

Questions for the Record for Martin O'Malley

U.S. Senate Committee on Finance

**“Hearing to Consider the Nomination of the Honorable Martin O'Malley, of Maryland, to be Commissioner of Social Security for the remainder of the term expiring January 19, 2025, vice Andrew M. Saul”
November 2, 2023**

Senator Casey

- 1. In recent years, SSA has made important advances in improving the efficiency and effectiveness of communications with beneficiaries, which is critical to accomplishing the long-term mission of the agency. However, SSA still relies on out-of-date technology, from printers to phone systems. Investment in modern technology is needed to improve service delivery, decrease costs, and increase efficiency. Such investments would improve the day-to-day experience of our federal workforce and make it easier possible for them to serve recipients in a more timely and efficient manner.**
 - a. As Commissioner of SSA, how will you support modernization plans that leverage technology to better serve beneficiaries, reduce costs, and improve the experience of the federal workforce?**

I appreciate the opportunity to highlight a few points about how I would leverage and modernize technology at SSA, if confirmed. First and foremost, I believe that it is critical upfront – from the very beginning of the design process – to center two groups of people: the customers, and the frontline workers who will be directly using the system. There is no use designing a system that doesn't effectively serve customers the way they want to be served, or that produces inefficiencies and impedes frontline workers from doing their jobs effectively.

Second, we need to make sure that we have the best people not only from within SSA, but also from across the federal government – such as from partnering with the U.S. Digital Service – and beyond. Third, I learned early in my career the importance of having an independent firm to do robust independent verification and validation (IV&V), to prevent and reduce overruns and delays.

If confirmed, I look forward to applying this approach in service of improving SSA's technology and operations.

- 2. Despite great challenges, the Social Security Administration rates high in public trust, but the agency has been starved of resources, leaving staffing at a 25-year low. This understaffing has led to employee burnout and high rates of turnover. According to a study from the American Federation of Government Employees,**

which represents 42,000 SSA employees, 50 percent of SSA employees are considering leaving the agency within the next year.

- a. **How will you improve employee recruitment and retention? How do you plan to rebuild employee morale at the agency in addition to technology upgrades?**

I think that as a new leader, it is important to listen to what employees have to say about what's going wrong before diving in to fix things. If confirmed, I plan to engage directly with SSA employees at all levels, as well as with stakeholders such as employee unions, to listen to their concerns and develop ways to address them. With transparency and openness, we can begin to rebuild trust – both the trust that employees have in their agency's leadership, and the trust that American people have in this great program of Social Security.

The agency is working with a challenging set of constraints that will not go away overnight, but I do believe making sure that leadership is listening to and understands staff perspectives goes a long way toward improving morale and retention. I have no doubt that the hard-working, patriotic, and dedicated SSA employees are up to this moment, and I would be proud to lead them forward.

Chairman Wyden

1. **My office and other offices throughout Congress often hear from advocates who represent stakeholders for many of the programs administered by SSA. In the past, advocates had a standing quarterly meeting with the Commissioner, and both SSA and the advocates found these meetings to be very productive in communicating changes and getting “on the ground” information, including policy and practice reform recommendations.**

If confirmed, will you resume these quarterly meetings with the advocacy community?

Yes. If confirmed, I want to meet regularly with Social Security's stakeholders. That certainly includes the advocacy and beneficiary communities. These regular stakeholder meetings will help me see new perspectives on Social Security and understand all of the different considerations that go into SSA's work.

2. **In April 2021, I convened a hearing to examine SSA's performance during the COVID-19 pandemic and to discuss strategies to improve service delivery going forward. One lesson we learned from the pandemic is that Social Security requires a lot of in-person visits even for simple and straightforward transactions to verify a person's identity. SSA already deploys strategies to reduce in-person field office visits, such as leveraging data exchanges with federal and state agencies and creating an online portal for customers to submit SSA forms and documents online.**

By reducing in-person requirements for services, it would reduce wait times for everyone and allow front-line staff to dedicate more resources to those who need in-person assistance or do not have reliable access to the Internet. *If confirmed, will you prioritize reducing requirements for in-person visits?*

If confirmed, I will prioritize comprehensively reviewing SSA's operations and customer service, and seeking ways to make the agency more effective, both for members of the public and for SSA's employees. As part of that review, I look forward to examining the reasons that in-person visits might be required and assessing whether any changes are warranted.

