

GAO

Report to the Ranking Minority Member,  
Committee on Finance, U.S. Senate

September 2002

SOCIAL SECURITY  
ADMINISTRATION

Fugitive Felon  
Program Could  
Benefit from Better  
Use of Technology



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**Abbreviations**

BOP	Bureau of Prisons
CMPPA	Computer Matching Privacy and Protection Act
EVS	Enumeration Verification System
FBI	Federal Bureau of Investigation
GAO	U.S. General Accounting Office
ITC	Information Technology Center
NCC	National Computer Center
NCIC	National Crime Information Center
OASI/DI	Old Age and Survivors Insurance and Disability Insurance
OIG	Office of Inspector General
PRWORA	Personal Responsibility and Work Opportunity Reconciliation Act
SSA	Social Security Administration
SSI	Supplemental Security Income
USMS	U.S. Marshals Service



United States General Accounting Office  
Washington, D.C. 20548

September 6, 2002

The Honorable Charles E. Grassley  
Ranking Minority Member  
Committee on Finance  
United States Senate

Dear Senator Grassley:

The Supplemental Security Income (SSI) program, administered by the Social Security Administration (SSA), is the largest cash assistance program in the United States. For fiscal year 2002, SSA expects to pay SSI benefits totaling approximately \$31.5 billion to more than 6 million financially needy individuals who are aged, blind, or disabled. Under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996,<sup>1</sup> any individuals fleeing to avoid prosecution or confinement after conviction for a crime that is a felony or who violate a condition of probation or parole imposed under federal or state law are ineligible to receive SSI benefits. SSA has the authority to suspend such benefits when these individuals are identified. Further, under certain conditions, the act allows SSA to disclose information on these individuals to law enforcement agencies to aid in their location and apprehension.

In August 1996, SSA established the fugitive felon program to facilitate identifying individuals in violation of the act and help protect the integrity of the SSI program and ensure the public's safety. SSA, state and local governments, and federal law enforcement agencies rely on numerous databases and information systems to carry out the fugitive felon program. Accordingly, you requested that we review the technological aspects of the program to (1) identify technological barriers restricting (a) data matching between SSA's and the Federal Bureau of Investigation's (FBI) databases and (b) ongoing efforts by SSA to obtain data-matching agreements with state and local law enforcement agencies; (2) assess the technological impact on SSA and the FBI should Old Age and Survivors Insurance (OASI) and Disability Insurance (DI) benefits be included in legislation restricting payments to fugitive felons; and (3) determine whether other databases, such as those maintained by the Department of Justice's Bureau of Prisons

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<sup>1</sup>Pub. L. No. 104-193, 202 Stat. 2105, 2186 (1996), commonly known as the Welfare Reform Act.

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and the U.S. Marshals Service, can provide additional support to the fugitive felon program.

In performing this review, we analyzed key documentation maintained by SSA, the FBI, the Bureau of Prisons, and the U.S. Marshals Service. These included data-matching policies and standards, operational and security procedures, and technical infrastructure descriptions associated with the fugitive felon program. We also analyzed data-matching agreements and laws regulating data-matching activities with state and local law enforcement agencies. We conducted site visits and telephone conferences with 17 state and local law enforcement agencies to determine their involvement in the fugitive felon program, identify any technological barriers prohibiting their ability to effectively and efficiently share data with SSA and other federal agencies, and assess issues and concerns affecting their efforts to negotiate data-matching agreements with SSA. In addition, we interviewed officials at SSA's Headquarters, Office of Inspector General, and National Computer Center; at the FBI's Criminal Justice Information Services Division in Clarksburg, West Virginia, and its Information Technology Center in Fort Monmouth, New Jersey; and at the Bureau of Prisons and U.S. Marshals Service. Our review focused on the ways in which information technology is being used to achieve fugitive felon program efficiencies, but did not assess the program's effectiveness. We plan to issue a report later this year that will in part address the program's effectiveness. We performed our review from August 2001 through May 2002, in accordance with generally accepted government auditing standards. Additional details concerning the objectives, scope, and methodology of our review are contained in appendix I.

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## Results in Brief

Since becoming operational in August 1996, the fugitive felon program has provided a valuable service by helping SSA to identify and prevent payments to ineligible SSI benefits recipients and helping law enforcement agencies to locate and apprehend fugitive felons. Nevertheless, several technological and other barriers are contributing to inefficiencies in the program's operations. As currently administered, the processing of fugitive warrant information to identify ineligible SSI recipients is complex and fragmented, involving numerous organizations performing multiple steps to obtain and act on the information. In addition, while matches of fugitive warrant records against SSI recipient files are conducted using computers, most of the essential tasks of sharing and verifying warrant information are performed manually. For example, SSA currently lacks the capability to accept warrant information from law enforcement agencies on line; thus,

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the FBI, U.S. Marshals Service, and some participating state law enforcement agencies must download this information from their databases and information systems onto electronic media, such as cartridges and tapes, and send it to SSA via the U.S. mail or FedEx. In addition, certain information systems that SSA and the FBI use in processing matched data are not interoperable or compatible, thus also hindering the efficient exchange of warrant information. Collectively, the manual activities in processing warrant information have resulted in an inefficient and time-consuming operation that, based on our analysis of the process used, can take up to 165 days to complete (from SSA's receipt of warrant information until SSI benefits are suspended). Contributing to these inefficiencies is that no one office within SSA has been designated to oversee and manage the overall performance of the fugitive felon program. Consequently, no program officials could explain the overall data sharing and matching process.

Largely because of SSA's and states' limited uses of information technology to support the fugitive felon program, many state law enforcement agencies have been reluctant to enter into data-matching agreements with SSA. According to SSA and law enforcement officials, among the factors that made some states reluctant to enter into the agreements were that some states did not maintain central repositories of warrant information and SSA's guidance for formatting, downloading, and manually transmitting the information created additional resource requirements that some states were unable to meet. In addition, some states report warrant information on a voluntary basis, and some states that have signed agreements have not yet submitted any data to SSA. SSA officials acknowledged that the agency's efforts to obtain comprehensive warrant information have not yielded anticipated results.

The enactment of legislation prohibiting OASI and DI payments to fugitive felons could increase SSA's recovery of improperly paid benefits and prevent more potentially dangerous fugitives from fleeing justice. However, the additional matches of warrant records against OASI and DI recipient files could substantially increase the data processing workloads of both SSA and the FBI's Information Technology Center. The center plays a major role in verifying the accuracy of warrant records and supplies fugitives' addresses to law enforcement agencies. SSA and FBI officials recognize the need for additional information technology support to conduct computer matches of warrant information against the OASI and DI recipient files. However, at the conclusion of our review, neither SSA nor the FBI had yet

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initiated evaluations to assess the anticipated technological impact on their operations.

SSA may be able to improve the fugitive felon program's operational efficiency and outcomes by exploring its existing telecommunications connectivity supporting other federal, state, and local programs. SSA currently has direct, on-line connections with every state that transmits and receives data supporting various other programs, including its program to suspend SSI, OASI, and DI benefits to prisoners. In addition, while SSA does not currently have telecommunications connectivity with the FBI's National Crime Information Center—a national database of warrant and other criminal information—agency officials believed this database could offer a more comprehensive and readily accessible means of obtaining outstanding warrant information from the FBI, U.S. Marshals Service, and state agencies. However, all states report warrant information to this database voluntarily. Further, while SSA officials viewed the database as a potential single source of comprehensive warrant information, they had not assessed the feasibility of this alternative or other options for using on-line connections with federal, state, and local agencies to more efficiently obtain the information.

To ensure that the fugitive felon program is positioned to meet its current and future obligations toward preventing payments of SSI benefits to fugitive felons, we are making recommendations to the Commissioner of Social Security that include (1) designating a program office and manager to oversee and direct the program; (2) fully assessing the program's current operations and performance; and (3) examining and proposing options for using technology to automate currently manual functions involved in exchanging fugitive warrant information.

SSA and the Department of Justice provided written comments on a draft of our report. These comments are reprinted in appendixes IV and V. In its comments, SSA expressed disappointment with our report and generally disagreed with our recommendations. Among its specific comments, SSA disagreed with the need for a program manager and additional monitoring and analysis of the program's operations. Given the complexities of the fugitive felon processes, we continue to believe that SSA's program could benefit from more focused program management and additional monitoring and analysis to identify process improvements and technological enhancements. In addition, as part of continual monitoring and analysis, SSA needs to identify aggregate tracking data to assess the

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program's overall cost and performance. The Department of Justice provided technical comments, which we incorporated, as appropriate.

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## Background

Under the SSI program, SSA pays monthly benefits to individuals who have limited assets and income and are aged, blind, or disabled. These benefits are funded by general tax revenues and based on financial need. SSA has estimated that, during fiscal year 2002, it will make SSI benefits payments totaling approximately \$31.5 billion to about 6.4 million individuals. Since 1997, we have designated SSI a high-risk program because of its susceptibility to fraud, waste, and abuse and SSA's insufficient management oversight.<sup>2</sup> Long-standing concerns regarding program abuses and mismanagement, increasing overpayments, and the inability to recover outstanding SSI debt have led to congressional criticism of SSA's ability to effectively manage and ensure the program's integrity.

In addition to SSI, SSA administers the OASI and DI programs—together commonly known as Social Security. These are entitlement programs funded from trust funds supported by taxes that workers pay on their wages. OASI provides monthly cash retirement to workers and their dependents or, when workers die, benefits to their survivors. The DI program provides monthly cash benefits to workers and their dependents when workers are disabled. In fiscal year 2002, the OASI and DI programs collectively are expected to pay approximately \$447 billion in benefits to about 46 million eligible workers, dependents, and survivors.

In 1996, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) prohibited fugitive felons from collecting SSI benefits. Specifically, under the law, an individual is ineligible to receive SSI payments during any month in which he or she is

- fleeing to avoid prosecution for a crime that is a felony under the laws of the place from which the person flees,<sup>3</sup>

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<sup>2</sup>U.S. General Accounting Office, *Major Management Challenges and Program Risks: Social Security Administration*, [GAO-01-261](#) (Washington, D.C.: January 2001).

<sup>3</sup>A felony is a serious offense that is usually punishable by imprisonment for more than 1 year.



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- fleeing to avoid custody or confinement after conviction for a crime that is a felony under the laws of the place from which the person flees, or
  - violating a condition of probation or parole imposed under federal or state law.<sup>4</sup>

PRWORA provides SSA with the authority to suspend SSI payments to fugitive felons and parole and probation violators and to provide information to law enforcement agencies to aid in locating and apprehending these individuals. The act does not provide similar authority for OASI and DI benefits payments.

In response to PRWORA, SSA established the fugitive felon program and entered into a partnership with its Office of Inspector General (OIG). SSA's OIG, with its 63 field divisions and offices, has both program integrity and law enforcement functions and is the primary interface between SSA and law enforcement entities. It can investigate and make arrests for program fraud in collaboration with other law enforcement agencies pursuing SSI recipients engaging in criminal activities.

Beyond OIG, numerous other offices also assist in implementing the program. As shown in figure 1, these include SSA's offices of operations, disability and income security programs, and systems; its regional and field offices; and the FBI's Information Technology Center in Fort Monmouth, New Jersey. Congress does not appropriate funds to administer the fugitive felon program. Rather, according to SSA officials, each participating SSA office (for example, the office of operations and OIG) and the FBI Information Technology Center use existing funding to support the program.

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<sup>4</sup>Parole is a conditional release from imprisonment that allows parolees to serve the remainder of their term outside the confines of a penal institution if they satisfactorily comply with all terms and conditions provided. Probation is a type of sentence imposed by a court for the commission of a crime whereby a convicted criminal offender is released into the community under the supervision of a probation officer. Violation of probation can result in probation being revoked and a sentence of confinement imposed.

