



Privacy Office

Social Security Number Fraud Prevention Act
2020 Report to Congress

August 21, 2020



Homeland
Security

FOREWORD

August 21, 2020

I am pleased to provide the fourth annual report to Congress concerning 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”).



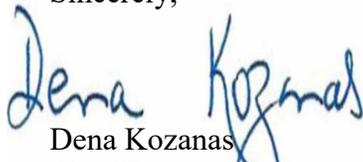
In last year’s report, we announced that the U.S. Department of Homeland Security (DHS) had eliminated all 69 forms created by DHS that contained SSNs and were mailed through the U.S. Postal Service (USPS), thereby meeting the requirements of the Act. In June 2020, all DHS Components and Headquarters Offices confirmed that there remain no DHS-specific forms containing SSNs that are mailed by the USPS.

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

This report describes the steps the Department has taken to exceed the Act’s requirements. I look forward to sharing any additional progress in the final report next year.

Should you have any inquiries about this report, please direct those to the DHS Office of Legislative Affairs at (202) 447-5890.

Sincerely,


Dena Kozanas
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 Michael Pence

President, U.S. Senate

The Honorable Nancy Pelosi

Speaker, U.S. House of Representatives

The Honorable Richard Neal

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

The Honorable Kevin Brady

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

The Honorable Carolyn Maloney

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

The Honorable James Comer

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

The Honorable Chuck Grassley

Chairman, U.S. Senate Committee on Finance

The Honorable Ron Wyden

Ranking Member, U.S. Senate Committee on Finance

The Honorable Ron Johnson

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

The Honorable Gary Peters

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

The Honorable Bennie G. Thompson

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

The Honorable Mike Rogers

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



Social Security Number Fraud Prevention Act of 2017 2020 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).

I. ADDITIONAL STEPS TO REDUCE SSN USE

SSN Reduction Initiative

The Department has exceeded the requirements of the Act by issuing DHS Privacy Policy Instruction 047-01-010, *Social Security Number Collection and Use Reduction*, in June 2019. Specifically, this policy instruction requires that:

- System owners, *even if their system is properly authorized to collect SSNs*, use an alternative identifier. If there are technological, legal, or regulatory limitations to eliminating the SSN, the DHS Privacy Office requires privacy-enhancing alternatives, such as to mask/truncate the SSN, or block the display of SSNs on paper forms, correspondence, and computer screens. This is also mandated by Office of Management and Budget *Circular Number A-130: Managing Information as a Strategic Resource*.
- Approved DHS-specific forms containing SSNs that will be mailed through the USPS must have the SSN masked, truncated, or redacted, or be sent via a secure method.

DHS maintains an inventory of more than 700 programs, systems, and forms that are authorized to collect and use the SSN, including approximately 90 human capital systems. DHS has developed a unique alternative identifier to mask employee and contractor SSNs. The first phase of our SSN Reduction Initiative will focus on implementing this alternative identifier in all applicable DHS human capital systems. The DHS Office of the Chief Human Capital Officer has initiated a pilot of its SSN alternative, the Person Handle, in a human capital system.

Another unique alternative identifier is needed to replace SSNs collected from the public.

At this time, the DHS Privacy Office is working with the DHS Science and Technology Directorate to develop a Decentralized Identifier. This would be a Globally Unique Identifier without the need for a central registration authority that is immutable over time, globally-resolvable, privacy-respecting, and cryptographically verifiable.

The DHS Privacy Office will share updates on this SSN Reduction Initiative next year in the final report.