- 3. Over the past several years, SSA has been modernizing its back-end technology infrastructure to support its frontline staff by reducing administrative barriers and shortening processing times. SSA is preparing to begin its next phase of technology modernization, focusing on customer-facing systems. This has been a top priority for me, as it would reduce field office foot traffic and allow front-line staff to dedicate more resources to those who need in-person assistance.**

Throughout your time in public service, you have been a leader in harnessing technology to improve customer service in the public sector. *What is your general philosophy for IT modernization, and how you would approach prioritizing various IT projects if confirmed?*

I appreciate the opportunity to highlight a few points about my IT modernization philosophy as I would apply it at SSA, if confirmed. First and foremost, it is critical upfront – from the very beginning of the design process – to center two groups of people: the customers, and the frontline workers who will be directly using the system. There is no use designing a system that doesn't effectively serve customers the way they want to be served, or that produces inefficiencies and impedes frontline workers from doing their jobs effectively.

Second, we need to make sure that we have the best people not only from within SSA, but also from across the federal government – such as from partnering with the U.S. Digital Service – and beyond. Third, I learned early in my career the importance of having an independent firm to do robust independent verification and validation (IV&V), to prevent and reduce overruns and delays.

If confirmed, I look forward to applying this approach in service of improving SSA's technology and operations. To prioritize among projects, I would look to assessments of which ones would have the most impact or get the most 'bang for the buck' in terms of improving SSA's customer service.

- 4. In 2011, the Social Security Administration was ranked as one of the best places to work in the Federal Government by the Office of Personnel Management Federal Employee Viewpoint (FEVS) Survey. However, earlier this year, the Social Security Administration was ranked as the worst place to work among large agencies. I am**

concerned with the agency’s ability to recruit and retain quality staff, which will have a significant impact on the agency’s ability to modernize its systems, process claims, and otherwise serve the American people.

What is your plan to restore employee morale?

I think that as a new leader, it is important to listen to what employees have to say about what’s going wrong before diving in to fix things. If confirmed, I plan to engage directly with SSA employees at all levels, as well as with stakeholders such as employee unions, to listen to their concerns and develop ways to address them. With transparency and openness, we can begin to rebuild trust – both the trust that employees have in their agency’s leadership, and the trust that American people have in this great program of Social Security.

The agency is working with a challenging set of constraints that will not go away overnight, but I do believe making sure that leadership is listening to and understands staff perspectives goes a long way toward improving morale. I have no doubt that the hard-working, patriotic, and dedicated SSA employees are up to this moment, and I would be proud to lead them forward.

- 5. As you may know, the Supplemental Security Income (SSI) program provides critical support for some of our most vulnerable communities. However, individuals seeking to apply for SSI benefits face significant administrative barriers to accessing this lifeline. The current SSI application form stretches over 20 pages long and cannot be completed online. Senators Brown, Casey, and I have urged the agency to prioritize simplifying the SSI application and to make it accessible online.**

If confirmed, will you prioritize simplifying the SSI application and making it available online for applicants?

It is my strong belief that if someone is eligible for benefits, they should be able to get them. They should not face long wait times for an appointment, nor should they face incomprehensible application forms and unnecessary red tape. If confirmed, I look forward to assessing the agency’s plans for SSI simplification and online applications, and seeing where we can accelerate or strengthen them. This is a key priority.

Senator Barrasso

- 1. As someone who served in political positions for many years, you have taken public stances on numerous policy matters, including issues facing the Social Security Administration. The role of the Social Security Commissioner has historically been an administrative position and one that is non-partisan. It has not been a role where the commissioner acts as an outspoken “advocate.”**

Do you commit to setting aside your political and personal policy agenda in order to carry out the mission and role of the agency?

Yes. If confirmed, my focus would be on managing the agency and providing the best customer service to the American people. I believe the Commissioner's role in any major reform effort is to provide the best information and most accurate numbers to Congress and the President as they evaluate policy choices. I would advocate for the agency, but not for or against policies.

As Commissioner of the SSA, would you promote some of the payroll tax increase proposals you advocated for in the past?

I am no longer a candidate for elected office. My role as Commissioner – if confirmed – would not be to promote any particular policy proposal but rather to improve the operations and customer service at the agency.

I support the President's Budget, which reaffirms the Administration's commitment to protecting and strengthening the Social Security program and pledges to work with Congress to strengthen Social Security by ensuring high-income individuals pay their fair share.

