

## Railroad Retirement Board

## §219.2

- 219.34 When evidence that a marriage has ended is required.
- 219.35 Evidence that a marriage has ended.
- 219.36 When evidence of a parent or child relationship is required.
- 219.37 Evidence of natural parent or child relationship.
- 219.38 Evidence of stepparent or stepchild relationship.
- 219.39 Evidence of relationship by legal adoption—parent or child.
- 219.40 Evidence of relationship by equitable adoption—child.
- 219.41 Evidence of relationship of grandchild or stepgrandchild.
- 219.42 When evidence of child's dependency is required.
- 219.43 Evidence of child's dependency.
- 219.44 Evidence of relationship of a person other than a parent or child.

### Subpart D—Other Evidence Requirements

- 219.50 When evidence of “living with” is required.
- 219.51 Evidence to prove “living with”.
- 219.52 When evidence of having a child in care is required.
- 219.53 Evidence of having a child in care.
- 219.54 When evidence of school attendance is required.
- 219.55 Evidence of school attendance for child age 18.
- 219.56 When evidence of a parent's support is required.
- 219.57 Evidence of a parent's support.
- 219.58 When evidence regarding payment of burial expenses is required.
- 219.59 Evidence of responsibility for or payment of burial expenses.
- 219.60 When evidence of the employee's permanent home is required.
- 219.61 Evidence of where the employee had a permanent home.
- 219.62 When evidence of “good cause” is required.
- 219.63 What evidence is required to establish “good cause”.
- 219.64 When evidence may be required for other reasons.
- 219.65 Other types of evidence that may be required.

AUTHORITY: 45 U.S.C 231f.

SOURCE: 54 FR 31942, Aug. 3, 1989, unless otherwise noted.

### Subpart A—General Evidence Requirements

#### §219.1 Introduction.

As described in parts 216 (Eligibility for an Annuity), 234 (Lump-Sum Payments), and 222 (Family Relationships), certain requirements must be met be-

fore benefits may be paid under the Railroad Retirement Act. This part contains the basic rules for evidence that is required to support a claimant's claim for monthly or lump-sum benefit payments under the Railroad Retirement Act. Part 219 describes when evidence is required and what types of documents can be used as evidence. Part 222 defines and explains family relationships for which evidence requirements are stated in part 219. Special evidence requirements for disability annuities are found in part 220 of this chapter.

#### §219.2 Definitions.

As used in this subpart—

*Annuity* means a recurring payment due an entitled person for a calendar month and made to him or her on the first day of the following month.

*Apply* means to sign a form or statement that the Board accepts as an application.

*Claimant* means the person who files an application for an annuity or lump-sum payment for himself, herself, or some other person.

*Benefit* means any employee annuity, spouse annuity, survivor annuity, or lump-sum payment under the Railroad Retirement Act.

*Convincing evidence* means one or more pieces of evidence that proves to the satisfaction of the Board that an individual meets a requirement for eligibility for benefits. See §219.7 for guides the Board uses in deciding whether evidence is convincing.

*Eligible* means that a person meets all of the requirements for payment of benefits but has not yet applied therefor.

*Entitled* means that a person has applied for and has proved his or her right to payment of benefits.

*Evidence* means any record or document or testimony that helps to show whether a person is eligible for benefits. It may also be used to establish whether the person is still entitled to benefits.

*Representative* means a person who acts on behalf of a claimant in regard to his or her claim for benefits from the Board and in the presentation of evidence to support the claim.