



Office *of the* Inspector General

SOCIAL SECURITY ADMINISTRATION

Audit Report

Social Security Administration
Employees with Conduct Issues Who
Received Monetary Awards

A-08-15-50020 | November 2015

OIG Office of the Inspector General
SOCIAL SECURITY ADMINISTRATION

MEMORANDUM

Date: November 2, 2015

Refer To:

To: The Commissioner

From: Inspector General

Subject: Social Security Administration Employees with Conduct Issues Who Received Monetary Awards (A-08-15-50020)

The attached final report presents the results of the Office of Audit's review. The objective was to determine whether the Social Security Administration issued monetary awards to employees who had conduct issues.

If you wish to discuss the final report, please call me or have your staff contact Steven L. Schaeffer, Assistant Inspector General for Audit, at (410) 965-9700.



Patrick P. O'Carroll, Jr.

Attachment

Social Security Administration Employees with Conduct Issues Who Received Monetary Awards A-08-15-50020



November 2015

Office of Audit Report Summary

Objective

To determine whether the Social Security Administration (SSA) issued monetary awards to employees who had conduct issues.

Background

SSA uses awards to promote continuous quality service and recognize employee and team contributions to the Agency's success. SSA's two primary monetary awards are the Exemplary Contribution or Service Award (ECSA) and Recognition of Contribution (ROC).

SSA takes corrective actions to address employee performance and conduct problems. SSA generally uses progressive discipline to correct and improve employee behavior. SSA may initiate such progressive disciplinary patterns as reprimand, short- or long-term suspension, demotion, and removal. These are usually preceded by counseling and oral warnings.

In Fiscal Year (FY) 2014, SSA awarded almost \$43 million to about 49,000 (82 percent) of its 60,000 employees. SSA disciplined 559 (1 percent) employees because of conduct issues in FY 2013.

We obtained and matched SSA data on awards it granted and disciplinary actions it took for employees with conduct issues in FY 2013. We did not independently verify the reliability of the data SSA provided.

Findings

SSA paid about \$145,000 in monetary awards to 240 employees it had disciplined for conduct issues. SSA reprimanded 126 (52.5 percent) employees, suspended 113 (47.1 percent), and demoted 1 (0.4 percent). The primary reasons SSA cited for the disciplinary actions included discourteous conduct, unauthorized access to SSA records, failure to follow SSA procedures, and misuse of Government credit cards.

SSA policy indicates that employees under SSA's Performance Assessment and Communications System must be in good standing to be eligible for ECSA and ROC awards. SSA considers employees in good standing when their rating of record (appraisal) is at least a summary level 3.0 (performing successfully), and the employee is not serving on an Opportunity to Perform Successfully Plan. SSA's Office of Personnel told us the 240 employees were in good standing when they received their award.

Additionally, while many awards are discretionary, under the American Federation of Government Employees (AFGE) National Agreement, SSA must provide rating-based ROC awards to AFGE employees it reprimanded if they meet the eligibility requirements. Accordingly, SSA would have been in violation of the AFGE Agreement had it not paid 34 AFGE employees \$23,842 in ROC awards.

Neither SSA awards policy nor Office of Personnel Management guidance prohibits giving an award to an employee who has been disciplined for conduct. Because the severity of conduct issues varies, we believe SSA should consider revising its policy on granting awards to employees who have certain conduct issues. We recognize that revising its awards policy will require that SSA work with bargaining unit representatives.

Recommendations

1. Evaluate and consider revising its awards policy to limit management officials' discretion to grant awards to employees who have certain conduct issues. In doing so, SSA should specify the types of conduct that would prevent individuals from receiving awards.
2. Match its employee disciplinary actions and awards databases to help management comply with its awards policy.

SSA agreed with our recommendations.

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ABBREVIATIONS

AFGE	American Federation of Government Employees
C.F.R.	Code of Federal Regulations
ECSA	Exemplary Contribution or Service Award
FY	Fiscal Year
OIG	Office of the Inspector General
OPM	Office of Personnel Management
PPM	Personnel Policy Manual
ROC	Recognition of Contribution
SSA	Social Security Administration

OBJECTIVE

Our objective was to determine whether the Social Security Administration (SSA) issued monetary awards to employees who had conduct issues.

