

For Use With All Applications

Furnishing Evidence to Support Your Claim



*United States of America
Railroad Retirement Board
Visit our Website at <http://www.rrb.gov>*

Form RB-3 (08-04)

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Part I General Information

Every applicant for railroad retirement benefits or Medicare must submit some type of documentary evidence or proof to support his/her claim for benefits. The purpose of this booklet is to describe the types of acceptable evidence and to assist you in obtaining these records if they are not in your possession. If you are unable to secure the necessary record after following these guidelines, please contact the nearest field office of the RRB. The people there will be glad to assist you.

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

- An original document; or
- A copy of a public record certified by the custodian of the record.
- *(NOTE: Documents that are photocopied, faxed or e-mailed are not acceptable.)*

Documents that have been altered in any way are not valid and cannot be used.

Most documents brought into the field office will be copied for our records and returned to you right away. If an original document is received in the mail, it will be carefully preserved by the RRB and returned to you after we have made a copy for our records.

Part 2 Proof of Age

Proof of age is required of almost every applicant for railroad retirement monthly benefits or Medicare coverage. Various types of acceptable proofs of age and places to secure them are listed in this chapter. Always try to secure one of the documents listed in “**Best Proofs of Age**.” If none of these documents can be obtained, then you should submit a document listed under “**Other Proofs of Age**.”

Older records are generally considered the best records. Try to secure evidence made at or near the time of your birth. If you have problems securing proof of your age, contact the nearest field office of the RRB. The people there will be glad to assist you. If the document submitted is not sufficient, additional evidence may be required. If so, the field office will contact you.

Any document to be used for proof of age must show the person's name, age or date of birth, and preferably, the date on which the record was established. Any document submitted as proof of age or date of birth must be based on a record that was established more than 5 years before the date on which you filed an application for an annuity or Medicare coverage with the Railroad Retirement Board. Proof of age for a child who is less than 5 years old should be based on a record made shortly after birth.

| Best Proofs of Age | Where to Secure |
|---------------------------|------------------------|
|---------------------------|------------------------|

(Recorded before 5 years of age)

| | |
|---------------------------------------|---|
| Civil record of birth | Bureau of Vital Statistics in State capital of State of birth |
| Church record of birth or baptism | Church where baptized or confirmed |
| Notification of registration of birth | County or City Health Department of county or city of birth |
| Hospital birth record or certificate | Hospital where born |

If you do not have one of these records in your possession, try to obtain one. Churches usually do not destroy their records, and if there was a record of your date of birth made when you were an infant or a child, it is probably still on file at the church. Even if the church building itself is no longer in existence, the records may be available at a diocesan, state, or regional office of the denomination.

Our field offices have a complete list of addresses and fees for public birth records in the United States and in many foreign countries. Call or write the field office to find out where to write and how much to send to obtain your birth record.

If you are unable to obtain a record listed under “**Best Proofs of Age**,” use the “**Remarks**” section on the application to explain what attempts were made to secure the record. If you do not have the application, use a plain sheet of paper.

Try to obtain a record made early in life; old records are generally the best records. If you have more than one of the documents described on page 2, submit them all.

| Other Proofs of Age | Where to Secure |
|---------------------------------------|--|
| Physician's or midwife's birth record | Doctor or midwife attending birth |
| Bible or other family record | Member of the family. Do not mail a Bible. If this record is being used, the entire bible must be brought into the field office. |
| Naturalization record | Nearest district office of the U.S. Immigration and Naturalization Service |
| Military record | See Chapter 6 of this booklet. |
| Immigration record | Nearest district office of the U.S. Immigration and Naturalization Service |
| Census age record | Field office of the RRB will assist you. |
| Draft registration record | Field office of the RRB will assist you. |
| Indian tribal record | Tribal council headquarters or National Archives, Washington, D.C. 20203 |
| Passport | If in your possession, bring to the district office of the RRB |
| School record | School attended. Department of Public Instruction, Superintendent of Schools, or similar agency if the school has been closed |
| Vaccination record | City or County Health Department |
| Insurance record | Insurance company issuing policy |
| Labor union or fraternal record | Secretary of local labor, fraternal or auxiliary lodge |
| Employer's record | Railroad or express company where employed |

Other records may be submitted if age is shown. Examples of these records are marriage records and birth records of a child if the age of the parent is shown.

