905.5 General

Almost every applicant is required to submit some type of documentary evidence in support of his or her application. The specific types of evidence required in a particular case depend on the type of application being filed and the status of the person filing.

In developing an application for a monthly annuity or for Medicare coverage, try to secure the best possible documentary evidence that can be obtained.

EXCEPTION: If the applicant has not already submitted an acceptable proof of age, check for DOB information on SSA's MBR or NUMIDENT. If the guidelines described in FOM1 905.5.5 are met, the SSA information can be used without any further development of POA even if the probative value of the SSA information is low.

905.5.1 Types of Evidence

Evidence submitted in support of an applicant's claim should be:

A. An original document; or

B. A copy of a certificate or record made by a proper official; or

C. A certification of a public record by the custodian; or

D. A transcript of an original document or record; or

E. Under certain circumstances, an extract from a record certified by SSA. See FOM1 905.5.5 for information.

905.5.2 Acceptable Evidence

To verify the applicant's claim, a document must meet the following requirements:

A. It must be an original or certified copy of an original document; or

B. It may be a facsimile document transmitted to an RRB office by an official records custodian. The facsimile copy must show the sender's identity in lieu of a certification stamp or seal and signature.

   NOTE: An imaged document obtained from a state or county website maintained by the custodian of records may be considered acceptable evidence in some instances. It has been determined that proofs obtained from official state or county websites in the state of Florida are considered acceptable evidence. Submit questions about websites in other states to P&S, RAC.

C. It may be taken from SSA databases under certain circumstances. See FOM1 905.5.5 for information.

D. It must not contain:

1. Material alterations in age, dates or in the name of the person which are sufficient to cause doubt that the entry pertains to the person for whom it was submitted. An alteration in the day of the month will not discredit entries showing the month and year if there is no indication that either of those entries has been altered. Likewise, an alteration in the month will not discredit the year if the latter entry is unaltered,

2. Material differences in the name claimed and the name shown on the evidence. A discrepancy between the name claimed and the name shown on a document will not disqualify the evidence, provided the variation in name is reconciled.

E. It must establish, for proof of age, the original record of the information shown on the document was made at least 5 years prior to the date the evidence is presented to the RRB.

EXCEPTION: Accept evidence of age for a child under 5 years if the record was made at or near the time of the child's birth.

905.5.3 Unacceptable Evidence

Do not make or accept as evidence a handwritten or typewritten copy, photocopy or other facsimile of an American passport, naturalization record or immigration record. It is illegal to photocopy an American passport.

905.5.4 List of State Sources and Fees for Birth, Death, Marriage, And Divorce Records

A complete list of state sources and fees for birth, death, marriage, and divorce records can be found at the website for the National Center for Health Statistics in the Center for Disease Control. The name of the Internet page is Where to Write for Vital Records. (Click on the link to access.)

905.5.5 Use of SSA Databases as Proof

Check SSA databases for proof of age if there is not an acceptable proof already in file and the applicant has not brought an acceptable proof of age to the interview. If the SSA database information can be used per instructions in A or B below, it is not necessary to develop for further proof even if the SSA information has low probative value. Note that the NUMIDENT information on date of death, if acceptable per C below, can be used to pay a survivor benefit, but it cannot be used to terminate a benefit.

NOTE: It is not necessary to check the MBR or the NUMIDENT if the person has already provided an acceptable proof.

EXAMPLE 1: An employee submitted a birth certificate as advanced proof of age, which was entered on APPLE.

EXAMPLE 2: A spouse submitted proof of age when she filed for an annuity based on a minor child. That annuity terminated when the child attained age 18. The spouse files a new application when she attains age 62.

