

**Supporting Statement for Form SSA-702, Statement  
Regarding Date of Birth and Citizenship  
20 CFR 404.716  
OMB No. 0960-0016**

**A. Justification**

1. *Section 205(a) of the Social Security Act (the Act) gives the Commissioner of Social Security broad authority to make rules and regulations and establish procedures that provide for taking and furnishing necessary evidence. 20 CFR 404.716 of the Code of Federal Regulations provides that, in the absence of preferred evidence of age, other evidence will be sought. A statement by a person who has knowledge of an applicant's birth serves as such other evidence when considered along with other evidence in file.*

*Also, section 401 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 restricts the eligibility of aliens to public federal benefits. To be paid, Title II Old Age and Survivors Disability Insurance benefits, applicants must either be United States (U.S.) citizens or lawfully present in the U.S. Section 1614(a)(1)(B) of the Act sets forth residency and citizenship requirements for the Title XVI Supplemental Security Income (SSI) eligibility. A statement by a person who has knowledge of the applicant's birth in the U.S. is considered along with other evidence in file in determining U.S. citizenship.*

When preferred evidence of age or conclusive evidence of U.S. citizenship is not available, and the available evidence is not convincing, SSA may use statements from individuals having knowledge of the event of birth. Such statements are not convincing of themselves but are used in conjunction with other evidence. Form SSA-702 is used to collect the statement.

2. SSA uses the information collected on Form SSA-702, Statement Regarding Date of Birth and Citizenship, to establish the applicant's age or U.S. citizenship when preferred or other evidence are not available. Respondents are individuals with knowledge about the date of birth and/or citizenship of applicants for one or more Social Security benefits who need to establish their dates of birth as a factor of entitlement or U.S. citizenship as a factor of payment.
3. Form SSA-702 is available as a fillable electronic form. The form, which uses a third-party statement to help establish a claimant's age as a factor of entitlement or U.S. citizenship as a payment factor, does not meet SSA's policy requirements for alternative signature methods (e.g., electronic signature).
4. The nature of the information being collected and the manner in which it is collected preclude duplication. There is no other collection instrument used by SSA that collects data similar to that collected here.
5. This collection does not have an impact on small businesses or other small entities.

6. Collection must take place based upon the need of an applicant to prove his or her age or U.S. citizenship in connection with a claim for benefits. If this information were not collected, applicants would not receive their benefits, since proof of age and/or citizenship is necessary to receive Social Security benefits. Therefore, the information could not be used less frequently. There are no technical or legal obstacles that prevent burden reduction.
7. There are no special circumstances that would cause this information collection to be conducted in a manner that is not consistent with 5 CFR 1320.5.
8. The 60-day advance Federal Register Notice published on July 1, 2008, at 73 FR 37524, and SSA received no public comments. The second Notice published on September 17, 2008, at 73 FR 53919. There have been no outside consultations with members of the public.
9. SSA provides no payment or gifts to the respondents.
10. The information requested is protected and held confidential in accordance with 42 U.S.C. 1306, 20 CFR 401 and 402, 5 U.S.C. 552 (Freedom of Information Act), 5 U.S.C. 552a (Privacy Act of 1974) and OMB Circular No. A-130.
11. The information collection does not contain any questions of a sensitive nature.
12. Approximately 1,200 respondents will use Form SSA-702 annually. The estimated average response time is 10 minutes, for a total of 200 burden hours. The total burden is reflected as burden hours, and no separate cost burden has been calculated.
13. There is no known cost burden to the respondents.
14. The annual cost to the Federal Government is approximately \$1,848. This estimate is a projection of costs for printing and distributing the collection instrument and for collecting the information.
15. There are no changes in the public reporting burden.
16. The results of the information collection will not be published.
17. OMB has granted SSA an exemption from the requirement that the expiration date for OMB approval be printed on its program forms. SSA produces millions of public-use forms, many of which have a life cycle longer than that of an OMB approval. SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis). This exemption was granted so that otherwise useable editions of forms would not be taken out of circulation because the expiration date had been reached. In addition, Government waste has been avoided because stocks of forms will not have to be destroyed and reprinted.

18. SSA is not requesting an exception to the certification requirements at 5 CFR 1320.9 and related provisions at 5 CFR 1320.8 (b) (3).

B. **Collections of Information Employing Statistical Methods**

Statistical methods are not used for this information collection.