BACKGROUND

SSA uses awards¹ to promote continuous quality service and recognize employee and team contributions to the Agency's success. The Agency's two primary monetary awards are the Exemplary Contribution or Service Award (ECSA) and Recognition of Contribution (ROC).² ECSAs are non-rating based and employees may receive more than one in a Fiscal Year (FY).³ To be eligible for an ECSA, an employee must perform an extraordinary service or act in connection with, or related to, official duty or demonstrate exemplary individual contributions to group performance.⁴ ROC awards are rating-based, and employees can only receive one for an appraisal cycle based on the prior year's appraisal.⁵ However, an employee may not be granted more than one ROC quality step increase award within any 52-week period.⁶ SSA awards ROCs after it assesses and rates employees' performance over the prior FY and only to those employees who met the established ROC criteria. See Appendix A for more detail on SSA monetary awards.

SSA takes corrective actions to address employee performance and conduct problems. SSA generally uses progressive discipline to correct and improve employee behavior. SSA may initiate such progressive disciplinary patterns as reprimand, short- or long-term suspension, demotion, and removal. These are usually preceded by counseling and oral warnings. SSA provides employees with (1) its standards of conduct and policy on systems access and (2) disciplinary actions it may take against employees who violate such standards and policies.⁷

SSA uses centralized databases to store information on awards granted and disciplinary actions taken on its employees. In FY 2014, SSA awarded almost \$43 million to about

¹ SSA's incentive program includes monetary and honorary awards. Honorary awards are non-cash and granted to recognize exceptional and meritorious service, such as superior accomplishments, teamwork, and length of service.

² ROC awards are granted either in cash or as an increase in employees' rate of basic pay through a quality step increase. ECSAs are cash awards. SSA, Personnel Policy Manual (PPM) S451_1 § 5.2.

³ SSA, PPM S451_1 §§ 5.4 and 5.7.

⁴ SSA, PPM S451_1 § 5.7.1.

⁵ SSA, PPM S451_1 §§ 5.5.1 and 5.5.2.

⁶ SSA, PPM S451_1 § 5.5.2.

⁷ See 5 C.F.R. § 2635.102g for the definition of disciplinary action and § 2635.106 for guidance on disciplinary and corrective action set forth in *STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE EXECUTIVE BRANCH*. See also SSA, Agency Policy for Systems Access, Table of Penalties for Violations, and Acknowledgement Statement by Employees Part II.

49,000 (82 percent) of its approximately 60,000 employees. In addition, SSA disciplined 559 (1 percent) employees because of conduct issues during FY 2013.⁸

To accomplish our objective, we obtained FY 2014 awards data from SSA's Office of Personnel. We also obtained data on employees who had conduct issues that resulted in disciplinary action from its Office of Labor Management and Employee Relations. We then matched these data to determine whether SSA granted monetary awards to employees it disciplined in FY 2013. We compared FY 2013 disciplinary actions to FY 2014 awards, consistent with the methodology used by SSA's AFGE National Agreement. We did not independently verify the reliability of the data used in this report. See Appendix B for additional information regarding our scope and methodology.

RESULTS OF REVIEW

SSA paid about \$145,000 in monetary awards to 240 employees it disciplined for conduct issues. SSA reprimanded 126 (52.5 percent) employees, suspended 113 (47.1 percent), and demoted 1 (0.4 percent). The primary reasons SSA cited for the disciplinary actions included discourteous conduct, unauthorized access to SSA records, failure to follow SSA procedures, and misuse of Government credit cards.

SSA policy indicates that employees evaluated under SSA's Performance Assessment and Communications System must be in good standing to be eligible for ECSA and ROC awards.⁹ However, this policy is subject to the provisions of Union/Management contracts, which take precedence for bargaining unit employees.¹⁰ SSA considers employees in good standing when their rating of record (appraisal) is at least a summary level 3.0 (performing successfully), and the employee is not serving on an Opportunity to Perform Successfully Plan.¹¹ SSA told us the 240 employees it disciplined for conduct issues were in good standing when they received their award.