**Figure 1: Organizations Tasked with Implementing SSA’s Fugitive Felon Program**

<b>Organization</b>	<b>Responsibility</b>
<b>SSA Office of Operations</b>	
Division of Operations Analysis and Customer Support	<ul style="list-style-type: none"> <li>■ coordinates regional and field staff program activities</li> </ul>
Office of Central Operations	<ul style="list-style-type: none"> <li>■ receives, logs in, and uploads incoming warrant files contained on diskettes, paper, and CD-ROM from federal, state, and local law enforcement agencies</li> </ul>
Regional and field offices	<ul style="list-style-type: none"> <li>■ negotiate data-matching agreements with state and local law enforcement agencies; suspend benefits for verified fugitive felons receiving SSI benefits</li> </ul>
<b>SSA Office of Inspector General</b>	
Office of Investigations	<ul style="list-style-type: none"> <li>■ partners with SSA's Office of Operations</li> <li>■ interfaces with federal, state, and local law enforcement agencies</li> <li>■ coordinates field divisions' and offices' program activities</li> </ul>
Field divisions and offices	<ul style="list-style-type: none"> <li>■ perform additional verifications, prepare action forms, assist with the apprehension of fugitive felons</li> </ul>
<b>SSA Office of Disability and Income Security Programs</b>	
Office of Program Benefits	<ul style="list-style-type: none"> <li>■ formulates workload policy</li> </ul>
Office of Program Support	<ul style="list-style-type: none"> <li>■ drafts the model data-matching agreement between SSA and the law enforcement agencies</li> </ul>
<b>SSA Office of Systems<sup>a</sup></b>	
Office of Systems Analysis	<ul style="list-style-type: none"> <li>■ performs computerized verification of all warrant records against the Enumeration Verification System (EVS)</li> </ul>
Office of Systems Design and Development	<ul style="list-style-type: none"> <li>■ performs computerized data-matching of warrant information against the supplemental security record</li> </ul>
Office of Information Management	<ul style="list-style-type: none"> <li>■ creates statistical reports based on information collected from EVS</li> </ul>
Office of Telecommunications and Systems Operations	<ul style="list-style-type: none"> <li>■ receives, logs in, and uploads incoming warrant files contained on tapes and cartridges from federal, state, and local law enforcement agencies</li> </ul>
<b>Federal Bureau of Investigation</b>	
Fort Monmouth Information Technology Center	<ul style="list-style-type: none"> <li>■ verifies National Crime Information Center (NCIC) matched warrant records, provides matched warrant records for states' verification, and provides address information (or "leads") about each SSI recipient to appropriate law enforcement agency for apprehension and certification</li> </ul>

<sup>a</sup>In commenting on our draft report, SSA stated that, as part of an Office of Systems' reorganization, the Office of Systems Analysis and the Office of Information Management have been replaced by the Office of Earnings, Enumeration and Administrative Systems; the Office of Systems Design and Development has been replaced by the Office of Disability and Supplemental Security Income Systems.

Source: GAO analysis based on SSA's data.

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Under the fugitive felon program, SSA relies on warrant information from available federal and state sources to identify ineligible SSI recipients on its rolls. SSA receives federal and state warrant information from several sources, including (1) the FBI's National Crime Information Center (NCIC); (2) state and local law enforcement agencies; and (3) the U.S. Marshals Service (USMS). SSA receives warrant information from the FBI and USMS under memorandums of understanding and from certain state and local law enforcement agencies under matching agreements that establish conditions for SSA's use of the warrant information in its matching operations. According to SSA, in calendar year 2001, it received approximately 27 million warrant records from these federal, state, and local law enforcement agencies. Of these, about 2 million records were eligible to be matched against SSI benefits files.<sup>5</sup> Appendix II provides a detailed description of the fugitive felon data-matching process.

OIG reports that, since 1996, the fugitive felon program data matching operations (manual and automated) have helped identify about 45,000 fugitives who were paid approximately \$82 million in SSI benefits; of these fugitives, approximately 5,000 were subsequently apprehended. Appendix III presents selected cases in which fugitives were apprehended and SSI benefits were suspended as a result of the fugitive felon program.

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## Technological and Other Barriers Contribute to Inefficiencies in the Fugitive Felon Program

In administering the fugitive felon program, SSA faces several technological and other barriers that create inefficiencies in its processing of fugitive warrant information to identify ineligible SSI recipients. These barriers include a complex, multistep process to obtain and act on fugitive warrant information and a heavily manual approach to accomplishing critical program tasks, such as exchanging and verifying warrant information. In addition, where information systems are used to support the program, many of them are not interoperable or capable of exchanging data electronically. Consequently, key portions of the data-matching process are complicated and time-consuming. Contributing to this situation is that SSA has not designated a single, central point of management accountability to direct the fugitive felon program's operations.

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<sup>5</sup>According to SSA data, during an initial screening of these records against information it had on all holders and applicants of Social Security numbers, a majority of the approximately 27 million warrant records that it actually received could not be verified against a Social Security number or other vital information, and therefore, were not included in its match against files identifying SSI recipients.

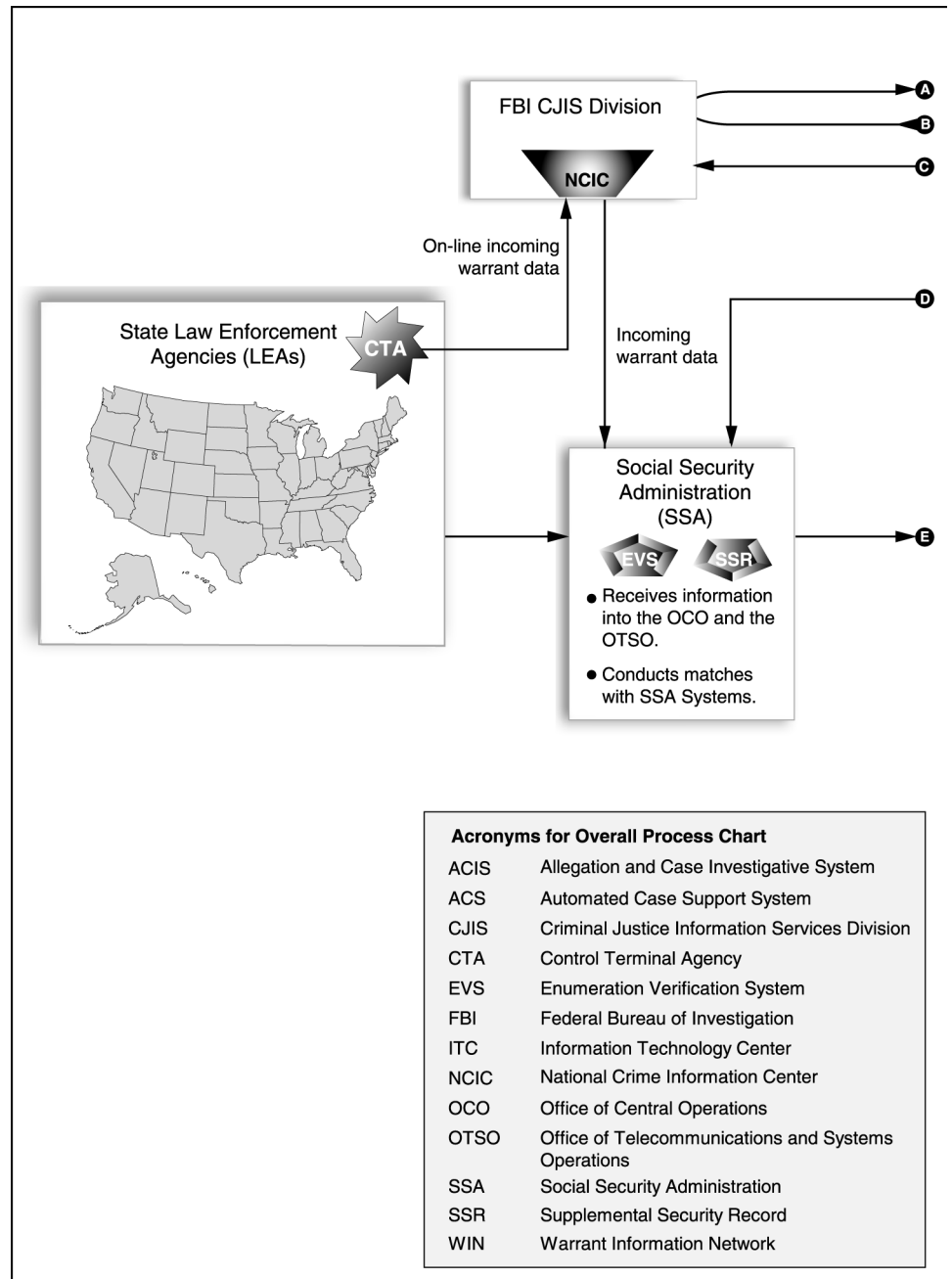
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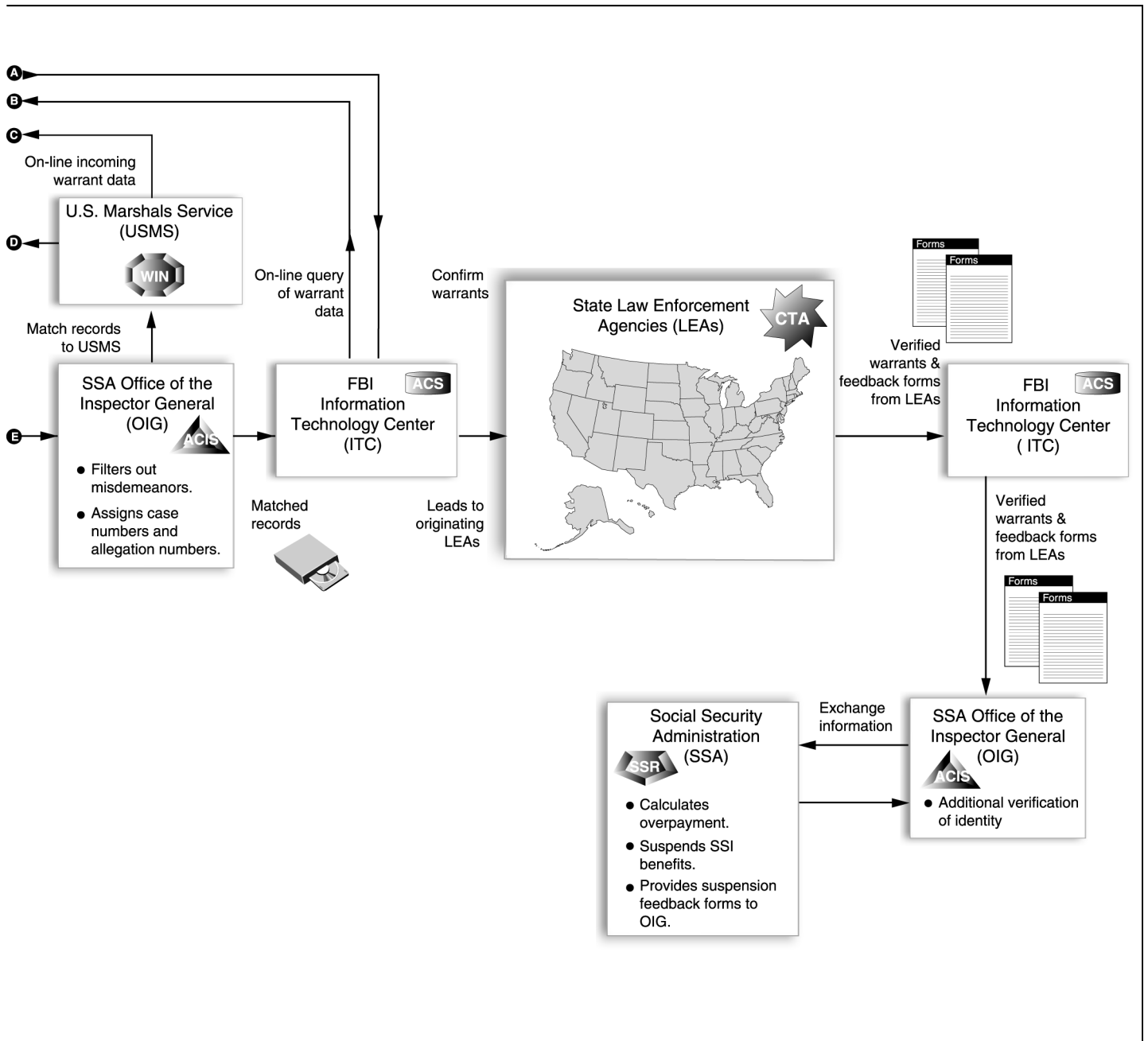
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## Fugitive Felon Data-Matching Process Is Complex and Highly Manual

The steps in administering the fugitive felon program—from the point that SSA receives the fugitive warrant information through the suspension of SSI benefits—are complicated and include many back-and-forth exchanges of warrant information among the participating entities. At the time of our review, each of the organizations participating in the program had responsibility for distinct segments of the tasks involved in processing fugitive warrant information received from federal, state, and local law enforcement agencies. However, there was no single entity within SSA that was able to provide a full explanation of the complete chain of activities comprising the data sharing and matching process; as a result, we mapped the process ourselves. We have depicted this overall process in figure 2.