A. Use of MBR as Proof of Age

A proof of age may be taken from the DOB shown on SSA's MBR if the proof code shown is not "A". The proof codes are located immediately after the DOB on the Benefit line. The proof codes are as follows:

- A = alleged
- B = birth certificate or religious record
- C = age established on convincing evidence
- F = formerly established
- Q = age established but none of the above codes apply

MBR example:

BENEFIT BIC-A JUNE A ABBOTT SB-F DOB 10/22/1935 B DOEI – 11/97 DOEC 11/97

B. Use of NUMIDENT as Proof of Age

The DOB shown on SSA's NUMIDENT may be used as POA, regardless of the applicant's age, if the applicant's alleged DOB matches all iterations of the NUMIDENT DOB, and the applicant is a U.S. citizen. If the CYD is June 1981 or later, the NUMIDENT can be used to determine citizenship. (These determinations do not apply for taxation purposes. For taxation purposes, refer to RCM 4.9.1 and 4.9.10.) If the CYD is prior to June of 1981, the NUMIDENT cannot be used to determine citizenship. Therefore, in those cases, if other evidence of citizenship is not already in file, do not use NUMIDENT as POA. However, if you have a proof of citizenship that is also acceptable as POA, do not use the NUMIDENT for POA; use that proof of citizenship as the POA. If the CYD is June or 1981 or later, check the following to determine citizenship from the NUMIDENT:

- If the CSP code on the birth line of the NUMIDENT is A, the applicant is a U.S. citizen. (See example of a NUMIDENT record under C below.) If there is any other CSP code, the applicant is not a U.S. citizen. If the CSP code is blank, check the IDN code on the account line. (See example of a NUMIDENT record under C below.)

- Generally speaking, if the IDN code is C, D, or P, you may assume the person is a U.S. citizen when the place of birth (PLB) on the birth line is within the United States and agrees with the place of birth alleged by the applicant. For this purpose, consider the United States to mean the 50 states, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. If the IDN code is A, B, H, N, R, X, or Y, the person is not a U.S. citizen.

If you notice significant discrepancies in the claimed date or place of birth with the NUMIDENT DOB or PLB, or have doubts as to the accuracy of the NUMIDENT information, develop POA as usual. If the CYD is prior to June of 1981, the NUMIDENT cannot be used to determine whether or not the person is a U.S. citizen.

The NUMIDENT should not be used as POA if an acceptable POA is already contained in an RRB records system, such as APPLE or a paper file either at headquarters or in the field office.

EXAMPLE: A spouse annuity was terminated when the youngest child attained age 18. The spouse re-files for an aged spouse annuity. Use the proofs that were established with the previous annuity entitlement. If acceptable POA was established at that time, do not go to the NUMIDENT or MBR.

Note that the DOB shown on EDM cannot be used as POA even if the source shown for the information is NUMIDENT because EDM does not give citizenship information.

For more information on interpreting the NUMIDENT, see SSA's procedure in the POMS at RM 00209.004 Basic Format for Numident Query Responses and RM 00202.235 Form SS-5 - Evidence (IDN) Codes. SSA's procedure can be accessed from Boardwalk. From there, click on Quick Links, and then on SSA PolicyNet Site.

C. Use of NUMIDENT as Proof of Death

A proof of death may be taken from a NUMIDENT record if the POD code is "P", meaning proof was provided (see last line of example, below). If the POD code is "N", the date of death has not been verified by SSA and the NUMIDENT record may not be used. If the POD code is "V", the death has been verified but a proof has not been obtained and the NUMIDENT record may not be used. <u>Do not</u> use the NUMIDENT record to terminate an annuity, even if the POD code is "P".

<u>NUMIDENT Example:</u>

NUMI DTE:05/06/04 SSN:111-11-1111 XC: UNIT:RRB **PG:001+**

ACCOUNT SSN:111-11-1111 ETC:2 RFN:11111111111 DOC:Q72 IDN:C
NAME NAA: MARY, ANN, JOHNSON
BIRTH DOB:09/20/1935 PLB: CHGO, IL SEX:M ETB:1 CSP:
PARENT MNA: JACKIE L THOMAS
FNA: MICHAEL T JACKSON
INTERNAL FMC:1 CYD:05/13/1985

ACCOUNT SSN:111-11-1111 ETC:T
NAME NAA: MARY ANN JACKSON
BIRTH DOB:09/20/1935 SEX:F

INTERNAL **DOD:08/16/1999 SSD:72 POD:P EDR:N CYD:09/01/1999**

D. Use of MBR and NUMIDENT as Proof of Relationship

The MBR and the NUMIDENT cannot be used as POR.

E. Use of SSA Databases as Proof of Marriage

The SSA databases that are currently available to RRB employee do not contain proof of marriage information.

