COMMITTEE ON WAYS AND MEANS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

March 3, 2023

The Honorable Kilolo Kijakazi
Acting Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Acting Commissioner Kijakazi:

We write to request a detailed update on the Occupational Information System (OIS) being developed by the Social Security Administration (SSA) to facilitate accurate and timely eligibility determinations for individuals who are applying for Social Security or Supplemental Security Income (SSI) disability benefits.

SSA's disability programs provide vital income for people who can no longer work at a substantial level because of a severe medical condition. Monthly benefits help severely disabled workers and their families to put food on the table, keep a roof over their heads, pay medical bills, and secure other basics. Social Security and SSI disability benefits are particularly important for people of color and women, who on average have fewer resources to fall back on in the event of a sudden career-ending impairment, and for children. It is impossible to overstate the importance of these SSA programs to the American people.

To qualify for SSA disability benefits, individuals must have severe, long-lasting impairments which not only prevent them from doing their past work, but also prevent them from adapting to new lines of work. Under this stringent standard set by the Social Security Act, SSA denies the majority of applicants, approving fewer than 4 in 10 claims.

In some cases, SSA can confirm from medical records that a person's conditions are so severe that they qualify. However, if the medical record alone is not sufficient, SSA must by law evaluate the effect of the impairment on the individual's ability to work, taking into account their age, education, and work experience. As part of this evaluation, SSA must consider if there are jobs the individual is able to perform; such jobs are only considered, however, if they exist in substantial numbers in the national economy. As a result, for some claims SSA conducts a detailed analysis comparing the person's functional capacity for work – given their impairments – with the physical, mental, environmental, and skill requirements of jobs.

This analysis is vital to SSA's ability to make accurate and consistent determinations in these cases. For many years, SSA has relied on the Department of Labor's Dictionary of

Occupational Titles (DOT) as its primary source of occupational data. However, the Department stopped updating the DOT in 1991. SSA is now working with the Department's Bureau of Labor Statistics to develop the OIS, a new occupational data source that reflects current jobs and their requirements, for SSA's use in disability determinations.

We are confident you will agree that SSA must get the OIS right. Recent news reports have raised concerns that without up-to-date occupational information, some individuals who are eligible for benefits could be denied. Social Security and SSI provide essential economic security, and it is vital to ensure that all applicants receive a correct decision in a timely manner. To support this goal, the OIS should be designed to meet the need to determine eligibility in accordance with the definition under the Social Security Act, and the information in the OIS must be accurate, up-to-date, and complete. In addition, any changes SSA makes to its policies to implement the OIS must be well-supported by evidence and designed to achieve decisional accuracy.
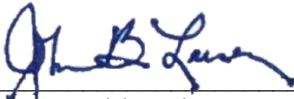
We therefore write to request a detailed update on the OIS project:

1. What is the current status of OIS development? What key benchmarks has the project achieved, to date?

2. What additional steps remain before SSA can begin using the OIS for disability determinations, and what is the anticipated timeline for accomplishing these steps? Specifically:

   a. What additional work is needed on the OIS itself, and when will this work be complete?

   b. When does SSA plan to issue proposed and final regulations to use the OIS in disability determinations?

   c. What other policies and processes will SSA need to revise to implement the OIS, and when does SSA plan to make these revisions?

   d. What additional work is needed to create the information technology tools for SSA staff to access and use the OIS, and when does SSA plan to complete this work?

   e. What other major tasks does SSA need to accomplish before the agency will be able to implement the OIS, and when will SSA complete these tasks?

3. When will SSA begin using the OIS for disability determinations? Does SSA plan to implement the OIS all at once, or will implementation be incremental and if so, how?
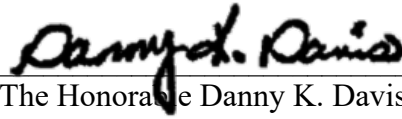
We would appreciate your response to the questions above by March 17, 2023.

Sincerely,

_____
The Honorable John B. Larson
Ranking Member
Subcommittee on Social Security

_____
The Honorable Danny K. Davis
Ranking Member
Subcommittee on Worker and Family
Support