

RICHARD E. NEAL
MASSACHUSETTS,
CHAIR

Congress of the United States
U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS
1102 LONGWORTH HOUSE OFFICE BUILDING
(202) 225-3625

Washington, D.C. 20515-0348
<http://waysandmeans.house.gov>

KEVIN BRADY
TEXAS,
RANKING MEMBER

LLOYD DOGGETT, TEXAS
MIKE THOMPSON, CALIFORNIA
JOHN B. LARSON, CONNECTICUT
EARL BLUMENAUER, OREGON
RON KIND, WISCONSIN
BILL PASCRELL JR., NEW JERSEY
DANNY K. DAVIS, ILLINOIS
LINDA T. SANCHEZ, CALIFORNIA
BRIAN HIGGINS, NEW YORK
TERRI A. SEWELL, ALABAMA
SUZAN DELBENE, WASHINGTON
JUDY CHU, CALIFORNIA
GWEN MOORE, WISCONSIN
DAN KILDEE, MICHIGAN
BRENDAN BOYLE, PENNSYLVANIA
DON BEYER, VIRGINIA
DWIGHT EVANS, PENNSYLVANIA
BRAD SCHNEIDER, ILLINOIS
THOMAS R. SUOZZI, NEW YORK
JIMMY PANETTA, CALIFORNIA
STEPHANIE MURPHY, FLORIDA
JIMMY GOMEZ, CALIFORNIA
STEVEN HORSFORD, NEVADA
STACEY PLASKETT, VIRGIN ISLANDS

VERN BUCHANAN, FLORIDA
ADRIAN SMITH, NEBRASKA
MIKE KELLY, PENNSYLVANIA
JASON SMITH, MISSOURI
TOM RICE, SOUTH CAROLINA
DAVID SCHWEIKERT, ARIZONA
JACKIE WALORSKI, INDIANA
DARIN LAHOOD, ILLINOIS
BRAD R. WENSTRUP, OHIO
JODEY ARRINGTON, TEXAS
DREW FERGUSON, GEORGIA
RON ESTES, KANSAS
LLOYD SMUCKER, PENNSYLVANIA
KEVIN HERN, OKLAHOMA
CAROL MILLER, WEST VIRGINIA
GREG MURPHY, NORTH CAROLINA

GARY ANDRES,
MINORITY STAFF DIRECTOR

BRANDON CASEY,
MAJORITY STAFF DIRECTOR

June 1, 2022

The Honorable Rosa L. DeLauro
Chair

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies
Committee on Appropriations
2358-B Rayburn House Office Building
Washington, D.C. 20515

The Honorable Tom Cole
Ranking Member

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies
Committee on Appropriations
1036 Longworth House Office Building
Washington, D.C. 20515

Dear Chair DeLauro and Ranking Member Cole:

Thank you for your leadership in funding vital programs under the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, including the operating budget for the Social Security Administration (SSA). We write to share testimony from a recent hearing at which we heard about the urgent need for SSA to strengthen services and reduce excessive delays, which requires adequate administrative funding in order to hire staff, allow overtime for existing staff, and invest in information technology to improve productivity and reduce errors and delays. We encourage you to support the highest amount possible for SSA's operating budget, no less than President Biden's request of \$14.8 billion in Fiscal Year (FY) 2023.

On May 17, 2022, the Committee on Ways and Means Subcommittee on Social Security held a hearing on "Strengthening Social Security's Customer Service." The Subcommittee heard testimony from Grace Kim, Deputy Commissioner for Operations at SSA; five additional witnesses representing seniors and people with disabilities, called by Democrats; and Peggy Murphy, Immediate Past President of the National Council of Social Security Management Associations (NCSSMA), called by Republicans. We attach the witness testimonies.

Across the board, witnesses described how Social Security is essential to Americans' economic security, providing a foundation for retirement and protecting families against financial devastation in the event of a worker's career-ending disability or death. Witnesses also emphasized that SSA's customer service is vital to ensuring that eligible individuals can access Social Security and Supplemental Security Income (SSI) benefits in a timely manner.

Witnesses from Justice in Aging, the Consortium for Constituents with Disabilities, and The Century Foundation expressed serious concern that SSA's service to the public has degraded significantly over the last decade. They noted that since 2010, Social Security beneficiaries have increased by approximately 21 percent, while over the same period the agency's administrative resources for basic operations have declined by approximately 14 percent, after adjusting for inflation. They and witnesses from the National Hispanic Council on Aging and Greater Hartford Legal Aid described the devastating harm that has resulted from service degradation, when vulnerable individuals including low-income seniors, people with disabilities, people of color, and others urgently need – but are unable to access – SSA benefits and services.

SSA Deputy Commissioner for Operations Grace Kim and Peggy Murphy of NCSSMA highlighted the need to ensure adequate staffing at SSA offices. Deputy Commissioner Kim explained, "Our employees are one of our greatest assets to help us address these unprecedented demands. We are facing our lowest staffing level in 25 years. This is driven by insufficient funding over multiple years to hire the level of staff needed, and higher than average attrition rates across the agency." Ms. Murphy emphasized, "Our offices must continue to have the resources and staff necessary to address additional workloads and responsibilities."

In summarizing SSA's critical resource needs, Deputy Commissioner Kim stated:

We are at a crossroads. The cumulative impact will increase our customers' wait times for in-person and phone service, increase claims processing times, and lead to increases in pending workloads. As we dig out from the effects of the pandemic, we must have sustained funding for the public to have continued confidence not just in our agency, but in government. We know people need our help, and Congress recognizes the importance of our local offices to communities. None of us think it is okay for applicants to wait six months for a decision on their disability application, but that is the level of service Congress and the public should expect absent sufficient resources. It will take a multi-year effort and adequate funding to restore pre-pandemic initial claim wait times. We hope we can work with you to resolve these funding challenges and restore the level of service the public requires.

When asked what would be the most important action for Congress to take to elevate the level of service at SSA, Deputy Commissioner Kim answered:

So from SSA's standpoint, I think the number-one message that I would want to take away is that SSA has been underfunded for too long, and that without an adequate level

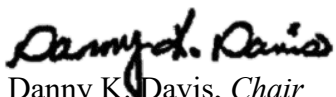
of funding, we will not be able to continue our level of service or improve service to the level that, really, I would want to see us be able to deliver to the public.

We just are underfunded. We don't have hiring, we need overtime, and we need proper investment in our IT investments. Those are the three key areas that I see need to be funded in order for us to carry out our mission and do it in a way that does not burn out our employees, because our employees are dedicated public servants, and I want to make sure that they have the tools and resources to do their jobs well.

We appreciate that under the leadership of Chair DeLauro the House-passed FY 2022 Labor, Health and Human Services, Education, and Related Agencies appropriations bill would have provided SSA with \$14.1 billion, a significant increase of \$1.1 billion above the FY 2021 enacted level. We encourage you to continue your invaluable leadership on behalf of SSA's beneficiaries and customers by including the highest amount possible for the agency's operating budget in FY 2023, no less than President Biden's request of \$14.8 billion.

Sincerely,


John B. Larson, *Chair*
Subcommittee on Social Security


Danny K. Davis, *Chair*
Subcommittee on Worker and Family Support

Attachments: Witness testimony from May 17, 2022 hearing



HOUSE WAYS AND MEANS

SUBCOMMITTEE ON SOCIAL SECURITY

UNITED STATES HOUSE OF REPRESENTATIVES

MAY 17, 2022

STATEMENT FOR THE RECORD

GRACE KIM

DEPUTY COMMISSIONER FOR OPERATIONS

SOCIAL SECURITY ADMINISTRATION

Chairman Larson, Acting Ranking Member Hern, and Members of the Subcommittee:

Thank you for inviting me to discuss the status of service delivery at the Social Security Administration (SSA). I am Grace Kim, Deputy Commissioner for Operations. As a former Regional Commissioner and career employee with more than 30 years of service with SSA, I know just how critical SSA's programs and services are to the public. I also understand that ensuring greater access to our services is essential—whether in-person, online, or over the phone. Today, I will share with you some of our recent service delivery successes, including welcoming people back into our offices in person without an appointment. I will also discuss the challenges we face as we work to improve service.

I want to extend my deep appreciation to the more than 43,000 dedicated employees who work in our 1,200 field offices, 24 Teleservice Centers, 8 regional Processing Centers, and support offices across the country, and the nearly 15,000 hard-working employees in the State Disability Determination Services (DDS) offices who are responsible for making medical determinations for our disability programs. Their commitment to public service, flexibility, and resilience has allowed us to continue to deliver vital Social Security services throughout the COVID-19 pandemic. Leading this team through such an unprecedented and challenging period has been a unique privilege, and I hope you will join me in letting them know we are grateful for their service to the public.

Our Agency

For more than 85 years, SSA has provided income protection for retirees, individuals with disabilities, and families that lose a wage-earner. Almost 90 percent of seniors over the age of 65 receive Social Security benefits. In fiscal year (FY) 2021, we paid more than one trillion dollars in benefits to over 70 million Social Security beneficiaries and Supplemental Security Income (SSI) recipients. In addition to financial security, our programs are also a gateway to accessing other benefit programs, such as Medicare, Medicaid, and the Supplemental Nutrition Assistance Program (SNAP).

Service Delivery During the Pandemic

In March 2020, the pandemic drove us to the unprecedented decision to direct our employees to work from home, and limit in-person services to critical situations by appointment only. This decision, while difficult, allowed us to keep our employees and the public safe while continuing to deliver critical services. We relied more heavily on online service options and rapidly shifted in-person service to service by telephone, publishing the phone numbers of local offices so communities could receive assistance from the same employees who normally see them in person, and relying on a small number of employees to work onsite to handle critical non-portable work. To provide an idea of how our service delivery shifted, we went from handling just over 20 million calls in our field offices in FY 2019 to tripling that number, handling nearly 61 million calls in FY 2021, and from seeing 43 million people in our field offices to seeing about 1 million people in person. Account registrations for our online [my Social Security](#) portal increased from over 7 million new registrations in FY 2020 to over 9.5 million new registrations in FY 2021. In FY 2021, we:

- Completed nearly 10 million claims for benefits;
- Posted over 277 million earnings items to workers' records;
- Processed nearly 12 million original and replacement Social Security card applications;

- Processed nearly 290 million online transactions; and,
- Completed nearly 511,000 full medical continuing disability reviews and nearly 2.4 million non-medical redeterminations of eligibility, safeguarding the integrity of benefit programs by confirming eligibility, improving payment accuracy for both overpayments and underpayments, and preventing fraud.

While many were able to reach us online and by phone, we know that in-person field office visits are the primary way many people access our services. Our field offices are an especially important option for people facing barriers to access our programs and services. For people experiencing homelessness, mental illness, limited English proficiency, or transitioning between incarceration and temporary living arrangements, and in need of Federal, State, and local benefits, our field offices are especially vital. We took steps and worked closely with advocates to reach these customers. We expanded outreach, including through media and targeted mailers, made technological improvements to improve online service delivery, and started new initiatives such as working towards streamlining and digitizing the SSI application. We will continue this work, as we know more can be done to reach individuals facing barriers.

Restoring In-Person Services

When we limited in-person service in 2020, we adapted policies and business processes and quickly deployed technology solutions, which enabled us to maintain services and keep everyone safe. Our highest priority during this unprecedented time was to provide mission-critical services while ensuring the health and safety of the public and our employees. This included maximizing remote work during the height of the pandemic and implementing policy and process flexibilities.

While many customers embraced the convenience of online or telephone service, that is not an option for everyone or for every type of service. **We were acutely aware that we were not fully meeting the needs of people who face barriers or who need in-person service to conduct their business.** From the start, we knew we needed to restore in-person services when it was safe to do so and after meeting our labor obligations.

We actively engaged with all three of our labor unions on workplace safety and reentry issues. As of January 19, 2022, we successfully reached mutual agreements with all three of our unions on our reentry plan, and I want to thank AFGE for working with Operations to safely return our employees and restore service. The Acting Commissioner and other executives reentered on December 1, 2021, and we achieved agency-wide reentry on March 30, 2022, which allowed us to provide ample notice for our employees and ensure that strong safety measures were in place.

I am pleased—and relieved—to share that reentry has gone smoothly, and we resumed in-person field office services, including welcoming people without an appointment, on April 7, 2022. As we expand our in-person services, we are working to return our performance closer to pre-pandemic levels. Our goal is to provide services the public expects and needs in order to access the benefits for which they are eligible. However, we are contending with several significant obstacles, including resource constraints.

Over the last month, I have seen firsthand that our field employees are not just ready and able to serve the public with compassion and professionalism, many of them are excited to see customers in person. Our field office workers care about helping people and they believe in our mission. Some managers were so thrilled to welcome employees back that they literally rolled out a red carpet. We

have offices where *every* employee returned onsite, giving up a telework day, because they missed one another and serving the public in person. I am uplifted by reports from new supervisors who had never met their employees in person and from new employees who had never taken face-to-face customer interviews – all profoundly grateful for the opportunity to interact in person.

Direct customer service can be challenging but it is also rewarding. One new employee shared her experience and the sense of purpose that came from helping a homeless gentleman who does not have access to the internet or phone file for retirement benefits that will enable him to find housing. In another office, a customer tearfully approached the desk and explained, “My daughter just died from COVID. My granddaughter is living with me now, and I need to file to be her payee.” This overwhelmed customer was quickly assisted by a specialist who provided service with compassion and kindness. In fact, the trending word in field office visitor customer service feedback is kindness. We are public servants, and we are working to ensure we provide exceptional service to the public who depend on us.

While we have yet to see the same number of customers we averaged before the pandemic, our careful reentry planning is paying off – so far. I greatly appreciate the thoughtful insight from advocates, managers, and unions to help us think carefully about every decision and to develop solutions to emerging problems. Our experienced managers understand the communities they serve, and we developed strategies they are empowered to employ depending on local conditions, while working through their leadership to ensure consistency. For example, local managers can recall employees from telework or focus on quick services and scheduling appointments to maximize the number of people they can help. At headquarters, we track when and how our managers are recalling individuals or scheduling appointments, which helps us monitor circumstances on the ground. This information may help guide future service adjustments.

We have learned a great deal during the pandemic and are applying that knowledge to our reentry. As a result, we are operating in reentry differently than we did pre-pandemic and during the pandemic. While some offices continue to see lines, we are employing new strategies to serve people visiting our offices as efficiently as possible. We continue to encourage people to first go online and call us, including to schedule an appointment, which prevents individuals from waiting in long lines outside offices, reduces office wait times, and allows us to better serve everyone who requires in-person service, including people who cannot access computers or telephones.

The agency is in a formal evaluation period through the end of the fiscal year. The evaluation period will be used to develop, assess and, if necessary, adjust any personnel or operational policies to provide public service and accomplish our mission as well as, or better than, before the pandemic. It will inform our future operating posture to improve the customer experience and maximize workplace flexibilities for our employees to help us retain and recruit topnotch employees.

We know that people waited a long time to see us in person, and we anticipate increased demand for our services, such as requests for replacement Social Security Number (SSN) cards and increases in individuals filing disability applications. We will use new strategies, combined with careful central monitoring of workloads and field office operations, to meet the demand. This includes setting public expectations about in-person services and encouraging alternative service delivery channels. As we have implemented many strategies to better serve our customers, we continue to face many challenges. The funding we received for FY 2022 has required us to postpone planned customer service improvements.

Critical Resource Needs

Our employees are doing their part to restore and improve service, working within our current funding levels. To fully meet our standards and the public's expectations for customer service, however, we will need more resources.

While we appreciate the increase over FY 2021, the FY 2022 appropriation of \$13.3 billion is not sufficient. This budget limits our capacity to provide service to the millions of people who are applying for SSN cards; retirement, survivors, and disability benefits; and Supplemental Security Income benefits for people who are aged, blind, and disabled. Our funding has remained relatively flat for the previous four years, and appropriations for base administration have failed to cover our fixed costs over the past decade. For instance, the \$411 million increase in FY 2022 does not fully pay for cost increases of approximately \$550 million to cover employee pay raises, step increases, and Federal Employees Retirement System contributions. Of the \$411 million increase we received, over 30 percent covered increased funding for our program integrity workloads, requiring us to prioritize stewardship over other essential workloads. We are also absorbing costs related to expanding in-person services, such as COVID-19 testing, facilities cleaning, more guards, and information technology (IT).