F. Entering SSA Database Proofs on APPLE

To record MBR or NUMIDENT DOB on APPLE:

- When SSA's MBR is used for proof of age, the type of document is "other" and the date of the record is the date of filing shown on the MBR. Indicate in remarks that the MBR was used.

- When SSA's NUMIDENT is used for proof of age, the type of document is "other" and the date of the record is the CYD date on the internal line of the record. Indicate in remarks that the NUMIDENT was used.

905.10 Primary Proofs

905.10.1 Original Documents

Consider any document that is obviously difficult, impossible, unlawful or expensive to reproduce to be an "original document." Always return such evidence to the person who presented it. Original documents include but are not limited to:

- Original Marriage and Birth Certificates

- Foreign language documents

- Naturalization Papers and Passports

- Family Bibles

- Insurance Policies and Property Deeds

- Military Records

- Driver's or Hunting Licenses

- Medical Records such as cardiogram prints and X-ray film

905.10.2 Handling Original Documents

Preserve each document in its original condition. Do not date stamp, fold, staple, punch, mark or deface it in any manner. Do not remove a document that is part of a bound volume from its binder. Create an online transcript (APPLE) of the evidence, and return it as soon as possible to the person who presented it. If it is returned by mail, it must be accompanied by RL-158 and sent by registered mail.

Every attempt should be made to translate foreign language documents in the field office. Foreign language documents that cannot be translated in the field office must be photocopied. Sign the photocopy to certify its correctness and fully explain any markings or erasures per FOM1 905.10.3. Return the original to the applicant. Send the photocopy to RBD if the proof is in relation to an application for an employee or spouse annuity, or to SBD if the proof is in relation to a survivor application, or to Program Support Division, Medicare Section, if the proof is in relation to a Medicare application. Notate the route slip as to type of proof (age, marriage, etc.). If the proof is being submitted in conjunction with an application, use code “A” (attached) for the proof on the APPLE summary screen and notate in remarks that foreign language proof is being submitted for translation. For information about the handling of translation of documents in Headquarters, see RCM 4.1.3.

905.10.3 Online Transcription and Form G-91

A transcript is a certified copy or description of an original document. The following information describes the various types of transcripts that are acceptable evidence to support a claim for benefits.

A. <u>APPLE Evidence Storage</u>

Essential data from an original proof document transcribed to APPLE by authorized RRB personnel, serves as a permanent storage of an otherwise valid paper document. Such online evidence collection replaces the several types of paper evidence previously retained in headquarters files. Whenever possible, determine the authenticity of evidence presented, enter the facts on APPLE, and return the original documentation to the prospective applicant or person who has provided it.

B. <u>Form G-91</u>

Essential data may be transcribed to this form, from an original document, by authorized RRB personnel, when access to APPLE is unavailable or when extraordinary circumstances require recording data for headquarters review.

C. <u>Certified Record Excerpt</u>

A signed statement by an official records custodian certifies that an excerpt from a civil, church, employer, insurance or similar record is accurate. Such excerpts are usually provided on the custodian's official extract forms or letterhead. The custodian's official title and seal, if any, must also appear on the document. Evidence of this type may be sent by facsimile transmittal directly from the records custodian to an RRB office.

D. Photocopy

A photocopy is not a certified copy of the original document and is **not acceptable**.

In rare instances contact representatives may make copies of certified documents or other evidence that may need to be forwarded to headquarters for adjudicative actions. In these situations, the contact representatives should initial and date the copy and write on it that it is an accurate reproduction of the original.

Exceptions: If the original record was damaged many years ago, a photocopy of a torn and crumpled record may be acceptable if accompanied by a statement from a disinterested party.

E. Certified copy

A certified copy is a duplicate of the original document that is certified as a true copy of the original document by the official having custody of the original document. Certified copies of proof or other evidence is acceptable.

F. Typewritten or Handwritten Copy

Evidence copied from an original document is acceptable only if it bears a sworn statement attesting to its authenticity by a disinterested person. When this type of transcript is used, enter explanation on APPLE Remarks such as "County records damaged by flood. Clerk's handwritten statement certifies DOM is accurate but proof cannot be machine copied." Attempt to secure supporting evidence if a copy transcribed by hand is the only proof submitted.

