

CHARLES B. RANGEL, NEW YORK,
CHAIRMAN

FORTNEY PETE STARK, CALIFORNIA
SANDER M. LEVIN, MICHIGAN
JIM McDERMOTT, WASHINGTON
JOHN LEWIS, GEORGIA
RICHARD E. NEAL, MASSACHUSETTS
JOHN S. TANNER, TENNESSEE
XAVIER BECERRA, CALIFORNIA
LLOYD DOGGETT, TEXAS
EARL POMEROY, NORTH DAKOTA
MIKE THOMPSON, CALIFORNIA
JOHN B. LARSON, CONNECTICUT
EARL BLUMENAUER, OREGON
RON KIND, WISCONSIN
BILL PASCRELL, Jr., NEW JERSEY
SHELLEY BERKLEY, NEVADA
JOSEPH CROWLEY, NEW YORK
CHRIS VAN HOLLEN, MARYLAND
KENDRICK B. MEEK, FLORIDA
ALLYSON Y. SCHWARTZ, PENNSYLVANIA
ARTUR DAVIS, ALABAMA
DANNY K. DAVIS, ILLINOIS
BOB ETHERIDGE, NORTH CAROLINA
LINDA T. SANCHEZ, CALIFORNIA
BRIAN HIGGINS, NEW YORK
JOHN A. YARMUTH, KENTUCKY

JANICE MAYS,
CHIEF COUNSEL AND STAFF DIRECTOR

Congress of the United States

U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS

1102 LONGWORTH HOUSE OFFICE BUILDING
(202) 225-3625

Washington, DC 20515-6348

<http://waysandmeans.house.gov>

October 22, 2009

DAVE CAMP, MICHIGAN
WALLY HERGER, CALIFORNIA
SAM JOHNSON, TEXAS
KEVIN BRADY, TEXAS
PAUL RYAN, WISCONSIN
ERIC CANTOR, VIRGINIA
JOHN LINDER, GEORGIA
DEVIN NUNES, CALIFORNIA
PATRICK J. TIBERI, OHIO
GINNY BROWN-WAITE, FLORIDA
GEOFF DAVIS, KENTUCKY
DAVID G. REICHERT, WASHINGTON
CHARLES W. BOUSTANY, JR., LOUISIANA
DEAN HELLER, NEVADA
PETER J. ROSKAM, ILLINOIS

JON TRAUB,
MINORITY STAFF DIRECTOR

The Honorable Patrick P. O'Carroll, Jr.
Inspector General
Social Security Administration
6401 Security Boulevard
Room 300, Altmeyer Building
Baltimore, MD 21235

Dear Mr. O'Carroll:

We are writing to request a review of the Social Security Administration's application of the good cause provisions in the Agency's fugitive felon program.

Under current law, the payment of Title II and XVI benefits is prohibited to a beneficiary who is "fleeing" to avoid prosecution, custody, or confinement for a felony or is violating a condition of probation or parole unless the Agency determines that good cause exists for paying such benefits.

The Agency shall determine that mandatory good cause exists and continue benefit payments if

- A court of competent jurisdiction found the person not guilty, dismissed the charges, vacated the warrant for arrest, or issued any similar exoneration order or
- The individual was erroneously implicated in the criminal offense because of identity fraud.

Further, the Agency may determine that discretionary good cause exists, and continue benefit payments if (1) the criminal offense was non-violent and not drug-related, and in the case of probation or parole violators, both the violation and the underlying offense were non-violent and not drug related, and (2) mitigating factors exist.

Specifically, we ask that you provide us with the following information:

1. The step-by-step procedures for how the Agency determines whether good cause exists.
2. How often the Agency found good cause in the fugitive felon program.

Committee on Ways and Means Republicans

October 22, 2009

Page 2

3. Fugitive cases where good cause was not found and whether it appeared that the person met the good cause criteria (e.g., the offense was non-violent and not drug-related).
4. Based on this preliminary review, whether the Agency is effectively administering the good cause provisions in the fugitive felon program.

We look forward to your report. If you have any questions, please contact Kim Hildred, Staff Director, Ways and Means Social Security Subcommittee Republicans, or Matt Weidinger, Staff Director, Ways and Means Income Security and Family Support Republicans at 202.225.4021.

Sincerely,



Sam Johnson
Ranking Member
Subcommittee on Social Security



John Linder
Ranking Member
Subcommittee on Income Security and
Family Support



Wally Herger
Member