**Figure 2: Overview of the SSA Fugitive Felon Program Process**





Source: GAO analysis.

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As figure 2 illustrates, SSA receives warrant records (usually on a monthly basis) from the FBI's national repository—NCIC—and from USMS and state and local law enforcement agencies. Using its Enumeration Verification System, SSA matches the warrant records against its master files of Social Security number holders and applications to verify identity information, such as the name, date of birth, and Social Security number of the individual for whom the warrant was issued. Of those records for which identities can be verified, OIG screens the data to eliminate misdemeanors.<sup>6</sup> Then, a second match is conducted against files maintained in SSA's supplemental security record to determine which of the fugitives are receiving SSI benefits. The results of the second match (addresses of the fugitive benefits recipients) are forwarded to OIG for further processing.

OIG and its field offices work with the FBI's Information Technology Center (ITC) to verify that the felony, probation, or parole violation warrants are active and that the appropriate individuals have been identified. Once verifications are made, ITC provides address information about each SSI recipient (called "leads") to the appropriate federal, state, or local law enforcement agency so that it can locate and apprehend the individual. After action by the law enforcement agency, OIG refers its findings to the appropriate SSA field offices, which initiate suspension of SSI benefits.

In this process, SSA relies on its mainframe computers and systems to match the fugitive warrant information that it receives against the master files of Social Security number holders and applications and the supplemental security record. Most other steps, including sharing the warrant information used in the matching process, are performed manually. For example, SSA does not have a telecommunications capability that would allow it to accept warrant information on line. As a result, the FBI, USMS, and state and local law enforcement agencies must download warrant information from their respective databases and information systems onto various electronic media (such as cartridges, tapes, and CD-ROMS) and send this information to SSA via the U.S. mail or FedEx. Depending on the type of media used, two separate SSA offices—the Office of Central Operations and the Office of Telecommunications and Systems

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<sup>6</sup>PRWORA does not specifically address, and SSA does not conduct data matches of, misdemeanor charges, with the exception of high misdemeanors, which are considered felonies under the laws of New Jersey.

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Operations—receive, log, and upload the information onto SSA's mainframe computer to begin the matching process.

Beyond manually sharing warrant information, many of the steps in verifying and referring information contained in the matched records also are performed manually. For example, to accurately identify and locate fugitives, SSA's field offices, OIG, and the FBI's ITC exchange numerous forms with law enforcement agencies.<sup>7</sup> However, none of these forms are automated, requiring SSA and ITC staff to manually prepare and fax or mail them to the appropriate entities.

In addition, both OIG's and ITC's program activities are supported by distinct systems that are not interoperable or compatible, thus further preventing the efficient exchange of information. Specifically, OIG's allegation and case investigative system and ITC's automated case support system are used, respectively, to assign case and allegation numbers to matched records and to verify duplicate instances of matched data. However, these systems cannot electronically share the matched records on which both offices must act. Rather, the OIG must download files containing matched records and mail them to ITC. Further, OIG's system uses Microsoft Word and ITC's system uses Corel WordPerfect; thus, when ITC receives the files, it must convert them to a usable format to be able to process the warrant information.

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## Manual Processes Have Resulted in a Time-Consuming Operation

The various manual interventions in processing fugitive warrants all contribute to a time-consuming operation that is less than optimally efficient. According to program officials, the warrant files that federal and state law enforcement agencies send to SSA sometimes are not formatted in accordance with SSA's specifications and must be returned to the agencies for correction, delaying action on matching these files. In addition, the electronic media containing warrant records are sometimes lost during the mail delivery process or are misplaced before being entered into SSA's computers. As a result, this time-sensitive information may go unaccounted for a number of days. SSA had not determined the extent to which warrant records are being lost or mishandled and over what length of time, but program officials acknowledged that the longer it takes to match the warrant information, the greater the opportunity for fugitives to

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<sup>7</sup>These forms include the OI-5B (Referral Form), OI-5C (Law Enforcement Certification Form), OI-5D (Investigative Certification Form), and OI-5E (SSA Feedback Form).



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remain unaccounted for and to continue to receive SSI benefits payments. Further, the officials stated that the manual steps involved in verifying fugitives' identities and obtaining address information for referring leads to law enforcement agencies often slow the overall process of locating and apprehending fugitives.

SSA officials were unable to tell us how much time was actually required to complete the processing of fugitive warrants. However, our analysis of data that SSA provided on its existing procedures found that the steps required to fully process a case that did not involve circumstances such as lost or mishandled files, or improperly formatted warrant information received from states reporting warrant information for the first time, could take up to 165 days.<sup>8</sup> This approximate processing time could be increased up to an additional 70 days if the fugitive SSI recipient decides to appeal SSA's decision to suspend benefits.

As figure 3 shows, the approximate processing time includes about 65 days during which SSA and the FBI's ITC conduct matches and initial verifications of warrant information and refer leads to law enforcement agencies.<sup>9</sup> The approximate time also includes a total of 90 days that is devoted to ensuring that individuals are correctly identified and that their privacy and other rights are protected—60 days that state and local law enforcement agencies are allowed to locate and apprehend fugitives before SSA serves notice that benefits will be suspended and 30 days during which OIG field offices conduct additional verifications prior to sending summaries of actions taken on matched records to SSA field offices for suspension of benefits. Program officials informed us that state and local law enforcement agencies originally were allowed 14 days to locate and apprehend fugitives; however, the number of days allowed was increased to 60 to provide these agencies more time to identify and certify actions taken on the fugitives. According to SSA, one of the difficulties with data matches is that, because fleeing felons often use aliases, law enforcement agencies frequently do not have accurate Social Security numbers or identifying information for them. Moreover, unlike prisoners, fleeing felons are not incarcerated and may not have been convicted of a crime.

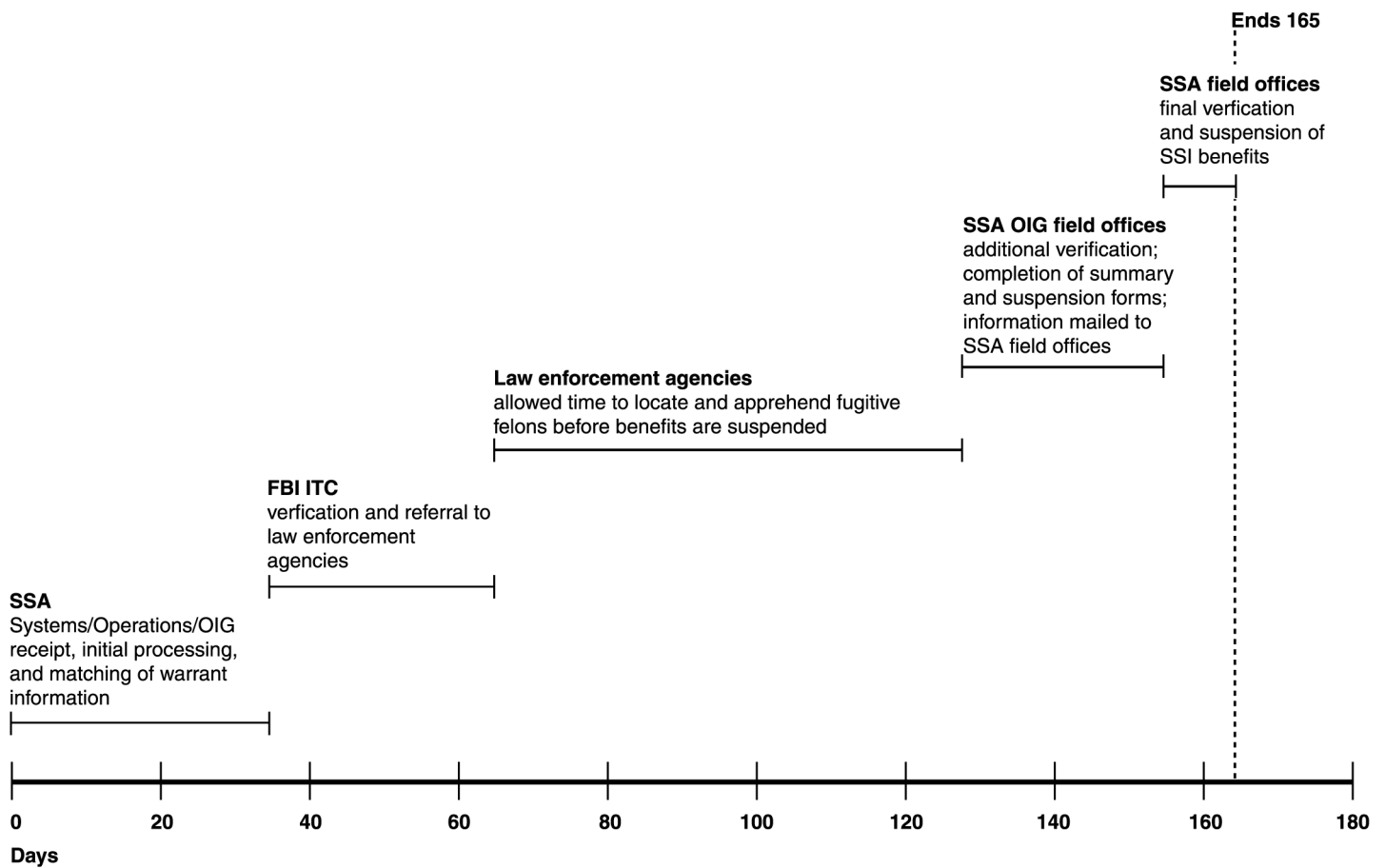
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<sup>8</sup>The approximate processing days were compiled based on our analysis of information provided by several SSA offices involved in the process. To confirm the validity of our timeline estimate, we shared the results of our analysis with appropriate SSA officials.

<sup>9</sup>The approximate 65 days includes certain unaccounted for activities, such as uploading and initial processing, screening for misdemeanors, and sorting duplicate warrant records.

Consequently, the time devoted to manually verifying the currency of warrant information is vital for ensuring that the correct individuals are identified and apprehended.

**Figure 3: Fugitive Felon Process Timeline (Estimated)**



Source: GAO analysis of SSA data.

Program officials added that some manual verifications of warrant information are necessary to help ensure the program's integrity. However, automating key tasks, such as the capability to accept warrant information from other agencies' databases on line, could help eliminate much of the time devoted to initially processing and matching warrant information and

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verifying and referring leads that results from the matched records (now estimated to take about 65 days).

At the conclusion of our review, SSA officials told us that they had recently begun considering options to automate manual processes in the field offices. For example, they stated that the agency was considering eliminating many of the field offices' benefits suspension activities, such as providing due process notices and preparing OIG final reports and, instead, performing these activities in one regional office with the use of computers.

Although SSA's consideration of options for improving the fugitive felon process is a positive step, the agency has not analyzed or mapped its existing fugitive felon data sharing and matching process. Without doing so, SSA lacks critical information needed for targeting processes that are most in need of improvement, setting realistic improvement goals, and ensuring that it selects an appropriate approach for improving its manual operations. The Clinger-Cohen Act of 1996 requires agency heads to analyze, revise, and improve mission-related and administrative processes before making significant investments in supporting information technology. Further, an agency should have an overall business process improvement strategy that provides a means to coordinate and integrate the various reengineering and improvement projects, set priorities, and make appropriate budget decisions. By doing so, an agency can better position itself to maximize the potential of technology to improve performance, rather than simply automating inefficient processes.

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### **SSA Could Benefit from Clear and Unified Management Accountability to Direct the Fugitive Felon Program**

Although the fugitive felon program is achieving results, it could benefit from increased management accountability. SSA relies on multiple agencies and offices to implement the fugitive felon program. However, there is no unified source of management accountability to provide the consistent oversight and program continuity that is essential to sustaining program success. Consequently, staff assigned to administer the program offered conflicting accounts as to what program tasks were being performed and by whom. For example, program officials identified three different SSA offices—operations, program support, and OIG—as having responsibility for leading the program; yet no officials in these offices could explain the overall data-matching process or had decision-making and oversight responsibility for the other participating entities.