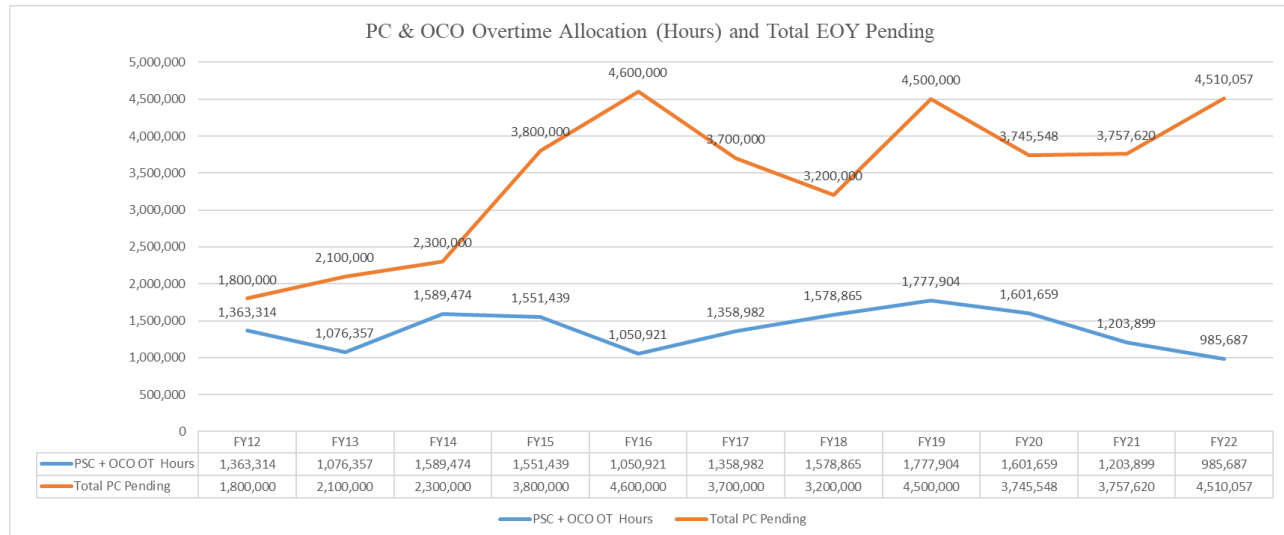
To fund these expenses and our fixed costs, we are delaying critically needed hires, reducing much needed overtime, and postponing select IT improvements. These delays in hiring and technology modernization, coupled with reduced overtime, are resulting in growing backlogs, which have reached unacceptable levels, and a deterioration in service. Less staff and delayed technological upgrades also mean we are not fully prepared to handle potential surges of people returning to our offices for in-person service.

Our employees are one of our greatest assets to help us address these unprecedented demands. We are facing our lowest staffing level in 25 years. This is driven by insufficient funding over multiple years to hire the level of staff needed, and higher than average attrition rates across the agency. Our funding level will constrain our ability to add the necessary staff to reduce the backlogs that have built up during the pandemic. It will also affect employee morale, which is already at a very low level, as demonstrated by the Federal Employee Viewpoint Survey and recent Pulse Surveys.

Because of the FY 2022 funding level, we were forced to implement a temporary hiring freeze, including all external Federal hires and DDS hires. In our front-line components such as Field Offices, Teleservice Centers, and Processing Centers, attrition is nearly 7 percent so far this fiscal year, or 2,900 losses. The highest rate is in our Teleservice Centers at over 12 percent to date. At this pace, we believe we will lose over 4,500 front-line operations employees this year, which is 1,000 more losses than we experienced before the pandemic. This would equate to an annualized attrition rate of 11 percent, or about 4 percentage points higher than our historical average.

In our State DDSs, where medical decisions are adjudicated, attrition is also unprecedented, at over 25 percent. These complex jobs require about two years of training. The loss of experienced examiners significantly affects the ability to train new employees and complete program integrity workloads, such as continuing disability reviews, which are generally performed by more experienced examiners due to their complexity. We are working with the States to understand the underlying reasons.

We are also severely limiting our use of overtime, which reduces our ability to compensate for staff losses. Reduced overtime in our Processing Centers is contributing to our current 4.5 million pending actions, which are up from 3.2 million at the end of 2018. We expect pending cases to surpass our 2016 record high of 4.6 million by the end of the fiscal year.



Additionally, the lack of overtime opportunities and the increasing workloads have resulted in low morale, with our employees reporting they feel overworked, overwhelmed, and exhausted.

We are at a crossroads. The cumulative impact will increase our customers' wait times for in-person and phone service, increase claims processing times, and lead to increases in pending workloads. As we dig out from the effects of the pandemic, we must have sustained funding for the public to have continued confidence not just in our agency, but in government. We know people need our help, and Congress recognizes the importance of our local offices to communities. None of us think it is okay for applicants to wait six months for a decision on their disability application, but that is the level of service Congress and the public should expect absent sufficient resources. It will take a multi-year effort and adequate funding to restore pre-pandemic initial claim wait times. We hope we can work with you to resolve these funding challenges and restore the level of service the public requires.

The FY 2023 President's Budget requests \$14.8 billion, an increase of over \$1.4 billion from our FY 2022 funding level. The President's Budget funds staffing and overtime to address higher volumes of work and allows us to replace actual and projected staffing losses from FY2022, which will help restore our workforce and mitigate the growth in our pandemic-related backlogs. It will also help us better balance our service and stewardship work by providing for more frontline workers to serve the public. Full funding of the FY 2023 President's Budget will put us on a path to rebuild and improve service for the millions of Americans who count on us.

Service Delivery Enhancements

Technology investments are critical to improve service and address tight resources now and in the future. We have made some key improvements but there is more work to be done and several investments supporting our reentry have been delayed due to funding shortfalls. Below are some of our recent accomplishments:

- *Secure Online Services.* More than 64 million Americans have registered for a secure personal account in the *my Social Security* portal. In FY 2021, we changed our registration process to make it easier for most customers to sign up to use our electronic services. To increase secure registration options for individuals registering for a *my Social Security* account, we added a driver's license verification option available to individuals residing in 43 states and the District of Columbia, covering approximately 83 percent of the population, which improved the registration rate by approximately 20 percent. We also partnered with the General Services Administration's Login.gov service to allow Login.gov users access without having to create another identity credential.
- *Internet SSN Replacement Card.* We continue to collaborate with the States to expand our internet SSN replacement card application. This process allows for U.S. citizens over the age of 18 with a driver's license or state ID to request a replacement SSN card if they do not need to make any changes to their record. Currently, 47 states and the District of Columbia participate in the application. We anticipate continued expansion this year. Additionally, in April we implemented the following enhancements that will allow us to assist more customers with enumeration-related business online:
 - U.S. citizens¹ with a marriage certificate issued from Arkansas can now request a "name-change" replacement card due to marriage only. Arkansas is the first state to partner with SSA to provide this option. We look forward to other states joining this initiative to help their citizens.
 - We released a new online application that allows U.S. citizens and non-citizens to begin their application for an original or replacement SSN card online, and identifies the evidence needed for an original or replacement SSN card before coming to the local SSA office to complete the application process, which reduces their office visit time and helps ensure they arrive with the right evidence.
- *Electronic Protective Filing Tool.* In March 2022, we implemented an online service option that enables individuals and third parties to express their intent to file for SSI and other benefits. This tool "protects" the earliest date SSA may use to pay benefits if an applicant is eligible for SSI or Social Security and ensures that the applicant receives all eligible benefits. This new resource is the first step toward expanding our online SSI services. Since its implementation just a few weeks ago, almost 57,000 customers have used the tool to start the application process.
- *Hearings and Appeals Case Processing System (HACPS).* Vendors who participate in our disability hearings process and have cases processed in HACPS can now file invoices electronically, view call orders and invoices, and receive electronic notification of payments.
- *Online Forms.* Beneficiaries can now complete continuing disability Form SSA-455 Disability Update Report online, upload supporting documentation, and electronically sign and transmit the form in real-time and employees can review virtually. Beneficiaries can also

¹ Customers are still required to provide information from their state issued driver's license (DL) or I.D. issued from any of the 47 jurisdictions currently participating in our DL/ID verification service.

now apply online to enroll in Medicare Part B (Supplementary Medical Insurance) based on a Special Enrollment Period.

- *Access to Electronic Files.* Unrepresented claimants can now securely view and download their electronic files via [my Social Security](#). If they do not have a [my Social Security](#) account, they may receive a copy of their file via secure email.
- *Notices.* We continue to expand the availability of electronic notices through [my Social Security](#) and now offer customers the choice to opt-out of receiving mailed notices they can receive electronically through the portal.
- *SocialSecurity.gov Website Redesign.* We launched a test site for [ssa.gov](#) that includes streamlined content and a redesigned home page. We will use customer feedback from online surveys and focus groups to adjust and improve the beta site. In FY 2022, we plan to transition the final redesigned [ssa.gov](#) website into production.
- *Online “Voice of Customer” Feedback.* We established a centralized feedback collection supporting all service channels and are using that feedback to improve our service strategies across all channels.
- *[my Social Security](#) Claims Status Tracker Releases.* This allows individuals who have a [my Social Security](#) account to check the status of their pending or recently adjudicated claims online.
- *Electronic Remittances.* In addition to making several public-facing improvements to our agency’s manual remittance process, in 2021 we launched Online Bill Pay, which allows us to receive remittances from individuals wanting to pay amounts owed electronically. Through the week ending April 29, 2022, we have recovered \$133 million in online remittances through Pay.gov.
- *Redesigned Social Security Statement.* In October 2021, we released our redesigned *Social Security Statement* to make it easier for people to see their earnings information and estimates of future benefits. We added fact sheets, tailored to a person’s age and earnings history. Based on stakeholder feedback, we developed a new fact sheet entitled, “Supplemental Security Income and Other Benefits – Information For People With Limited Earnings Fact Sheet.”
- *Mobile Visitor Check-In.* In April 2022, we enhanced our Mobile Visitor Intake Process Check-In system, which allows visitors to check-in for in-office appointments from their mobile device.

These new tools provide our customers with more efficient, easy-to-understand service, but we must continue to modernize. Due to our insufficient budget, we have already had to make cuts to our IT investments, which limits how quickly we can develop and implement improvements. For example, we want to fully invest in tools that enable enterprise scheduling and self-scheduling of appointments. We want to improve services for Appointed Representatives and expand access to their clients’ electronic folders. We are working to reduce the time it takes to pay representatives’ fees, and to fully modernize our legacy claims systems. As we modernize our policies to eliminate

wet signatures and transition to electronic evidence, we have opportunities to keep customers who want to do business with us online in an online service channel. However, right now, we are forced to choose between hiring employees or investing in systems improvements, and we need sufficient funding to do both.

Continuing Service Challenges: Phone Services, Expanding Access for Individuals Experiencing Barriers, and Workload Backlogs

Telephone Service

When one of our service channels experiences difficulties, the other channels become more stressed. We have had many conversations with Congress about problems with telephone service, and we have also been transparent with the public that we are operating on outdated phone systems, and they may experience trouble. During the pandemic, we redirected in-person service to telephone service. This necessary shift happened at a time when we are transitioning to a modern telecommunications platform. Our Next Generation Telephony Project (NGTP) is replacing our three legacy telephone systems (800 Number, Field Offices, and Headquarters) with a single platform.

However, high call volumes during the pandemic have challenged the capacity of our transition platform for the 800 Number. Excessive spikes in callers waiting in the queue have overwhelmed our interim platform, disrupting our service. It is our priority to improve this situation, and we have dedicated resources to do so. Acting Commissioner Kijakazi has personally met with our vendors' executives to ensure they understand what is at stake when people cannot reach us and to impress upon them the need for 800 Number stability. In addition, we are consulting with experts from the United States Digital Service for support. To mitigate the potential for disruption in service during this transition, we are currently capping the number of callers waiting in the 800 Number queue at the recommendation of our vendors as we work to implement NGTP. While limiting the number of people who can wait on hold may occasionally result in customers receiving a busy signal, it has helped ensure people already holding can complete their business without disruption. Thankfully, telephone service has been stable since we reentered our offices and restored walk-in service.

In early 2023, we expect the 800 Number to be updated. We expect the single platform phone system to be more efficient than our current platforms, provide more self-service opportunities for the public, improve performance management, and reduce the time it takes to implement future process improvements. We are also closely monitoring our progress as we implement NGTP and are committed to ensuring the public receives the telephone service they require. In particular, our new Agency Priority Goal challenges us to reduce average wait times to less than 12 minutes by the end of 2023.

Improving Access for People Facing Barriers

A pressing concern while our field offices were closed to walk in traffic was how to ensure customers who need us most could reach us, as we are experiencing decreases in disability applications. This potential service gap is a key reason why we needed to reenter our offices as soon as possible, once we met our labor obligations and provided employees ample notice to prepare. We established a new Agency Priority Goal to address the decline in receipts during the pandemic and improve equity in our SSI program through increased outreach and improved benefit delivery, including to communities of color and underserved communities, by increasing the number of all SSI

applications by 15 percent, restoring rates closer to pre-pandemic levels, and by increasing the number of SSI applications from underserved communities by 25 percent, relative to a 2021 baseline.

Another major effort includes streamlining and improving our SSI application policies and processes to deliver an application that is user-centered, responsive, intuitive, equitable, easy to use, and accessible online. Additionally, we continue to raise awareness of our benefit programs to eligible groups, including homeless individuals, seniors, children, and adults with disabilities, through targeted outreach and media campaigns, such as:

- In FY 2021, we initiated the Special Mailer project² for Title II beneficiaries 18 and older, whose monthly benefits are less than the maximum Federal SSI benefit. The mailer encouraged these beneficiaries to apply for SSI. To date, we have mailed approximately 665,000 notices, resulting in over 42,000 applications. We approved more than 18,000 individuals for additional benefits averaging \$216 per month, for a total of nearly \$4 million SSI benefits paid. We are releasing an additional 735,000 mailers to potential beneficiaries in 2022.
- We regularly release Dear Colleague Letters to share information and materials about specific agency programs and initiatives. Since March 2021, we released nearly 70 letters to advocates, organizations, and representatives on relevant topics such as COVID-19 and service delivery options, people facing barriers, Economic Impact Payments, and Social Security scam warnings.
- We publish guest articles on our *Social Security Matters* blog, which highlight the knowledge and expertise of these groups and cover various topics such as [people facing homelessness and children with disabilities](#).
- We hosted several [National Disability Forums](#)³ (NDF), which serve to engage stakeholders including advocates and the public on issues related to our disability programs early in the policy development process. Through these forums, we obtain perspective, which helps us develop responsive and efficient policies.
- In FY 2021, we implemented a paid digital media campaign in English and Spanish to promote SSI for both children and general audiences. The performance of this campaign, using social media and search engine marketing, met or exceeded our benchmarks. For example, the rate at which people click on our search engine marketing ads is nearly 19 percentage points higher than the average for Federal agencies. As of January 28, 2022, our campaign generated over 207 million impressions, creating awareness of the SSI program. Those ads were directly responsible for over 2.1 million visits to our website. Visitors then took steps to learn more about SSI and how to apply, including nearly 285,000 downloads of our informational resources and approximately 188,000 clicks on our links to apply.
- In June 2021, we began airing our television and radio public service announcement (PSA), “The Life of a Child,” in English and Spanish. The PSAs target parents and caregivers of children

² We released notices in English and Spanish and include a dedicated 800# hotline to address inquiries and assist potential applicants in determining their eligibility for SSI benefits.

³ We generally present three NDFs annually. During the pandemic, we held two NDFs about COVID that addressed long-term effects and the mental health impact and one entitled “Equity in SSA Programs: Hidden Barriers”. The latest NDF, held February 17, 2022, was entitled “Equitable Access to SSA Disability Programs for LGBTQIA+ Communities” and was based on [EO 13988](#).

with disabilities to increase awareness and applications for SSI. To date, the PSAs have generated over 59 million total impressions.⁴

We are also working on expanding our use of video technology as a service option. Video provides a convenient option that may reduce how far people need to travel to receive service, keeps people who remained concerned about visiting our offices due to COVID-19 safe, and helps maximize our resources including redirecting work to less busy offices. We also continue to offer telephone and video hearings to claimants who prefer these options, which may reduce the time they wait for a hearing. We are safely reopening our hearing offices to in-person service, focusing first on individuals who have been waiting for a hearing because they declined telephone and online video hearing options and people who are experiencing certain circumstances like homelessness.

We also have been working closely with advocates to strengthen access to our programs and services for people facing barriers. For example, we implemented a Third-Party SSI Claims Taking Campaign. We created a liaison position to work directly with advocacy organizations to assist with claims taking or provide us with leads. Specifically, we established Vulnerable Population Liaisons (VPL) and Vulnerable Populations Experts (VPE) in our field offices. These employees work directly with community partners that have agreed to take and submit applications for SSI, provide information sufficient to establish a lead or protective filing, or refer potential applicants to us. To support this effort, we:

- Designated 675 VPLs who receive completed applications as part of their regular workload. They also identify potential errors and review with the submitter or refer recurring issues to local management and Public Affairs Specialists (PAS) or Area Work Incentives Coordinators (AWIC) who provide additional discussion or training for the organization.
- Designated 100 VPEs to coordinate the campaign broadly by providing technical guidance and support to the VPLs. The VPEs also perform quality control reviews and offer training to the organizations in coordination with the PASs and AWICs.
- Directed our Regional Communications Directors to serve as ombudsmen to address complex or unresolved issues raised by our community-based partners.

Workload Backlogs

The pandemic disrupted many of our workloads. Policy flexibilities and workarounds, combined with a lack of staffing and overtime, have resulted in re-work and delays. In our Processing Centers we have a backlog of adjudicated claims that require evidence and verifications; internet claims are taking longer to process in our Workload Support Units due to increased volumes; and our Field Offices are struggling to balance intake with program integrity and other workloads, such as claims and post-entitlement workloads. We also have a growing backlog of disability cases. Staffing challenges, coupled with the anticipated increase in claims now that we have expanded in-person services, is contributing to delays in disability claims processing.

