

Report Summary

Social Security Administration Office of the Inspector General

January 2010



Objective

To determine whether the Social Security Administration's (SSA) Court Ordered Garnishment System (COGS) accurately (1) calculates the allowable garnishment amount and (2) documents payment amounts to third parties and State child support enforcement agencies.

Background

Title II benefits are subject to legal process brought by a State agency or individual obligee to enforce the legal obligation of a Title II beneficiary to provide child support and/or make alimony payments. Title XVI payments are not subject to levies or garnishment. In 2008, SSA made approximately 607.2 million Title II benefit payments, of which it garnished 336,251 (less than 1 percent), totaling \$510 million.

To view the full report, visit <http://www.ssa.gov/oig/ADO/BEPDF/A-15-09-19063.pdf>

The Accuracy of the Garnishment of Title II Benefits by the Social Security Administration's Court Ordered Garnishment System (A-15-09-19063)

Our Findings

Our audit disclosed instances where incorrect amounts were being withheld. Also, we found that SSA did not always maintain the court orders. To test COGS, we reviewed 65 court orders and found that the Agency did not maintain 14 (22 percent). Based on our audit, 5 (10 percent) of 51 cases resulted in incorrect amounts being withheld. These five cases were child support garnishments. Based on these exceptions, we identified an overpayment of \$3,394 and an underpayment of \$1,774 in garnishment payments. In these cases, "overpayment" means the beneficiary was underpaid their Title II benefits and the court order recipient (that is, a child) was overpaid by the same amount. Also, "underpayment" means the beneficiary was overpaid their Title II benefits and the court-order recipient (that is, a child) was underpaid by the same amount. In other words, the underpayment or overpayment of the beneficiary's Title II benefits has the opposite effect on the court-ordered payment.

Our Recommendations

We recommend that SSA:

1. Ensure the five garnishments in this report are corrected.
2. Remind staff to follow existing policies and procedures that require all new, amended, and terminated garnishment orders to be faxed into the document retrieval system for later access.

SSA agreed with the recommendations.