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In addition, critical data needed to make informed decisions about the program's operations, such as technological capabilities, program costs and benefits, and resource requirements, were not being captured. For example, none of the participating SSA and FBI offices could state with certainty the amount of time they devoted to processing fugitive warrant records. As discussed earlier, no one office within SSA had mapped the overall fugitive felon data sharing and matching process to comprehensively assess how many days were required from SSA's receipt of warrant information until SSI benefits payments to fugitive felons were actually suspended. Further, although the program has been in place for 6 years, program officials were unable to provide data on the total costs of the program.

In discussing their management of the fugitive felon program, SSA officials acknowledged that the program lacked unified management accountability. An OIG official stated that, while the agency had initially decided that both headquarters offices and OIG would jointly administer the program, these offices had only recently begun considering ways to improve their management of the program. The agency was considering the development of a management board to oversee and address program issues and concerns. However, it had not developed any specific tasks or milestones for this improvement effort. Given the inherent complexity of the fugitive felon program and the many entities involved in its implementation, effective management of operations and data is essential for determining how best to achieve and sustain future program operations and reporting.

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## SSA's Efforts to Obtain Data-Matching Agreements Have Not Resulted in Comprehensive Data

Having complete and comprehensive warrant information from states is crucial to ensuring that the objectives of the fugitive felon program are achieved. Yet, according to SSA, states currently report warrant information to NCIC on a voluntary basis; therefore, not all outstanding warrants are being included in the FBI's NCIC database—a prime source of SSA's matching information. Since May 2000, SSA has been taking steps to obtain more comprehensive state and local information by pursuing data-matching agreements with states that do not report all of their warrant information to NCIC. However, a number of these states have been reluctant to enter into agreements or, once they have, have not always abided by them, largely because of SSA's and the states' concerns regarding the lack of information technology and adequate resources to support the program.

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SSA considers states to be fully reporting warrant information to NCIC if they submit information on all felonies and parole or probation violators. States are considered to be partially reporting warrant information if, for example, they report felonies but not parole and probation violators.<sup>10</sup> As of May 2002 (the latest month for which data were available), SSA had identified 21 states and the District of Columbia as fully reporting warrant information to NCIC and 29 states as partially reporting warrant information.

In pursuing data-matching agreements to obtain all of the states' warrant information,<sup>11</sup> SSA reported as of May 2002 that it had signed agreements with 18 states<sup>12</sup> and was in various stages of negotiating agreements with 5 other states. SSA had been unsuccessful in reaching agreements with 3 states, all of which had declined to enter into the agreements. It had not yet begun negotiating agreements with 6 additional states. Figure 4 reflects the status of SSA's attempts to obtain data-matching agreements with the states as of May 2002.

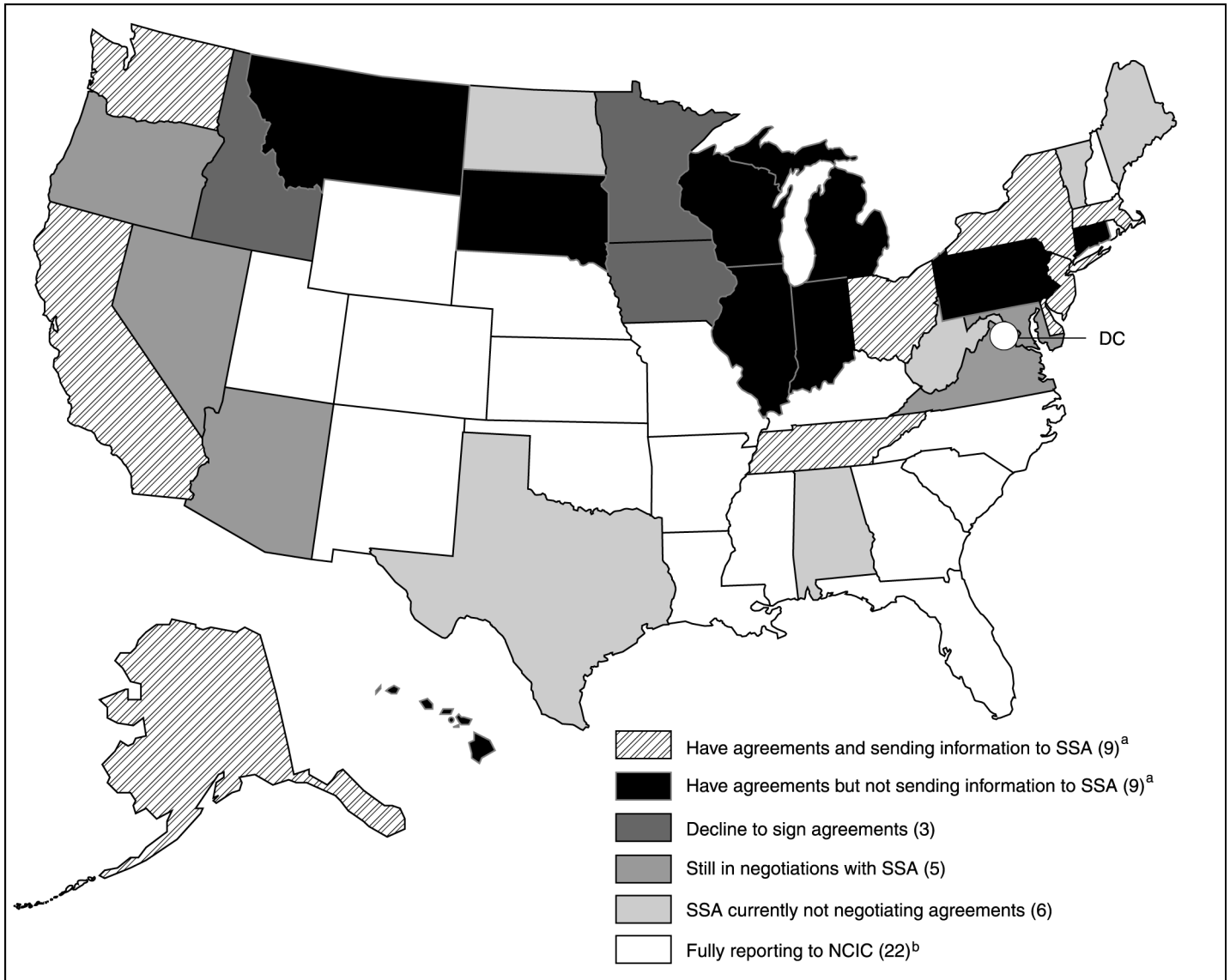
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<sup>10</sup>According to two states that SSA identified as fully reporting to NCIC (Florida and Kansas), most, but not all, felony warrants are reported to this database because the submission of felony warrants is at the discretion of local agencies within these states.

<sup>11</sup>At the time that SSA began pursuing data matching agreements, three states (Maryland, New York, and Pennsylvania) did not maintain central repositories of state and local warrant information. Therefore, to obtain a majority of the states' warrant information, SSA negotiated agreements with their largest local law enforcement agencies.

<sup>12</sup>This number includes 3 states (Delaware, Indiana, and New Jersey) identified as submitting all of their warrant information to NCIC, but from which SSA, for various reasons, negotiated agreements to also directly obtain data.

**Figure 4: Status of the SSA Fugitive Felon Agreements**



<sup>a</sup>The states that SSA is pursuing agreements with include 3 (Delaware, Indiana, and New Jersey) identified as submitting all of their warrant information to NCIC, but from which SSA, for various reasons, negotiated agreements to also directly obtain data.

<sup>b</sup>SSA does not pursue data-matching agreements with states that fully report to NCIC.

Source: SSA.

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SSA and state officials cited various factors—often related to their uses of information technology—that had made negotiating data-matching agreements difficult. For example, in explaining their decision to decline an agreement, Iowa officials stated that, because SSA does not have the capability to receive fugitive warrant records on line, state officials would have to reformat, download to electronic media, and mail the warrant information to SSA Headquarters. The officials believed that doing so would not be cost-effective and, thus, elected to continue their practice of submitting paper printouts of warrant information to the SSA OIG field office in Des Moines. In Florida, officials explained that their state had not entered an agreement with SSA and instead was fully reporting warrant information to NCIC because of SSA's specifications for formatting and downloading the warrant information onto electronic media. They expressed concern that additional resources would be required to perform these formatting tasks and manually provide the warrant information to SSA.

Further, SSA and state officials noted that negotiating data-matching agreements had been hindered by the lack of centralized databases or repositories of warrant information in some state and local law enforcement agencies. For example, officials in Oklahoma told us that because that state lacked a central repository, they did not want to enter into a data-matching agreement with SSA. The officials explained that not all of the states' approximately 700 local law enforcement offices currently report all of their warrant information at the state level and to NCIC. Thus, to meet the intent of a data-matching agreement, each local agency would have to provide their warrant information directly to SSA. However, most local law enforcement agencies within the state do not have central repositories for reporting the information to SSA.

Idaho officials added that, in addition to lacking a central repository, they had chosen not to sign a data-matching agreement with SSA because of privacy considerations. Specifically, the officials expressed concerns with the privacy and security implications of submitting sensitive warrant information via the U.S. mail.

Even when agreements had been reached, however, SSA had not fully achieved its objective of obtaining comprehensive warrant information from the states. Specifically, at the time of our review, of the 18 states with which SSA had signed agreements, only 9 were actually submitting warrant information to the agency. According to SSA, the remaining 9 states that had signed agreements but had not yet sent warrant information provided

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similar reasons for not complying with the agreements. These included states' concerns about the privacy and security of the warrant information and difficulties complying with SSA's record layout or formatting requirements. In addition, although having agreed to submit warrant information to SSA, 3 states (Kentucky, Rhode Island, and Colorado) later decided instead to report all warrant information to NCIC.

At the conclusion of our review, SSA officials acknowledged that the process for obtaining data-matching agreements was difficult and had not yielded the results that they had anticipated. States essentially provide warrant information on a voluntary basis, and the agreements are intended primarily to protect states' data from unauthorized disclosure and use. Nonetheless, SSA officials believed that, in the absence of a single and complete source of fugitive warrant records from all states, the data-matching agreements were necessary for ensuring that the agency could obtain comprehensive warrant information. We agree that comprehensive warrant information is vital to the success of the fugitive felon program. However, the data-matching agreements have not ensured that SSA will obtain the comprehensive warrant information that it seeks.

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## Legislation Prohibiting OASI and DI Benefits for Fugitive Felons Could Have a Substantial Impact on the Program

Under current statutory provisions, fugitives are prohibited from receiving SSI benefits, but can continue to be paid OASI and DI benefits. Specifically, SSA maintains address information on fugitives receiving SSI, OASI, and DI benefits, but can only share information with law enforcement agencies on those fugitives receiving SSI. However, the increasing realization that OASI and DI benefits payments may also finance a potentially dangerous fugitive's flight from justice has prompted the Congress to pursue implementing provisions to prohibit payments to fugitives in these programs as well.<sup>13</sup>

Implementing a nonpayment provision would also permit SSA to share address information on fugitives who receive OASI and DI benefits. In its own consideration of such a measure, OIG projected that doing so could result in substantial savings to the OASI and DI programs. Specifically, in an August 2000 study, OIG estimated that between August 1996 and June

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<sup>13</sup>In February 2002, the Chairman and Ranking Minority Member of the House Ways and Means Committee, Subcommittee on Social Security introduced legislation (H.R. 4070) to deny Title II (OASI and DI) benefits to fugitive felons and persons fleeing prosecution. In April 2002, a similar bill (S. 2387) was introduced before the Senate Finance Committee.



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1999, about 17,300 fugitives had been paid at least \$108 million in OASI and DI benefits. In August 2001, the office revised its estimates, projecting that OASI and DI benefits amounting to approximately \$40 million would be paid to fugitives through October 2001, and in each additional year that legislation was not enacted to prohibit such benefits payments—for a 5-year total payout of approximately \$198 million.

Should this legislative proposal be enacted, the fugitive felon program's workload could increase substantially. SSA officials acknowledged that the additional OASI and DI files could significantly increase the program's data-matching activities. According to an analysis that the OIG performed, the enactment of the legislative proposal would result in three times the current work level of SSI matches.