Additionally, claims pending levels and processing times are increasing; over the last two years, we have experienced a growing backlog of disability cases at the initial and reconsideration levels

⁴ This refers to the number of times the PSAs could be watched or heard.

pending at the State DDSs and increased delays in applications and appeals being sent for medical determinations. People are waiting an average of six months for an initial decision on their disability application. These backlogs and delays are largely due to hiring challenges that started during the pandemic, combined with higher than expected attrition and an additional backlog in claims we may receive through the end of FY 2023.

The initial disability claims pending level has increased to almost 840,000 as of April 2022, more than 200,000 cases higher than prior to the pandemic at the end of FY 2019. The average initial claims wait time through April 2022 was almost 177 days compared to 120 days in September 2019.

We acknowledge that it is challenging for individuals to wait over six months on average to receive a disability decision. We have made it a priority to improve the average processing time for initial claims generally and work down older cases, even as we expect to see more initial claims. Our new Agency Priority Goal to improve processing time for initial disability claims reflects this commitment. However, it will take a multi-year effort and adequate funding to restore pre-pandemic average initial disability claims wait times.

We are also working with the States on improvements. For example, we:

- Increased Consultative Examination (CE) availability, including expanding the use of telehealth (virtual) CEs and the recruitment of additional CE providers;
- Supplied the State DDSs with policy and procedural reminders, and guides for improved case processing;
- Updated and implemented training for both new and experienced staff to ensure consistent, quality determinations aligned with the national transition to a new, streamlined Disability Case Processing System, which will help ensure we can make timely, consistent medical determinations⁵;
- Released more forms online such as the SSA-1696 *Appointment of Representative*, SSA-820/SSA-821 *Work Activity Report(s)* and SSA-455 *Disability Update Report*.

We are struggling to find solutions to significant problems like staffing shortages to help us address workload backlogs. We have experienced a marked decrease in the number of applications we receive for entry-level positions and higher attrition, particularly for disability examiner positions in the State DDSs, which has made it harder to hire qualified candidates in a timely manner.

Conclusion

The pandemic upended our traditional service delivery model. Operating differently highlighted opportunities to improve, and we continue to build upon what we learned over the last two years. As we reopen our field offices, I ask for your support to help us continue to direct people who can access us online or by telephone to try those options first before coming to our offices in person, especially without an appointment. This strategy is critical to preventing long lines, including outside of offices

⁵ We are transitioning the modernized Disability Case Processing System to all State DDSs by the end of FY 2022, and to all Federal Units thereafter. Additionally, we are prioritizing our oldest cases first.

while we continue to physically distance, and allowing us to serve people who cannot use other options.

Reopening our offices, however, does not alleviate the significant challenges we face to restore service delivery to the standards the public expects. We cannot dig out from pandemic related backlogs and restore service when we are provided with a budget that will not cover those costs. We need sustained and adequate resources to fully address hiring and workload challenges, an aging legacy IT infrastructure, complex program policy, and an overarching need to modernize. The President's 2023 Budget will help us meet our goals, by covering fixed cost increases and providing resources to hire, pay overtime, and continue to improve our IT systems. I thank the Subcommittee for your continued support, and I will be happy to answer any questions you may have.

Hearing on SSA Customer Service
United States House of Representatives,
Committee on Ways and Means, Subcommittee on Social Security
May 17, 2022

Testimony of Tracey Gronniger,
Directing Attorney, Economic Security, Justice in Aging

Thank you for this opportunity to discuss the critical importance of the Social Security Administration, the programs it administers, and its customer service to the public.

I am Tracey Gronniger, Director of Economic Security at Justice in Aging. Our organization is committed to using the power of the law to advocate for the rights of low-income older adults. We focus particularly on those groups that have traditionally lacked legal protection, including women, people of color, LGBTQ+ individuals, and people with limited English proficiency.

Today I'd like to talk to you about the importance of the Social Security Administration and the customer service it provides to ensure that older adults and people with disabilities have access to key programs that provide them with the income support they need to pay for essentials like housing, food, clothing, and other necessities.

SSA Programs Support the Economic Security of Older Adults at Risk of Poverty

The programs that SSA administers, including Social Security retirement, spousal, and survivors benefits; Social Security Disability Insurance (SSDI); and Supplemental Security Income (SSI) are incredibly important to the low-income older adults and people with disabilities that Justice in Aging advocates for. Approximately 50 million people age 65 and older received Social Security benefits this year. Without those benefits we would see millions of seniors living in poverty.ⁱ For older adults with the lowest income and resources, SSI serves as a key lifeline to keep them from falling into deep poverty, homelessness, and hunger. Almost half of all SSI recipients are age 50 and older, and almost 30% of all SSI recipients are over age 65.ⁱⁱ For approximately 2.3 million seniors over age 65 around the country, SSI is a vital source of support.

Women make up a majority of Social Security and SSI beneficiaries. For low-income older adult women, these benefits are crucial, and over 60% of older adult SSI recipients are women.ⁱⁱⁱ This is partially a result of the undervaluing of work that women have historically performed, the low-wage jobs that they are more likely to work in, and the caregiving roles they often assume on an underpaid or unpaid basis.^{iv} Indeed, Social Security and SSI benefits are necessary to address and counteract some of the effects of systemic discrimination that can often lead to certain groups of older adults aging into poverty through no fault of their own. Black, Latino, and Native American older adults, for example, are twice as likely to live in poverty as white older adults.^v

LGBTQ older adults are also more likely to live in poverty.^{vi} Unfortunately, as they age, older adults become even more likely to live in poverty, with those age 80 and over having the highest poverty rate of all older adults.^{vii} And those older adults living alone, oftentimes women, are at the highest risk of poverty.^{viii} Programs like Social Security and SSI work to ensure that all older adults will be able to meet their basic needs.

SSA Needs Adequate Funding to Improve Customer Service and Address Challenges that Make It More Difficult for Older Adults to Access Benefits

SSA plays an important role in supporting the economic security of our nation's people, especially older adults and people with disabilities. Despite the relief that Social Security and SSI benefits can provide, we still see significant levels of poverty among older adults. Many seniors who are eligible for programs like SSI may not be aware of the program, or may need assistance understanding when and how to apply for benefits from SSA.^{ix}

This is where SSA's customer service role becomes critically important. The agency serves as a resource to individuals by providing information, answering questions, interpreting complicated rules and requirements, translating information into languages other than English, and generally providing the support people need to access benefits for which they are eligible.

When the agency closed its doors to in-person service in March of 2020 due to the Covid-19 pandemic, some of the groups most affected included older adults and people with limited English proficiency who are particularly reliant on in-person services. The loss of in-person services led to an estimated 500,000 fewer awards of Social Security or SSI disability benefits since the pandemic than would otherwise have been expected.^x

While we are excited that the agency has reopened its offices after a long period without walk-in, in-person services during the pandemic, it is not just the office closures from the pandemic that have made it difficult for SSA to perform its duties to the people of this country. There are longstanding challenges and issues that have impacted the agency's ability to provide effective and efficient customer service to the public, and have created barriers to access for those most in need of the income support offered through the programs the agency administers. Below, I discuss some of the key customer services that SSA provides and how they might be improved so that older adults and people with disabilities are better able to receive assistance from programs like Social Security.

Before I turn to specific customer service issues however, I must note that one vital and overarching challenge that the agency faces, which affects every aspect of its customer service is a woefully inadequate level of funding. SSA has been chronically underfunded for over a decade, forcing the agency to cut corners in the level of service it provides. With the number of older adults growing every year as the Baby Boom generation ages, the Social Security Administration has seen an operating budget that is down 14% since 2010, after accounting for inflation. Without adequate funding, we cannot expect SSA to provide the level of service we desire for the older adults who depend on the agency to help them access these critical income supports.

We urge Congress to commit sufficient administrative funding to SSA, so that it will have the resources necessary to hire the staff it needs to serve the public and make the kinds of changes and improvements to customer service that will ensure that older adults can effectively access and utilize the benefits available to them to support their economic security. For Fiscal Year 2023, SSA has requested \$14.8 billion for SSA operating expenses, an increase of \$1.4 billion or about 11% over Fiscal Year 2022 enacted levels. We support at least this level of funding.

In-Person Services Are a Vital Part of SSA's Customer Service

To speak more specifically to SSA's customer service, I would like to touch on a few areas that are critical to ensuring that SSA provides the assistance necessary to meet the needs of older adults and people with disabilities who depend on the vital programs that the agency administers. I would like to discuss the importance of in-person services, SSA's outdated telephone technology, the need to simplify online access and basic forms, and needed outreach by SSA to underserved communities.

The first area I'd like to discuss is the in-person service provided by SSA staff through the agency's 1200-plus field offices around the country. In-person, walk-in services are essential for older adults, and in particular low-income older adults who have limited access to the internet. One advocate told us of an older adult client who spent months trying to navigate the process to start receiving payments related to his benefit approval. The advocate and his client, who was housing insecure, tried using SSA's phone services to get assistance from multiple SSA offices with no success. When they were finally able to go into an SSA field office in person, however, they were able to accomplish in 45 minutes what they could not achieve after hours on the phone. In one visit, a knowledgeable claims representative processed his paperwork, and was also able to get him a notice of benefits to accompany a housing application he was preparing to submit. As the advocate noted "It was simply incredible how helpful it was to go in person with him."

Another organization in Oregon told us of an older adult who was experiencing chronic homelessness after a traumatic brain injury that made it incredibly difficult for him to understand and retain information. Phone calls with SSA to find out about how to file for early retirement were difficult, and the client often had trouble remembering who he was talking to and the purpose of the call after just a few minutes. Had he been able to meet in person, a claims representative would have been able to provide him with written information about filing for early retirement that the client would have been able to refer to later and understand.

Going to a field office in person offers people access to the widest range of services as compared to going online or calling by phone. Field office staff are generally able to help individuals right away, particularly if they have an urgent need. For those people who speak languages other than English or have disabilities that require particular accommodations, an in-person visit is often most effective.

While online access can be helpful and important to some, a recent study from Older Adults Technology Services found that 42% of older adults lack internet at home.^{xi} Unsurprisingly, some of the predictors of lack of internet access were level of education and income level, race,

living in rural areas, and poor health status.^{xii} As one advocacy organization told us, it is unrealistic to expect a person experiencing homelessness to use a computer at the public library to undertake the often-Herculean and hours-long effort of applying for benefits. The difficulty that some older adults face in accessing the internet means that SSA must offer a reliable in-person option as an alternative to online and telephone services. For people with limited English proficiency, this also includes interpreter services that take into account the languages spoken in the community in which a field office is located. Even prior to the pandemic, advocates were concerned about the closure of field offices in low-income areas, and in communities of color. Such closures are especially problematic for people applying for SSI, who frequently need to go to an SSA office as part of the process.

With the closure of all field offices during the pandemic, the problems that had already been identified were only exacerbated, and people who previously had trouble communicating with SSA found it next to impossible. And the closures led to a sharp decline in SSI applications for older adults and people with limited English proficiency.^{xiii} We are thrilled that SSA has generally reopened its field offices to walk-in, in-person services. We also understand that the safety of SSA staff and the public it serves is an important consideration as we all continue to navigate the COVID-19 pandemic. With the reopening of the offices, however, SSA must again contend with the challenges of providing these in-person services as well continuing to provide services to the public by telephone and online.

One obvious issue is ensuring that there is sufficient staff to take up the workload and help connect customers with the benefits for which they are eligible. Field office staff is responsible for working with customers to complete applications for benefits, answering questions about eligibility, processing applications, verifying eligibility documents, and more. As mentioned earlier, Congress has the authority to provide more funding to the agency to allow them to hire the staff necessary to complete these tasks efficiently and without unnecessary delay.

SSA's field office responsibilities include having staff available for walk-in appointments, which are critical for people who can't easily schedule appointments in advance. Unfortunately, some SSA field offices are still limiting in-person services to people with "dire need" appointments, and are not allowing walk-in services. The only way people are made aware of the status of a particular field office for walk-in visits is through SSA's emergency page at the SSA website, or a hotline number. However this information is inaccessible for most people, who have no idea where to look for it or that it is even available or necessary. The frustration at being turned away from in-person services despite the supposed reopening of SSA's offices will undoubtedly lead some people to give up on or postpone their claims again.

We have also heard from advocates that many people are still unaware that they can come to an SSA office in person. This is particularly true with regard to low-income and older adult claimants who do not have easy access to internet services. SSA must increase its outreach efforts, going beyond emails to advocates and blog posts to let the public know that its offices are open for walk-in services, by using means such as television and radio PSAs, articles in local newspapers, community word of mouth, and other modes of communication.

SSA Is Challenged by Its Outdated Telephone Services

In addition to the critical importance of in-person services, SSA must address its telephone services and the problems the agency is facing with that service. For people who have difficulty getting to a local office, for reasons of disability, time, money, or other barriers, a telephone call with SSA staff can serve as the link necessary to help them obtain or maintain Social Security or SSI benefits. Trained staff, and readily available interpretation services are essential to providing the assistance claimants seek from SSA.

Unfortunately, the current technology that SSA uses to administer its phone services is severely outdated, and notably, over the past few months, advocates have reported significant problems with busy signals, dropped calls, long wait times, and insufficient staff available to provide assistance, with the result that people are having difficulty accessing benefits and support. One advocate in California told us that from mid-March to early April, 62% of their legal service organization's calls to SSA offices in the Bay Area could not get through, primarily due to the lines being busy. These kinds of failures are not only frustrating to advocates and their clients, but can also lead to additional problems, such as improper overpayments, as people are unable to reach the agency to report changes. This can cause a corresponding increase in SSA's workload as they attempt to deal with the results of these errors.

Part of the issue is the legacy telephone system that SSA has had to contend with for far too long. The agency also recently decided to remove certain local field office phone numbers from its website, which advocates have complained makes it even more challenging to communicate with relevant staff. The staff at the local field offices are often more knowledgeable and able to address relevant issues and concerns more quickly and comprehensively than those at the 800 number. We would encourage SSA to repost these local field office numbers to help advocates and claimants connect with the proper field office staff.

Improving Online Access and Simplifying Forms and Application Processes Would Also Improve Access to SSA Benefits and Services

We believe there are steps the agency can and should take to make it easier and more efficient overall for individuals to communicate with SSA and access benefits for which they are eligible. In addition, these actions could potentially reduce the burden on SSA's telephone systems and reduce visitors to overcrowded field offices. These actions include: simplifying the benefit application process, making information and forms available online for those who are able to access the internet, and making it easier for the public to conduct business in multiple ways (such as online) so that the load on the telephones is not as severe.

Currently the benefit application process for programs like SSDI and SSI is overly complicated and can serve as a barrier to individuals who either cannot understand the complex questions being asked of them, or have trouble providing the comprehensive and substantial amount of documentation required to complete the application. For older adults with limited English

proficiency, it is even more difficult when these documents and concepts have to be translated into a language other than English. Because of these challenges it often takes individuals and advocates an inordinate amount of time to complete their applications, leading to delays receiving benefits even if they are approved. The current SSI application, for example, is 24 pages long. This is far too burdensome and complicated for older adults and people with disabilities who are trying to apply for benefits. While we know that the agency has already begun looking at simplifying its benefit application forms, we would urge the agency to prioritize this work, which would not only assist claimants, but could also reduce their own workload.

We would like to commend SSA for recent steps it took to implement an SSI Protective Filing Tool on its website that allows people to establish a protective filing date online as long as their SSI application is submitted within 60 days. This is an important step towards making it easier for individuals to apply for benefits, and helping claimants access the benefits for which they are eligible as early as possible. However, we urge the agency to continue working on ways to make applying for SSI benefits easier.

Another way the agency could make it easier for individuals to access information and benefits is to put more information and forms online. In addition to the digital divide I mentioned earlier, there are also significant challenges for those who are fortunate enough to have access to internet services, or the help of an advocate who can go online to assist them. Currently, for example, a low-income older adult cannot file an SSI application online, creating an unnecessary roadblock for people who must go to a local office or have the form mailed to them. We would urge the agency to provide more information and materials online to allow for meaningful engagement and communication with those who have internet access, which can often include people with disabilities that make it more difficult for them to get to field offices. We would also recommend that SSA translate more online forms into other languages to make them more accessible to people with limited English proficiency.

The agency can also take advantage of its ability to make changes at the sub-regulatory level by reviewing and revising its processes to ensure that they work effectively for people who face significant obstacles, including individuals with limited access to technology, individuals who are homeless, and individuals with limited English proficiency. Immigrant eligibility rules are also very complex, and ensuring that SSA's processes are straightforward would reduce confusion and errors.

SSA Must Increase Its Outreach to Underserved Communities

We recognize that SSA's need for adequate administrative funding is longstanding, and the lack of funding that is presently an issue will make many of these solutions that much more challenging to implement. However, the agency's goal must be to ensure that the people who are eligible for benefits are aware of these benefits and are able to access them. One way to do this is by engaging in community outreach and making a concerted effort to provide assistance to those who need it.

