
**OFFICE OF
THE INSPECTOR GENERAL**

SOCIAL SECURITY ADMINISTRATION

**THE SOCIAL SECURITY
ADMINISTRATION'S PROGRAM
FOR ISSUING REPLACEMENT
SOCIAL SECURITY CARDS
TO PRISONERS**

July 2006 A-08-06-16025

AUDIT REPORT



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SOCIAL SECURITY

MEMORANDUM

Date: July 13, 2006

Refer To:

To: The Commissioner

From: Inspector General

Subject: The Social Security Administration's Program for Issuing Replacement Social Security Cards to Prisoners (A-08-06-16025)

OBJECTIVE

Our objective was to review the Social Security Administration's (SSA) program for issuing replacement Social Security cards to prisoners. Specifically, we (1) examined SSA's compliance with policies and procedures when processing prisoner replacement Social Security number (SSN) applications at field offices and (2) determined whether vulnerabilities existed in the program that may have allowed prisoners to obtain a replacement Social Security card under an alias or false identity.

BACKGROUND

As part of their pre-release programs, some Federal, State, and/or local prisons assist prisoners in obtaining replacement Social Security cards. Prison officials with whom we spoke believed prisoners need Social Security cards to (1) obtain other necessary documents, such as driver's licenses; (2) seek employment; and (3) better assimilate into society. However, prisoners may not always have access to their original SSN cards. To assist prisoners in obtaining replacement SSN cards, SSA allows field offices to enter into written agreements or Memorandums of Understanding (MoU) with prisons.¹ These agreements outline specific policies and procedures for processing prisoners' replacement card applications and ensuring SSN integrity and security.

¹ SSA's policies and procedures for processing replacement cards for prisoners are set forth in its Program Operations Manual System (POMS), section RM00206.076. Additional policies regarding evidence of identity for an SSN card are found in section RM 00203.200.

SSA's procedures for processing prisoner replacement card applications involve prisons submitting to the servicing field office a Form SS-5, *Application for a Social Security Card*, completed by the prisoner.² Additionally, SSA instructions state the following.

FO [sic] employees must personally review and certify the evidence required to process the SS-5. An original identity document, a copy of the original prison record certified to be accurate by the custodian of the record, or documents (including photocopies of prison records made by the custodian) forwarded directly from the custodian of the record to SSA are valid. *Acceptable prison records may include the pre-sentence investigative report, profile data printout, or sentence data summary . . . A letter from a prison official verifying the identity of the applicant is **not** acceptable. However, a letter on the prison's letterhead whereby the authorized prison official certifies as to having extracted pertinent information from the inmate's official prison record is acceptable.* FOs [sic] should maintain for comparison a list of names and current signature samples of the prison employees who will certify the copy of the prisoner record. (Emphasis added in italics.)³

Field offices are also required to perform periodic on-site inspections to ensure prisons are complying with SSA policies and procedures for submitting replacement SSN applications and securing SSN cards.⁴

The *Intelligence Reform and Terrorism Prevention Act of 2004* (Public Law 108-458, Section 7213(a)(1)(B)) (IRTPA) requires that SSA establish minimum standards for verification of documents or records submitted by applicants to establish eligibility for original or replacement SSN cards. In accordance with this requirement, effective December 17, 2005, SSA issued new requirements for identity documents presented with original and replacement SSN applications. Generally, acceptable identity documents must show the applicant's name, identifying information, and a recent photograph. If the applicant is a U.S. citizen, the applicant must present a (1) U.S. driver's license; (2) State-issued nondriver identity card; or (3) U.S. passport. If the applicant does not have these documents or cannot get a replacement for them within 10 days, SSA will ask to see other documents, including an employee identification card; a school identification card; a health insurance card (not a Medicare card); a U.S. military identification card; or an adoption decree.⁵

In light of the more stringent requirements for applicants to prove identity—and the fact that many prisons/prisoners do not have access to such identity documents—SSA is

² SSA policy (POMS, section RM 00206.076B) restricts prisoner SSN applications to U.S. citizens requesting a replacement SSN card with no identifying information changes.