The FBI believed that implementing the legislation could have varying effects on its operations. Specifically, officials in the Criminal Justice Information Services Division, which manages the NCIC database, stated that implementing the provision would have no technological impact on that organization's ability to provide SSA fugitive warrant information. They anticipated that the database would continue to supply SSA with warrant records received daily from state and local law enforcement agencies. However, FBI and SSA OIG officials stated that the additional matched records for OASI and DI recipients could substantially increase ITC's workload associated with verifying the accuracy of the matched records and supplying fugitives' addresses to law enforcement agencies. Further, based on its study, OIG officials, and those of the FBI, believed that ITC's workforce would have to increase substantially—from the current staff of 7 to about 60—to accommodate the additional workload associated with handling all the leads generated through the matching process.

With the potential for workload increases in the fugitive felon program, SSA and ITC officials recognized that additional information systems support would be needed to conduct computer matches of warrant information against the OASI and DI recipient files. However, neither SSA nor the FBI had yet initiated any evaluations to assess the anticipated technological impact on their operations. Such an assessment is critical to helping SSA make an informed decision regarding its ability to ensure that comprehensive and efficient data-matching operations would continue under expanded operations. As discussed in our investment guide, good

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decisions require good data.<sup>14</sup> Consequently, having solid data on a program's operations is essential for making informed decisions concerning workload management and the technological solutions needed to sustain efficient and effective performance.

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## Increased Reliance on Other Agencies' Databases Could Help Enhance Fugitive Felon Program Operations

As SSA proceeds with implementing the fugitive felon program, having efficient and effectively run operations will be essential to achieving sustained program results. SSA officials have acknowledged inefficiencies in the existing fugitive felon processes and have indicated that they expect to rely more heavily on information technology to help improve the program's operations and outcomes. Information systems and databases maintained by some of the federal, state, and local law enforcement agencies that currently participate in the fugitive felon program could offer SSA opportunities for more efficiently obtaining warrant information to enhance the program.

Much of the foundation for using information technology to improve the fugitive felon processes may already exist among state and local agencies participating in other programs. According to SSA systems officials, SSA currently has a direct, dedicated on-line connection with every state's department of social services.<sup>15</sup> States use these lines to submit information to SSA covering various programs, such as child support enforcement. Similarly, as part of the prisoner program, some state and local prison facilities send federal prisoner data to SSA on line to aid in suspending SSI, OASI, and DI benefits to incarcerated inmates.<sup>16</sup>

In discussing the exchange of states' fugitive warrant information, SSA officials told us that they had not evaluated how on-line connections with state and local agencies could be used to receive information supporting the fugitive felon program. They indicated that implementing an on-line

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<sup>14</sup>U.S. General Accounting Office, *Assessing Risks and Returns: A Guide for Evaluating Federal Agencies' IT Investment Decision-making*, GAO/AIMD-10.1.13 (Washington, D.C.: February 1997).

<sup>15</sup>SSA's receipt of state and local agencies' data via dedicated on-line connections primarily involve batch, rather than real-time, transfers of data.

<sup>16</sup>In response to PRWORA, SSA also instituted the prisoner program. Under this program, SSA has agreements with state and local correctional facilities to obtain information that is used to suspend SSI and OASI and DI benefits to prisoners.

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connection to receive fugitive warrant information from each state law enforcement agency would require each state to have access to a secure (encrypted), dedicated telecommunications line with SSA. They believed that data compatibility and privacy issues would also need to be addressed. Nonetheless, at the conclusion of our review, an SSA official told us that the agency had reached agreement with one state—Connecticut—to exchange fugitive felon data via electronic file transfer. According to the official, Connecticut is preparing to submit data via a Connect:Direct electronic file transfer method, in which data will be encrypted and sent from one mainframe computer to another over dedicated lines.

An alternative to each state sending data would be increased reliance on the NCIC database, which could provide a comprehensive and readily accessible means of attaining outstanding warrant records from the FBI, USMS, and from the states. According to FBI data, NCIC's technical infrastructure includes high-level security controls and validation and confirmation procedures for all warrant information exchanged with the database. In addition, it is designed to interact in an on-line, real-time capacity with other information systems and databases, including those of USMS and all 50 states. For example, states transmit warrant data to NCIC via state criminal justice systems that are linked to the FBI Criminal Justice Information Services' network.<sup>17</sup> As discussed earlier, all states transmit all or some portion of their warrant information on line to the NCIC database each month.

Within the Department of Justice, USMS relies on on-line connections to transmit fugitive warrant information to NCIC. Like many state and local law enforcement agencies, USMS transmits to NCIC the same warrant information that it sends to SSA via U.S. mail. On the other hand, SSA officials stated that the Bureau of Prison's database of incarcerated inmates, which supports SSA's prisoner program, could not be used to effectively support the fugitive felon program, because that database does not maintain information on the status of fugitive felons.

Both SSA and its OIG officials believed that having a single source of warrant information would help make the data-matching process less laborious and eliminate processing inefficiencies. Accordingly, in

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<sup>17</sup>These systems, called control terminal agencies, provide statewide services such as overseeing the transmission of all warrant information within a state, controlling security, and providing information security program training.

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November 2001, OIG recommended to Congress the need for a national warrant database. In addition, at the conclusion of our review, SSA officials told us they that they viewed the NCIC database as a potential single source of warrant information to support the fugitive felon program. The officials believed that receiving USMS's and state and local law enforcement agencies' warrant information on line via NCIC could potentially eliminate much of the duplicate warrant information that now contributes to the program's inefficiencies. For example, according to federal, state, and local law enforcement officials, USMS and all states currently transmit all or some of their warrant information to the FBI's NCIC. Thus, when the FBI downloads warrant information from this database to mail to SSA, the information duplicates some of that which federal, state, and local law enforcement agencies also send to SSA. Fugitive felon program officials reported that, in calendar year 2001, SSA received approximately 60,000 duplicate warrant records (approximately 5,000 warrant records per month) as a result of these dual exchanges.

SSA officials noted, however, that achieving a single source of fugitive warrant information would require that SSA have the capability to accept data from NCIC on line. At the conclusion of our review, SSA officials stated that the agency had not explored using an on-line connection to NCIC to enhance the sharing of fugitive warrant information. In addition, they stated that, for NCIC to be effective as a single source of comprehensive warrant information, state agencies would have to be willing to report that portion of warrant information to NCIC that SSA currently must obtain from them under data-matching agreements. However, according to FBI officials, there is no statute or regulation requiring the states to fully report warrant information to NCIC; rather, states report information to this database voluntarily.

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## Conclusions

In administering the fugitive felon program, SSA faces significant technological and other barriers to achieving and sustaining efficient and effective program operations and, ultimately, helping SSI overcome its high-risk status. While the program has helped prevent SSI benefits payments to fugitives, its complex and manually intensive processes have resulted in operational inefficiencies that could hinder the program's long-term success. Further, difficulties in negotiating data-matching agreements with the states have hindered SSA's efforts to obtain comprehensive warrant information needed to fulfill program objectives. In the absence of essential management accountability, SSA lacks critical data needed to make informed decisions about the program's processes and activities, as

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well as existing and future plans for technology supporting the program. Overcoming these inefficiencies and limitations will be critical to ensuring that the fugitive felon program is organized and implemented to achieve the greatest possible results and that SSA is effectively positioned to fulfill its potentially broader role in preventing OASI and DI benefits payments to fugitives.

SSA officials recognized that increased program efficiency and outcomes could result from more substantial uses of information technology to perform key data sharing and verification functions and to streamline data-matching operations. Further, given the potential increase in SSA's workload that could result from implementing an OASI and DI nonpayment provision, having the necessary information technology to support its operations will be even more critical. SSA already has a proven capability to share data on line with federal, state, and local agencies in support of other programs. However, SSA has taken few steps toward examining its current data-matching operations and approaches to obtaining warrant information or exploring how best to use technology to enhance the overall fugitive felon process.

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## Recommendations for Executive Action

To improve the fugitive felon program's operational efficiency and ensure sustained, long-term success in identifying fugitive SSI beneficiaries, we recommend that the Commissioner of Social Security designate a program management office and program manager to direct, monitor, and control the program's activities and progress. In addition, we recommend that the commissioner direct the program management office and manager to

- conduct a detailed assessment of the fugitive felon program's current operations and performance, including a complete analysis of the organizations, processes, information flows, and time frames required to administer the program, a full accounting of the program's costs, estimated and actual program benefits, and current workload requirements;
- identify and prioritize, based on its assessment, those fugitive felon processes that need improvement and develop a strategy for resolving technological and administrative barriers preventing their efficient operation;
- continue to examine and propose options for using technology to automate the currently manual functions involved in exchanging

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fugitive warrant information with federal, state, and local law enforcement agencies and in completing the verifications and referral of this information, including assessing alternatives to using data-matching agreements to obtain fugitive warrant information, and determining whether on-line connections with state and local law enforcement agencies and/or direct telecommunications connections with the FBI's NCIC database could offer viable and more efficient means of sharing warrant information; and

- assess the anticipated technological impact on fugitive felon operations from the implementation of provisions prohibiting OASI and DI benefits payments to fugitives, including identifying the additional information systems support that would be needed to conduct and process leads resulting from computer matches of warrant information against these benefits recipients' files.

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## Agency Comments and Our Evaluation

We received written comments on a draft of this report from the Commissioner of Social Security (see app. IV) and from the Director, Audit Liaison Office, Justice Management Division, Department of Justice (see app. V). The Commissioner of Social Security expressed disappointment with our report and generally disagreed with our recommendations. The Department of Justice provided technical comments, which we have incorporated, as appropriate.

Regarding the commissioner's statement expressing disappointment in our report, we believe our report provides a fair assessment of the efficiency of the fugitive felon program. We identify those areas in which improvements can be made that can benefit SSA's future efforts at streamlining the program's inefficient processes, improving performance and operations, and applying technology, where appropriate.

In SSA's comments, the commissioner also stated that the report implied that neither SSA nor the OIG had a vision for the fugitive felon program and did not mention that SSA and OIG had embraced the program without start-up funding or additional resources. We recognize the valuable role that SSA plays in implementing the fugitive felon program to prevent benefits payments to ineligible SSI recipients. In pointing out technological and other barriers to the program's operations, our intent was not to imply that SSA and other participating components lack a vision for the program. Rather, given the program's complexity and multiple entities involved in its administration, we believe it is important to highlight critical conditions

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and operational inefficiencies necessitating SSA's continual attention in order to ensure sustained program success. Also, our report does recognize that funding has not been appropriated to administer the program. SSA, as a steward of the program, has a responsibility to ensure that it consistently carries out all aspects of the fugitive felon data-matching operations in an efficient manner.

Regarding our recommendation to designate a program management office and program manager to direct, monitor, and control the program's activities and progress, SSA disagreed that an agency-wide program manager was necessary. SSA stated that managers within its office of operations and OIG are responsible for the program and that all involved offices are aware of the overall process and individual office responsibilities. Further, SSA stated that the Inspector General Act does not allow its OIG to take direction from or participate in administrative decisions that appropriately belong to SSA. In addition, regarding our statement that no program official could explain the overall data sharing and matching process, SSA disagreed, stating that OIG and SSA officials are able to explain the process in its entirety. SSA also stated that, to ensure all involved offices are aware of the overall process and individual office responsibilities, it had released a detailed process description and provided a copy to us. Further, SSA added that because its officials had chosen not to answer questions pertaining to other components' work during our review, we had mistakenly inferred that no one within the agency could explain the overall process.

We recognize that the fugitive felon program is a joint effort and that there are responsible and knowledgeable managers within each of the participating components involved in administering the program. Our recommendation is intended to ensure a unified management oversight capability for the fugitive felon program that does not currently exist. It is not intended to prescribe the exact nature or form of that management oversight capability. With respect to comments regarding possible limitations on joint efforts as a result of the Inspector General Act, the Act does not prohibit coordination of joint action between the OIG and the head of the establishment involved to ensure efficiency of operation and to avoid duplication of effort, nor do we believe that such coordination would affect OIG's personal and professional independence. In this respect, as we noted in our report, an OIG official has commented on the need for improved coordination and management of the fugitive felon program. That official also noted that OIG had already begun to work with SSA's Office of Operations to improve management of the program.