Part 3 Proof of Relationship

Proof of relationship must be given by each person applying for benefits as the child, parent, brother, sister or grandchild of the former railroad employee. If the document used to prove the age of the person also shows his/her relationship to the employee, separate proof of relationship is not needed.

For example, if a child's proof of age shows the employee as his/her parent, a separate proof of relationship is not necessary.

A wife or husband may qualify for benefits if he/she has the employee's child in care. The term "child in care" means the railroad employee's dependent and unmarried natural child, adopted child, or stepchild, or under certain conditions a grandchild whose parents are deceased or disabled.

If you are filing as the parent of a former railroad employee, you must submit evidence that you are the employee's natural parent, adoptive parent or stepparent. This evidence would be a birth record for the employee from the list given below which shows that you are named as the employee's parent. If the employee was legally adopted, refer to the section marked "Adoption" in this chapter.

| Best Evidence of Relationship | Where to Secure |
|---|---|
| Certified copy of the civil birth record of the person filing for benefits (showing the parents' names) | Bureau of Vital Statistics in State capital of State of birth |
| Certified copy of the religious birth record of the person filing for benefits (showing the parents' names) | Church where baptized or confirmed |
| Any evidence listed in Chapter 2 if it shows relationship | |

In the following cases, it may be necessary to submit more than one document to prove the relationship to the employee.

- A grandchild must show who his/her parents are and prove that his/her parent is related to the employee.
- A brother or sister of the employee must furnish his/her birth record and the employee's, showing that they both have the same parents.
- A stepchild must show he/she is the child of the person married to the employee. See Chapter 4 for establishing proof of marriage.
- A stepparent must show that the person he/she is married to is the employee's parent. See Chapter 4 for establishing proof of marriage.

Adoption

When the relationship involves a legally adopted child or the parent of a legally adopted child, submit a certified copy of the decree or order of adoption. If the record of adoption cannot be obtained, submit one of the following documents:

- The official notice received by the adopting parents stating that the adoption has been completed; or
- A birth certificate issued as a result of the adoption proceeding.

If you are unable to furnish any of the documents described above or if the adoption proceedings have been completed, contact the nearest field office of the RRB. The people there will be glad to assist you.

Part 4 Proof of Marriage

If you are filing for monthly railroad retirement benefits or Medicare as the wife, husband, divorced wife or husband, widow, widower, remarried widow or widower, or surviving divorced wife or husband of a former railroad employee, you must furnish evidence of your marriage to the employee. If you are claiming benefits as a remarried widow or widower, you may have to furnish proof of your remarriage. A person filling as a divorced spouse or surviving divorced spouse must submit proof that the marriage to the employee lasted at least ten consecutive years before the date of the final divorce decree.

Best Proofs of a

| | |
|----------------------------|------------------------|
| Ceremonial Marriage | Where to Secure |
|----------------------------|------------------------|

The original certificate of marriage

Personal records

A copy of a public record of the marriage certified by the custodian of the record

Clerk of the Court in the city or county where marriage license was obtained

or

Bureau of Vital Statistics of the State in which you were married

A copy of a religious record of the marriage certified by the custodian of the record

Church where marriage took place

NOTE: A marriage license is not an acceptable proof of marriage. If none of the proofs listed above can be found or if no marriage ceremony took place, contact the nearest field office of the RRB. The people there will be glad to assist you.