³ POMS, section RM 00206.076C.2.

⁴ POMS, section RM 00206.076C.4.

⁵ POMS, section RM 00203.200.

examining how it will meet IRTPA standards and assist prisons in obtaining replacement cards for its prisoners. While studying this issue, the Agency placed a moratorium on the execution of any new MoU but allowed field offices to continue assisting prisons with which they have ongoing agreements.

We reviewed SSA policies and procedures for processing prisoner replacement SSN applications. We interviewed representatives from SSA's Offices of Public Service and Operations Support and Income Security Programs. We contacted personnel at SSA's 10 regional offices and obtained a list of written agreements/MoUs with prisons. To evaluate compliance with SSA policies and procedures, we visited seven field offices in three SSA regions. At each field office, we met with management and staff responsible for processing prisoner replacement SSN applications. We also visited 11 prisons serviced by these field offices and (1) met with officials responsible for submitting SSN applications, (2) performed limited tests of prison records supporting SSN applicant identity information, and (3) observed how officials secured SSN cards. Additionally, we called eight other SSA field offices to determine whether they were processing prisoner replacement card applications, and, if so, whether they were doing so under an approved MoU. We also reviewed 95 SSN applications submitted by these prisons and processed by the servicing field offices from October through December 2005. Appendix B includes a detailed description of our scope and methodology.

RESULTS OF REVIEW

We are concerned that vulnerabilities exist that may allow prisoners to improperly obtain a replacement Social Security card. To its credit, SSA has instituted policies and procedures to prevent such occurrences. Nonetheless, we believe these procedures can only be effective if both SSA and prison personnel comply with established controls to ensure the prisoners' true identities. Additionally, we are concerned that SSA policies may provide a lesser burden for prisoners to prove identity than the general population.

Our review disclosed that some SSA field offices processed prisoner replacement card applications without the required written agreements/MoUs. In fact, we were unsuccessful in obtaining a reliable inventory of agreements one region had in effect with prisons during our audit period. We also noted that some field offices and prisons processed replacement card applications without sufficient evidence of prisoner identity. Further, field offices did not always periodically perform on-site inspections of prison procedures for submitting SSN applications and required evidence.

Finally, policies SSA implemented in response to IRTPA legislation require that SSN applicants produce specific identity documents before a replacement card application can be approved.⁶ However, prisoners—through prison/SSA agreements—are not always required to produce such documents. Rather, SSA allows authorized prison officials to certify they have extracted relevant information from the official prisoner

⁶ POMS, section RM 00203.200.

record; thereby delegating the responsibility for establishing the applicant's identity to prison personnel. While some prison officials may attempt to comply with this requirement, we observed that some do not. Given that prisoners may use aliases and/or stolen identities in their criminal endeavors—and may be in prison under an alias—establishing a prisoner's true identity can be challenging. Should SSA elect to continue this program, we believe it should take additional measures to ensure the integrity of prisoner identity documents.

Some Field Offices Processed Replacement Social Security Card Applications Without Required Written Agreements

SSA policies and procedures require that field offices have written agreements/MoUs with prisons to ensure the quality and security of the replacement card issuance process.⁷ However, we determined that some field offices processed applications on behalf of prisons/prisoners without such agreements. Additionally, one SSA region could not provide a reliable inventory of agreements (formal or informal) it had in place during our audit period. For example, 6 of the 15 field offices we contacted (7 visited and 8 telephoned) did not have such agreements. Representatives from SSA's Office of Income Security Programs acknowledged that SSA policy requires that field offices have written agreements/MoUs with prisons to ensure the integrity and security of the prisoner replacement SSN cards issued.

Several of the field office managers and supervisors we interviewed told us they processed prisoner replacement card applications without written agreements/MoUs because it had become office practice to do so. Other field office managers did not fully understand SSA's policy regarding written agreements. SSA representatives in one region acknowledged they neither emphasized the need for field offices to obtain written agreements/MoUs with prisons nor maintained a complete list of field offices processing prisoner replacement card applications.

