



Department of Homeland Security

Social Security Number Fraud Prevention Act Final Report to Congress

June 2023



Homeland
Security

FOREWORD

June 15, 2023

I am pleased to provide to Congress the fifth and final annual Social Security Fraud Prevention Act report on the use of Social Security Numbers (SSNs) in mailed correspondence, as required by Section 2(c)(4) of the *Social Security Number Fraud Prevention Act of 2017* (Pub. L. No. 115-59, 131 Stat. 1152-53 (2017) (hereinafter the “Act”)).



In August 2019, the U.S. Department of Homeland Security (DHS) reported that it successfully met the requirements of the Act by eliminating all 69 DHS forms that contained fields for SSNs and were mailed through the U.S. Postal Service (USPS). All DHS Components and Headquarters Offices have confirmed that there remain no DHS-specific forms containing fields for SSNs that are mailed through the USPS.

DHS, however, mails non-DHS standard forms containing SSNs that pertain to benefits, security, or taxes. DHS cannot alter or control these forms. The non-DHS agencies mandating the distribution and use of these forms are responsible for complying with the Act.

DHS continues to take a forward-leaning approach to further reduce the use of SSNs through policy and technology. Should you have any inquiries about this report, please contact the DHS Office of Legislative Affairs at (202) 447-5890.

Sincerely,

A handwritten signature in cursive script that reads "Mason C. Clutter". The signature is written in dark ink on a light-colored, slightly textured background.

Mason C. Clutter
Chief Privacy Officer and Chief FOIA Officer
U.S. Department of Homeland Security

Pursuant to congressional notification requirements, this report is being provided to the following Members of Congress:

The Honorable Kamala Harris

President, U.S. Senate

The Honorable Kevin McCarthy

Speaker, U.S. House of Representatives

The Honorable Jason Smith

Chairman, U.S. House of Representatives Committee on Ways and Means

The Honorable Richard Neal

Ranking Member, U.S. House of Representatives Committee on Ways and Means

The Honorable James Comer

Chairman, U.S. House of Representatives Committee on Oversight and Accountability

The Honorable Jamie Raskin

Ranking Member, U.S. House of Representatives Committee on Oversight and Accountability

The Honorable Ron Wyden

Chairman, U.S. Senate Committee on Finance

The Honorable Mike Crapo

Ranking Member, U.S. Senate Committee on Finance

The Honorable Gary C. Peters

Chairman, U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Rand Paul

Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Mark E. Green

Chairman, U.S. House of Representatives Committee on Homeland Security

The Honorable Bennie G. Thompson

Ranking Member, U.S. House of Representatives Committee on Homeland Security



Social Security Number Fraud Prevention Act of 2017 Final Report to Congress

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LEGISLATIVE LANGUAGE

SECTION 1. SHORT TITLE.

This Act may be cited as the “*Social Security Number Fraud Prevention Act of 2017.*”¹

SEC. 2. RESTRICTION OF SOCIAL SECURITY NUMBERS ON DOCUMENTS SENT BY MAIL.

(a) RESTRICTION.—An agency may not include the social security account number of an individual on any document sent by mail unless the head of the agency determines that the inclusion of the social security account number on the document is necessary.

(b) REGULATIONS.—Not later than 5 years after the date of the enactment of this Act, the head of each CFO Act agency shall issue regulations specifying the circumstances under which inclusion of a social security account number on a document sent by mail is necessary. Such regulations shall include—

- (1) instructions for the partial redaction of social security account numbers where feasible; and
- (2) a requirement that social security account numbers not be visible on the outside of any package sent by mail.

(c) REPORT.—Not later than 30 days after the date of the enactment of this Act, and not later than the first, second, third, fourth, and fifth-year anniversary of such date of enactment, the head of each CFO Act agency shall submit to the Committee on Ways and Means and the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate, and any other appropriate authorizing committees of the House of Representatives and the Senate, a report on the implementation of subsection (a) that includes the following:

- (1) The title and identification number of any document used by the CFO Act agency during the previous year that includes the complete social security account number of an individual.
- (2) For the first report submitted, a plan that describes how the CFO Act agency will comply with the requirements of subsection (a).
- (3) For the final report submitted, the title and identification number of each document used by the CFO Act agency for which the head of the agency has determined, in accordance with regulations issued pursuant to subsection (b), that the inclusion of a social security account number on such document is necessary, and the rationale for such determination.
- (4) For any other report that is not the first or final report submitted, an update on the implementation of the plan described under paragraph (2).

(d) DEFINITIONS.—In this section:

(1) AGENCY.—The term “agency” has the meaning given that term in section 551 of title 5, United States Code, but includes an establishment in the legislative or judicial branch of the Government (except the Senate, the House of Representatives, and the Architect of the Capitol, and any activities under the direction of the Architect of the Capitol).

(2) CFO ACT AGENCY.—The term “CFO Act agency” means the agencies listed in paragraphs (1) and (2) of section 901(b) of title 31, United States Code.

(e) EFFECTIVE DATE.—Subsection (a) shall apply with respect to any document sent by mail on or after the date that is 5 years after the date of the enactment of this Act.

Approved September 15, 2017.

¹ Pub. L. No. 115-59, 131 Stat. 1152 (2017).

DHS STEPS TO REDUCE SSN USE

In August 2019, DHS reported that it successfully met the requirements of the Act by eliminating all 69 DHS forms that contained fields for SSNs and were mailed through the USPS. All DHS Components and Headquarters Offices have confirmed that there remain no DHS-specific forms containing fields for SSNs that are mailed through the USPS. DHS, however, mails non-DHS standard forms containing SSNs that pertain to benefits, security, or taxes. DHS cannot alter or control these forms. The non-DHS agencies mandating the distribution and use of these forms are responsible for complying with the Act, including subsection 2(c)(3) of the Act, which requires agencies to identify in the final report submitted, the title and identification number of each document used by the CFO Act agency for which the head of the agency has determined, in accordance with regulations issued pursuant to subsection (b), that the inclusion of a social security account number on such document is necessary, and the rationale for such determination.

Further, as stated in previous reports, in 2019, the DHS Privacy Office issued a new privacy policy (Instruction) requiring all new and legacy DHS IT systems, programs, and forms to use a unique alternative identifier to SSNs. The Instruction provides that if there are technological, legal, or regulatory limitations to eliminating the use of SSNs, then privacy-enhancing SSN alternatives must be utilized, such as masking, redacting, or truncating SSNs in digital and hard copy formats.

The DHS Privacy Office has also partnered with the DHS Science and Technology Directorate (S&T) Silicon Valley Innovation Program (SVIP) to assist components with reducing SSN use while better protecting privacy. SVIP expands DHS S&T's reach to find new technologies that strengthen national security with the goal of reshaping how government, entrepreneurs, and industry work together to find cutting-edge solutions. SVIP connects with innovation communities across the nation and around the world to harness the commercial research and development ecosystem for technologies with government applications and to co-invest in and accelerate technology transition-to-market.

The DHS Privacy Office continues to collaborate with SVIP to develop open, standards-based technologies to implement a decentralized identifier across DHS that can replace SSNs. A decentralized identifier is a Globally Unique Identifier without the need for a central registration authority. The decentralized identifier would be immutable over time, globally resolvable, privacy-respecting, and cryptographically verifiable. Replacing the Department's use of SSNs with decentralized identifiers would embed privacy and security into the architecture of the Department's operations.

The DHS Privacy Office is discussing ways in which a decentralized identifier can be used to replace SSNs across DHS, and is exploring other privacy enhancing technologies that may be used to help the Department accomplish its mission while protecting privacy.