G. Facsimile (Fax)

Accept a fax of an original document if it meets the following requirements:

- Document must be received by an RRB office directly from the official custodian of the document.
- The source of the transmittal must be clearly identified on the document.

Facsimile documentations maybe used for (but not limited to) such evidence as:

- Vital statistics extracts from county and state records offices: birth, death, marriage, etc.
- Payroll records for LPE investigations solicited from non-railroad employers
- Supplemental S.I. reports from doctors and other medical providers
- Court records such as divorce, adoption, or inheritance;
- Statement from an annuitant canceling application for an annuity.
- Written documentation from the annuitant that affects calculation of annuity payments.
- Earnings statements from annuitant that may affect amount of earnings used to calculate annuity.
- Documents received from SSA (regardless of whether the person has or will file for a social security benefit) if an SSA employee certifies that the fax is made from an original document or a certified copy.
- G-478 (Statement Regarding Patient's Capability to Manage Benefits) from a doctor's office.
- G-273a (Funeral Director's Statement of Burial Expenses) from a funeral director if an LSDP is to be paid to someone other than the funeral home, or if the payer of the burial expenses has assigned the LSDP to the funeral home. If the LSDP is to be paid to the funeral home and it has not been assigned by the payer of the burial expenses, a hard copy of the signed G-273a is required.

NOTE: All faxes **MUST** be from the official custodian of the document.

905.15 Secondary Proofs

When an original document cannot be secured or if an evidential discrepancy arises, it may be necessary to develop secondary proofs. These include:

A. Signed statement on the official stationery of attending physician or institutional superintendent in support of age or death claim;

B. Sworn statement of the clergyman who performed the ceremony in marriage cases;

C. Sworn statement of two or more persons having knowledge of the facts and circumstances of the event or situation in question. This should contain dates, times, places and any other pertinent data; or

D. Other evidence of probative value such as excerpts from naturalization certificates, deeds, immigration records, insurance policies, passports or from original business, employment, labor, fraternal, school and church records.

905.20 Questionable or Counterfeit Documents

You are responsible for identifying documents which are questionable or counterfeit.

905.20.1 Aids in Determining the Authenticity of a Document

The following questions are posed as an aid to determining whether a document is genuine:

A. Do the signatures appear genuine and are they in a natural position?

B. Do any of the writings appear disguised or unnatural in any way? Are the writings consistent within themselves and properly dated? Observe any changes in slant within the same writing.

C. Are there any pencil or carbon marks along the writing lines of the signature, or any embossed writings or indentations indicating that the signature may have been traced or transferred?

D. Is there poor or shaky line quality in the writing line of the signature?

E. Are there any hesitations, stops, starts, blunt beginning or ending strokes?

F. Is the document torn, burned or mutilated in any way? Is there any indication of artificial aging of the document?

G. Does the document contain mechanical or chemical erasures, different colored inks, and different kinds of type, alterations, interlineations or substitution of any kind?

H. Are there indentations or embossments in the questioned document which may have resulted from writing or typing on a paper which was on top of the subject document?

905.20.2 Field Office Handling of Questionable Documents

If a person submits a suspect document, handle as follows:

A. Exercise tact and discretion in obtaining information which may help explain the questionable qualities. Do not, under any circumstance, imply that you suspect the person of intent to defraud.

B. If, in your judgment, the explanation of the questionable qualities was not satisfactory:

1. Attempt to verify the contents of a public or religious document with the issuing agency or church. If the custodian of the record is not in your area, telephone the RRB D/O which services the area and ask them to attempt to verify the record; and

2. Ask the person to submit corroborating evidence.

C. If you determine the proof needs further evaluation, send the actual document to the appropriate headquarters unit for review. If, after the review, the proof is determined to be acceptable, it will be entered on APPLE.

905.20.3 Discovered Spurious Documents

This section describes spurious documents known to be in circulation. This data is furnished to assist you in identification of possible counterfeit documents. Do not discuss the contents of this section with anyone outside the RRB or SSA.

A. MARYLAND - A series of thefts from the Maryland State Motor Vehicle Administration resulted in the loss of a complete set of equipment capable of producing apparently valid driver's licenses in the 033 series. Some licenses produced on the equipment may be in the 038 series. The Motor Vehicle Administration has recalled all validly issued licenses in the 033 series and has reissued them in a different series. All licenses in the 033 and 038 series are invalid.