One effort the agency has taken on which we would also like to commend, is its outreach to very low-income Social Security beneficiaries. Often, older adults receiving Social Security are not aware that they might be eligible for benefits like SSI to supplement their income. SSA has reached out to hundreds of thousands of Social Security retirement and disability beneficiaries to inform them of their potential eligibility for SSI. This has led to tens of thousands of people obtaining SSI, and millions of dollars helping older adults and people with disabilities better meet their needs. We thank the agency for these efforts, and hope they will continue.

Another way SSA could prioritize helping individuals access benefits for which they are eligible would be through the creation of a Beneficiary Advocate position within the agency. A Beneficiary Advocate could help the agency identify access issues, promote efforts to engage with underserved communities, and push for solutions to ongoing problems affecting beneficiaries. Finally, SSA should collect racial and ethnic data, as discussed, in part, in its Equity Action Plan,^{xiv} to identify and determine whether it is effectively getting benefits to underserved communities that may need additional outreach and support.

In addition, Justice in Aging has endorsed legislation like the Social Security 2100: A Sacred Trust Act (H.R. 5723), for example, which would improve customer service at SSA by ensuring that field offices remain open, requiring SSA to mail annual statements to beneficiaries to inform them of their projected benefits, and improving access to legal representation for people applying for benefits. Justice in Aging also supports a number of other improvements to programs like SSI that would, if enacted, make it easier for SSA to administer.^{xv}

Finally, I want to reiterate that sufficient funding is necessary to fix these longstanding problems and must also be part of the solutions to SSA's customer service issues.

Conclusion

We must both support SSA's customer service efforts through increased funding, while also pushing the agency to do the most it can with the resources it currently has available. The agency should prioritize helping people access and keep benefits for which they are eligible. SSA can make better use of its current resources by striving to get more people connected with the benefits they are entitled to so that they can better meet their needs. Millions of older adults and people with disabilities depend on SSA to keep them from falling into economic insecurity. We hope Congress will provide the agency with the necessary funding and support it needs to effectively accomplish these goals.

ⁱ The Supplemental Poverty Measure, 2020, available at <https://www.census.gov/content/dam/Census/library/publications/2021/demo/p60-275.pdf>

ⁱⁱ SSA, Annual Statistical Supplement, 2021, Supplemental Security Income, Table 7E, <https://www.ssa.gov/policy/docs/statcomps/supplement/2021/index.html>

ⁱⁱⁱ Matt Messel and Brad Trenkamp, Characteristics of Noninstitutionalized DI, SSI, and OASI Program Participants, 2016 Update (released April 2022), available at <https://www.ssa.gov/policy/docs/rsnotes/rsn2022-01.html>

^{iv} Amber Christ and Tracey Gronniger, Justice in Aging, "Older Women and Poverty," December 2018, available at <https://justiceinaging.org/wp-content/uploads/2020/08/Older-Women-and-Poverty.pdf>

^v Cubanski, J., Koma, W., Damico, A., & Neuman, T., Kaiser Family Foundation, How Many Seniors Live in Poverty (Nov. 2018), available at files.kff.org/attachment/Issue-Brief-How-Many-Seniors-Live-in-Poverty.

^{vi} Denny Chan and Vanessa Barrington, “How Can Legal Services Better Meet the Needs of Low-income LGBT Seniors,” June 2016, available at <https://justiceinaging.org/wp-content/uploads/2016/06/How-Can-Legal-Services-Better-Meet-the-Needs-of-Low-Income-LGBT-Seniors.pdf>.

^{vii} Zhe Li and Joseph Dalaker, Congressional Research Service, Poverty Among the Population Aged 65 and Older, April 14, 2021, available at <https://sgp.fas.org/crs/misc/R45791.pdf>

^{viii} *Id.*

^{ix} Jeffrey Hemmeter, John Phillips, Elana Safran, and Nicholas Wilson, Office of Evaluation Sciences, GSA, “Communicating Program Eligibility: A Supplemental Security Income (SSI) Field Experiment,” November 23, 2020

^x Jonathan Stein and David Weaver, The Hill, “Half a million poor and disabled Americans left behind by Social Security,” November 15, 2021, available at <https://thehill.com/opinion/finance/581522-half-a-million-poor-and-disabled-americans-left-behind-by-social-security/>

^{xi} Older Adults Technology Services, “Aging Connected – Exposing the Hidden Connectivity Crisis for Older Adults,” March 11, 2022, available at <https://oats.org/aging-connected-exposing-the-hidden-connectivity-crisis-for-older-adults/>

^{xii} *Id.*

^{xiii} Stein and Weaver, *supra* note x.

^{xiv} Social Security Administration, Equity Action Plan in Agreement with EO 13985, February 10, 2022, available at <https://www.ssa.gov/open/materials/SSA-EO-13985-Equity-Action-Plan.pdf>

^{xv} Justice in Aging, Issue Brief, Supplemental Security Income Restoration Act of 2021, available at <https://justiceinaging.org/wp-content/uploads/2021/06/SSI-Policy-Issue-Brief-Updated-2021.pdf>



**CONSORTIUM FOR CONSTITUENTS
WITH DISABILITIES**

Committee on Ways and Means
Subcommittee on Social Security
United States House of Representatives

Strengthening Social Security's Customer Service
May 17, 2022

Testimony of Bethany Lilly
Senior Director of Public Policy
The Arc of the United States
on behalf of
Consortium for Constituents with Disabilities
Social Security Task Force

Chairman, Ranking Member, and members of the Social Security Subcommittee, thank you for inviting me to testify today about the importance of Social Security benefits and Social Security Administration (SSA) customer service for people with disabilities. My name is Bethany Lilly and I am the Senior Director of Public Policy at The Arc of the United States, an organization that represents people with intellectual and developmental disabilities, their families and friends, and the essential frontline disability service providers who support them.

I am testifying today on behalf of the Consortium for Constituents with Disabilities (CCD) Social Security Task Force. CCD is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society free from racism, ableism, sexism, and xenophobia, as well as LGBTQ+ based discrimination and religious intolerance. Our Social Security Task Force focuses on disability policy issues in the Title II disability programs and the Title XVI Supplemental Security Income (SSI) program. The SSI and Title II cash benefits, along with the related Medicaid and Medicare benefits, are the means of survival for millions of individuals with severe disabilities. They rely on SSA to promptly and fairly adjudicate their applications for disability benefits and to handle many other actions critical to their well-being.

My testimony today is going to begin with a brief summary of why customer service is so important for Social Security beneficiaries, especially those with disabilities, then highlight three major issues related to customer service that I think Congress must act on, and then discuss solutions. But I want to make it very clear that SSA will not be able to provide the level of customer service that the American people deserve until the agency is fully funded. Since 2010, SSA's operating budget has fallen 14 percent, with an associated drop in staffing of 13 percent. During the same time period, the number of Social Security beneficiaries has grown by

21 percent. It is a credit to the employees of SSA that millions of people who turn to SSA in their times of need are served well, although frustrating that this lack of funding has made service inadequate for millions more. This long-term funding deficit is a problem that Congress must act now to address!

- I. The importance of SSA customer service to beneficiaries, especially people with disabilities.

For millions of people with disabilities, Social Security provides a crucial cash benefit. Sometimes, it's like it was for a young man with an intellectual disability from The Arc's network who started off receiving Supplemental Security Income, then began receiving Social Security survivors benefits when his father died. Other children with disabilities rely on Social Security benefits when they lose a parent early or their parent develops a disability. Many parents with disabilities also rely on Social Security Disability Insurance to help their families pay bills following a disabling car crash or other accident. Some veterans who develop disabilities after their service also rely on Social Security Disability for support. I know our task force member Paralyzed Veterans of America has testified about the importance of Social Security to these veterans previously before this committee. Regardless of the kinds of Social Security benefits you're receiving, the program provides an absolutely crucial safety net, working in conjunction with the Supplemental Security Income (SSI) program to ensure that people with disabilities have desperately needed assistance.

And this assistance is extremely modest. The 2021 Annual Statistical Supplement reports that just under 65 million people received Social Security benefits in 2021: 55 million receiving retirement, just under 6 million receiving survivors' benefits, and 9.6 million receiving disability benefits. The average disability benefit was \$1,143 (slightly more for male beneficiaries, slightly less for female beneficiaries due to gender disparities in income, labor force participation, and caretaking), which would total \$13,716 over the course of a year. While modest, these payments often mean the difference between being able to afford rent or groceries.

But accessing these disability benefits is an incredibly complex process, often one that requires professional help from a claimant's representative or a lawyer. Many people also rely on the staff at Social Security Field Offices to help them sort out issues and challenges with their benefits. It shouldn't take special assistance or a law degree to navigate the labyrinthian rules of the Social Security disability benefits system, especially since Social Security is designed to help those with disabilities who often by definition will require assistance with paperwork. But this complexity requires even more high-quality service from SSA, to ensure that the agency is always correctly explaining complex rules to both beneficiaries and representatives.

Nothing has stressed SSA's customer service more than the past two years of pandemic. The agency must work to address many competing demands: SSA deals with people filing for retirement benefits and associated questions, processes name changes following marriages, enumeration for new citizens and new babies, Medicare applications and eligibility, tracking earnings under each Social Security number over a lifetime, and many other functions. The disability programs are the most complicated and labor intensive to address. In March 2020,

the agency abruptly went from operating Field Offices where people could walk in and ask for help to needing to provide virtually all of those services online or via the phone or mail. The agency managed this transition despite over a decade of underfunding that has left the agency at distinct disadvantages, especially with regards to outdated technology.

Last month, SSA began reopening of some of their offices, creating a convergence of remote and in-person problems to additionally burden an already stressed system. This change makes right now a particularly crucial moment to pay attention to customer service. There are three things that SSA must prioritize to ensure that the lowest income people with disabilities have access to the help they need.

II. Challenge 1: Ensuring access to phone and online service.

At the beginning of the pandemic, we understand that SSA went to extreme lengths to ensure that their phone service was available to the public. Ancient phone systems were adapted to ensure that workers could answer calls at home, SSA published the direct numbers for all Field Offices on their website for the first time, and we understand that call volume to Field Offices tripled and has continued to grow throughout the pandemic. Unfortunately, SSA has been ill-equipped to deal with this new demand: the SSA Office of Inspector General found in FY2020, that most people could not reach an agent.¹ We appreciate the attention that the Chairman and Ranking Member and other members of this subcommittee paid to this issue.²

While we understand the constraints that SSA was working under, especially given old technology, this is unacceptable. Even before the pandemic, Members of our Task Force regularly received reports of hours-long waits on hold, dropped calls, and inability to get through—the pandemic increased these reports and the past few months have been particularly bad. This inability to respond to huge segments of phone traffic is interfering with the basic functions of SSA and is likely to increase traffic to the Field Offices at a time when they are working through an extensive backlog of need. It is hurting claimants: people have literally had their benefits cut off because they are unable to get through to someone on the phone and respond when SSA is seeking to terminate benefits, and cannot complete the forms SSA has sent them on their own. Calling SSA is also the only way that beneficiaries or potential beneficiaries can make an appointment, which means more people will show up to field offices without appointments because they have not been able to get through to make them!

One very frustrating example is prevalent in The Arc's network. Many people with intellectual and developmental disabilities want to work to the best of their abilities, despite their functional limitations and not being able to work enough to support themselves. But since the beginning of the pandemic, I have been told about massive delays in the processing of wage data, resulting in overpayments months later for people with disabilities trying their best to report regularly and on time. A colleague recently had a case with a young woman who reported a change in her income in March 2020, but despite admitting it was their own fault for not processing the reports she provided promptly, SSA has now, two years later, issued her a notice saying she was overpaid, and is asking her to pay that money back. Even if she was paid too much due to SSA's failure to process her timely paperwork, she cannot now afford to pay

that money back. Nor should she be punished for doing everything that she was expected to do! This was a problem before the pandemic, but it has become much worse during the pandemic. It is actively discouraging people from working to the extent they can and creating economic hardship for these people. And this is just the people who can get through on the phone to report, not those who have their calls drop or give up after waiting on hold for hours.

In a recent meeting with advocates, SSA indicated that they would be unable to bring the phones back to capacity until this fall due to hardware technology issues. This lack of phone access impacts every service that SSA provides via the phone and this delay in fixing the system is unacceptable. Congress must ensure that SSA has sufficient funding to update and staff their phone systems so that they can be utilized efficiently, without dropped calls and without extensive wait time.

Another major challenge relates to transparency and access to basic information. During the early parts of the pandemic, SSA made the direct phone numbers for field offices available on the website. If you have a case being processed by a local Field Office, the 1-800 number often will not be able to provide important information about that case. Advocates found the direct lines very helpful for updates on cases and so that they could communicate directly with those local SSA staff about the local Field Office's opening and closure times. Unfortunately, SSA has decided to revert to 2019 operating procedures and has removed many of those numbers from the website. We would strongly encourage SSA to revert to the pandemic operating processes and have those field office numbers available. We understand that SSA has more capacity to provide service via the 1-800 number, but SSA should provide a list of items and questions which can be directed to the 1-800 number and a list of items that the Field Offices can address and provide both resources to beneficiaries and advocates about how to direct calls. We will also flag here that Task Force members have received many anecdotal reports of inaccurate information being shared on SSA's website and/or phone hotline about which offices are open and which are not, or those which are only open for appointments.

Finally, while many people with disabilities face a significant digital divide, many also find access service online more convenient, and we are particularly concerned about a recent change to the MySocialSecurity accounts. SSA has partnered with ID.me to provide login verification for MySocialSecurity which creates major issues for low-income beneficiaries.³ As discussed in more detail below, low income beneficiaries are less likely to have access to reliable internet and much of their internet access is via mobile phones. ID.me requires not only internet access, but also high-quality photo or video technology that is unavailable to many low-income beneficiaries. We understand the need for security, but we believe that usability must be considered as well—MySocialSecurity will only be helpful to beneficiaries if they can access it. SSA should provide alternative options for low-income beneficiaries. One beneficiary from Massachusetts has been locked out of her account for over a year because she's never received a reset code. She's tried repeatedly to get a code only to be told "demand is too high" and to "try again another time." If SSA wants people to be able to do business online, these issues must be remedied and we are grateful for this subcommittee's attention to these issues.⁴

III. Challenge 2: Ensuring access to walk-in service without an appointment.

While we were glad that SSA closed field offices in March 2020 to protect employees and visiting beneficiaries or prospective beneficiaries from the risks of COVID-19, there are certain SSA functions that have been impossible over the last two years, even for those who could get through the phone system. For example, applications for SSI have sharply declined, which is not surprising, since the application is not available online and must be filled out in person or over the phone. Even for SSDI application rates have dropped dramatically: David Weaver, the former Associate Commissioner for SSA's Office of Research, Demonstration and Employment Support estimates that over 270,000 more people should have claimed their earned SSDI benefits over the past two years; including expected SSI awards, more than half a million people have not received the benefits to which they are entitled.⁵ These massive numbers even reflect the recent declining trend in applications for SSDI and SSI. These estimates are even more concerning when you consider that the pandemic has been a mass disabling event, with over a million estimated cases of Long COVID, when there are post viral symptoms of the infection after recovery.⁶ I will take a moment to acknowledge that we have just recently reached an awful statistic—1 million deaths from the COVID pandemic. It is unclear how many people with Long COVID will meet the extremely strict Social Security disability standard, but we do know that Long COVID can complicate other existing conditions, so some more cases should be expected.

It is not surprising that the closure of Field Offices would have such a dramatic effect. In 2019, more than 43 million people sought assistance from their local Field Office.⁷ This is one of many reasons that we support and urge action on Chairman Larson's Social Security 2100: A Sacred Trust Act which requires additional processes and notifications before any Field Office closures. The closures also have a disproportionate effect on people who cannot access SSA's online services: research from the Pew Research Center also makes clear that those living in rural areas,⁸ with low incomes,⁹ and people with disabilities face disparities in access to the internet.¹⁰ Many are more likely to access the internet on a mobile phone, not a laptop, making long forms extremely difficult to fill out. Those who are homeless or who have cognitive challenges are also likely to need to visit a Field Office for assistance. These people will not be able to make appointments or attend virtual or phone appointments and must be able to walk in for service when they are able to do so.

Finally, the pandemic did not stop major life developments. During the pandemic, people in love made the decision to get married, people decided to retire, and people died leaving behind survivors. Businesses hired new workers, including some here to work on visas that require enumeration from SSA. All of these life changes involve SSA in one way or another, but in particular, it has been challenging for those survivors of people who died from COVID to access the benefits to which they are entitled.¹¹ This is because the system is so complex. As I mentioned earlier, the vast majority of people need help to navigate the rules of the disability programs. At the initial level of review, most people are unrepresented, making assistance from Field Office staff even more crucial.¹² This is why we are so concerned about the reduction in staff I mentioned earlier; without sufficient staff, Field Offices often do not have the capacity to assist. This is also why raising the fee cap for representatives and indexing it for inflation as Chairman Larson's Social Security 2100: A Sacred Trust Act does is so important. We are very

glad that Acting Commissioner Kijakazi addressed the inflationary concerns raised by advocates and increased the fee cap last week. This increase helps guarantee access to representation for those trying to navigate this incredibly complex system.