Field Offices Did Not Always Adequately Review and Certify the Evidence SSA Requires to Process Replacement SSN Applications

SSA policies and procedures require that field office personnel review and certify evidence submitted with prisoner replacement SSN applications. For example, SSA policy instructs field office personnel not to process replacement card applications if they discover conflicting or insufficient data.⁸ However, based on our review of 95 replacement card applications, we determined that field office personnel processed 4 applications that contained inconsistencies in dates of birth and parents' names. In fact, SSA issued one of these replacement cards under the wrong SSN and name, thereby increasing the potential of SSN misuse and identity theft.

⁷ POMS, section RM 00206.076B.

⁸ POMS, section RM 00206.076C.3(c).

Based on discussions with field office personnel, we identified additional instances of noncompliance with policies and procedures for reviewing and certifying prisoner identity evidence. Personnel in one field office accepted copies of prisoner identification badges as evidence of identity—with no accompanying letter from an authorized prison official certifying they had extracted pertinent information from the prisoner's record. Another field office accepted a letter from a prison official only certifying he had verified that the prisoner's name on the SSN application matched the name on his prisoner identification badge. In both cases, the badges did not contain identifying information, such as date and place of birth and parents' names. As such, SSA did not have assurance it issued the replacement SSN cards to the correct individuals.

SSA policy and procedures also require that field offices maintain a list of names and current signature samples of prison employees authorized to certify prisoner identity and submit SSN applications.⁹ However, three field offices we visited did not maintain the required signature list; two maintained such a list, but personnel did not routinely use it when processing SSN applications; and another field office did not maintain an up-to-date signature list. As such, SSA did not have assurance that prisoner replacement SSN applications it received were from authorized prison personnel.

Prison Officials Did Not Always Adequately Review and Certify Prisoner Identity Information Submitted with Replacement Card Applications

SSA allows authorized prison officials to certify they have extracted relevant information from the official prisoner record, thereby delegating the responsibility for verifying the SSN applicant's identity to prison personnel. While some prison officials may attempt to comply with this requirement, we observed some do not. Without compliance with SSA policies and MoU terms to ensure prisoner identity, SSA could issue a replacement card to the wrong individual. We believe this is especially important because prisoners may have a stronger motive than the general population to assume a new identity and, once released, hide their criminal record.

Of the 95 replacement SSN applications we reviewed, 66 certifications were not submitted on the required prison letterhead.¹⁰ We also identified five replacement SSN applications that did not include the inmate's Department of Corrections number, as required by SSA policy.¹¹ Further, as previously stated, two of the prisons we visited submitted replacement SSN applications on behalf of prisoners without certifying they had extracted required identifying information from the prisoners' files. More disturbing, the prison officials responsible for submitting the prisoner replacement card applications at these two prisons told us they did not have access to prison records containing identity information; therefore, they could not certify the prisoners' identities.

⁹ POMS, section RM 00206.076C.2.

¹⁰ POMS, section RM 00206.076C.3(b).

¹¹ POMS, section RM 00206.076C.3(a).

Officials at several prisons also did not disclose all aliases and other SSNs used by prisoners, as required by SSA policy. For example, at one Federal prison we visited, prison officials certified they had extracted all required information from the prisoners' official files. However, we determined they did not always include known aliases. Additionally, these officials did not always detect discrepancies between identity information provided by the prisoner on the SSN application and information in the prisoner's official record. The following example illustrates the vulnerability that exists when prison officials do not comply with SSA requirements.

At one Federal prison, we found that a prisoner had submitted a replacement card application under one name, which did not match the name under which he was in prison, and signed the application in yet a third name. When we examined his prison record, we noted that he previously used 29 aliases, 3 dates of birth, 2 places of birth, 6 SSNs and 3 State driver's license numbers. However, the prison did not share any of this information with the SSA field office when it forwarded the SSN application—as required by SSA policy. This application had not been processed by the field office and the manager returned it to the prison during our visit.