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Further, during our review, it was evident that management and staff in each component could explain the distinct segments of tasks that they were responsible for accomplishing; however, we could not identify any officials within these organizations who had a clear perspective of overall program performance and operations. As our report noted, staff within the SSA and OIG offices provided conflicting accounts of the fugitive felon data-matching process. While we acknowledge that SSA revised its policy instructions in April 2002, outlining involved offices' roles and responsibilities, these instructions do not address SSA's overall fugitive felon processes. In addition, we were unable to identify any aggregate tracking data to assess the program's overall cost and performance. Given the multiple agencies and offices involved in administering this complex program, we continue to believe that having a unified source of accountability and authority for the program is essential to effectively and consistently oversee its progress and ensure that informed decisions are being made about its implementation. In discussing our findings on May 10, 2002, SSA and OIG officials agreed that the program lacked uniform management accountability and stated that they had just recently begun considering the development of a management board to oversee and address program management issues and concerns.

SSA also disagreed with our recommendation that called for it to conduct a detailed assessment of the fugitive felon program's current operations and performance, including a full accounting of the program's costs and benefits and workload requirements. SSA stated that its analysis of the program's operations is an ongoing process and that enhancements are made when deemed necessary. SSA further stated that it had completed many of the tasks cited in our recommendation prior to starting the matching process in calendar year 1999, and that OIG has regularly reported its performance in the program. We agree that ongoing monitoring and analysis of the program's operations is essential for ensuring that management is informed of the program's cost and progress and to assess risks to overall performance. However, during our review, SSA could not demonstrate that it had made an aggregate assessment of the program's current operations and performance, including an awareness of the processes, information flows, and time involved in administering the program, as well as a full accounting of its costs and requirements. Such information is vital for making informed decisions about the program's progress and for determining where process improvements are needed and how best to achieve them. The fugitive felon program has been in place since 1996 (with computerized matching since 1999), giving SSA sufficient opportunities to perform these necessary and critical assessments. Further,



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while SSA stated that OIG has regularly reported its performance in the fugitive felon program, it is important that SSA conduct its own program assessment that includes all participating components, which ensures that the program can be consistently and comprehensively controlled and managed.

Regarding the need for an assessment, SSA stated that it had completed a cost-benefit analysis of the fugitive felon program in January 2001. Our review of the two-page summary found that it lacked substantial information about the program's overall costs and benefits. An operations official who provided the document told us that the summary had constituted only a rough estimate, rather than an accurate reflection, of the program's costs and benefits, and that it had been developed only for the purpose of renewing SSA's computer-matching program. The official added that the development of actual cost and benefits data for the fugitive felon program would require significantly more time than had been invested in preparing the current summary.

SSA believed that our recommendation to identify and prioritize those fugitive felon processes that need improvement and develop a strategy for resolving technological and administrative barriers preventing their efficient operation is unnecessary, stating that it provides for these actions during normal operations. The agency added that it has a number of efforts under way to automate some of the fugitive felon processes. However, SSA stated that there are some manual processes in the program that contribute to minor interruptions to the fugitive felon process.

While SSA stated that it has undertaken efforts to automate some fugitive felon processes, it needs to develop a strategy for resolving the technological and administrative barriers affecting the program's operations. As our report notes, an overall business process improvement strategy will better position SSA to prioritize and integrate its various reengineering and improvement projects and, thus, maximize the potential of technology to improve the program's performance. Further, at the conclusion of our review, SSA provided us with documentation outlining discussions to automate field office functions. However, the information provided did not include enough detail on the initiative that it said was being undertaken; therefore, we could not comment on these developments. We recognize that there are many steps within the fugitive felon process that must be completed manually. While we agree that some of these manual processes are necessary, our report notes that technology may enhance the program. Given our assessment of the length of the

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process (approximately 165 days), we continue to believe that SSA needs to perform a complete analysis of the fugitive felon program to identify areas for improvement, as well as areas where technology can be used to support more efficient operations.

SSA found potential merit in our recommendation that it examine and propose options for using technology to automate the currently manual functions involved in exchanging fugitive warrant information with federal, state, and local law enforcement agencies and in determining the most efficient means of sharing warrant information. Although our recommendation included determining whether direct telecommunication connections with the FBI's NCIC could offer a viable solution, SSA believed that the creation of a single national warrant database would be a better solution to efficiently sharing warrant information. SSA stated that its OIG had testified before the Congress on the benefits that would be derived if such a database were established. SSA added that NCIC would be effective as a single source of comprehensive warrant information only if entry of states' warrant information became mandatory.

We acknowledge in our report that the states enter warrant information into NCIC voluntarily and agree that this could be an impediment to achieving a comprehensive information repository. Nonetheless, achieving an optimal solution will in large measure depend on SSA examining the strengths and limitations of all of the potential alternatives to sharing warrant information, including NCIC. Accordingly, this recommendation remains in our report. However, we have also incorporated language reflecting SSA's views regarding a national warrant database.

Also in its response to this recommendation and in additional comments, SSA noted several instances where it believed we had made incorrect assumptions regarding the fugitive felon process. SSA disagreed with our assertion that it cannot determine the amount of time that is actually required to complete the processing of fugitive warrants and stated that it was able to track the number of days it takes for each individual subject (fugitive) to be processed. In addition, SSA stated that our analysis of the fugitive felon processing timeline had incorrectly considered start-up/test file processing times that can be associated with states' first submissions of warrant files, thus accounting for our approximation of 165 days. We acknowledge that SSA has been able to track fugitive warrant information on a subject-by-subject basis; however, our review did not find that SSA had performed any aggregate tracking of the time required to process fugitive warrants—data that would be helpful to SSA in gauging the

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program's performance. Also, as our report noted, our analysis was limited to case processing data that did not involve lost, mishandled, or improperly formatted data. However, we have amended our report to specifically reflect that we also did not include trial and error times for states reporting warrant information for the first time.

In addition, SSA interpreted our discussion of states' perspectives regarding fugitive felon data formatting and transmission requirements as an implication that the requirements were unduly restrictive. However, we recognize the importance of prescribed standards for ensuring consistent reporting of warrant information and other computerized data. In this regard, our report aims only to highlight some of the circumstances that currently prevent SSA from receiving comprehensive warrant information from state and local law enforcement agencies.

Further, SSA stated that our report had included erroneous information about the agency's on-line connections with states' departments of social service and in describing its data exchanges with the Bureau of Prisons. SSA stated that the agency has dedicated lines connecting to each state and that these lines are used to exchange batch files, and that real-time transfers are not occurring as indicated in our report. Based on documentation that SSA's Office of Systems provided, we determined that SSA has direct, dedicated on-line connections with every state's department of social services. However, we do not imply in our report that on-line connections mean real-time connections. We have added language to clarify that SSA's existing on-line connections with state and local agencies primarily involve batch, rather than real-time, transfers of data.

Finally, regarding our recommendation that SSA assess the anticipated technological impact on fugitive felon operations from the implementation of provisions prohibiting OASI and DI benefits payments to fugitives, SSA stated that it and the OIG have already completed this task. In particular, SSA stated that a joint SSA/OIG analysis of state and federal warrant files had been started in January 2001 to determine what impact OASI and DI legislation would have on the program. According to SSA, this analysis had determined that the legislation would affect staff resources, but would not affect its need for technology. Further, SSA stated that this information had been shared with us during our review.

While conducting our review, OIG officials did inform us that they had performed an analysis to assess the impact of the OASI and DI legislation on fugitive felon program operations; however, by the conclusion of our

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review, the officials had not met our request for documentation supporting this analysis. OIG officials subsequently provided the analysis to us while reviewing and commenting on our draft report. We agreed to review the analysis and make revisions to our report, as necessary. Our review of the analysis found that OIG's main objective had been to determine the increase in the current fugitive felon program workload. However, the analysis did not include any discussion of the technological implications resulting from the OASI and DI legislation. Further, SSA commented that, in June 2001, its Office of Systems had estimated that adding OASI and DI to the fugitive felon program would require about 8 work years, but that the agency did not envision any major new or unique information technology expenditures. In discussing the impact of the legislation during our review, SSA did not inform us of the Office of Systems' projection or of documentation supporting this evaluation. Thus, while we have modified our report to reflect that OIG had performed analysis that assessed the workload impact resulting from the OASI and DI legislation, we continue to believe that additional assessment is necessary to determine whether and what information systems support would be required to meet the broader mission.

Beyond these comments, SSA offered clarifications to table 1, which listed the organizations tasked with implementing the fugitive felon program and to the definition of "high misdemeanors" discussed in footnote 6 to the report.

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As agreed with your office, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days from the report date. At that time, we will send copies of this report to the Commissioner of Social Security and to the Director, Office of Management and Budget. We also will make copies available to others upon request. In addition, the report will be available at no charge on the GAO Web site at <http://www.gao.gov>.

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Should you or your office have any questions concerning this report, please contact me at (202) 512-6253, or Valerie Melvin, Assistant Director, at (202) 512-6304. We can also be reached by E-mail at [willemsenj@gao.gov](mailto:willemsenj@gao.gov) and [melvinv@gao.gov](mailto:melvinv@gao.gov), respectively. Individuals making key contributions to this report were Nabajyoti Barkakati, Mary J. Dorsey, Sophia Harrison, David L. McClure, Valerie C. Melvin, Tammi Nguyen, Henry Sutanto, and Eric Trout.

Sincerely yours,

A handwritten signature in black ink that reads "Joel Willemsen". The signature is written in a cursive style with a large, looping initial "J".

Joel C. Willemsen  
Managing Director, Information Technology Issues

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# Objectives, Scope, and Methodology

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Our objectives were to examine the technological aspects of the fugitive felon program in order to (1) identify technological barriers restricting (a) data matching between the Social Security Administration's (SSA) and the Federal Bureau of Investigation's (FBI) databases and (b) ongoing efforts by SSA to obtain data-matching agreements with state and local law enforcement agencies; (2) assess the technological impact on SSA and the FBI should Old Age and Survivors Insurance (OASI) and Disability Insurance (DI) benefits be included in legislation restricting payments to fugitive felons; and (3) determine whether other databases, such as those maintained by the Department of Justice's Bureau of Prisons and the U.S. Marshals Service, can provide additional support to the fugitive felon program.

To understand the fugitive felon data-matching process, we obtained and analyzed various documentation maintained by SSA, the FBI, the Bureau of Prisons and the U.S. Marshals Service. These documents described data sharing and matching policies, operational and security procedures, and the technical infrastructure supporting the fugitive felon program. We complemented our understanding of the data-matching process by arranging a demonstration with SearchSoftwareAmerica, an industry leader with expertise in data-matching software, to understand how data-matching software works in a database environment.

At the time of our review, SSA did not have documentation showing the flow of warrant information through the fugitive felon data-matching process, requiring that we map the process ourselves. To accomplish this, we relied on the results of our document analyses and used business process flow software to construct a graphical presentation of the fugitive felon program's process flow. We provided copies of the completed business process flowchart to SSA Headquarters offices and its Office of Inspector General (OIG) to verify the accuracy of our process depiction and incorporated changes based on their review and comments. In addition, to further confirm the process, we interviewed agency officials in all of the offices involved in administering the fugitive felon program. These included SSA's OIG and office of operations, SSA and OIG field offices, and the FBI Information Technology Center (ITC) in Fort Monmouth, New Jersey.

Also, because SSA had not performed an analysis to determine how many days it took to process warrant information, we determined the approximate number of days involved in the process from the receipt of warrant information from federal, state, and local law enforcement

agencies until the suspension of fugitives' SSI benefits. We derived the number of days by performing a detailed analysis of documentation obtained from various SSA offices. For example, we reviewed completed samples of incoming data included on log sheets from both the Office of Central Operations and Office of Telecommunications and Systems Operations to calculate the approximate number of days it took these offices to process the warrant data from its receipt until they forwarded it to OIG. We also interviewed officials in SSA Headquarters, its OIG, and the FBI ITC regarding the number of days involved in processing fugitive warrants. We shared the results of our analysis with appropriate SSA officials to confirm the validity of our processing timeline estimate.

To identify technological barriers restricting data matching between SSA's and the FBI's databases, we relied on our detailed analysis of SSA's fugitive felon process and assessed information describing its supporting technical infrastructure. We also analyzed documentation describing the FBI's repository of fugitives and other criminals—the National Crime Information Center (NCIC)—along with the agency's approach to providing warrant information to SSA. To support our analysis, we applied various guidance, including Office of Management and Budget Circular A-130, Appendix I: *Federal Agency Responsibilities for Maintaining Records about Individuals* and Appendix II, *Security of Federal Automated Information Resources*; and National Institute of Standards and Technology computer security guidance.