Given the importance of Field Offices, Congress should fund SSA at sufficient levels to allow for adequate staffing. One proposal being considered is a beneficiary advocate who could be the voice of beneficiaries within the agency and advocate for a simplified system. In addition, SSA could create a staff of navigators, potentially under the Beneficiary Advocate, to help low income, rural, and disabled people work through these complex processes.

IV. Challenge 3: Address the backlog of cases.

Additional assistance will be even more necessary given the current backlog of cases. These folks and many others are currently waiting for SSA to decide their cases because we have also hit the 1 million mark in people whose cases are in a queue, awaiting an initial decision on their claim for disability benefits or on their appeal of an initial denial (called “reconsideration”). We believe that the backlogged mail, an issue investigated by this subcommittee,¹³ contributed to this case backlog—as well as other crucial factors including rapid staff turnover, the complex training required for staff, technological challenges, a lack of consultative examiners, and a disconnect between what information consultative examiners are asked to provide and the standards that DDS examiners are supposed to apply. Many on this subcommittee are familiar with the backlog issues we experienced a few years ago, with significant delays in hearings before an Administrative Law Judge (ALJ) rather than initial determinations and know how it was addressed with targeted funding provided by Congress. We believe that targeted funding is once again necessary, especially given how estimates discussed earlier say that we have failed to provide benefits to half a million people with disabilities. If it is not addressed now, it is likely to grow into another appeals backlog.

Members of our networks report substantial issues with mail, of paperwork being submitted, but never added to a case file or being lost. Earlier in the pandemic, we raised this issue with bipartisan staff of both committees because SSA was requiring people to mail in original copies of important and difficult-to-replace documents such as birth certificates, drivers’ licenses, passports, and green cards. Given the issues with the mail, these documents were at great risk and some have already been lost.

For example, Mrs. G.’s foreign birth certificate and citizenship documents were lost by her local Field Office in November 2019 after she was awarded SSDI, despite delivery confirmation from UPS. It will cost approximately \$600 to replace the documents, a cost that SSA is legally required to cover. The Field Office then asked her to mail in her passport, her remaining proof of citizenship, to effectuate her benefits. Just last week, The Arc network reported similar challenges with documents being lost in a disability case—Mrs. X has been managing her own medical condition while trying to help her son through the SSI application process. She received confirmation that medical records she submitted had been received and then was later told they were lost. Not only is it hugely burdensome on people with disabilities and their families and representatives to have to recollect and submit documents, but it creates major delays to

have to do so. While SSA has taken some steps to address these issues, confusion remains and more should be done.

Even in cases where all documents are received and processed promptly, people are now waiting months for movement in their cases. The current backlogs are across all levels of the disability determination process, leaving people with disabilities, including complications from Long COVID, waiting. During the pandemic, the average processing time for initial disability claims increased 46 percent (from 3 months¹⁴ to 6 months¹⁵). For some people with disabilities, these delays mean going without health insurance for even longer—people approved for SSDI already face a 2-year waiting period before they can access Medicare. For people found eligible for SSI, health insurance can begin immediately, reducing mortality. These additional processing delays of cases can mean waiting even longer for care. A United States Government Accountability Office report from 2020 found that between FY2008 and FY2019, 109,725 applicants for disability benefits died waiting on their appeals, and more applicants have died while waiting for a decision since then.¹⁶ Increased funding is desperately needed, both to address long standing technological issues and increase well-trained staff able to handle these cases.

V. Solutions

Having provided an overview of several of the challenges that the agency currently faces, I will turn to solutions. As I mentioned at the beginning of my remarks, ensuring that SSA's operating budget reflects the new workload demands is absolutely essential. The FY 2022 funding provided in the recently passed Omnibus only increased SSA's operating budget by \$275 million (2.5%), not even enough to compensate for inflation. SSA's operating budget is down 14%, after inflation, since 2010. At the same time, SSA's workloads have expanded dramatically. The number of Social Security beneficiaries has increased by 11 million, or 21%, since 2010, as the baby boom generation has aged. Since the end of FY2019, the agency has lost 1500 Full Time Equivalents and as discussed above, does not have a functional phone system.¹⁷ Ensuring that SSA is fully funded to have phones that actually work and to have enough staff for Field Offices and the phone lines is paramount.

In addition to sufficient funding for the agency, many policy changes would help improve SSA's customer service. We have endorsed the Chairman's Social Security 2100: A Sacred Trust Act that would ensure that needed Field Offices remain open and also requires SSA to follow the law and mail statements to potential beneficiaries, making them more aware of the benefits they have earned. Once again, we are very glad that Acting Commissioner Kijakazi addressed the inflationary concerns raised by advocates and increased the fee cap last week, but it would be very helpful for Congress to index the cap to inflation as the Chairman's bill does.

There are other desperately needed improvements:

- Creating a comprehensive outreach strategy to reach potential SSDI beneficiaries who did not apply during the pandemic.

- Continuing work that SSA is already doing to reach out to potentially concurrent beneficiaries who are very low-income to ensure they are maximizing their potential benefits.
- Improving the MySocialSecurity site, especially the identity verification and password reset processes, to make it much more usable for beneficiaries who do not face barriers to using SSA services online and wish to do so.
- Improve and streamline all notices and forms required to apply for benefits to lessen the burden on potential beneficiaries. These notices and forms should also be available in plain language and commonly used languages to ensure accessibility
- Improving SSA data collection of demographic data, especially restarting collection of race and ethnic data that the agency stopped collecting, to ensure that the agency and advocates have evidence on which to make decisions about needed policy changes.
- Eliminating the current reconsideration level of review. We believe that providing more time and effort to better develop disability claims at the initial level is a better use of SSA resources.
- Eliminating work disincentives by streamlining income reporting processes and pass common-sense bills like the bipartisan Work Without Worry Act (H.R. 4003) that eliminate other work disincentives. Increasing the Substantial Gainful Activity level to reflect state and local increases to the minimum wage and creating a gradual offset for earnings would both encourage work while reducing the administrative burden on SSA and on beneficiaries. The former is also part of Chairman Larson's 2100 Act. All of this would reduce the agency's overreliance and time wasted on unnecessary over and underpayments.
- Creating a Beneficiary Advocate at SSA, similarly to the Taxpayer Advocate at the IRS, who could provide a voice within the agency and to Congress about the experiences that beneficiaries and potential beneficiaries are experiencing. A Beneficiary Advocate could also be staffed with navigators or oversee grants to navigators to help the lowest income beneficiaries access their benefits. The current program is, as discussed above, almost impossible for people to navigate without assistance.
- Ending the 5 month waiting period for SSDI benefits and the 2 year waiting period for Medicare for approved beneficiaries.

Thank you for the opportunity to testify today. I look forward to taking your questions.

-
- ¹ SSA, OFFICE OF INSPECTOR GENERAL, THE SOCIAL SECURITY ADMINISTRATION'S TELEPHONE SERVICE PERFORMANCE (2021), https://oig.ssa.gov/assets/uploads/A-05-20-50999_1.pdf.
- ² Press Release from Chairman Larson and Ranking Member Reed following the release of the OIG's report on telephone service (2021), <https://larson.house.gov/media-center/press-releases/social-security-inspector-general-releases-larson-reed-requested-report>.
- ³ Community Legal Services of Philadelphia, ID.me Presents Barriers for Low Income People Seeking Unemployment Insurance and Other Government Benefits (2021), <https://clsphila.org/wp-content/uploads/2021/11/IDme-issue-brief-final-11-2-2021.pdf>.
- ⁴ Press Release from Chairman Larson and Chairman Davis about a letter to Acting Commissioner Kijakazi about use of ID.me (2022), <https://larson.house.gov/media-center/press-releases/larson-davis-urge-social-security-reconsider-use-facial-recognition>.
- ⁵ The Hill, David Weaver and Jonathan Stein, Half a Million Poor and Disabled Left Behind By Social Security (2021), <https://thehill.com/opinion/finance/581522-half-a-million-poor-and-disabled-americans-left-behind-by-social-security/>.
- ⁶ Brookings, Is Long COVID Worsening the Labor Shortage (2022), <https://www.brookings.edu/research/is-long-covid-worsening-the-labor-shortage/>.
- ⁷ The New York Times, Jonathan Stein and David Weaver, Disabled Americans are Losing a Lifeline (2021), <https://www.nytimes.com/2021/01/14/opinion/supplemental-security-income-ssa-disability.html>.
- ⁸ Pew Research Center, Emily Vogels, Some digital divides persist between rural, urban and suburban America (2021), <https://www.pewresearch.org/fact-tank/2021/08/19/some-digital-divides-persist-between-rural-urban-and-suburban-america/>.
- ⁹ Pew Research Center, Emily Vogels, Digital divide persists even as Americans with lower incomes make gains in tech adoption (2021), <https://www.pewresearch.org/fact-tank/2021/06/22/digital-divide-persists-even-as-americans-with-lower-incomes-make-gains-in-tech-adoption/>.
- ¹⁰ Pew Research Center, Andrew Perrin and Sara Atske, Americans with disabilities less likely than those without to own some digital devices (2021), <https://www.pewresearch.org/fact-tank/2021/09/10/americans-with-disabilities-less-likely-than-those-without-to-own-some-digital-devices/>.
- ¹¹ NPR, COVID-19 widows left on hold with Social Security offices closed (2022), <https://www.npr.org/2022/02/09/1079655034/covid-19-widows-left-on-hold-with-social-security-offices-closed>.
- ¹² SSA, Initial Disability Determination Cases and the rate of those with Representation by Title and Fiscal Year (2021), <https://www.ssa.gov/foia/resources/proactivedisclosure/2022/Representative%20Rates%20by%20Adjudicative%20Level%20FY%202012%20-%20FY%202021.pdf>.
- ¹³ Press Release from Chairman Pascrell, Chairman Larson, and Chairman Davis about a letter to Acting Commissioner Kijakazi about systemic SSA mail problems (2021), <https://larson.house.gov/media-center/press-releases/larson-pascrell-davis-urgently-probe-mail-delay-impact-social-security/>.
- ¹⁴ SSA, Office of Inspector General, Comparing the Social Security Administration's Disability Determination Services' Workload Statistics During the COVID-19 Pandemic to Prior Years (2021), <https://www.oversight.gov/sites/default/files/oig-reports/SSA/01-21-51038.pdf>.

¹⁵ SSA, FY2022 Operating Plan (2022), <https://www.ssa.gov/budget/FY22Files/2022OP.pdf>.

¹⁶ Government Accountability Office, Social Security Disability: Information on Wait Times, Bankruptcies, and Deaths among Applicants Who Appealed Benefit Denials, GAO-20-641R (2020), <https://www.gao.gov/products/gao-20-641R>.

¹⁷ SSA, Program Provisions and SSA Administrative Data, SSA Resources and Operations Offices and Staff, Table 2.f3 (2022), <https://www.ssa.gov/policy/docs/statcomps/supplement/2021/2f1-2f3.html#table2.f3>.



NATIONAL COUNCIL OF SOCIAL SECURITY MANAGEMENT ASSOCIATIONS INC.

2008 23rd Street South, Great Falls, MT 59405

Telephone: (877) 768-5658 | Fax: (406) 761-6393 | www.ncssma.com

**United States House Committee on Ways & Means
Subcommittee on Social Security**

**Testimony of Peggy Murphy
Immediate Past President**

National Council of Social Security Management Associations (NCSSMA)

**Hearing on
Strengthening Social Security's Customer Service
May 17, 2022**

Thank you to the Subcommittee for the invitation to be here today. My name is Peggy Murphy. In addition to being the Immediate Past President of the National Council of Social Security Management Associations (NCSSMA), I am the District Manager of the Great Falls, Montana Social Security office. On behalf of the National Council and our members, thank you for the opportunity to be here today to provide our front-line perspective on strengthening Social Security's customer service.

NCSSMA is a professional association of over 2,700 management personnel in the field offices and teleservice centers of the Social Security Administration (SSA). Each day, NCSSMA members directly serve the American public in over 1,250 of SSA's public-facing offices. For over 50 years, NCSSMA's mission has been to provide a clear, credible and valuable perspective on public service from the front lines.

As our country emerges from the pandemic, it is more critical than ever for SSA to provide assistance to the American public. Make no mistake, there are significant challenges for SSA to overcome. It will require a team effort to address these challenges and we appreciate the engaged oversight of the Subcommittee and the support you have shown for our agency and our members over the years. Working together, we can strengthen the Social Security Administration's customer service.

THE CURRENT LANDSCAPE

We learned during the pandemic that SSA can accomplish a significant amount of work remotely via telephone and the Internet. The agency's pandemic posture encouraged more customers to file their claims online. While this was a positive development, there is still much that needs to be done. For example, neither survivor nor auxiliary applications can be filed online, nor can most Supplemental Security Income (SSI) claims. This was the case pre-pandemic, but became even more alarmingly apparent during the pandemic as it was more and more difficult to schedule an appointment within a reasonable timeframe. This was largely due to the increased demands placed on telephone services. The same employees who take claims in field offices also answer the general inquiry lines and staff the front counter.

As SSA planned for reopening our doors to walk-in traffic, most of our members were concerned about what we anticipated would be a significant demand for in-person service. To date, the expected surge in walk-in traffic has not materialized. While there are offices that have experienced days of heavy walk-in traffic, many offices are lagging behind pre-pandemic levels. It is unclear as to the reason for the decline. It could be that customers have become more

comfortable using our online and telephone services or perhaps the demand for in-person service has declined. Some of our members of management have noted that the expectation of seeing our more vulnerable population in field offices has not materialized either. It is concerning that being closed to most in-person service over the last two years may have negatively impacted some of our customers.

Alternatively, from a staffing perspective, we are fortunate that the expected surges in walk-in traffic have not materialized in most offices. During the reopening transition we have also been working to implement a telework program. We are finding it increasingly difficult to balance the needs of the public and the requests and need for flexibilities from employees, including management. Field offices can be more responsive to the public only when employees are onsite. The current telework program in field offices makes it difficult to adjust to surges in office visitors or telephone calls while balancing appointments, scheduled and unscheduled employee leave, and back-end work. This is further complicated by having an appreciable number of field office employees continuing to work from home full-time due to personal circumstances. SSA has the technology and flexibility to consider transferring field office employees, who are unable to work in the office, to other components that can better accommodate their telework needs and limit the impact on front-line public service. We need employees in field offices who are able to work onsite and assist those who seek our help in person and to handle the multitude of workloads that are not portable. As an agency we need to be able to maintain our flexibility in the field offices so we can respond to surges from the public.

Pre-pandemic, during SSA's pandemic posture and even now, most walk-in customers visit a field office for enumeration purposes. The pandemic taught us how unnecessarily burdensome our enumeration policies are for both our customers and our employees. The need to see primary identity documents such as a driver's license or passport without the possibility of an in-office visit, resulted in customers driving without a license and in some cases the loss of the documents, which are both expensive and difficult to replace. SSA made the right decision in allowing field offices to accept secondary evidence as proof of identity, which largely eliminated the need to see primary documents. This policy change needs to be permanent, but so much more needs to be done to eliminate the need for customers to have to visit a Social Security office for any type of enumeration action.

Mail has been and still is the primary obstacle to making nearly all field office work portable. This includes both incoming and outgoing mail. Technicians are responsible for handling their own outgoing mail while other employees, including management, must spend time opening, scanning and assigning incoming mail. Policies need to be simplified to reduce or eliminate the need for most incoming mail. Conservatively, we estimate that technicians spend approximately 10-15% of their work week physically handling what can be termed clerical duties. The pandemic also emphasized the need for centralized mailing on a much larger scale than before. The volume of printed material that field offices are required to mail to customers became overwhelming for many offices. SSA has made some much-needed improvements by centralizing the mailing of appointment letters, advance payee designation letters and benefit verification letters. These documents were all mailed from field offices pre-pandemic and throughout much of the pandemic posture period. Nearly all outgoing mail printed in field offices needs to be centralized so that technicians can focus on processing cases.

IMPROVING THE SOCIAL SECURITY ADMINISTRATION'S CUSTOMER SERVICE

SSA must have the resources, structure and policies to make it easier and more efficient for our customers and employees. The pandemic and current reentry make it abundantly clear that the aforementioned are not sufficient to meet our mission. The agency needs to immediately replace frontline staff in field offices and teleservice centers to address field office backlogs, answer telephones, and help those who request our assistance. At the same time, the agency must work with Congress to ensure that our policies and how we transact business are thoughtful, accurate, efficient and take a more national and holistic approach to service.

Policies that mandate face-to-face interactions, wet signatures to process certain workloads and the need for in-person service for some customers remain the biggest challenges field offices will continue to face in not only providing, but strengthening customer service. During the pandemic, SSA relaxed face-to-face requirements for certain workloads and we recommend that these changes be made permanent. For the workloads where face-to-face interactions are required, SSA must find a way to satisfy policy requirements through the expansion of video technology or change existing policies when feasible. SSA also needs to accept electronic signatures as many private sector entities do. While eliminating the requirements for face-to-face service and wet signatures may help, changing the need for in-person service for some of our customers will be difficult to achieve. During the pandemic, individuals who did not have Internet service, a telephone or easy access to mail service were not able to access our services. Those challenges remain and, even during "normal" times, these individuals find it difficult to conduct business with SSA, but at least they can now visit a field office.