In this case, prison officials told us they would begin reporting all aliases and other SSNs used by prisoners requesting replacement cards. However, without proper controls, compliance and monitoring, we are concerned that SSA's delegation of authority to prisons may result in improper enumerations.

Field Offices Did Not Periodically Perform On-site Reviews of Prison Procedures for Submitting Replacement SSN Applications and Required Evidence

SSA policies and procedures require that field offices periodically perform on-site inspections of prison procedures for submitting SSN applications and required evidence.¹² However, four of the seven field offices we visited had not conducted on-site inspections to ensure SSN integrity and security. The remaining field offices generally conducted on-site inspections every 2 to 4 years.

Several of the field office managers and supervisors told us they did not see the need to perform on-site reviews. Others stated they did not perform such reviews because of other workload demands. Nevertheless, field offices are responsible for monitoring prisons to ensure full compliance with prisoner replacement SSN application policies and procedures. We believe that, because SSA has delegated the certification of prisoner identity to prison officials, it has a responsibility to ensure prisons comply with established procedures. In addition to identifying prison noncompliance, we believe routine monitoring by SSA officials may have identified such vulnerabilities, as follows.

One prison employee told us that prison officials routinely distributed copies of SSN cards to prisoners. After discussing how this practice could result in SSN misuse and identity theft, prison officials told us they would immediately stop this practice.

¹² POMS, section RM 00206.076C.4.

SSA has taken steps in several regions to improve field office monitoring of prison compliance with MoU terms. In 2005, SSA signed two MoUs that required field offices to perform *annual* on-site reviews of prisons. One of these MoUs required that field offices review a sample of replacement SSN applications to verify prisoners' identities. The other MoU required that field offices report instances of prison noncompliance with Agency policies and procedures to regional office personnel. We believe such best practices help ensure SSN integrity and security.

Prisoner Enumeration Policies Were not Consistent with New Identity Standards

Current enumeration policies provide prisoners a lesser burden in proving their identities to obtain a replacement SSN card than the general population. Specifically, because prisoners or prisons may not have access to required identity documents, such as passports or drivers' licenses, SSA is relying on the prisons to examine background information in the prisoners' official records to establish identity. The reliability and thoroughness of such records may vary widely among prisons and prison systems.

Many of the prisons we visited did not attempt to obtain or maintain prisoner passports, drivers' licenses, birth certificates, SSN cards or other identity documents. Officials at two of the prisons stated they deemed such documents to be "escape paraphernalia," which could not be housed on the prison grounds. Accordingly, unless these prisons change their positions, such documents would not be available for submission to SSA to support a replacement card application—as required by new IRTPA standards.¹³

The prisons we visited relied on various practices to establish a prisoner's identity upon entering the facility. However, most were required to use the name/identity established by the courts during sentencing. Some prisons also conducted pre-sentencing or pre-intake background investigations for prisoners. While the depth of such investigations and the amount of information contained in the resulting reports may vary among prisons, these reports may prove helpful in establishing identity in lieu of traditional identity documents. Other information regarding prisoner identity that may be housed at a prison and may be useful in the enumeration process includes prisoner profiles, National Crime Information Center reports, and/or "rap sheets."

Because the information available and the extensiveness of the pre-sentencing investigations may differ between prisons, we encourage SSA to review prison practices before executing any new MoUs. Specifically, we believe SSA field offices should visit the prison, review its policies and practices for establishing prisoner identity, and assess how the prison intends to ensure compliance with SSA policies before it determines an MoU is appropriate.

In December 2005, shortly after SSA implemented section 7213 (a) (1) (B) of IRTPA, which established minimum standards for verification of documents or records, the Agency turned its attention to improving the prisoner enumeration process. A workgroup was formed to consider effective and secure ways of issuing replacement

¹³ POMS, section RM 00203.200.

SSN cards to this difficult population and thereby help prisons successfully integrate prisoners back into society at the completion of their prison terms. This group was working on improvements while our audit was underway. SSA has expressed its appreciation for the valuable information and recommendations supplied by this audit. The Agency stated it expects this report to be useful in helping it craft solutions in this challenging area. We are encouraged by these Agency initiatives.