While many awards are discretionary, under SSA's AFGE National Agreement, SSA must provide rating-based ROC awards to employees who it reprimanded if they meet the eligibility requirements for a ROC award.¹² Accordingly, SSA would have been in violation of its AFGE National Agreement had it not paid 34 AFGE employees \$23,842 in ROC awards. The AFGE National Agreement provides SSA the discretion on granting awards to employees who received a short-term or longer suspension in the most recent FY prior to the granting of the award or who

⁸ Under SSA's current American Federation of Government Employees (AFGE) National Agreement (2012 SSA/AFGE National Agreement), SSA must consider the prior year's disciplinary record when determining ROC awards in the current year. 2012 SSA/AFGE National Agreement, Article 17, Section 5.A.

⁹ SSA, PPM S451_1 §§ 5.5.1 and 5.7.1.

¹⁰ SSA, PPM S451_1 Heading.

¹¹ SSA, PPM S451_1 § 5.2.

¹² 2012 SSA/AFGE National Agreement, Article 17, Section 5.A.

committed misconduct in that FY which later resulted in a disciplinary action of a short-term suspension or greater.¹³

In addition, SSA's awards policy does not provide specific guidance regarding employees who are not part of the AFGE bargaining unit and have been disciplined for conduct or address the issue of reprimands. Furthermore, Office of Personnel Management (OPM) guidance does not prohibit giving an award to an employee who has been disciplined for conduct. Because the severity of conduct issues varies, we believe SSA should consider revising its policy on granting awards to employees who have certain conduct issues. We recognize that revising its awards policy will require that SSA work with bargaining unit representatives.

Employees with Conduct Issues Who Received Monetary Awards

SSA paid about \$145,000 in monetary awards to 240 employees who had conduct issues, as shown in Table 1.¹⁴ The disciplinary actions SSA took against these employees included written reprimands, suspensions, and demotions.

SSA told us all 240 employees were in good standing when they received their award. Additionally, under SSA's AFGE National Agreement, SSA was contractually obligated to pay rating-based ROC awards to 34 employees who received a reprimand.¹⁵ Their awards totaled approximately \$24,000. SSA had discretion on granting approximately \$121,000 in awards to the remaining 206 employees and therefore did not violate any laws, regulations, or Agency policies by granting these awards.

Table 1: SSA Employees Who Received a Monetary Award After a Disciplinary Action in FY 2013

Disciplinary Action	Type of Award	Number of Employees	Awards Amount
Reprimand	ECSA and ROC	126	\$82,437
Suspension	ECSA and ROC	113	62,393
Demotion	ECSA	1	200
Total		240	\$145,030

Source: SSA's Offices of Personnel and Labor Management and Employee Relations.

For the ECSAs in Table 1, SSA explained it could not readily determine whether the Agency granted awards to employees' current or prior year's exemplary act or service. SSA explained it did not record the year the service or act occurred, but believed it was unlikely that a large percentage of the ECSAs resulted from an employee's FY 2014 act or service. Going forward,

¹³ Id.

¹⁴ SSA paid the ROC awards based on employees' work from October 1, 2012 through September 30, 2013.

¹⁵ See 2012 SSA/AFGE National Agreement, Article 17, Sections 4 and 5.A.

we encourage SSA to include dates in the ECSA documentation to enhance transparency and ensure it records employees' awards for the correct FY. All of the employees who received monetary awards and disciplinary actions were general schedule employees, including supervisors.

Reprimand

As shown in Table 1, SSA issued written reprimands to 126 (52.5 percent) of the 240 employees who received a monetary award after they received a disciplinary action. SSA paid these employees over \$82,000 in monetary awards. However, SSA would have been in violation of its AFGE National Agreement had it not paid approximately \$24,000 in ROC awards to 34 AFGE employees. SSA had discretion to grant approximately \$59,000 in awards to the remaining 92 employees.

Of the 126 employees who received a reprimand, SSA had reprimanded 13 for more than 1 reason. SSA cited the following primary reasons for the reprimands.