Employees are not always more productive working from home, as some have stated. Many employees were more productive at the beginning of the pandemic, based on the way the agency measures productivity, meaning that they were able to process more work. This was due in large part to the clerical assistance they received from onsite personnel, primarily management, and the easing of some programmatic requirements. Prior to the pandemic, individual employees would have been responsible for printing, mailing and faxing their own documents. With the time saved from these responsibilities and the easing of some programmatic requirements, some employees were more productive. However, it is not efficient, and it comes at the expense of management not being able to manage the operations in their respective offices. During the current six-month telework evaluation period, SSA must thoroughly examine the efficacy of the program and its impact on the service provided by our field offices and teleservice centers. While we understand and appreciate the importance of telework as a recruiting, hiring and retention tool for our workforce, that must always be carefully balanced with the reality that we are a public-facing, customer service agency that must be available for in-person service.

Throughout the pandemic, dedicated members of management were onsite in SSA's field offices and teleservice centers to handle incoming and outgoing mail, scan tens of thousands of documents to support those working from home, provide in-person service for critical cases such as immediate payments and to handle facility-related duties. As mentioned earlier in this testimony, last month SSA undertook not only re-opening to the public, but also reentry for most of our workforce to support those efforts. This new landscape we are navigating has made even more apparent the realities of our shrinking workforce, expanded workloads, outdated technology and increasing backlogs. As we welcome increased in-person requests for assistance at our offices, we have not only our pre-pandemic workloads and responsibilities, but also the need to make sure that we can compassionately and efficiently aid COVID-19 widow(er)s and orphans, and those who may be suffering from prolonged COVID-19 symptoms and related conditions. While we hope we continue to emerge from the pandemic, only time will tell regarding its long-

term impact on the health, economic security and well-being of not only our nation, but on those seeking assistance from our agency, our own staff and their loved ones. What remains the same is the vital role SSA plays in providing critical service to the American public.

While NCSSMA fully supports automation, and the pandemic certainly reinforced the need for technology upgrades, there is a compelling need for ongoing support of SSA's community-based field offices to adequately serve our most vulnerable customers and those without technology that would otherwise connect them with SSA. Field offices provide compassionate service to the most vulnerable members in our communities including those living in rural and tribal locations. Employees in local offices live and work in the community and, to SSA field office visitors, they provide an invaluable lifeline to essential services. Local field offices make a difference in their communities, beyond the execution of SSA's mission.

NCSSMA and our members strive to provide a high standard of superior customer service in SSA's field offices and teleservice centers. The pandemic has emphasized how critical it is for SSA to continue to transition as an agency and embrace automation, technology and self-help tools such as Internet claims, online enumeration and telework for employees. SSA must provide additional ways for the public to access our services. Even with the shift to more online services, field offices and their employees are necessary to process much of the back-end work on complex online cases including SSI, and to serve our customers who do not have access to the telephone or Internet.

SSA'S WORKFORCE: RECRUITMENT, HIRING, TRAINING AND RETENTION

We must accomplish the mission of the agency against the backdrop of an employer profile that is no longer attractive to potential employees. For decades, SSA was a competitive employer, with the promise of a rewarding career in public service. This was often a career spent knowing that you had the ability to change someone's life for the better every day and that you could make a difference. Sadly, that has changed. Our current employees are overtaxed due to a combination of workload challenges, outdated policies and technologies and current staffing levels to the point that morale on the frontlines is at an all-time low. Far too often, if we can successfully navigate the complex and lengthy hiring process, we lose new employees before the agency has realized a return on investment of both time and resources.

SSA is currently facing daunting challenges in both recruiting and retaining employees. The hiring authorities we have utilized over the last decade have often limited our ability to hire the best employees for the job. That, coupled with the growing workload volumes and complexities of the positions, has made working for the agency increasingly less attractive than other similar jobs. The pandemic only exacerbated a problem that has been growing for the past decade as employees at all levels, but specifically in management chose to retire early or resign due to the crushing expectations placed upon them. Even when SSA can hire new employees, many leave SSA within the first year due to the low entry level pay, complexity of the training and job, lack of adequate systems and support and the lack of institutional and programmatic knowledge.

SSA's policies and programs have always been complex, requiring a lengthy training program of 2-3 years. The agency has made positive strides to make training possible in a virtual environment and available on demand. This is necessary in our current environment and can provide offices and employees with greater flexibility. This must still be coupled with interactive training in a classroom setting as well as testing and immediate feedback, which, unfortunately, are not accounted for with the current training model. The above place increased pressure on those employees remaining to try and do more with less. This leads to low morale, which has

become endemic as shown in the recent Pulse surveys and in NCSSMA's own recent survey of our membership. We have become an agency focused on numbers, often at the expense of caring, not out of choice, but because of the increased workload demands and pressure to clear listings versus taking the time to help our customers navigate our complex policies and procedures.

Another consequence is that management jobs have become less desirable. We have seen many of our management colleagues retire, resign, seek remote positions within SSA and even request a downgrade during the pandemic. For many, the reasons seem to include burnout and lack of support. It is then difficult to fill these open positions as evidenced by a lack of qualified candidates who apply for them.

We hope that the Subcommittee will work with other Members of Congress and the appropriate Committees of jurisdiction to assist SSA in improving its hiring and retention capabilities. SSA needs to aggressively reinvent our hiring and retention processes and consider the following:

- Use all currently available hiring authorities;
- Recruit employees at the national level;
- Change the career ladder plans for all entry-level positions to make them more desirable and competitive;
- Update management positions so that they are more attractive; and
- Establish a clear foundation as to what positions at SSA are telework eligible with the number of days subject to customer service needs.

IMPROVED TELEPHONE AND ONLINE SERVICES, INFORMATION TECHNOLOGY (IT) MODERNIZATION AND CYBERSECURITY

SSA's computer systems face fundamental challenges. Some of SSA's core programs still rely on COBOL systems that are nearly 50 years old. Although some databases have been converted to a more modern and flexible platform, SSA must continue to modernize its computer language and database infrastructure, including moving its data to the cloud. It is critical that we focus on these efforts to reduce the risk of cyberattacks, service disruptions and reduced system performance and production.

It is also critical that we continue to advance SSA's IT Modernization Plan while maintaining an appropriate balance between the service delivery options available to the public. NCSSMA members nationwide are interested and willing to play an active role in development, testing and deployment of enhancements to existing systems in addition to new technology and programs. Our position on the front lines provides us with the best vantage point to offer assistance. We continue to encourage agency leadership to include managers and employees on the front lines in all aspects of software development and policy implementation. The challenges of the pandemic have only emphasized the need to include front-line experience and perspective to these efforts.

NCSSMA strongly supports SSA IT Modernization and dedicated funding is needed for IT investments to modernize systems to the standards Congress and the public expect. From our perspective, SSA needs to address four specific areas: Modernize Core Agency Applications, Improve SSA's Telephone System and Associated Management Information, Implement National Scanning and Remote Printing, and Implement Technologies that will assist our more vulnerable populations, including the deaf and hard of hearing community, non-English speaking customers, the homeless and those who live in rural and tribal locations.

- **Modernize Core Agency Applications**
 - Improve SSA's Appointment and Check-in System to allow for online appointment scheduling as well as the ability to schedule an appointment for any reason, not just claims.
 - Modernize both the Supplemental Security Income (TXVI), and the Retirement, Disability and Medicare (TII and TXVIII) claims processing systems utilizing a single claims-taking platform.
 - Modernize the electronic Representative Payee System (eRPS) to both process and oversee the administration of SSA representative payees.
 - Modernize and consolidate all Management Information (MI) data into a single, user friendly platform that managers can use to control and measure work production.
 - Modernize and consolidate the debt management systems.
 - In October 2020, the agency was able to make the SSA-455 CDR mailer available online that Wilkes-Barre mails, but the agency has not yet made the SSA-454 that field offices utilize available for online access. All Medical Continuing Disability Review (CDR) forms should be available online.
- **SSA's Telephone System**
 - Ensure SSA moves forward expeditiously with a new comprehensive telephone system in order to provide consistency among the National 800 Number, field offices and all other SSA components. The transition for the legacy phone systems to the next generation telephone system (NGTP) has been fraught with delay.
 - Improve Management Information for assessing call volume, levels of customer service and the overall customer experience.
 - Ensure all employees have appropriate hardware and software licenses when onboarded.
- **National Scanning and Remote Printing**
 - Implement dedicated scanning facilities where members of the public can send documents to a central location by mail, email or facsimile for scanning, profiling and assigning.
 - Implement a comprehensive remote printing initiative to direct all field office print traffic to one or more centralized locations for mailing.
 - Expand the use of electronic notices behind the *my Social Security* portal.
- **Technology to Meet the Needs of our Customers and Reduce Field Office Contacts**
 - Implement alternative service methods that may include expanded video and video service delivery third-party contracts in rural locations.
 - Make stand alone, self-service kiosks available in locations where the public is already conducting business with other state and local government agencies.
 - Provide enumeration at entry for all immigrants. This would eliminate the need for immigrants to visit SSA field offices.
 - Expand the use of the American Association of Motor Vehicle Administration (AAMVA) verification process to include all 50 states. Allow verification of driver's licenses and state-issued identification via AAMVA for all enumeration activities that would normally require the technician to view the original document. This process is already in use with those states covered under Internet Social Security Replacement Cards online (iSSNRC). This would allow the agency to explore initiatives to provide replacement Social Security cards over video and enhance the current MS Teams enumeration pilot.
 - Aggressively implement the iSSNRC name change due to marriage initiative that

- recently started in Arkansas.
- Expand the use of verification methods through DHS and the U.S. Department of State in order to further verify foreign documents and U.S. passports for enumeration purposes. This would allow the agency to issue replacement Social Security cards over video and enhance the current MS Teams enumeration pilot.
- Require members of the public to report wages using current electronic wage-reporting technology. This includes allowing the public to submit wage stubs electronically through [my Social Security](#). This would provide a significant reduction in paper processing in field offices and virtually eliminate the need to copy, scan, profile and mail pay stubs.
- Expand the availability of online forms for customers that can be completed and submitted electronically.

We understand modernizing SSA's computer systems is costly and will take time. The path established by SSA relative to IT Modernization is making progress in this area, and while the pandemic resulted in some shifts to address evolving needs, we must continue to address these challenges.

In addition to IT Modernization, NCSSMA believes it is critically important that changes be made to the Social Security program that have the potential to increase administrative efficiency, decrease operational costs and ultimately provide better service to our customers. It is unfortunate that a pandemic has reinforced the need for streamlined and updated policies that better serve the public and make it easier for the agency to administer. The pandemic and the service delivery challenges associated with current policies and business practices in place certainly emphasize the need for change. We suggest the following:

- **Eliminate the Need for the Social Security Number Card.** This would reduce Social Security Number fraud, significantly reduce in-office traffic and telephone calls and allow for the closure of Social Security Number Card Centers so that employees could be redeployed to field offices, which would reduce SSA's real estate footprint and save money. In addition, as stated above, expand Enumeration at Entry, DHS interfaces and AAMVA verification in order to enhance and support initiatives to obtain original Social Security Numbers without the need to visit a field office. This would allow field offices to focus on customers with more complex issues that do not lend themselves to online or telephone service.
- **Supplemental Security Income (SSI) Program Simplification** in order to improve the efficiency of program administration and yield savings to the American taxpayer. Streamlining policy for resources, income and living arrangements would improve administration, reduce overpayments and improve recipient understanding of the program.

Much of what we have discussed can be accomplished, but it requires resources. **SSA must have consistent and adequate funding** to ensure the American public receives the services for which they have paid, expect and deserve. Our hope is that members of the Subcommittee will work with the Appropriations Committee to ensure that SSA is provided with sufficient administrative resources for Fiscal Year (FY) 2023 and beyond. Resource allocations must be sufficient to improve customer service while preserving the integrity of the programs we administer. Resources are also necessary to advance SSA's ongoing IT Modernization project that will significantly enhance the agency's systems and improve productivity, while at the same time increasing the accessibility of benefits for seniors and people with disabilities.

Our customers deserve improved telephone and online services, while still being able to request timely and safe in-person service. Our offices must continue to have the resources and staff necessary to address additional workloads and responsibilities. Perhaps consideration should be given to multi-year funding for critical systems investments and expenditures. This would ensure that adequate planning could be completed for service delivery improvements.

SSA must also continue to address critical stewardship workloads that save billions of dollars for taxpayers. It is imperative that the workers and taxpayers who have paid trillions of dollars in FICA taxes to the trust funds have access to all the necessary services that they have paid for and receive timely benefit payments. The definition of program integrity funding should be expanded to include critical systems investments and expenditures that facilitate completion of program integrity initiatives. We must always keep in mind that the same employees who process integrity workloads, are also responsible for answering phone calls and handling walk-in traffic due to staffing shortages.

From the beginning of the pandemic, management and employees continued to provide the highest quality of compassionate service possible during very difficult times. Though the pandemic changed this agency and the customers we serve, we should take this opportunity to reassess the customer experience and what it means to provide world class customer service. SSA must redefine itself, its mission and its place in the public sphere and finally move into the 21st Century.

On behalf of the National Council of Social Security Management Associations, thank you again for the opportunity to be here today to provide our front-line perspective of strengthening Social Security's customer service. National Council members are not only dedicated Social Security employees, but are also personally committed to the mission of the agency, providing the best service possible to your constituents. We want to ensure the American public benefits from the lessons learned during the pandemic. We respectfully ask that you consider our comments and appreciate any assistance you can provide in ensuring the American public receives the critical and necessary service they deserve from the Social Security Administration.

Strengthening Social Security's Customer Service

Hello and good afternoon. My name is Dr. Yanira Cruz. I am the President and CEO of the National Hispanic Council on Aging (NCHOA). We are the leading national organization working to improve the lives of Hispanic older adults, their families and caregivers. NCHOA is known for its ability to reach and serve its community in a linguistically, culturally, and age-appropriate manner, bridging gaps in language, culture, formal education, and age. Additionally, we understand the needs and challenges facing Hispanic/Latino communities. I am here before you today to discuss the importance of Social Security's customer service and express our support for Chairman Larson's bill, Social Security 2100: A Sacred Trust (H.R. 5723).

At a time when it can be difficult to find common ground, we find it in the non-partisan support of Social Security. According to a 2022 report by AARP, Social Security received a 96% approval rating among Americans, regardless of their political affiliation. Social Security aids older Americans, workers who become disabled, wounded warriors, and families in which a spouse or parent dies. It is a major source of US retirement income, providing a foundation of retirement protection for nearly all Americans.

Social Security also lifts more than 16 million older adults out of poverty.

Without it, roughly 4 in 10 older adults would live below the poverty line.

Additionally, it is of major importance for older adults of color. There is a wide racial retirement wealth gap, with Latino and Black workers benefitting considerably because of average lower lifetime earnings and higher disability rates. Women also benefit significantly from social security, making up more than half of older adult beneficiaries. Additionally, women tend to earn less than their male counterparts, live longer and accumulate less savings. Given its importance and wide consumer base, customer service is of the utmost importance.

As a result of the COVID-19 pandemic, Social Security field offices closed in person services on March 17, 2020, and only recently reopened. During the height of the pandemic, in-person appointments at field offices were limited to dire situations. While [ssa.gov](https://www.ssa.gov) allows beneficiaries to do many things, such as applying for benefits, it requires access to internet, a computer or device to access the internet, and digital literacy to navigate the site. The average monthly cost of internet access is approximately \$70 a month, an expense that can be out of reach for those who can barely afford food. A 2021 report from The Technology Policy Institute and Cornell

University showed that nearly 22 million American older adults do not have internet access at home, which represents 42 percent of the nation's 65 and older population. Technology exacerbates social divisions and inequities, with the report showing a correlation between digital disengagement and race, disability, health status, educational attainment, immigration status, rural residence, and income. However, these hurdles can be overcome with an enhancement and expansion of field offices in rural areas and communities of color.

When working with Latinos and other diverse populations, it is imperative that customer service providers with the Social Security Administration consider language which goes beyond direct translation of documents and includes dialects and literacy. Direct translations do not always translate the way they are intended. Additionally, many indigenous languages were not historically written among some Hispanic/Latino subgroups such as the Mayan from Guatemala who speak Quiché (Key-Che').

Health literacy is another element that needs to be considered when working with particular populations, especially if English is not their primary language. According to the National Assessment of Adult Literacy (NAAL), 71% of adults over the age 60 had difficulty in using print

materials, 80% had difficulty using documents such as forms or charts, and 68% had difficulty with interpreting numbers and doing calculations. In person interactions at local field offices can assist with overcoming these health literacy hurdles.