B. MICHIGAN - SSA has discovered that the Lee-Andrew Printing Company of Detroit, Michigan, may be printing various counterfeit marriage licenses and certificates. The sources of issuance shown on some of the documents which have been confiscated are Wood County, Ohio; Anderson County, South Carolina; St. Paul Pentecostal Church, Detroit, Michigan. There may, of course, be others. The paper used has a slightly oily texture, and the print and color are dull and flat. The documents have an overall grayish appearance not unlike that of photocopies. Although they bear a gold seal showing the name of the purported issuing county or church, their general appearance should readily raise a question as to their authenticity.

C. OKLAHOMA - SSA has discovered that as a part of a fund-raising effort for a proposed birth clinic, the City of Faith Hospital in Tulsa, Oklahoma, mailed approximately 800,000 hospital birth records through the country. The forms are completed with the appropriate signatures and hospital seal, except that the child's and parents' data are not filled out. The hospital did not have a maternity ward or birth clinic until late 1984, therefore a birth before that time would have been unusual. Do not accept as evidence of age, or any other factor of entitlement or eligibility a hospital birth record issued by the Faith Hospital in Tulsa, Oklahoma.

D. OREGON - The Bureau of Vital Statistics has reported the theft of several thousand plastic, wallet-sized birth registration cards scheduled for destruction

because of printing errors. A small but undetermined number of the faulty cards were issued legitimately. The stolen cards are easily distinguishable from the usual cards issued in Oregon. The stolen cards are a pale faded yellow with the printed material off center. The cards routinely issued are a bright canary yellow with even borders on all edges.

E. SOUTH DAKOTA - A binder of blank birth certificate forms was stolen from the courthouse in Deadwood, South Dakota. The certificates are numbered 4390l-43999. Also missing were the seals from the Registrar of Deeds and from the Clerk of Courts offices.

F. TENNESSEE - SSA has discovered that the Lee-Andrew Printing Company of Detroit, Michigan, may be printing counterfeit pocket-sized Tennessee Birth Registration Cards. The cards bear a seal, are encased in plastic and appear to be genuine. There are, however, differences between the authentic and counterfeit birth records. The authentic cards are of blue cast, are watermarked and have the name "Whitehead & Co., Los Angeles" pre-printed on the card. This identifying information pertains only to those birth records where the name "R. H. Hutcheson, M.D.," appears on the card. Any Tennessee birth registration card that has Dr. R. H. Hutcheson's name on it but does not have the above characteristics is likely to be counterfeit.

G. TEXAS - A criminal operation has been uncovered which is selling fraudulent identity packages to illegal aliens and other persons wishing to establish a new identity. While these packages are not limited to fraudulent Texas documents, the majority appear to have been made to support a Texas place of birth. Included in the packages are birth registration cards, baptismal certificates, voter registration cards, and Justice Department and insurance documents of all types with bogus seals to "authenticate" them. In addition, there are Selective Service cards, marriage certificates and high school diplomas from various cities and towns. SSA has reported that they have been used for claims for benefits.

905.25 Reconciliation of Names

If the name claimed by a person differs materially from the name appearing on evidence submitted, the difference must be reconciled. Affidavits may be required if there is no evidence that can solve the discrepancy. An affidavit is a sworn statement in writing made under oath or on an affirmation before an authorized magistrate or officer.

905.25.1 Reconcilable Differences

Discrepant names may be reconciled when the variation in names is caused by one of the following:

A. A woman's maiden name is shown on the evidence;

B. Anglicization or simplification of spelling;

C. Use of standard nicknames or diminutive forms of names;

D. Literal translation of names from one language to another; or

E. Transposition, addition, or omission of names according to popular or religious customs.

When the name can be reconciled by one of the situations listed above, having the applicant sign a statement to the fact is sufficient.

905.25.2 When Affidavits Are Required

If the difference in names cannot be explained as in FOM-I-905.25.1, the applicant must submit:

A. A personally executed affidavit stating that the names involved refer to him as one and the same person; and

B. A corroborating affidavit executed by a responsible person which substantiates the applicant's statement and reflects the basis of the affiant's knowledge.