Regarding SSA's ongoing efforts to obtain data-matching agreements with state and local law enforcement agencies, we applied the Computer Matching Privacy and Protection Act (CMPPA) of 1988 (P. L. 100-503), amending the Privacy Act (5 U. S. C. 552a); data-matching agreements fall under the provisions of the Act, which protects unauthorized disclosures of computerized data through data matching. In addition, we applied the Privacy Act of 1974 (P. L. 93-579), which stipulates provisions for protecting individuals from unauthorized disclosure of non-computerized information. We also applied knowledge gained through our detailed analysis of the fugitive felon process, as well as SSA's model data-matching agreements, reports documenting the status of negotiations between SSA and state and local law enforcement agencies, and other policy and procedural documentation. We conducted site visits and telephone conferences with 17 randomly selected state and local law enforcement agencies—Alabama, Arkansas, California, Connecticut, Delaware, Florida, Indiana, Iowa, Kansas, Maine, Massachusetts, Montana, New Jersey, Ohio, Oklahoma, Oregon, and Montgomery County, Pennsylvania—to determine

their involvement in the fugitive felon program, identify any technological barriers prohibiting their ability to effectively and efficiently share data with SSA and other federal agencies, and assess issues and concerns affecting their efforts to negotiate data-matching agreements with SSA.

To assess the technological impact on SSA and the FBI should legislation be enacted to prohibit fugitives from receiving OASI and DI benefits payments, we analyzed applicable laws: the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P. L. 104-193), amending Title XVI of the Social Security Act, as well as OASI and DI legislation proposed by the House of Representatives and U.S. Senate. We also assessed SSA OIG reports and testimony that highlighted the Inspector General's position regarding proposed legislation prohibiting OASI and DI benefits payments to fugitive felons and determined SSA's decisions and actions regarding the potential impact of such proposed legislation. In addition, as part of our analysis, we considered our recent correspondence to the House Committee on Way and Means, which reported on whether SSA has the authority to deny OASI and DI benefits to fugitive felons and provide law enforcement agencies with the current addresses and Social Security numbers of OASI and DI beneficiaries who are fugitive felons.<sup>18</sup> Finally, to determine whether other databases, such as those maintained by the Department of Justice's Bureau of Prisons and U.S. Marshals Service could provide additional support to the fugitive felon program, we obtained and analyzed documentation describing the agreements between SSA's OIG and these agencies. In addition, we analyzed systems documentation pertaining to the Bureau of Prisons and U.S. Marshals Service's databases, as well as the FBI's NCIC and state and local law enforcement agencies' databases. This documentation included data standards, reporting requirements (memoranda of understanding and data-matching agreements), policies, and procedures. We also interviewed pertinent management and staff of SSA's Headquarters, field offices, and OIG; the FBI Criminal Justice Information Services Division; the U.S. Marshals Service; and the Bureau of Prisons to gain an understanding of how their databases could be used to support the fugitive felon program.

We conducted our review from August 2001 through May 2002, in accordance with generally accepted government auditing standards.

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<sup>18</sup>U.S. General Accounting Office, *Social Security Programs: The Scope of SSA's Authority to Deny Benefits to Fugitive Felons and to Release Information about OASI and DI Beneficiaries Who Are Fugitive Felons*, [GAO-02-459R](#) (Washington, D.C.: Feb. 27, 2002).



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# Fugitive Felon Program Data-Matching Process

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Under the fugitive felon program, the FBI, U.S. Marshals Service (USMS), and state and local law enforcement agencies download warrant information from their respective databases onto electronic media, such as cartridges, diskettes, and CD-ROMs, and send it to SSA via the U.S. mail or FedEx. Warrant information contained on diskettes, paper, and CD-ROMs is sent to SSA's Office of Central Operations (any warrant information received on paper is keyed to diskette), whereas warrant information contained on tapes, cartridges, or electronic files is sent to SSA's Office of Telecommunications and Systems Operations. Upon receipt, staff in these two offices upload the warrant information onto SSA's mainframe computer, located at its National Computer Center (NCC), to begin the data-matching process.

As part of the data-matching operations, the NCC staff makes backup copies of the warrant information and processes the data in overnight batches, using SSA's Enumeration Verification System (EVS) to verify fugitives' names, Social Security numbers, sex, and birth dates. The NCC staff then notifies SSA's OIG that the data files are in production. The OIG is responsible for ensuring that the data files include only individuals charged with felony and parole or probation violations; it deletes any files naming individuals charged with misdemeanors.

Following OIG's review, NCC staff processes the data files against the supplemental security record to identify fugitives receiving SSI benefits payments. The records of fugitives identified—called matched records—are then returned to the OIG for further processing.

OIG enters the files containing the matched records into its allegation and case investigative system and assigns case numbers to them. Case numbers are assigned based on whether the records represent "exact" matches or "good" matches.<sup>19</sup> OIG then sends the records containing exact matches (on electronic media via FedEx) to the FBI's ITC in Fort Monmouth, New Jersey and to USMS for additional processing. OIG also notifies its field offices via E-mail that exact and good matches have been entered into its allegation and case investigative system.

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<sup>19</sup>Exact matches are those having only one person with a particular name, Social Security number, date of birth, and sex. Good matches are those having one or two of the data elements, such as name and date of birth, but not a Social Security number. Good matches require the OIG field offices to perform additional identification and verification.

Upon receiving the exact matches, ITC staff then verifies the address and status of each individual named in the NCIC matched warrant records to determine whether the warrants are still active, using a personal computer to access and query fugitives' records that are maintained in the NCIC database. ITC staff does not query NCIC to determine whether states' matched warrant records are still active, but rather processes and mails the records to the applicable states for their verification. ITC staff also obtains from the NCIC database address information on the law enforcement agencies that originally issued the arrest warrants on the individuals named in the warrants and manually type each originating law enforcement agency's address onto a cover letter. The staff then uses the address information to mail the "leads," together with the cover letter, law enforcement referral form (OI-5B), and the law enforcement certification form (OI-5C) to the originating law enforcement agencies for their use in locating and apprehending the fugitives. According to OIG, ITC generally requires approximately 30 days to process the matched records.

State and local law enforcement agencies use information contained in the "leads" to locate the fugitive felons and then return certification forms to ITC indicating the action they have taken on the warrant. Before acting to suspend SSI benefits, SSA generally allows the originating law enforcement agencies 60 days to apprehend a fugitive based on the leads provided. By allowing this "sunset" phase, SSA avoids letting fugitives know that their status and whereabouts have been revealed before law enforcement authorities can arrest them.

When ITC receives the certification forms from the law enforcement agencies indicating the status of the warrants, it forwards the forms to the appropriate OIG field offices. OIG agents have 30 days from the time that the forms are returned to them to work the cases (a case consists of 50 subjects or felons) or perform additional verifications, enter the information from these forms into the allegation and case investigative system, complete summary and benefits suspension forms, and mail the forms to SSA field offices. If law enforcement agencies do not return certification forms indicating the status of the arrest warrant to ITC within 60 days, OIG agents follow up with the law enforcement agencies either by letter or telephone to determine whether the warrant is still active. OIG agents also perform additional identification activities for good matches and send these matches to SSA field offices, where staff query the supplemental security record for verification. If records cannot be verified using the supplemental security record, OIG contacts the law enforcement agencies for verification. If, after contacting law enforcement agencies,

warrants still cannot be verified, records are either destroyed or mailed back to the originating law enforcement agencies and a note is attached to records contained in the allegation and case investigative system.

Once warrant records are verified and are determined to be still active, OIG agents refer them to the appropriate SSA field offices, where action is taken to suspend the fugitive's SSI benefits, calculate the amount of overpayment, and update the SSI files. SSA officials told us that the process to suspend SSI benefits payments takes approximately 10 days.

Based on our analysis of data that SSA provided about its process, we determined that from the date on which SSA first receives warrant data from the law enforcement agencies to when it identifies fugitives who receive SSI benefits, locates and apprehends them, and then suspends SSI benefits, the process can take up to 165 days.<sup>20</sup> This approximate processing time includes 35 days for SSA systems, operations, and OIG staff to process the matches, 30 days for ITC to verify and batch process warrants, 60 days for state and local law enforcements agencies to locate and apprehend fugitives before SSA serves notice of benefits suspension, 30 days for OIG field offices to act on information received from the law enforcement agencies, and 10 days for processing the suspension of benefits.

Following the suspension of benefits, fugitive SSI recipients are given due process. That is, fugitive SSI recipients have 10 days to contact SSA for a continuance of benefits and 60 days to appeal the suspension. If the fugitive loses the appeal, SSA will suspend the SSI benefits and again update the supplemental security record. SSA's NCC runs master tapes once a month and submits them to the Department of the Treasury, informing it of any updated information. Treasury discontinues issuing checks to the identified fugitive felons.

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<sup>20</sup>The approximate processing days were compiled based on our analysis of information provided by several SSA offices involved in the process. Our analysis considered the steps required to fully process a case that did not involve circumstances such as lost, mishandled, or improperly formatted warrant information. To confirm the validity of our timeline estimate, we shared the results of our analysis with appropriate SSA and FBI officials.

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# Fugitive Felon Program's Assistance in Apprehending Fugitives and Preventing Them from Receiving SSI Payments

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SSA reports that, since its inception in August 1996, the fugitive felon program has been instrumental in helping identify approximately 45,000 fugitives who improperly collected at least \$82 million in Supplemental Security Income (SSI) benefits. In addition, SSA reports that, as a result of sharing fugitive warrant information, officer and public safety throughout the United States has increased. According to SSA's OIG, among those fugitives who have been identified as receiving SSI benefits, more than 5,000 have been apprehended since the fugitive felon program began.

The following cases highlight examples of how the fugitive felon program has contributed to identifying and apprehending fugitives and preventing improper payments of SSI benefits:

- On February 8, 2001, authorities arrested two fugitives as a result of computer matching between SSA's OIG and the FBI's NCIC. Agents from OIG's New York field division, state troopers from New Jersey, and deputies from the Essex County, New York sheriff's office, arrested one fugitive wanted on arson charges and a second wanted on charges of producing and distributing a dangerous controlled substance. Both fugitives were remanded to the custody of the Essex County jail, and these cases resulted in the suspension of the fugitives' SSI benefits.
- In New York, the field division of SSA's OIG used leads from matched fugitive warrant records to identify a fugitive wanted by the Union County, New Jersey sheriff's office on a burglary charge. This fugitive, arrested in June 2001, with the assistance of an FBI agent, had 13 prior arrests and 5 prior convictions, including one for homicide. This case resulted in SSI benefits suspension.
- Under the direction of the U.S. Attorney's Office for the Eastern District of Michigan, agents from the OIG Detroit office participated in an operation that focused on locating and arresting 400 adult and juvenile chronic violent offenders. The 3-day operation resulted in the arrest of 82 individuals—67 of whom were receiving SSI benefits. The apprehended individuals were wanted for offenses ranging from criminal sexual conduct to armed robbery and assault with intent to do bodily harm.
- In California on December 7, 2000, the Operation Pretenders Task Force, (composed of agents from the SSA OIG, U.S. Immigration and Naturalization Service, and California state parole), assisted by California's Department of Health Services and Department of Motor

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**Appendix III  
Fugitive Felon Program's Assistance in  
Apprehending Fugitives and Preventing  
Them from Receiving SSI Payments**

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Vehicles, arrested a registered child sex offender for a parole violation. The fugitive had eluded officials for approximately 5 years by assuming the identity of his deceased brother and had applied for and received SSI benefits under the assumed identity. On January 31, 2001, a grand jury indicted him on two counts of false statements for SSI benefits, two counts of fraudulent use of a Social Security number, and three counts of identity theft.

# Comments from the Social Security Administration



## SOCIAL SECURITY

The Commissioner

August 5, 2002

Mr. David L. McClure  
Director, Information Technology  
Management Issues  
U.S. General Accounting Office  
Washington, D.C. 20548

Dear Mr. McClure:

Thank you for the opportunity to review and comment on the draft report, "Social Security Administration: Fugitive Felon Program Could Benefit from Better Use of Technology and Increased Management Accountability" (GAO-02-346). Our comments on the report, including comments from the Inspector General, are enclosed. If you have any questions, please have your staff contact Janet Carbonara at (410) 965-3568.

Sincerely,

A handwritten signature in black ink that reads "Jo Anne B. Barnhart".