- Discourteous conduct (36 employees totaling \$20,988)
- Unauthorized access to SSA records (28 employees totaling \$20,634)
- Failure to follow SSA procedures (23 employees totaling \$18,116)

Reasons SSA cited for the remaining 39 reprimands included misuse of Government computers or credit card, absence without official leave, failure to comply with leave procedures, misuse of duty time, lack of candor, concealing work, theft, failure to follow office policy, falsified timesheets, and failure to protect personally identifiable information. The following illustrates employees who received a monetary award after they received a written reprimand.

- One employee received a ROC award and three ECSAs, totaling \$1,800, after they received a reprimand for unauthorized access to SSA records.
- One employee received a \$1,400 ROC award after they received a reprimand for falsifying a timesheet.
- One employee received a \$250 ECSA after they received a reprimand for misusing the Government credit card for personal expenses outside the dates of official travel.

Suspension

As shown in Table 1, SSA suspended 113 (47.1 percent) of the 240 employees who received a monetary award after they received a disciplinary action. SSA paid these employees over \$62,000 in monetary awards, including 26 employees whom SSA had suspended for more than 1 reason. Suspensions ranged from 1 to 60 days. SSA cited the following primary reasons for the suspensions.

- Unauthorized access to SSA records (22 employees totaling \$11,976)
- Discourteous conduct (20 employees totaling \$10,272)
- Failure to follow SSA procedures (11 employees totaling \$4,660)
- Misuse of Government credit card (nine employees totaling \$7,236)

Many of the same actions that led to a reprimand also led to a suspension. Reasons SSA cited for the remaining 51 suspensions included failure to follow instruction, unauthorized use of official records, possession of a weapon onsite, sexual harassment, sleeping while on duty, consumption of alcohol on Federal property, and certifying false evidence resulting in the issuance of a Social Security number. The following illustrate employees who received a monetary award after they were suspended.

- One employee received a ROC award and two ECSAs, totaling \$1,755, after SSA suspended the employee 14 days for providing information regarding a claim to an improper source.
- One employee received a ROC award and ECSA, totaling \$1,430, after SSA suspended the employee 10 days for falsifying a timesheet.
- One employee received an \$800 ECSA after SSA suspended the employee 60 days for certifying false evidence resulting in the issuance of a Social Security number and for acting on the records of relatives and friends.
- One employee received a \$650 ECSA after SSA suspended the employee 5 days for making 21 unauthorized transactions on his Government credit card. The credit card bill was 45 days overdue, and the employee owed over \$1,300.
- One employee received a \$325 ROC award after they received a reprimand for being discourteous to the public and a supervisor; a 3-day suspension for discourteous service; and a 45-day suspension for being rude and discourteous to the public and management, possession of a weapon, and lack of candor.

Demotion

As shown in Table 1, SSA demoted one (0.4 percent) employee who received a \$200 ECSA. This employee had multiple offenses, including conduct unbecoming an SSA employee, failure to follow SSA procedure, and lack of candor.

Opportunity for SSA to Improve the Integrity of Its Award Process

SSA policy indicates that employees evaluated under SSA's Performance Assessment and Communications System must be in good standing to be eligible for ECSA and ROC awards.¹⁶ SSA considers employees in good standing when their rating of record (appraisal) is at least a summary level 3.0 (performing successfully), and the employee is not serving on an Opportunity to Perform Successfully Plan.¹⁷ Additionally, SSA's AFGE National Agreement states that SSA has discretion to grant a ROC award to an employee who served a short-term suspension or greater for conduct that occurred in the most recent FY prior to the granting of the award or who committed misconduct in that FY which later resulted in a disciplinary action of a short-term suspension or greater.¹⁸ Furthermore, the AFGE National Agreement does not prohibit SSA from granting awards to suspended employees and it requires that the Agency give rating-based ROC awards to employees who are only disciplined with a reprimand and otherwise eligible for a ROC award.¹⁹ However, the National Treasury Employees Union Agreement does not address conduct issues in the context of award eligibility.²⁰