Proof of Termination of a Remarriage

If you are claiming benefits as the divorced spouse and have remarried since your divorce from the employee, you must furnish proof that the later marriage or marriages have terminated.

If you are claiming benefits as the remarried widow/widower, or surviving divorced spouse, you must furnish proof that the later marriage or marriages have terminated, unless you remarried after attainment of age 60 or after attainment of age 50 if previously eligible for a disabled widow(er)'s or surviving divorced spouses annuity before the marriage occurred.

Refer to Chapter 5 for a discussion of acceptable proofs of divorce or annulment and Chapter 7 for a discussion of acceptable proofs of death.

Part 5 Proof of Divorce

Proof of divorce is required when benefits are claimed as the divorced wife or husband or the surviving divorced spouse of a former railroad employee. A person filing as a divorced spouse or surviving divorced spouse must prove that the divorce took place after at least ten consecutive years of marriage to the employee. A divorced spouse or surviving divorced spouse claiming exemption from the public service pension offset based on entitlement as a divorced wife under social security eligibility requirements in effect in January 1977 must prove that the divorce took place after at least 20 consecutive years of marriage to the employee. See Chapter 4 for circumstances when the later marriage does not have to be terminated.

| Proof of Divorce | Where to Secure |
|--|--|
| The original decree of final or absolute divorce or divorce a vinculo matrimonii | Personal records |
| A copy of the divorce certified by the custodian of the record | Clerk of the Court in city or county where divorce was obtained or Bureau of Vital Statistics of State in which you were divorced |
| A certified photocopy of one of the documents shown above | |

If you are unable to obtain any of the documents listed above or if the decree is not for a final, absolute or divorce a vinculo matrimonii, contact the nearest field office of the RRB. The people there will be glad to assist you.

Annulment

Chapter 4 of this booklet describes when it is necessary to file proof of termination of a remarriage. When a marriage or remarriage ends with an annulment, submit a certified copy of the decree of annulment.

Part 6 Proof of Military Service

In some cases, credit may be given for the former railroad employee's military service. If credit for military service is claimed, proof must be furnished. Both the beginning date and the ending date of the military service must be proven.

| Best Proof of Military Service | Where to Secure |
|---|---|
| Original certificate of discharge or release to inactive duty from a branch of the Armed Forces that shows the beginning and ending date of the active military service | Personal records |
| Copy of a certificate made by the State, county or municipal agency or department in which the original record was recorded | County Recorder or County Clerk for county of residence when discharged |
| Certification from a branch of the Armed Forces that shows the beginning and ending dates of employee's military service | National Personnel Records Center (Military Personnel Records), 9700 Page Boulevard, St. Louis, Missouri 63132-5100. If the employee was discharged from the Army during 1912-1959 or the Air Force during 1947-1963, see the "Other Proofs of Military Service" section. |
| A certified photocopy of one of the documents shown above. | |

Other Proofs of Military Service

Some military service records stored in the Personnel Records Center in St. Louis were damaged by a fire in 1973. The military service records were involved in the fire if the former railroad employee was either:

- Discharged from the Army during the years from 1912 to 1959, or
- Discharged from the Air Force during the period from September 1947 through December 1963 and the last name comes after Hubbard in the alphabet.

Part 7 Proof of Death

If your military service records were destroyed either in the fire in the National Records Center at St. Louis in 1973, or in some other way, you may request a new military service record with Form SF-180, Request Pertaining to Military Records. This form is available from the RRB or your branch of service. If no other record can be obtained, a written statement of military service from one of the agencies listed below can be used as proof of military service. Only request information from an agency if the condition in the "If" column applies to the employee.

| If | Where to Secure Proof |
|---|--|
| The employee ever filed a claim for unemployment compensation based upon the military service | State unemployment compensation office |
| The employee was paid a bonus | State Bonus Office |
| The employee retired from Federal employment | Office of Personnel Management, Bureau of Retirement and Insurance Employee Service and Records Center, Boyers, PA 16017 |
| The employee ever furnished the military service record to an employer | Federal, State, local or private employer to whom a record of military service was furnished |
| The employee ever filed a claim for Veteran's benefits of any kind | Nearest Veteran's Affairs Regional Office |
| The employee ever performed any service in the National Guard | State Adjutant General |
| The employee ever filed a claim for Social Security Act benefits and the military service involved was after September 6, 1939. | Social Security Administration |

If you are unable to locate any of the documents listed above, contact the nearest field office of the RRB. The people there will be glad to assist you.

