

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

**A. Justification**

- 1. Introduction/Authoring Laws and Regulations** - Section 205(a) of the *Social Security Act (Act)* gives the Commissioner of the Social Security Administration (SSA) the authority to make rules and regulations and to establish procedures for collecting evidence from individuals applying for Social Security benefits. As codified in 20 CFR 404.716 of the *Code of Federal Regulations*, in the absence of preferred evidence of a claimant's date of birth or citizenship, SSA may ask claimants to provide other convincing evidence. Other evidence we consider as convincing: family bibles, school and census records, and immigration or naturalization records. SSA may also use statements from other individuals who have knowledge of the claimant's birth as evidence. Such statements, in combination with other convincing evidence, allow us to determine a claimant's right to benefits.

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

For claimants whose preferred evidence of age or conclusive evidence of U.S. citizenship is not available, SSA may use statements from other individuals who have knowledge of the claimant's birth. SSA uses Form SSA-702, Statement Regarding Date of Birth and Citizenship, to document the statements from individuals. Respondents are individuals with knowledge about the date of birth and/or citizenship of applicants for one or more Social Security benefits, and who need to establish age or U.S. citizenship.

- 2. Description of Collection** - SSA uses the information we collect on Form SSA-702, Statement Regarding Date of Birth and Citizenship, in conjunction with other convincing evidence to determine a claimant's eligibility for benefits. The collection is voluntary for respondents; however, if the respondent does not complete the age or citizenship information on the Form SSA-702, the claimant may be unable to obtain a benefit. SSA employees collect the information once on the paper form. Although the respondents will not need information from another person to complete the information collection, they may receive help from agency employees in completing the form.
- 3. Use of Information Technology to Collect the Information** - Form SSA-702 is available as a portable document format (PDF) 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). SSA did not create an electronic version of form SSA-702 under the agency's Government Paperwork Elimination Act (GPEA) plan because only 1,200 respondents complete the form. This is less than the GPEA cut-off of 50,000.

4. **Why We Cannot Use Duplicate Information** - The nature of the information we are collecting and the manner in which we are collecting it preclude duplication. SSA does not use another collection instrument to obtain similar data.
5. **Minimizing Burden on Small Respondents** - This collection does not affect small businesses or other small entities.
6. **Consequence of Not Collecting Information or Collecting it Less Frequently** - If we did not use Form SSA-702, applicants would not receive their benefits, since proof of age or citizenship is necessary to receive Social Security benefits. This would be a violation of regulations at *20 CFR 404.716*. Because we only collect the information once, we cannot collect it less frequently. There are no technical or legal obstacles to burden reduction.
7. **Special Circumstances** - There are no special circumstances that would cause SSA to conduct this information collection in a manner inconsistent with 5 CFR 1320.5.
8. **Solicitation of Public Comment and Other Consultations with the Public** - SSA published the 60-day advance Federal Register Notice on May 26, 2011, at 76 FR 30749, and we received no public comments. We published the 30-day Notice on August 1, 2011 at 76 FR 45902. If we receive any comments in response to the 30-day Notice, we will forward them to OMB. We did not consult with members of the public in the maintenance of this form.
9. **Payment or Gifts to Respondents** - SSA does not provide payments or gifts to the respondents.
10. **Assurances of Confidentiality** - SSA protects and holds confidential the information we collect 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. **Justification for Sensitive Questions** - The information collection does not contain any questions of a sensitive nature.
12. **Estimates of Public Reporting Burden** - Approximately 1,200 respondents take 10 minutes each to complete Form SSA-702 each year. Accordingly, the burden is 200 hours. This figure represents burden hours, and we did not calculate a separate cost burden.
13. **Annual Cost to the Respondents** - There is no cost burden to the respondents.

14. **Annual Cost to the Federal Government** - The annual cost to the Federal Government is approximately \$1,848. This estimate is a projection of costs for printing and processing the collection instrument.
15. **Program Changes or Adjustments to the Information Collection Request** - There are no changes to the public reporting burden.
16. **Plans for Publication Information Collection Results** - SSA will not publish the results of the information collection.
17. **Displaying the OMB Approval Expiration Date** - OMB granted SSA an exemption from the requirement to print the OMB expiration date on its program forms. SSA produces millions of public-use forms with life cycles exceeding those of an OMB approval. Since SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis), OMB granted this exemption so SSA would not have to destroy stocks of otherwise useable forms with expired OMB approval dates, avoiding Government waste.
18. **Exceptions to Certification Statement** - 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**

SSA does not use statistical methods for this information collection.