Other than the limited criteria discussed above, neither SSA nor OPM prohibits issuing awards to employees with conduct issues. Without specific guidance, management has significant leeway when issuing monetary awards. Based on the reasons SSA cited for reprimanding or suspending employees, we question whether SSA should grant monetary awards to employees who have certain conduct issues, such as unauthorized access to SSA records or misuse of a Government credit card. Although the Agency did not violate any laws, regulations, or Agency policies by giving these employees awards, we believe SSA should consider revising its awards policy and specifying conduct and Agency disciplinary actions that would prevent employees from receiving monetary awards. We recognize that revising its awards policy will require that SSA work with bargaining unit representatives. In addition, we believe SSA should ensure management complies with its awards policy by matching its centralized databases that store information on employee awards granted and disciplinary actions taken.²¹

¹⁶ SSA, PPM S451_1 §§ 5.5.1 and 5.7.1.

¹⁷ SSA, PPM S451_1 § 5.2.

¹⁸ 2012 SSA/AFGE National Agreement, Article 17, Section 5.A.

¹⁹ Id.

²⁰ Union contract provisions take precedence over SSA's Personnel Policy. SSA, PPM S451_1 Heading and Section 6.

²¹ According to SSA, since October 2014, it has been using a centralized database to track all disciplinary actions. Before that time, SSA's database was incomplete because the Agency did not record all disciplinary actions in the database.

CONCLUSION AND RECOMMENDATIONS

We acknowledge the importance of recognizing and rewarding employee and team contributions that help the Agency accomplish its mission. However, the Agency should ensure management considers the severity of conduct issues, including Agency disciplinary actions, before granting awards to employees that it disciplined for certain conduct issues.

We recommend that SSA:

1. Evaluate and consider revising its awards policy to limit management officials' discretion to grant awards to employees who have certain conduct issues. In doing so, SSA should specify the types of conduct that would prevent individuals from receiving awards.
2. Match its employee disciplinary actions and awards databases to help management comply with its awards policy.

AGENCY COMMENTS

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



Steven L. Schaeffer, JD, CPA, CGFM, CGMA
Assistant Inspector General for Audit

APPENDICES

Appendix A – TYPES OF MONETARY AWARDS

The Social Security Administration’s (SSA) incentive awards program includes honorary¹ and monetary awards. SSA uses monetary awards to promote continuous quality service and recognize employee and team contributions to the Agency’s success. The two primary monetary awards SSA grants employees are as follows.

- Exemplary Contribution or Service Award (ECSA) recognizes individual contributions to group achievement and performance that promoted the Agency’s mission or extraordinary acts performed while on duty.² An employee must be in good standing³ and perform an extraordinary service or act in connection with, or related to, official duty or demonstrate exemplary individual contributions to group performance to be considered for an ECSA.⁴
- Recognition of Contribution Award is based on individual performance and contributions to the Agency’s mission during the most recently completed appraisal period and may be offered in the form of a quality step increase or cash award.⁵ An employee must be in good standing at the time of consideration and have a rating of record with an element average of at least a 4.0 for cash awards and a rating of 5.0 for quality step increases.⁶

SSA also designates the following monetary awards to recognize individual or group achievements.

- The Foreign Language Award is granted to law enforcement officers whose job responsibilities involve substantial use of foreign-language skills. An employee must receive a performance rating of “Fully Successful” or higher.
- The Presidential Rank Award is an annual award that recognizes and celebrates a small group of career senior executives and career employees. Recipients of this prestigious award are Government employees who achieve results and consistently demonstrate “a relentless commitment to excellence in public service.”

¹ Honorary awards are non-cash and granted to recognize exceptional and meritorious service, such as superior accomplishments, teamwork, length of service and other achievements.

² SSA, Personnel Policy Manual (PPM) S451_1 § 5.2.

³ SSA’s PPM defines good standing as an employee with at least a 3.0 (performing successfully) summary level rating. In addition, the employee should not be serving on an Opportunity to Perform Successfully Plan. SSA, PPM S451_1 § 5.2.

⁴ SSA, PPM S451_1 § 5.7.1.

⁵ SSA, PPM S451_1 § 5.2. A quality step increase is an additional within-grade increase used to recognize and reward General Schedule employees at any grade level who display outstanding performance. A quality step increase has the effect of moving an employee through the General Schedule pay range faster than by periodic step increases alone.