Proof of the death of a former railroad employee is required with all claims for survivor benefits.

Death occurred *inside* the United States

| Types of Proof | Where to Secure |
|---|--|
| Certified copy of the public record of death (Death Certificate) | Bureau of Vital Statistics or Department of Health for city, county or State |
| Coroner's report of death | Coroner or medical examiner |
| Verdict of the coroner's jury of the State or community where death occurred. | Coroner or medical examiner |
| A signed statement of death by funeral director on an acceptable RRB or SSA form (RRB Form G-273a Statement of Burial Expenses or SSA's Form SSA-721 Statement of Death by Funeral Director or SSA-2872 Statement of Death by Funeral Director). NOTE: This is <i>not</i> an acceptable proof of death if the applicant is a funeral director or a representative of a funeral home | Funeral home |
| A certified photocopy of any of the documents described above | |

Death occurred *outside* the United States

| Types of Proof | Where to Secure |
|--|--|
| A report of death by a United States consul, or other agent of the State Department, bearing the signature and official seal | United States consulate or embassy |
| A certified copy of the public record of death (Death Certificate) | Bureau of Vital Statistics or Department of Health |
| A signed statement of death by a funeral director | Funeral home |

Part 8 Proof of Payment of Burial Expenses

To prove the payment of all or any part of the burial expenses, you must either submit Railroad Retirement Board Form G-273a or an itemized, receipted statement or bill from the funeral director and other persons furnishing goods or services. The receipt must identify the deceased person, be signed by the funeral director or other person to whom payment was made and give *all* of the following information:

- Total amount of all burial expenses
- Name of each person who paid toward the burial expenses
- Amount and date of each payment
- Amount of unpaid burial expenses

If more than one funeral home is involved, proof of payment of burial expenses must be furnished by each one. If Form G-273a cannot be completed or an itemized bill cannot be given, contact the nearest field office of the RRB.

Part 9 Proof of Appointment as Legal Representative

Evidence of appointment as legal representative is required of anyone filing an application for benefits in this official capacity. A legal representative can be the guardian, trustee, committee or conservator of an individual or the administrator or executor of an estate.

Proof of Court Appointment

- Certified copy of letters of appointment
- "Short" certificate
- Certified copy of the order of appointment
- Any official document issued by the clerk or other proper official of the appointing court

The document submitted must bear the court seal or the signature of the court clerk. If the court papers of appointment were made more than one year before the application is filed, the certification must show that they are still in full force and effect.

If you are unable to furnish any of the documents listed or if you have not been appointed by the court, contact the nearest field office of the RRB. The people there will be glad to assist you.

Part 10 Proof of Citizenship and Residence

Citizenship is a material factor in applying tax provisions. Generally, RRB accepts a claim that an individual is a citizen of the country of birth unless there is information or evidence to the contrary.

Conclusive Evidence of U.S. Citizenship

Any of the following documents is generally conclusive evidence of U.S. citizenship for the person to whom the document is issued regardless of where the person was born.

- Birth certificate showing birth in the U.S.
- U.S. passport
- Certificate of Citizenship or Certificate of Naturalization
- Report of Birth Abroad of a Citizen of the United States (Form FS-240).
- Certificate of Birth (Form FS-545)
- United States Citizen Identification Card (INS Form I-197)

Evidence of Citizenship in other Countries

Documents similar to those listed above may be submitted as evidence to prove citizenship in another country, such as:

- Birth certificate showing birth in that country
- Passport issued by the country
- Certificates of citizenship, naturalization, or citizen identification cards issued by the country.

