a>, or reduced benefit as early as age 62. Required work credits range from one and one-half to 10 years (10 years if 62 in 1991 or later).</p>	<p><b>Worker</b>-Full pension at age 60 if worker has between 37½ - 40 years of contributions; depending on the year of birth. Workers with less than 37½ - 40 years of contributions receive a reduced amount. Only one calendar quarter of contributions is needed to qualify under the French general system. Longer periods of contributions are needed under special occupational systems.</p>
DISABILITY BENEFITS	
UNITED STATES	FRANCE
<p><b>Worker</b>-Under <a href="#">full retirement age</a> can get benefit if unable to do any</p>	<p><b>Worker</b>-Two types are payable: total disability (loss of all working capacity)</p>



substantial gainful work for at least a year. One and one-half to 10 years credit needed, depending on age at date of onset. Some recent work credits also needed unless worker is blind.

and partial disability (loss of two-thirds of working capacity). To be eligible, worker must be under age 60, have been registered in Social Security system for at least 12 months and have credit for at least 800 hours of work during the four calendar quarters before disability (including 200 hours during the fourth quarter before the disability).

#### FAMILY BENEFITS TO DEPENDENTS OF RETIRED OR DISABLED PERSONS

UNITED STATES	FRANCE
<p><b>Spouse</b>-Full benefit at <a href="#">full retirement age</a> or at any age if caring for the worker's entitled child under age 16 (or disabled before age 22). Reduced benefit as early as age 62 if not caring for a child.</p>	<p><b>Spouse</b>-No provision. However, a spouse's supplement may be payable to an old-age beneficiary with a dependent spouse.</p>
<p><b>Divorced Spouse</b>-Full benefit at <a href="#">full retirement age</a>. Reduced benefit as early as age 62. Must be unmarried and have been married to worker for at least 10 years.</p>	<p><b>Divorced Spouse</b>-No provision.</p>

<p><b>Children-If</b> unmarried, up to age 18 (age 19 if in an elementary or secondary school full time) or any age if disabled before age 22.</p>	<p><b>Children-No</b> provision. However, a child's supplement may be payable to an old-age beneficiary with a dependent child.</p>
<p><b>SURVIVORS BENEFITS</b></p>	
<p><b>UNITED STATES</b></p>	<p><b>FRANCE</b></p>
<p><b>Widow or widower-Full</b> benefit at <a href="#">full retirement age</a> or at any age if caring for the deceased's entitled child under age 16 (or disabled before age 22). Reduced benefit as early as age 60 (or age 50 if disabled) if not caring for child. Benefits may be continued if remarriage occurs after age 60 (or age 50 if disabled).</p>	<p><b>Widow or widower-Full</b> benefit at age 55 or disabled and not remarried. If under age 55 and not disabled, small income-tested allowance payable for three years if worker had been covered during three months before death.</p>
<p><b>Divorced widow or widower-Same</b> as widow or widower if marriage lasted at least 10 years.</p>	<p><b>Divorced widow or widower-Same</b> as widow or widower.</p>
<p><b>Children-Same</b> as for children of retired or disabled worker.</p>	<p><b>Children-No</b> provision.</p>
<p><b>Lump-Sum Death Benefit-A</b> one-time payment not to exceed \$255 payable on the</p>	<p><b>Lump-Sum Death Benefit-A</b> flat-rate payment made one time only. Worker must have had</p>

death of an insured worker.	some recent coverage.
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## How Benefits Can Be Paid

If you have Social Security credits in both the United States and France, you may be eligible for benefits from one or both countries. If you meet all the basic requirements under one country's system, you will get a regular benefit from that country. If you don't meet the basic requirements, the agreement may help you qualify for a benefit as explained below.

- **Benefits from the U.S.**—If you do not have enough work credits under the U.S. system to qualify for regular benefits, you may be able to qualify for a partial benefit from the United States based on both U.S. and French credits. However, to be eligible to have your French credits counted, you must have earned at least six credits (generally one and one-half years of work) under the U.S. system. If you already have enough credits under the U.S. system to qualify for a benefit, the United States cannot count your French credits.
- **Benefits from France**—Under French law, a worker can qualify for an old-age pension based on as little as one calendar quarter of contributions but the benefit amount is reduced for workers with less than 150-160 quarters (depending on year of birth). Under the agreement, France will compute an old-age benefit based on French credits alone as well as a prorated benefit based on U.S. and French credits, and then pay whichever is greater. If you don't have enough work credits under the French system to qualify for regular disability or survivors benefits, you may be able to qualify for a partial benefit from France based on both U.S. and French credits. However, to be eligible to have your U.S. credits counted, you must have at least one year of coverage under the French system.

## How Credits Get Counted

You don't have to do anything to have your credits in one country counted by the other country. If we need to count your credits under the French system to help you qualify for a U.S. benefit, we will get a copy of your French record directly from France when you apply for benefits. If France needs to count your U.S. credits to help you qualify for a French benefit, they will get a copy of your U.S. record directly from the Social Security Administration when you apply for

the French benefit.

Although each country may count your credits in the other country, your credits are not actually transferred from one country to the other. They remain on your record in the country where you earned them and also can be used to qualify for benefits there.