⁶ SSA, PPM S451_1 § 5.5.1. Most SSA employees use the Performance Assessment and Communication System, known as the performance appraisal program. The highest rating of 5.0 is for outstanding contribution.

Appendix B – SCOPE AND METHODOLOGY

To accomplish our objective, we:

- Reviewed pertinent sections of the Social Security Administration’s (SSA) Personnel Policy Manual, union agreements, and current proposed legislation related to disciplinary actions and awards.
- Obtained a list of employees whom SSA had granted monetary awards in Fiscal Year (FY) 2014 and had conduct issues resulting in disciplinary actions in FY 2013.
- Matched SSA’s list of 62,695 awards granted to 48,860 employees who received awards with the listing of 598 disciplinary actions for 559 employees.

Our review of internal controls was limited to gaining an understanding of employees with disciplinary actions who received awards. We conducted our audit at the Office of Audit field office in Birmingham, Alabama. We did not independently verify the reliability of the data used in this report. SSA requested disciplinary action data from its regional offices because it did not maintain a complete database on disciplinary actions at the time of our audit.

The SSA entities audited were the Offices of Personnel and Labor Management and Employee Relations under the Office of the Deputy Commissioner for Human Resources. We conducted this audit from February through July 2015 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

Appendix C – AGENCY COMMENTS



SOCIAL SECURITY

MEMORANDUM

Date: October 13, 2015 **Refer To:** S1J-3

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

From: Frank Cristaudo /s/
Executive Counselor to the Commissioner

Subject: Office of the Inspector General Draft Report, “Social Security Administration Employees with Conduct Issues Who Received Monetary Awards” (A-08-15-50020)-- INFORMATION

Thank you for the opportunity to review the draft report. Please see our attached comments.

Please let me know if we can be of further assistance. You may direct staff inquiries to Gary S. Hatcher at (410) 965-0680.

Attachment

**COMMENTS ON THE OFFICE OF THE INSPECTOR GENERAL DRAFT REPORT,
“SOCIAL SECURITY ADMINISTRATION EMPLOYEES WITH CONDUCT ISSUES
WHO RECEIVED MONETARY AWARDS” (A-08-15-50020)**

General Comments

We appreciate your efforts in conducting this review and while we generally agree with the recommendations, neither our awards policy nor the Office of Personnel Management guidance prohibits giving an award to an employee who has been disciplined for conduct. In addition, we believe it is important to reiterate that the review found no instances of noncompliance with current law, regulation, agency policy, or contractual agreements. Finally, within the Performance Assessment and Communication Systems web-based application, managers are responsible for updating two date fields for standing, “Not in Good Standing” and “Return to Good Standing Date”, which is propagated to the Human Resources Operational Data Store. For the 240 employees cited to have received an award in 2014 and had disciplinary actions against them because of conduct issues, we verified those individuals were all in “good standing” at the time they received their awards.

Recommendation 1

Evaluate and consider revising its awards policy to limit management officials’ discretion to grant awards to employees who have certain conduct issues. In doing so, SSA should specify the types of conduct that would prevent individuals from receiving awards.

Response

We agree. We will evaluate our current awards policy to determine if certain types of disciplinary actions should limit an employee from receiving an award. We plan to complete our evaluation by January 31, 2016. Under the Federal Labor-Management Statute and our National Terms Agreements with the American Federation of Government Employees (AFGE) and the National Treasury Employees Union (NTEU), each union maintains the right to bargain any proposed policy implementation as it affects working conditions of bargaining unit employees. A change in our awards policy is predicated on the schedule and outcome of the bargaining and negotiations with the NTEU and AFGE.

Recommendation 2

Match its employee disciplinary actions and awards databases to help management comply with its award policy.

Response

We agree. Based on the outcome of Recommendation 1, we will implement a match of the disciplinary actions and awards data to assist management in complying with the award policy.

Appendix D – ACKNOWLEDGMENTS

Theresa Roberts, Director, Atlanta Audit Division

Jeff Pounds, Audit Manager

Hollie Calhoun, Audit Manager

Kim Beauchamp, Writer-Editor

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