Social Security field offices cannot afford to be ill-equipped to help older adults and those who do not speak English as a primary language. We at NHCOA have heard firsthand from older adults who have struggled navigating Social Security's systems while they have been at their most vulnerable. Jorge, an older adult, left the country for a few months in 2020; by the time he was finally able to return to the US, the nation was in lockdown. A Spanish speaker with limited English proficiency, Jorge would wait for hours on the phone trying to speak with a Spanish-speaking representative, only to have the call dropped because he'd been waiting for hours. In-person resources weren't any better; because of the pandemic, only one associate would be seeing people in-person, leading to hours spent waiting in lines and making trips between his home and the office to complete paperwork. Between language barriers, the digital divide, and a lack of emphasis on in-person service, it took Jorge four months to get his benefits back; for

someone who relies on Social Security, being deprived of months worth of benefits makes a huge impact on their life.

The National Hispanic Council on Aging supports the need for the Social Security Administration to have the resources and staff that it needs to address these issues and strengthen its customer service. We also respectfully encourage the Committee to move and vote on HR 5723, Social Security 2100: A Sacred Trust. Maintaining a robust number of field offices in communities that need them the most is one of the best ways to enhance customer services.

Ways and Means Committee
Social Security Subcommittee
“Strengthening Social Security Customer Service” Hearing
May 17, 2022
Alison Weir
Greater Hartford Legal Aid
Hartford, CT 06105

Dear Chairman Larson and Acting Ranking Member Hern and members of the committee:

My name is Alison Weir and I am an attorney and policy advocate with Greater Hartford Legal Aid in Hartford, Connecticut. GHLA is a not-for-profit law firm whose attorneys provide clients living in poverty with free representation for civil legal issues. Handling more than 4,000 legal matters annually, we engage in individual representation, community legal education, class litigation, administrative and legislative advocacy. We also leverage additional resources through collaboration with pro bono attorneys, social service providers and others within the low-income community. This strategic approach uses the law and legal remedies to fix client problems and systemically address causes, including structural racism and economic inequality. Major areas of focus are access to health care and government benefits; family violence and sexual assault; educational opportunity and equity; at-risk seniors; eviction defense and habitable, affordable housing; and criminal records pardons.

As part of our work, we represent people who are appealing adverse Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) disability determinations. Most of our clients have been denied after attempting to apply for disability benefits on their own. Disability applicants need robust customer services. They are disabled, which means they often have more difficulty, physically, mentally and emotionally, navigating an already complex bureaucratic systems. According to the *National Beneficiary Survey: Disability Statistics, 2015*, (2015 Disability Survey) the most recent survey publicly available, the average beneficiary is 50.6 years old, seventy percent have a high school education or less, and nearly half (forty-seven percent) have incomes less than the federal poverty level.ⁱ These are not people with substantial reserves of funds and stamina. They cannot work due to their disability, so they rely on the benefits they receive from SSI or SSDI. They also rely heavily on customer service at the local Social Security Field Office to access these benefits.

The current system of customer services at the Social Security Administration (SSA or “Administration”) does not make it easy for this particularly challenged class of applicants. The phone system at the Hartford Field Office routinely hangs up after 15 minutes on hold. When it does not disconnect, there is usually a two-hour wait time to get to a real person. As attorneys with speaker phones, answering systems, and secretaries, we have the luxury of tying up a phone line for two hours waiting for someone to answer while we work on other business, but most of our clients don’t have that ability.

When you get to that real person on the other end of the phone, the level of customer service depends entirely on who answers the phone and how many other calls they are juggling. The office is badly understaffed, and that is reflected in the level of customer service. If the request takes any amount of time, you might be put back on hold (and the call disconnected), or receive an incomplete answer. Some of our clients have difficulty communicating on the phone or explaining the documentation they have as evidence of their disability without showing it to the SSA worker. These challenges can require a very patient and well-trained caseworker, but the level of customer service we have seen in the Hartford Office in particular, is spotty. Some case workers are actively hostile to the applicants or demand information that is simply not required for the application (such as past rent receipts going back 6 years), suggesting that training and supervision are insufficient. More staffing and more training and supervision to provide a uniform level of customer service would help significantly.

The distance imposed by telephone communication can intensify the communication challenges of some of our clients, which might be made smoother by face-to-face communication. During the pandemic, of course, field offices were closed, and problems with the phones were exacerbated. Additionally, there were basic failures in facilitating remote communication. For example, in the Appeals Council, the fax machine ran out of paper and was not restocked for months, and the electronic files were not stored, so all information applicants and advocates thought they faxed was never received. The problem was not discovered until someone was in the office and saw that the machine was out of paper. Interpreter services over the phone have also suffered from a lack of resources. Our advocates have had hearings where the Spanish interpreters were unable to translate for a Puerto Rican client, and hearings where the interpreter hung up mid-sentence during the course of a hearing. In one hearing, the interpretation service was so uneven there were a total of three different interpreters during the course of the hearing. More resources dedicated to translation and accessibility services are essential to improve the experience and provide a basic level of access and fairness.

The website has been substantially improved during the course of the pandemic, and can answer the service needs of many social security retirement beneficiaries, whose applications can be completed in “10 to 30 minutes” according to the website.ⁱⁱ Our SSDI clients have more difficult applications, requiring “one to two hours” according to the website,ⁱⁱⁱ but also have the additional

burden of applying while disabled. Because they have limited resources, they are also less likely to have easy access to the internet and a computer. They often need special accommodations because of their disability, and require attentive customer service. Websites, even much improved ones, cannot fully replace the personal interaction of a well-trained caseworker. SSI is even more complicated, because it is need-based, so the website advises SSI beneficiaries to call to schedule an appointment, leaving them to the frustration of the phone system discussed above.

The local field office is open now, but the website makes it abundantly clear that walk-ins are discouraged, advising that people must wait outside because space in the office is limited, and come alone unless they need help. Finally, it warns “People without an appointment should expect long lines, especially during the busiest times in our offices: Mondays, the morning after a federal holiday, and the first week of the month. We may offer you an appointment on a future date or call you back to provide the service you are requesting.”^{iv} In order to make an appointment, however, you have to get through on the telephone. More staffing to facilitate walk-in appointments would help to alleviate this barrier to access.

Our clients do not have representation when they first apply for benefits, so they are reliant on the customer service workers they encounter at the field offices. They are disabled, so most need some sort of accommodation. They are poor, so they do not have excess resources to obtain outside help. The application process is complex. In short, they need help. Customer service is critical to ensure that the system works as intended—to provide those most in need of financial assistance due to disability are able to receive some help.

Customer service is important not only when the applicant first applies for benefits, but for every step of the process. Because most applications are denied on the initial review, for most applicants, the process involves several rounds of application, hearing, and appeals. At each step, there is the possibility that the process will break down. An SSA Inspector General (IG) investigation of mail handling across the administration’s network of field offices found that field offices were overwhelmed by mail duties and unable to keep up with the workload. The IG team also found that the administration lacks comprehensive policies and procedures to track and return important original documents—including drivers licenses, birth certificates, passports, and naturalization documents—that the administration requires as proof of eligibility for benefits.^v Although shocking, these conclusions are not surprising to our advocates as we see similar issues in our local field office. Applications may be lost somewhere in a field office for months if not longer. We had one client whose application was mailed into the office, and it was lost for two years before it reemerged as processed. Our advocates advise clients not to send original important documents, like naturalization papers, because we cannot assure them that the documents will not be lost in the bowels of the field office. If the administration is going to insist applicants provide original documents, it must have a procedure and sufficient staffing to ensure that the documents are returned in a timely manner. Current technological advancements in

imaging, document scanning, and document transmission, however, make this requirement for original documents obsolete. Electronic submission of forms could be used to ensure that SSA has access to the information it needs. Handling paper adds to processing time. Greater use of electronic records could streamline processing of applications and avoid cases of lost applications.

Even if our clients are approved for disability benefits, we have learned that what should be an automatic and swift processing for payment of those benefits is not. We have clients who have been approved for benefits but have not received any money for more than one year. One GHLA client received notice that he was found eligible for benefits, but when he called to ask when he would receive his benefits, he was told by the field office that he should not expect to hear anything for months. Yet, in point of fact, the field office would have been notified of the decision as soon if not sooner than he learned of the decision and should have begun processing the benefits immediately. Our clients often benefit from a well-placed call by attorneys to the head of the field office, but applicants should not have to have an attorney call the head of the field office to receive the benefits to which they are entitled under law.

It bears repeating that our clients are poor, with little or no income, and disabled. Our clients rely on these benefits—it is often the only money they have to pay their rent, buy their food, and pay for utilities and basic needs. Having to wait any length of time after approval puts their housing and overall stability at risk. In addition, it imposes a severe strain on their physical, mental, emotional, and/or financial health, which are already compromised, or they would not qualify for these benefits.

Social security law is complicated, and the process getting to approval is long even without breakdowns in the process. Because of our limited funds and the high demand for assistance, GHLA attorneys are only involved after an applicant's application and request for reconsideration have been denied. In Connecticut, the initial application approval rate is 41.9%.^{vi} This is slightly better than the national average, but it still means that most people will have to continue through a reconsideration of the first denial (which is reversed about 16% of the time here). Once that is denied, they have to request a hearing before an administrative law judge. This is where GHLA attorneys can step in, but the process getting to this point can take the better part of a year. There are not enough ALJs, so the backlog of cases extends for months. Increasing the number of ALJs could improve the hearing wait time and processing time. Even then, ALJs have an approval rate in Hartford of about 50%, so many of our clients must appeal their cases to the Appeals Council, which has only a 1% reversal rate and a 11% remand rate. If denied by the Appeals Council, GHLA attorneys will pursue appeals in Federal Court.

In 2021 (an unusual year of course), GHLA succeeded in winning \$431,855 in retroactive SSI payments and \$35,018 in ongoing monthly benefits (\$421,416 for the year) for our clients. Over all, we have a good rate of success in federal court, winning 39 of the 48 cases filed since 2015 (two were withdrawn), which demonstrates that the bulk of the cases we represent are legitimately disabled individuals. But these legitimately disabled individuals have had to wait years from the initial application to final resolution. During that time, their financial situation has become more precarious and their health has often declined. Sufficient, well-trained customer service could reduce overall wait times, and provide better assistance to applicants with their initial application, more expeditious application processing, fewer lost applications and documents, and fewer delays between approval and award of benefits.

At risk of repeating myself, let me stress again that our clients rely on these benefits, which are only just enough to prevent total disaster. SSI has not kept pace with inflation, and for our clients on SSDI who were working low-wage jobs before their disability, the benefits they receive may not be enough to keep above the poverty level. Any action the committee could take to ensure that they have access to well-trained and sufficient assistance in the field office, to ensure that benefits keep pace with inflation, and to provide speedier access to disability benefits, such as is outlined in the Social Security 2100 would be much appreciated.

Social security disability law is complicated, and applicants benefit from legal assistance as they negotiate the maze of initial hearings, reconsideration, and appeals that are often necessary to establish eligibility. But better customer service up front would make the process better for all involved. Sufficient funding to enable walk-in appointments, a system for processing mail or accepting electronic documents, improvements to the phone system, greater automation for payments, and sufficient interpreter services could go a long way to ensuring that the social security disability system assists the disabled people it was intended to help.

ⁱ National Beneficiary Survey: Disability Statistics, 2015, table 2,

<https://www.ssa.gov/policy/docs/statcomps/nbs/2015/nbs-statistics-2015.pdf>

ⁱⁱ Official Website of the Social Security Administration, Apply for Retirement Benefits, OMB No. 090-0618, accessed May 11, 2022 <https://secure.ssa.gov/iClaim/Ent001View.action>

ⁱⁱⁱ Official Website of the Social Security Administration, Apply for Disability Benefits, OMB No. 090-0618, accessed May 11, 2022 <https://secure.ssa.gov/iClaim/Ent002View.action>

^{iv} Official Website of the Social Security Administration, Office Locator, accessed May 11, 2022, <https://secure.ssa.gov/ICON/main.jsp#officeResults>

^v Office of the Inspector General, Social Security Administration, “The Social Security Administration’s Processing of Mail and Enumeration Services During the COVID-19 Pandemic: Interim Report,” July 29, 2021, accessed May 12, 2022, <https://oig-files.ssa.gov/audits/full/A-08-21-51036InterimReport.pdf>

^{vi} Citizens Disability, Connecticut and Social Security Disability Benefits, accessed May 11, 2022 <https://www.citizensdisability.com/state-by-state-information/connecticut-and-social-security-disability-benefits/>

Committee on Ways and Means
Subcommittee on Social Security

Hearing on Strengthening Social Security's Customer Service

Testimony of Rebecca Vallas, Esq.
Senior Fellow, The Century Foundation

May 17, 2022

Thank you for the opportunity to testify today. My name is Rebecca Vallas, and I am a senior fellow at The Century Foundation, where I lead TCF's Disability Economic Justice Team and serve as co-director of the recently formed Disability Economic Justice Collaborative, which brings together more than thirty leading disability organizations, think tanks, and research organizations to learn from each other, work in partnership, and bring a disability lens across the nation's economic policymaking.¹ The mission of TCF's Disability Economic Justice Team is to advance policy solutions that promote economic security for disabled Americans and their families and remove barriers to economic well-being, independence, and dignity that continue to persist more than three decades after the Americans with Disabilities Act was signed into law.

Today's hearing comes at a critical moment, as the nation continues to rebuild and recover from an unprecedented pandemic that has tested the mettle of America's social insurance infrastructure—while highlighting the importance of ensuring that programs that help people meet their basic needs are accessible when individuals and families need them most.

To put it simply: **eligibility doesn't equal access**—a lesson I learned in spades during my years as a legal aid attorney representing people with disabilities and seniors facing barriers to accessing critical benefits that they were eligible for but which remained out

¹ For more information on the Disability Economic Justice Collaborative and a full list of members, see dejc.org.

of reach due to complex application paperwork, byzantine processes difficult to navigate without help from a lawyer, and other barriers.

Thus, while most public debate around Social Security and Supplemental Security Income (SSI) generally centers around eligibility for and adequacy of benefits—both of which are themselves critical topics that this Committee has explored on many occasions, with thanks to Chairman Larson for his leadership on the issue of expanding and strengthening Social Security—**delivering on the promises of critical programs such as Social Security and SSI will also require ensuring that eligible individuals and families are able to access SSA’s vital programs in their time of need**, and that SSA is equipped to provide high-quality customer service to claimants and beneficiaries so that people can access lifeline benefits and resolve issues impacting their benefits in a timely manner.

This hearing comes at a particularly critical moment for the disability community in particular, as the COVID-19 pandemic has spurred the largest influx of new entrants to the U.S. disability community in modern history—many of whom will need to turn to supports and services that were already under-resourced and fraying prior to the pandemic. SSA offers a prime example. Since 2010, SSA’s operating budget has fallen by 14 percent after adjusting for inflation, and staffing has dropped by 13 percent—while the need for SSA’s services has increased significantly, as the number of Social Security beneficiaries has grown by 21 percent. SSA was in dire need of a significant boost in administrative funding long before the pandemic, which has obviously only further added to the challenges facing SSA at this difficult time. Now more than ever, Congress must work together to ensure this critical agency has the resources it needs to keep Social Security’s promises to the American people.

I am going to offer three main points today:

- First, ensuring that all eligible Americans—particularly people with disabilities and older adults—can access SSA’s benefits and receive high-quality customer service in a timely manner must be a bipartisan priority for Congress and for SSA;
- Second, this will require ensuring that SSA has adequate resources to administer its critical programs and provide high-quality customer service, after more than a decade of disinvestment in SSA’s administrative funding; and

- And third, there are additional common sense steps SSA and Congress can and should take—including lots of low-hanging fruit—to improve access to SSA’s programs, many of which will also reduce the administrative burden on SSA (and the pressure on field offices) in the process.

Now is the time for Congress and SSA to make a collective commitment to prioritizing SSA’s customer service and to taking the steps necessary to ensure we, our friends, neighbors, loved ones, and fellow community members—and, in particular, people with disabilities and older adults—are all able to access SSA’s critical programs when we need them most.

1. Ensuring that all eligible Americans—particularly people with disabilities and older adults—can access SSA’s benefits and receive high-quality customer service in a timely manner must be a bipartisan priority for Congress and SSA.

Our Social Security system is the bedrock of America’s social insurance infrastructure, and ensuring that all eligible Americans can access the benefits and customer service administered by the Social Security Administration in our time of need—particularly the most marginalized among us, including low-income people with disabilities and older adults—must be a bipartisan priority for Congress and for SSA.

Further underscoring the importance of today’s hearing, new research I spearheaded at The Century Foundation finds that the U.S. disability community is facing an economic crisis that long predates the COVID-19 pandemic.² Due to a litany of structural barriers to economic security, as well as pervasive discrimination that persists more than 31 years after the Americans with Disabilities Act became law, disability remains both a cause and a consequence of poverty in the U.S. well into the 21st century.

Among other troubling findings, my coauthors and I found that disabled people in the U.S. remain twice as likely to live in poverty as their nondisabled counterparts, face food insecurity rates three times higher than people without disabilities, and comprise nearly half of all people who turn to homeless shelters in the U.S. We also found that disabled people of color face even greater economic disparities, due to the compounding effects

² Rebecca Vallas and others, The Century Foundation, “Economic Justice is Disability Justice,” April 2022, <https://tcf.org/content/report/economic-justice-disability-justice/>.

of racism and ableism. For example, 1 in 4 black disabled adults in the U.S. lived in poverty in 2020, compared with 1 in 7 of their white counterparts.