### **Computation of U.S. Benefit Under The Agreement**

When a U.S. benefit becomes payable as a result of counting both U.S. and French Social Security credits, an initial benefit is determined based on your U.S. earnings as if your entire career had been completed under the U.S. system. This initial benefit is then reduced to reflect the fact that French credits helped to make the benefit payable. The amount of the reduction will depend on the number of U.S. credits: the more U.S. credits, the smaller the reduction; and the fewer U.S. credits, the larger the reduction.

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### **A French Pension May Affect Your U.S. Benefit**

If you qualify for Social Security benefits from both the United States and France and you didn't need the agreement to qualify for either benefit, the amount of your U.S. benefit may be reduced. This is a result of a provision in U.S. law which can affect the way your benefit is figured if you also receive a pension based on work that was not covered by U.S. Social Security. For more information, call our toll-free number, **1-800-772-1213**, and get the publication, [Windfall Elimination Provision](#) (Publication No. 05-10045). If you are outside the United States, you may write to us at the address in "[For More Information](#)" section.

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### **What You Need To Know About Medicare**

Medicare is the U.S. national health insurance system for people age 65 or older or who are disabled. Medicare has two parts: hospital insurance (also called "Part A" Medicare) and medical insurance (called "Part B" Medicare). You are eligible for free hospital insurance at age 65 if you have worked long enough under U.S. Social Security to qualify for a retirement benefit. People born in 1929 or later need 40 credits (about 10 years of covered work) to qualify for retirement benefits.

Although the agreement between the United States and France allows the Social Security Administration to count your French credits to help you qualify for U.S. retirement, disability or survivor benefits, the agreement doesn't cover Medicare benefits. As a result, we

cannot count your credits in France to establish entitlement to free Medicare hospital insurance.

For more information about Medicare, call our toll-free number, **1-800-772-1213**, and ask for the booklet, [Medicare](#) (Publication No. 05-10043) or visit Medicare's website at [www.medicare.gov](http://www.medicare.gov).

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## Claims For Benefits

If you live in the United States and wish to apply for U.S. or French benefits:

- Visit or write [any U.S. Social Security office](#); or
- Phone our toll-free number, **1-800-772-1213**, 7 a.m. to 7 p.m. any business day. People who are deaf or hard of hearing may call our toll-free TTY number, **1-800-325-0778**.

You can apply for French benefits at [any U.S. Social Security office](#) by completing application form SSA-2490.

If you live in France and wish to apply for benefits, contact:

- The Federal Benefits Unit at the U.S. Embassy in Paris (phone **1-43-12-4705**) or the U.S. Consular Agency in Nice (**4-9388-8955**) to file for U.S. benefits; or
- Any French Social Security office to file for French benefits.

You can apply with one country and ask to have your application considered as a claim for benefits from the other country. Information from your application will then be sent to the other country. Each country will process the claim under its own laws—counting credits from the other country when appropriate—and notify you of its decision.

If you haven't applied for benefits before, you may need to provide certain information and documents when you apply. These include the worker's U.S. and French Social Security numbers, proof of age for all claimants, evidence of the worker's U.S. earnings in the past 24 months and information about the worker's coverage under the French system. You may wish to call the Social Security office before you go there to see if any other information is needed.

## Payment of Benefits

Each country pays its own benefits. U.S. payments are made by the U.S. Department of Treasury each month and cover benefits for the preceding month.

Payments under the French system are made at different times for different periods depending on the type of benefits. For more information, contact the French authorities at the address in "[For More Information](#)" section.

### **Absence From U.S. Territory**

Normally, persons who are not U.S. citizens may receive U.S. Social Security benefits while outside the U.S. only if they meet certain requirements. Under the agreement, however, you may receive benefits as long as you reside in France regardless of your nationality. If you are not a U.S. or French citizen and live in another country, you may not be able to receive benefits. The restrictions on U.S. benefits are explained in the booklet, [Social Security—Your Payments While You Are Outside The United States](#) (Publication No. 05-10137).

### **Appeals**

If you disagree with the decision made on your claim for benefits under the agreement, contact any U.S. or French Social Security office. The people there can tell you what you need to do to appeal the decision.

The French Social Security authorities will review your appeal if it affects your rights under the French system, while U.S. Social Security authorities will review your appeal if it affects your rights under the U.S. system. Since each country's decisions are made independently of the other, a decision by one country on a particular issue may not always conform with the decision made by the other country on the same issue.

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## **For More Information**

To **file a claim** for U.S. or French benefits under the agreement, follow the instructions in "[Claims For Benefits](#)" section.

To find out more about U.S. Social Security benefits or for information about a claim for benefits, contact [any U.S. Social Security office](#). **If you live outside the United States, write to:**

Social Security Administration  
OIO—Totalization  
P.O. Box 17769

Baltimore, Maryland 21235-7769  
U.S.A.

For more information about France's Social Security programs, visit [any Social Security office](#) in France. If you don't live in France, write to:

Centre des Liaisons Europeennes et Internationales de Securite  
Sociale  
11, rue de Tour des Dames  
75436 Paris Cedex 09  
FRANCE

If you **don't wish to file a claim for benefits**, but would like more information about the agreement, write to:

Social Security Administration  
Office of International Programs  
P.O. Box 17741  
Baltimore, Maryland 21235-7741  
U.S.A.

For additional information visit our website:  
[www.socialsecurity.gov/international](http://www.socialsecurity.gov/international).

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