Jo Anne B. Barnhart

Enclosure

**SOCIAL SECURITY ADMINISTRATION (SSA) COMMENTS ON THE GENERAL ACCOUNTING OFFICE (GAO) DRAFT REPORT, "SOCIAL SECURITY ADMINISTRATION: FUGITIVE FELON PROGRAM COULD BENEFIT FROM BETTER USE OF TECHNOLOGY AND INCREASED MANAGEMENT ACCOUNTABILITY" (GAO-02-346 (PRIVATE ))**

Thank you for the opportunity to review this draft report. We wish to express our disappointment in the report, as it implies that neither SSA nor the Office of Inspector General (OIG) has a vision for this program. The report also neglects to mention that SSA and OIG embraced this program with no start-up funding or additional resources. As our response to the recommendations will show, SSA works diligently to make this program a success.

Our specific comments to each recommendation are below.

**GAO Recommendation 1**

The Commissioner of Social Security should designate a program management office and program manager to direct, monitor, and control the program's activities and progress.

**SSA Comment**

We disagree that one Agency-wide program manager is necessary. The fugitive felon program is a joint effort between SSA's Office of Operations and the Office of the Inspector General (OIG) and within the two offices, there are managers who are responsible for the program. Communication and cooperation among all components within SSA have been excellent, and we see steady refinement in our processes and anticipate continued success as this program continues to mature.

To ensure that all involved offices are aware of the overall process and individual office responsibilities, we released a detailed process description (EM 02046 - "Roles and Responsibilities for Fugitive Felon Case Processing") to involved offices in April 2002. We provided a copy of the message to GAO during this review.

Also, it does not appear that the implications of the Inspector General Act were properly considered when this recommendation was put forth. The Inspector General Act does not allow OIG to take direction from nor take part in administrative decisions that appropriately belong to SSA.

**GAO Recommendation 2**

The program management office should conduct a detailed assessment of the fugitive felon program's current operations and performance, including a complete analysis of the organizations, processes, information flows, and timeframes required to administer the program, a full accounting of the programs costs, estimated and actual program benefits, and current workload requirements.

**SSA Comment**

We disagree. Monitoring and analysis of the program's operations is an ongoing process. Enhancements are made when deemed necessary and timeframes required to administer the program continue to decrease. Based on August 1996 legislation for the matching of fugitive felon information, SSA completed many of the tasks cited in the recommendation prior to starting the matching process in calendar year 1999. Also, beginning with the semi-annual report to Congress dated October 1, 1997 through March 31, 1998, the OIG has regularly reported its performance in the fugitive felon program.

In addition, SSA completed a Cost Benefit Analysis (CBA) on the fugitive felon program in January 2001, which reflected a 4.8 to 1 return on investment. This CBA document was supplied to GAO during this review.

In terms of determining current workload requirements, it is too early in the process for SSA to accurately project workloads; however, we do have estimates based on earlier OIG reports. We consider this an ongoing monitoring initiative.

**Recommendation 3**

Identify and prioritize those fugitive felon processes that need improvement and develop a strategy for resolving technological and administrative barriers preventing their efficient operation.

**SSA Comment**

We disagree. We do not believe this is necessary as we already provide for these actions in our normal operations. SSA has a number of efforts underway to automate some of the fugitive felon processes. OIG and the Office of Operations are partnered in developing an Allegation Management System that will allow for the effective and efficient management of allegations of fraud that SSA encounters, both programmatic and employee. This software will support fugitive felon processing as part of "programmatic fraud." Additionally, software is being designed to automate: OIG referral of fugitive felon cases to SSA's field offices for suspension action; suspension action and release of the due process notice to the Supplemental Security Income (SSI) recipient; update of the Supplemental Security Record (eliminating field office handling of most of the fugitive felon cases); and feedback to OIG. This software, designed to automate the backend processing, is expected to be operational by the end of calendar year 2002. This information was shared with GAO during this review.

Also, the OIG, in conjunction with the Federal Bureau of Investigation's (FBI) Information Technology Center (ITC) has recently developed an electronic means for the ITC to return information obtained from law enforcement to the OIG. This not only significantly cuts down on the amount of paper transferred between the ITC and the OIG, but also reduces OIG field processing time.

There is some manual processing within the fugitive felon process. When a file is received by SSA, it must be manually logged as received and reviewed to determine if the records are



acceptable. This is a minor interruption in the fugitive felon file process; however, once past the logging and initial check, the file follows the same path as any of our other successful, high-volume SSA matching operations. However, SSA is examining a means for automating the receipt of files.

**GAO Recommendation 4**

Examine and propose options for using technology to automate the currently manual functions involved in exchanging fugitive warrant information with Federal, State and local law enforcement agencies and in completing the verifications and referral of this information, including assessing alternatives to using data-matching agreements to obtain fugitive warrant information, and determining whether on-line connections with State and local law enforcement agencies and/or direct telecommunications connections with FBI's National Crime Information Center (NCIC) database could offer viable and more efficient means of sharing warrant information.

**SSA Comment**

While this recommendation may have merit, we believe the better solution would be the creation of a single National Warrant Database. In November 2001, the OIG expressed the need for a National Warrant Database and testified before Congress about the many benefits that would be derived if such a database were established. The database would be a mandatory deposit for all warrant information from law enforcement jurisdictions. SSA supports OIG's recommendation for creation of such a database. We shared with this information with GAO during the review.

The NCIC entry of information is voluntary and participation varies from State to State. NCIC would only be effective as a single source of comprehensive warrant information if entry of information became mandatory. Currently, only 13 States and the District of Columbia report 100 percent of their warrants to NCIC. Six additional States report virtually all their warrant information to NCIC. Since July 2000, SSA has been involved in negotiating fugitive felon matching agreements with the States. SSA has secured agreements with 24 States and four local law enforcement jurisdictions. In States where participation was not 100 percent, agreements have been pursued to obtain reporting of warrant information directly to SSA. In some States, successful reporting has not yet occurred due to delays in the State's programming efforts. The process is tedious. Once agreements are negotiated, work begins to establish the receipt of data from all sources in the State. When the State has completed the programming correctly, the reporting process runs smoothly.

Additionally, this process accounts for GAO's mention of extended processing time for the fugitive felon cases, citing 165 days as the general processing time. GAO incorrectly attributed the start-up/test file processing time, which includes many old records, to all files received and included a step, unnecessary after the first file, for each file to go to OIG for review.

We address GAO's statements that States are reluctant to provide SSA with fugitive felon data (files) because SSA's requirements for formatting and transmitting data create resource requirements that they are not able to meet. The implication is that our requirements are unduly restrictive. With respect to formatting data to be provided to SSA, it is critical that files that are

submitted follow prescribed and uniform record layouts. If reporters were to submit their files using formats and data elements that were not uniform, SSA would have to evaluate each file to determine if the critical elements were provided. Further, conversion software would have to be customized and developed for each unique file and invoked for each submission so that it could process through SSA's systems. This would delay the processing of the fugitive felon reports and require a significant resource commitment by SSA to process the files. Further, if SSA's operating systems that process these files were modified/updated, each of the unique software routines that processed the fugitive felon files could require updates and revalidation.

It is for the above reasons that SSA specifies standards and, as in the prisoner program, has a standard record format that over 1,150 reporters comply with.

Related to the above concerns, GAO's report makes some general assumptions that are neither realistic, nor accurate. The report notes that SSA has a direct dedicated on-line connection with every State's Department of Social Services. It goes on to note that, as part of the prisoner program, State and local prison facilities send Federal prisoner data to SSA on-line to aid in suspending benefits. Further, the implication is that SSA and the reporters should and can be exchanging fugitive felon data on-line.

The report should state that SSA has dedicated lines that connect to each State. These lines are established to serve the States' and SSA's exchange of batch files, and, in some cases, on-line transactions. However, establishing on-line, not batch, exchanges with the State Social Service agencies has not moved quickly and is not in place in most of the States for various reasons. Also, on-line exchanges of prisoner data files are not occurring. Specifically, of the over 1,150 prisoner reports that are submitted using an electronic format (cartridge, disc, File Transfer Management System, email or Vital Information System Network), only 21 are submitted electronically to SSA. These few electronic transmissions are submitted as batch transfers, not as on-line updates. We are very supportive of receiving electronic reports as we do in various ways for the 21 electronic reporters. Due to network and compatibility issues within the States, only 1 State uses the established dedicated lines we have for prisoner file transfers.

We have also established a process with the State of Connecticut for transferring fugitive felon files but, to date, we have received no files over this connection. Expecting various State and local agencies that have fugitive felon files to use these connections in the near-term is not realistic. And, those transfers would be batch transfers, not real-time on-line transfers. Also, the State and local prison facilities are likely sending State and local prisoner records to SSA, as opposed to Federal prisoner data noted in GAO's narrative on page 26.

Further, the report implies that SSA has not looked at the technological impact of adding title II as part of the fugitive felon program. In fact, SSA's Office of Systems has looked at this effort and in June 2001, estimated that the work effort would be about 8 work years. It should also be noted that this evaluation included sharing this information with other benefit paying agencies. That aspect would require about 1 to 2 of the 8 work years projected. In addressing the technological impact for title II expansion, we do not envision any major new or unique information technology expenditures. However, SSA, as always, continues to look at ways to improve the exchange of data with governmental and private organizations.

**GAO Recommendation 5**

Assess the anticipated technological impact on fugitive felon operations from the implementation of provisions prohibiting OASDI and DI benefits payments to fugitives, including identifying the additional information systems support that would be needed to conduct and process leads resulting from computer matches or warrant information against these benefits recipients' files.

**SSA Comment**

SSA and OIG have already completed this task. In January 2001, a joint SSA/OIG in-depth analysis of the State and Federal warrant files received by SSA was started to determine what impact OASDI legislation would have on the program. It was determined there would not be any technological impact issues, as the cases would follow the same path as SSI, and this legislation would only impact manpower. Thus far, it has been determined the result would be approximately 3 times the current workload. This information was shared with external entities, including congressional staff and the FBI. This information was also shared with GAO during this review.

**Additional Comments**

We disagree with the contention on page 3 that no program official can explain the overall data sharing and matching process. OIG officials, as well as officials from other SSA components, are able to explain the process in its entirety. Because we chose not to answer questions pertaining to other components' work, it was mistakenly inferred that no one within SSA could explain the overall process.

Now on p. 7.

Page 8, Table 1 - The organization designations should be revised to reflect the Office of Systems' reorganization. Replace the Office of Systems Analysis and the Office of Information Management with the Office of Earnings, Enumeration and Administrative Systems. Replace the Office of Systems Design and Development with the Office of Disability and Supplemental Security Income Systems.

Now on p. 12.

Page 13, Footnote 6 - GAO states that with exception of "high misdemeanors" in the State of New Jersey, the law does not address and SSA does not conduct data matches of, misdemeanor charges. This information is misleading as it suggests that SSA matches on misdemeanants in New Jersey. In fact, SSA does not match on any traditional misdemeanor (minor crime). The term "high misdemeanor" is used by the State of New Jersey to categorize serious crimes that other States call felonies. New Jersey, at least at the time that the PRWORA became law, did not use the term "felony" to describe crimes in its laws. For example, a homicide or rape would be deemed a high misdemeanor. As such, without the use of "high misdemeanor" in section 161(e)(4)(A) of the Social Security Act, SSA might lack the authority to suspend SSI benefits to those if being prosecuted in New Jersey. The language was included to ensure that SSA could suspend SSI benefits in these cases as well, not so SSA could match on misdemeanors in New Jersey.

# Comments from the U.S. Department of Justice



U.S. Department of Justice

Washington, D.C. 20530


August 2, 2002

David L. McClure  
Director, Information Technology Management Issues  
U.S. General Accounting Office  
441 G Street, NW  
Washington, D.C.

Dear Mr. McClure:

On July 9, 2002, the General Accounting Office (GAO) provided the Department of Justice (DOJ) copies of its draft report "Social Security Administration: Fugitive Felon Program Could Benefit from Better Use of Technology and Increased Management Accountability." The draft was reviewed by representatives of the Federal Bureau of Investigation, Bureau of Prisons and the United States Marshals Service. The DOJ is providing the enclosed technical comments for your consideration and understand that they will be incorporated as appropriate.

I hope the comments will be beneficial in completing the final document. If you have any questions concerning the Department's comments you may contact me or Otis Jackson of my staff on (202) 514-0469.

Sincerely,  
  
Vickie L. Sloan  
Director, Audit Liaison Office  
Justice Management Division

Enclosure

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