U.S. citizens or residents should complete Form RRB-1001, "Non-resident Questionnaire," on leaving the United States to take up permanent or temporary residence in a foreign country. The Internal Revenue Service requires that residents of tax-treaty countries claim their exemption every three years by completing an RRB-1001. The form may be secured from RRB field offices or requested by mail from the Bureau of Taxation, U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092, U.S.A.

Proof of residence is required when an individual claims residence on the RRB-1001 in a country that is not the country in the mailing address. Acceptable proofs of residence must be valid for the period of time for which residence is to be verified; the date of issuance must be within one year of the period of residence to be established. Acceptable proofs of residence are:

In the United States

- A Valid Alien Registration Receipt Card ("Green Card"), Form I-151 or I-551.
- Reentry Permit (Form I-132). Whether first-issued or renewed, the permit is valid for one year.
- U.S. Federal income tax return for the most recent tax year (this may be a photocopy and need not be certified by IRS).
- Refugee travel document issued by the United States.
- Application to Retain U.S. Residence (INS Form N-470). A photocopy is acceptable.

- Notice of Approval of Application to Preserve Residence (INS Form N-472).
- Proof of filing a declaration of intent to become a U.S. citizen under naturalization laws.
- Other evidence showing the individual has a current attachment to the U.S., and intends to return to make the U.S. his/her home.

In other Countries

Acceptable Proofs of Residence are:

- Identification or voter's registration card issued by the government of the foreign country.
- Record or current eligibility for government health or welfare programs.
- Tax record for the prior year.
- Current passport.
- Recent bill for public utilities.
- Library card with an address in the country.

Fraud and Abuse Hot Line

Call the toll-free Fraud and Abuse Hot Line if you have any reason to believe that someone is receiving railroad retirement or unemployment-sickness benefits to which he or she is not entitled; that persons responsible for the financial affairs of minors or incompetent beneficiaries are misappropriating benefits; or that a doctor, hospital, or other provider of health care services is performing unnecessary or inappropriate services or is billing Medicare for services not received. You may also use the Hot Line to report any suspected misconduct by a Railroad Retirement Board (RRB) employee. The Hot Line has been installed by the RRB's Inspector General to receive any evidence of fraud or abuse of the RRB's benefit programs.

Call (toll-free) 1-800-772-4258. Or you may send your complaints in writing to:

Railroad Retirement Board
OIG, Hot Line Officer
844 North Rush Street
Chicago, Illinois 60611-2092

Please do not call the Hot Line with questions about eligibility requirements, delayed claims, or similar problems. Such matters should be directed to the nearest RRB field office.

Nondiscrimination on the Basis of Disability

Under Section 504 of the Rehabilitation Act of 1973 and Railroad Retirement Board (RRB) regulations, no qualified person may be discriminated against on the basis of disability. RRB programs and activities must be accessible to all qualified applicants and beneficiaries, including those who are vision- or hearing-impaired. Disabled persons needing assistance (including auxiliary aids or program information in accessible formats) should contact the nearest RRB office. Complaints of alleged discrimination by the RRB on the basis of disability must be filed within 90 days in writing with the

Director of Administration
Railroad Retirement Board
844 North Rush Street
Chicago, Illinois 60611-2092.

Questions about individual rights under this regulation may be directed to the RRB's Director of Equal Opportunity at the same address shown above.

Field Office Assistance

If you need assistance and wish to personally visit one of our field offices, you are urged to call for an appointment. You will not be refused service if you do not have an appointment, but Railroad Retirement Board representatives can serve you better when an appointment is made. Most Railroad Retirement Board offices are open to the public from 9:00 a.m. to 3:30 p.m., Monday through Friday.