

**Non-Substantive Change for Form SSA-781,  
Certificate of Responsibility  
For Welfare and Care of Child Not in Applicant's Custody  
20 CFR 404.330, 404.339-404.341 and 404.348-404.349  
0960-0019**

**Summary of the Changes:**

The following non-substantive changes are being made to the SSA-781, Certificate of Responsibility for Welfare and Care of Child Not in Applicant's Custody:

- Item 1: we will remove the bracket from the end of the last sentence;
- Insert revise penalty of perjury statement approved by OIG:
  - I declare under penalty of perjury that I have examined all the information on this form, and on any accompanying statements or forms, and it is true and correct to the best of my knowledge. I understand that anyone who knowingly gives a false or misleading statement about a material fact in this information, or causes someone else to do so, commits a crime and may be sent to prison, or may face other penalties, or both.

Many SSA forms contain a certification statement which has the signer attest to the truth of any information submitted to SSA. This certification statement typically warns the signer that providing false information to SSA is illegal. Despite these certification statements, there have been some instances when OIG has had difficulty securing prosecutions in cases involving fraudulent SSA applications because of missing language. Specifically, the form certifications did not contain wording that the signer was attesting to the truth of the statements in the document "under penalty of perjury." When a person does sign "under penalty of perjury," perjury charges may often be brought without the signer taking an administered oath.

Besides assisting in criminal perjury prosecutions, adding this "under penalty of perjury" certification wording to SSA forms would also satisfy the requirements of 28 USC § 1746, *Unsworn declarations under penalty of perjury*. With the new certification language, this statute would permit an SSA form to substitute for a sworn conventional affidavit in Federal court. Therefore, a notarized or authenticated signature would not be necessarily required for admissibility purposes in Federal Court.