CONCLUSION AND RECOMMENDATIONS

Despite SSA's controls to prevent improper SSN card issuance to prisoners, the Agency is at-risk to such activity when field office and prison personnel do not fully comply with policies and procedures. We recognize that SSA's efforts can never eliminate the potential that prisoners may inappropriately acquire and misuse replacement SSN cards. Nonetheless, we believe SSA has a stewardship responsibility to ensure compliance with all policies and procedures. We believe SSA would benefit by taking additional steps to strengthen SSN integrity and reduce its risk of exposure to improper SSN card issuance and misuse and identity theft.

Accordingly, we recommend that SSA:

1. Perform a review at each prison with which it is considering executing an MoU to ensure its procedures for establishing prisoner identity are sufficient to ensure SSN integrity and compliance with the intent of IRTPA.
2. Consider requiring that prisons submit copies of pre-sentencing background investigation reports (or other available information from the official prison record) to the SSA field office with the prisoner's replacement SSN card application. Such a measure would assist SSA field office personnel in reviewing the validity of the prisoner's identity.
3. Identify field offices nationwide that are processing prisoner replacement SSN applications and ensure they are doing so under approved written agreements/MoUs.
4. Reemphasize to field office personnel the importance of following all policies and procedures when processing prisoner replacement SSN applications.
5. Require that field offices perform annual onsite reviews of prison procedures for submitting prisoner replacement SSN applications and required evidence and take corrective action as needed.

AGENCY COMMENTS

SSA agreed with our recommendations. The Agency's comments are included in Appendix C.

A handwritten signature in black ink, appearing to read "Pat P. O'Carroll, Jr.", with a stylized flourish at the end.

Patrick P. O'Carroll, Jr.

Appendices

APPENDIX A – Acronyms

APPENDIX B – Scope and Methodology

APPENDIX C – Agency Comments

APPENDIX D – OIG Contacts and Staff Acknowledgments

Acronyms

IRTPA	<i>Intelligence Reform and Terrorism Prevention Act of 2004</i>
MoU	Memorandum of Understanding
POMS	Program Operations Manual System
SSA	Social Security Administration
SSN	Social Security Number

Scope and Methodology

To achieve our objective, we reviewed the Social Security Administration’s (SSA) policies and procedures for processing prisoner replacement Social Security number (SSN) applications. We interviewed representatives from SSA’s Offices of Public Service and Operations Support and Income Security Programs. We contacted personnel at SSA’s 10 regional offices and obtained a list of written agreements/Memorandums of Understanding with prisons. To evaluate compliance with SSA policies and procedures, we visited 11 prisons and 7 field offices in 3 SSA regions. We also called eight other field offices to determine whether they were processing prisoner replacement card applications, and, if so, whether they were doing so under an approved Memorandum of Understanding. We selected prisons based on prisoner populations and types of prisons (Federal/State/local). Table 1 shows the prisons and field offices we visited.

Table 1: Prisons and Field Offices Visited

Prison	Field Office
State Correctional Institute, Mahanoy	Pottsville, PA
*FCI Allenwood - Low Security	Sunbury, PA
FCI Allenwood - Medium Security	Sunbury, PA
FCI Beaumont - Low Security	Beaumont, TX
FCI Beaumont - Medium Security	Beaumont, TX
[#] USP Beaumont	Beaumont, TX
Gist State Jail	Beaumont, TX
Lychner State Jail	Houston, TX
San Quentin State Prison	San Rafael, CA
California State Prison, Solano	Fairfield, CA
[#] USP Atwater	Merced, CA
*FCI - Federal Correctional Institute [#] USP – United States Penitentiary	

At each field office, we interviewed management and staff responsible for processing prisoner replacement SSN applications. At each prison, we interviewed officials responsible for submitting SSN applications and required evidence, performed limited tests of official prison records supporting SSN applicant identity information, and observed how prison officials secured SSN cards. In addition, we reviewed SSN applications submitted by prisons and processed by field offices from October through December 2005 to assess compliance with SSA policies and procedures. Our tests of internal controls over this process were limited to gaining an understanding of the program and performing the audit steps identified above.