Social Security remains the most important and effective U.S. antipoverty program in effect today, keeping an estimated 22.5 million Americans out of poverty last year,³ and providing a critical economic backstop for millions of disabled people whose disabilities prevent them from supporting themselves through work. Just under 65 million Americans received some type of Social Security benefits in 2021: 55 million received retirement benefits, nearly 6 million received survivors' benefits, and 9.6 million received disability benefits. While modest—for example, the average disabled worker benefit was \$1,143 per month in 2021, not far above the federal poverty line for an individual—Social Security benefits are absolutely vital to the economic well-being of the individuals and families who receive them, often representing the difference between being able to afford basics like safe and stable housing, adequate food to last through the month, and co-pays on needed medications.

And while SSI benefits are even more modest—at just \$841 per month in 2022, SSI benefits are not enough on their own to bring an individual above the federal poverty line—SSI also plays a critical role in blunting the effects of poverty and hardship for nearly 8 million Americans with disabilities and older adults, including more than 1 million disabled children. Importantly, SSI also boosts the incomes of more than 1 million “concurrent beneficiaries,” for whom SSI acts as a supplement to very low monthly Social Security payments. While it is desperately in need of an update, SSI is nonetheless a life-changing program for millions of low-income disabled and older Americans. I represented countless clients during my time in legal aid for whom SSI meant getting off the street and out of homeless shelters, or being able to keep a disabled child at home and with the family instead of needing to send her to an institution to receive care.

Yet, the process of accessing Social Security disability benefits is extraordinarily complex and can be difficult to navigate without help from a lawyer or claimant's representative. Meanwhile, SSDI and SSI's complicated rules often require additional professional help to resolve issues and challenges even after someone has been found eligible for disability benefits. Many claimants and beneficiaries turn to the staff at SSA's field offices and/or the 1-800 number to help them navigate this byzantine system and its array of

³ Kathleen Romig, Center on Budget and Policy Priorities, “Social Security Lifts More People Above the Poverty Line Than Any Other Program,” <https://www.cbpp.org/research/social-security/social-security-lifts-more-people-above-the-poverty-line-than-any-other#:~:text=Social%20Security%20Reduces%20Poverty%20in%20Every%20State&text=Without%20Social%20Security%20the%20poverty%20rate%20for%20those%20aged%2065,roughly%20three%2Dfourths%20of%20states>.

complicated paperwork and rules. While in an ideal system, one wouldn't need a law degree to access disability benefits—this makes the customer service at SSA's field offices and 1-800 phone line even more important and critical to ensure claimants and beneficiaries are able to access lifeline benefits without getting lost in red tape.

In March 2020, at the onset of the pandemic, SSA shifted from operating a nationwide network of field offices that claimants and beneficiaries could walk into to get help with their benefits to providing nearly all of its services online, via phone, or mail. This unprecedented and rapid shift was made even more challenging by a decade-plus of underfunding that has left SSA largely in the 20th century when it comes to technology.

In April 2022, SSA began reopening its field offices. While the reopening of SSA's field offices will hopefully make it possible for more eligible individuals to access needed benefits and to resolve issues and problems with their benefits, an array of significant challenges remain—making this a critical moment to prioritize SSA's customer service.

Key customer service challenges particularly impacting low-income people with disabilities (several of which have already been covered at length by my fellow witnesses) include:

SSA's 1-800 phone line is in abysmal shape. SSA's 1-800 phone line has faced challenges for some time, due in large part to outdated technology and significant understaffing. Even prior to the pandemic, disability advocates received a steady flow of complaints of hours-long waits on hold, dropped calls, and overall inability to get through to an SSA representative. SSA's Office of Inspector General found that in FY 2020, just half of calls were actually handled. The pandemic only threw fuel on the fire, tripling call volume, according to SSA, and in recent months, SSA's 1-800 phone line has been largely non-functional. Inability to get through on the phone hurts claimants and beneficiaries—while also driving up the number of people showing up at field offices without an appointment, because you need to call SSA to make an appointment. Advocates have reported alarming numbers of cases of people wrongfully losing disability benefits or having their benefits reduced because they were unable to get through to SSA on the 1-800 line. SSA has told advocates they will be unable to bring the agency's phone line back up to capacity until this fall due to technology limitations. This is unacceptable. Congress must ensure that SSA has the resources they need for the 1-800 line to be fully functional, adequately staffed, and equipped to meet current need without unconscionable wait times, dropped calls, and busy signals.

Many claimants and beneficiaries need access to walk-in service without an appointment. The human consequences of access barriers were on full display at the height of the pandemic, exacerbated by the widespread closure of SSA's field offices—which serve as a core anchor of the agency's customer service, particularly for low-income and marginalized populations. A major driver of the need for field office services is the fact that, despite years of pleas from disability advocates, the SSI application still cannot be completed fully online, necessitating an in-person visit at a Social Security Administration (SSA) field office or assistance from SSA's often difficult-to-access 1-800 number. (Importantly, some SSI applicants will continue to need to visit a field office for help even once the SSI application is online—due to the digital divide, need for accommodations and supports, language access, and other barriers.) Worth noting, most people are unrepresented at the initial stage of SSA's disability determination process, making the customer service provided by field office staff even more important. Of particular concern to disability advocates, at a time when more people were in need due to rising economic hardship, new SSI applications and awards actually fell to historic lows.⁴ And taking both SSI and SSDI together, estimates suggest that at least half a million⁵ disabled people were left behind by Social Security's disability programs during the first year of the pandemic alone, due in large part to SSA's field office closures, because disability benefits are so difficult to access. These alarming figures only further underscore the importance of maintaining a robust field office network, as Chairman Larson's 2100 Act would take important steps to protect. Ensuring the availability of walk-in services without an appointment is critical as well—particularly in light of the challenges facing SSA's 1-800 number.

People with disabilities are facing unconscionable waiting times for disability decisions due to serious backlogs. Due mostly to a long history of disinvestment in SSA's administrative budget, lengthy backlogs can force disabled people to wait months and even years to be approved for needed benefits. Underscoring the human cost of these unconscionable delays, thousands of people die each year waiting for disability benefits as a result. Indeed, a Government Accountability Office report recently put numbers to this shameful trend: between FY 2008 and FY 2019, 109,725 applicants for disability benefits died waiting on their appeals, and still more have died waiting for

⁴ National Public Radio, "Huge Drop in Federal Aid for the Poorest is Blamed on Closed Social Security Offices," February 19, 2021, <https://www.npr.org/2021/02/19/969106191/huge-drop-in-federal-aid-for-the-poorest-is-blamed-on-closed-social-security-off>.

⁵ David Weaver and Jonathan Stein, "Half a Million Poor and Disabled Americans Left Behind by Social Security," November 15, 2021, <https://thehill.com/opinion/finance/581522-half-a-million-poor-and-disabled-americans-left-behind-by-social-security/>

decisions since then.⁶ While in recent years, backlogs mostly built up at the hearing level, with disabled claimants forced to wait months and even years for a hearing before an Administrative Law Judge, now SSA is shouldering a major backlog topping more than 1 million cases at the initial and reconsideration levels of the disability determination process. SSA is reporting six month delays on average processing times for decisions at each of the initial and reconsideration levels, meaning it takes a *full year* for the typical claimant to make it through the reconsideration stage. These delays are simply unacceptable.⁷ Targeted funding has been effective at unsticking unacceptable hearings backlogs in recent years. At a time when we know at least half a million disabled people eligible for benefits have already been left behind by SSA's disability programs during the pandemic, Congress must take swift action to ensure that SSA has adequate funding to address backlogs in cases stuck at the initial and recon levels, and at all levels of the disability determination process.

Too many beneficiaries face upheaval due to needless overpayments due to SSA delays in processing information such as wage data and earnings reports. In yet another example of a longstanding problem exacerbated by the pandemic, SSA was already facing serious challenges in processing critical information such as beneficiaries' wage data and earnings reports and adjusting benefits in a timely manner prior to COVID-19. While Social Security disability benefits are restricted to disabled individuals who are unable to support themselves through work, many people with disabilities want to work, and some disability beneficiaries do work sporadically and/or part-time. Yet, in an alarmingly common fact pattern, too many disability beneficiaries find themselves facing needless and preventable overpayments that can run in the thousands or even tens of thousands of dollars, through no fault of their own, due to SSA delays in processing earnings reports, no matter how faithfully and on-time beneficiaries submit them. Another equally alarming fact pattern involves beneficiaries who attempt to report their earnings but are unable to get through on the 1-800 line. There are few more potent chilling effects on work facing disability beneficiaries than the risk of incurring a giant overpayment, even if you do everything right. Beneficiaries hit with overpayments generally see their monthly benefits reduced until they've paid them back in full, shrinking already meager benefits even further, making it even more difficult to pay monthly bills, and causing an immense amount of stress. Overpayments were one of the biggest challenges I saw facing Social Security disability beneficiaries during my years in

⁶ Government Accountability Office, "Social Security Disability: Information on Wait Times, Bankruptcies, and Deaths Among Applicants Who Appealed Benefit Denials," August 13, 2020, <https://www.gao.gov/products/gao-20-641r#:~:text=GAO's%20analysis%20of%20SSA%20disability,final%20decision%20on%20their%20appeal>.

⁷ Social Security Administration, FY2022 Operating Plan, <https://www.ssa.gov/budget/FY22Files/2022OP.pdf#page=6>.

legal aid—and pandemic challenges and a continued trend of underfunding the agency have only made the problem worse, driven by paperwork processing delays due to inadequate SSA staffing and a grossly unreliable 1-800 line that makes it even more difficult for beneficiaries to report their earnings.

2. SSA urgently needs adequate administrative funding to ensure high-quality customer service, after more than a decade of disinvestment.

Delivering on the promises of SSA's programs will require ensuring that SSA finally has adequate administrative funding to administer its programs and provide high-quality customer service after a long history of disinvestment in the agency's administrative budget. As noted earlier, since 2010, SSA's operating budget has fallen 14 percent after adjusting for inflation, and staffing has dropped 13 percent—while demand for SSA's services has increased significantly, as the number of Social Security beneficiaries has grown by 21 percent. The pandemic has obviously only further added to the challenges facing SSA at this difficult time, and the time has long passed for Congress to continue to tell SSA to “do more with less.”

The human consequences of access barriers to Social Security benefits and inadequate SSA customer service are as preventable as they are shameful. Delays in accessing SSA's programs—which provide what is often survival income—cause struggling individuals and families to be unable to pay their bills, skip meals, go without needed medical care, and even lose their homes. And as noted previously—since it bears repeating—*thousands of people die every year waiting for disability benefits*, due in large part to unacceptable hearing backlogs. I learned this early on in my time as a legal aid attorney when one of my clients with several significant physical and mental disabilities passed away before the date came for his hearing. He had been wrongfully denied disability benefits twice already because of challenges he had faced navigating the application process without help from a lawyer. It doesn't have to be this way.

While the reopening of SSA's field offices will hopefully make it possible for more eligible individuals to access needed benefits, in addition to providing SSA with adequate administrative funding, more action remains necessary to address the litany of barriers that disabled people face when it comes to accessing disability benefits in a timely fashion, many of which predate the pandemic. Notably, prior to the pandemic, studies suggested that roughly half of eligible individuals were already not receiving SSI⁸—a

⁸ Kathleen McGarry and Robert F. Schoeni, Michigan Retirement Research Center, “Understanding Participation in SSI,” January 2015, <https://mrdrc.isr.umich.edu/publications/papers/pdf/wp319.pdf>.

takeup rate that should be alarming to all of us, given SSI's important purpose and the extremely economically vulnerable population the program serves.

3. There are additional, common sense steps SSA and Congress can and should take to improve access to SSA's programs, many of which would also reduce the administrative burden on SSA (and the pressure on field offices) in the process.

In addition to providing SSA with adequate administrative resources to address unconscionable hearing backlogs, ensure timely access to benefits, and provide high-quality customer service to claimants and beneficiaries, there are several additional, common sense steps that SSA and Congress can and should take to improve access to SSA's vital programs. Many would also reduce the administrative burden on SSA as well as the demand for field office services in the process.

- **Establish a “beneficiary advocate.”** Currently, SSA lacks a voice within the agency to represent the beneficiary perspective. SSA would strongly benefit from the creation of a “beneficiary advocate” role to give beneficiaries a dedicated voice within the agency—similar to the IRS’s taxpayer advocate. This is a common sense idea that has gained traction in recent months, including the support of Senators Brown, Wyden, and Casey.⁹
- **Simplify the SSI application and get it online.** You shouldn’t need a law degree to access disability benefits. Simplifying SSI’s byzantine application and making it user-friendly for people with disabilities is long overdue. Meanwhile, despite years of pleas from the disability community, the SSI application still cannot be completed fully online—necessitating an in-person visit at an SSA field office or assistance from SSA’s often difficult-to-access 1-800 number—a significant barrier for many disabled people and older adults and a major driver of field office and 1-800 number traffic.
- **Create a “navigators” program to help unrepresented people facing challenges navigating the Social Security disability process.** Another promising idea that has gained attention in recent months is to establish a staff of SSA “navigators”—possibly under the new beneficiary advocate—to help especially marginalized, unrepresented claimants, such as low-income, disabled, and rural individuals,

⁹ “Brown, Wyden, Casey urge SSA to create a beneficiary advocate position,” <https://www.brown.senate.gov/newsroom/press/release/sherrod-brown-social-security-administration-beneficiary-advocate-position>.

navigate the complicated process of applying for disability benefits. This could also serve to streamline the disability determination process by improving development of cases at the initial level of review and reducing the need for appeals of wrongfully denied initial determinations.

- **Expand outreach to likely eligible populations.** As noted earlier, research suggests that even prior to the pandemic, nearly *half* of individuals eligible for SSI were not receiving benefits—a takeup rate that should be alarming to all of us, given SSI’s important purpose and the extremely economically vulnerable population the program serves. One group that is especially likely to be missed and who is ripe for expanded outreach is very low-income Social Security beneficiaries who are eligible to receive SSI concurrently as a supplement to low Social Security benefits. Robust outreach to ensure SSA’s vital programs are reaching their intended populations should be considered part of high-quality customer service and program integrity.
- **Eliminate cruel waiting periods for SSDI and Medicare.** Disabled people fortunate enough to make it through SSA’s labyrinthine disability determination process are forced to wait even longer still for urgently needed income support and health insurance once being approved, because outdated rules in Social Security Disability Insurance include a five-month waiting period for benefits, and an accompanying twenty-four-month waiting period for Medicare (the health insurance that comes with SSDI eligibility). The bipartisan Stop the Wait Act,¹⁰ introduced most recently in 2022, would eliminate these cruel waiting periods—and the 2100 Act would eliminate the SSDI waiting period.
- **Eliminate the reconsideration stage of review in the disability determination process.** The reconsideration stage further adds to already unacceptable delays in accessing vital disability benefits. Very few claimants are approved at the reconsideration stage. Increasingly, disability advocates are in support of eliminating reconsideration and reinvesting those resources into better development of disability cases at the initial stage of review, to get eligible claimants approved faster without needing to wait months or even years for a hearing.

¹⁰ S. 3575 “Stop the Wait Act of 2022,” <https://www.congress.gov/bill/117th-congress/senate-bill/3575/text?r=12&s=1>.

- **Index the fee cap for representatives to inflation.** Disability advocates were glad to see Acting Commissioner Kijakazi take a step in this direction by increasing the fee cap earlier this month. Indexing the cap to inflation, as Chairman Larson's 2100 Act would do, is another important step to increase access to legal representation for disability claimants seeking to navigate an extraordinarily complex system.
- **Update SSI's outdated, complex, and hard-to-administer rules.** While SSI falls under the jurisdiction of the Worker and Family Support Subcommittee, I will take a brief moment to mention it in relation to today's hearing as well. SSI's outdated program rules—such as limits on earnings and other sources of income that have not been updated for inflation since 1972, marriage penalties, and a cruel penalty for receipt of mutual aid (such as a couch to sleep on or even a bag of groceries)—don't just further entrench poverty and material hardship among SSI beneficiaries; they are also extraordinarily burdensome for SSA to administer, and drive a huge amount of traffic to SSA's field offices and 1-800 phone line. They are also major drivers of needless overpayments. Thus, in addition to cutting poverty among SSI beneficiaries, bringing SSI into the 21st century as the SSI Restoration Act¹¹ would do, would dramatically simplify and reduce SSA's administrative burden and significantly lessen the burden on field office staff (who generally bear the brunt of this workload) by streamlining and simplifying one of the agency's most complex, costly, and time-intensive workloads.

I thank you for the opportunity to testify today and look forward to taking your questions.

¹¹ The Century Foundation, "TCF Senior Fellow Rebecca Vallas Applauds Senate Reintroduction of SSI Restoration Act," June 16, 2021, <https://tcf.org/content/about-tcf/tcf-senior-fellow-rebecca-vallas-applauds-senate-reintroduction-ssi-restoration-act/>