The SSA entity reviewed was the Office of the Deputy Commissioner for Operations. We conducted our work from August 2005 through March 2006 in accordance with generally accepted government auditing standards.

Agency Comments



SOCIAL SECURITY

MEMORANDUM

Date: June 28, 2006 **Refer To:** S1J-3

To: Patrick P. O'Carroll, Jr.
Inspector General

From: Larry W. Dye /s/
Chief of Staff

Subject: Office of the Inspector General (OIG) Draft Report, "The Social Security Administration's Program for Issuing Replacement Social Security Cards to Prisoners" (A-08-06-16025)--
INFORMATION

We appreciate OIG's efforts in conducting this review. Our comments on the draft report content and recommendations are attached.

Please let me know if we can be of further assistance. Staff inquiries may be directed to Ms. Candace Skurnik, Director, Audit Management and Liaison Staff, at extension 54636.

Attachment:
SSA Response

**COMMENTS ON THE OFFICE OF INSPECTOR GENERAL (OIG) DRAFT REPORT,
“THE SOCIAL SECURITY ADMINISTRATION’S PROGRAM FOR ISSUING
REPLACEMENT SOCIAL SECURITY CARDS TO PRISONERS”
(A-08-06-16025)**

Thank you for the opportunity to review and comment on the draft report. We appreciate your conducting this audit of the Social Security Administration’s (SSA) program for issuing replacement Social Security number (SSN) cards to prisoners. The report acknowledges SSA's efforts to ensure effective and safe methods to comply with law, while simultaneously providing service to prisons that are helping inmates integrate back into society at the end of their prison terms.

Recommendation 1

SSA should perform a review at each prison with which it is considering executing a Memorandum of Understanding (MoU) to ensure its procedures for establishing prisoner identity are sufficient to ensure SSN integrity and compliance with the intent of the Intelligence Reform and Terrorism Prevention Act of 2004.

Comment

We agree. The Agency has formed a workgroup to address this recommendation and other issues dealing with the enumeration of prisoners. The workgroup will provide the appropriate support to implement this recommendation.

Recommendation 2

SSA should consider requiring that prisons submit copies of pre-sentencing background investigation reports (or other available information from the official prison record) to the SSA field office with the prisoner’s replacement SSN card application. Such a measure would assist SSA field office personnel in reviewing the validity of the prisoner's identity.

Comment

We agree with the intent of this recommendation. Many prisoners are arrested under identities that differ from their true identity. As such, the pre-sentencing background investigation reports and the prison record does not contain evidence of the same probative value that we ask the public to present when they apply for replacement SSN cards at the field offices. SSA has formed a workgroup to address the challenging issues with enumeration of prisoners. The workgroup is now exploring the feasibility of carrying out this recommendation nationwide. Initial contacts with several prison officials indicate that there could be legal restrictions in some jurisdictions that would prevent prisons from sharing certain types of records with SSA. The workgroup expects to identify a comprehensive set of solutions, including incorporating to the extent feasible this OIG recommendation, by the end of September 2006.

Recommendation 3

SSA should identify field offices nationwide that are processing prisoner replacement SSN applications and ensure they are doing so under approved written agreements and MoUs.

Comment

We agree. See response to Recommendation #1 above.

Recommendation 4

SSA should reemphasize to field office personnel the importance of following all policies and procedures when processing prisoner replacement SSN applications.

Comment

We agree. See response to Recommendation #1 above.

Recommendation 5

SSA should require that field offices perform annual onsite reviews of prison procedures for submitting prisoner replacement SSN applications and required evidence and take corrective action as needed.

Comment

We agree in principle; periodic onsite reviews of prisons would be a good idea. The prisoner enumeration workgroup is still looking at this issue to determine what is practicable given the limited resources in the regional and field offices.

OIG Contacts and Staff Acknowledgments

OIG Contacts

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Acknowledgments

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