- I have worked in a bipartisan manner for the last decade in sponsoring the Expedited Disability Insurance Payments for Terminally Ill Individuals Act. Individuals who are given less than six months to live are currently forced to wait more than five months to receive their Social Security Disability Insurance (SSDI) benefits. Our bipartisan bill will ensure people with terminal illnesses receive disability benefits in a timely manner while still preserving the integrity of the system.**

What are your views on the need to streamline and expedite SSDI benefits for terminally ill individuals?

If confirmed, as Commissioner my focus will be on effectively administering the SSDI program under current law, and on providing timely customer service to the American people. I look forward to learning more about the ways that SSA currently expedites benefit approval in certain situations, including for some individuals with terminal illnesses, and to examining whether there are ways to improve this process.

Will you commit to working with my office, including providing technical assistance as needed, on the Expedited Disability Insurance Payments for Terminally Ill Individuals Act?

Yes. I have committed that, if confirmed, I will work to provide the best information and most accurate numbers possible to Congress and the President as they evaluate policy choices. I would be happy to provide technical assistance on this bill and any others you may be considering.

- 3. You have made it clear that you were aware of some of the issues plaguing the Social Security Administration. You flagged long wait times for phone and in-person service. You also mentioned issues with disability determinations. For example, the average time from application to initial decision on disability claims has nearly doubled from 120 days before the pandemic, to now more than 220 days.**

What are your high-level plans for carrying out performance management and improving customer service?

SSA faces a customer service crisis. The current wait times, backlogs, and delays are simply unacceptable, and we must do better. It is my strong belief that the public deserves the highest level of customer service from their government. We owe it to every American to improve the level of customer service at Social Security so people can get answers to their questions and get their benefit applications decided in a timely manner.

I believe I was nominated for this position because I have the leadership skills, the management skills, and the experience needed at this moment to lead SSA forward. I wholeheartedly commit to making customer service improvements a top priority, starting with improving phone service and reducing disability delays. If confirmed, I plan to comprehensively review the agency's customer service plans, assess how we can improve them, and then move quickly to implement those improvements and measure their success.

How do you plan to track and improve the effectiveness, efficiency and accountability in the SSA organization? and What ideas do you have for tracking and quantifying improvements to the effectiveness and efficiency of the agency, as well as ideas for instilling accountability in the SSA organization?

As both a mayor and as a governor, I developed a discipline for harnessing data and information technology in ways that got the best out of large, siloed organizations of people that many – inside and outside of government – thought too unwieldy, too slow, or too steeped in excuses to change. One of the ways I've learned to do this is by bringing people together in a regular cadence to review the data and measure performance – creating both accountability and collaboration. If confirmed, I look forward to applying these strategies, and others, toward improving SSA's customer service.

- 4. In 1994, Congress passed the Social Security Independence and Program Improvement Act. This bill established a bipartisan Social Security Advisory Board. Members of the Board are appointed by Congress and the White House. The board consists of outside experts who help make recommendations in how best to administer and strengthen Social Security. They make suggestions to help improve service quality and performance. They advise not only the Administration and the Commissioner, but also Congress, and even help educate the public. They can be a**

valuable resource to help carry out the mission of the Social Security Administration.

If you are confirmed, what are your plans to engage with the Social Security Advisory Board? and Will you plan to consult with the Advisory Board on ways to improve the Social Security Administration?

Yes, if confirmed, I will engage and consult with the Social Security Advisory Board to gain their expertise and their perspectives on how to improve SSA's customer service. I believe hearing a range of perspectives – and truly listening to the input – is invaluable for understanding and improving the operations of any complex program, and that will certainly be how I approach my role at SSA.

Senator Cassidy

- 1. It is my understanding that SSA used to publish clear productivity data online in their annual “Performance and Accountability Reports” until 2002. These reports provided productivity data points like “cost per retirement claim”. Until recently, SSA only had “Agency Financial Reports” available online since 2014, which provide very little performance data and mainly focus on output data. After our meeting, SSA did put a few more Reports back up on their website, and I want to thank you for that great first step.**

In recent years, when asking Congress for more money for operations, SSA has been relying on “output data”, as opposed to “performance data”. In other words, SSA has been using the Golden Arches (McDonald's) model of data dissemination to lobby for money, (ie: “Millions and Millions Served”). SSA has also been comparing funds received by Congress to employee headcount, and going to interest groups and the media to try to justify and lobby for funding increases. Other organizations doing similar work have successfully increased productivity via the use of technology and improved processes, without needing to focus as heavily on increased staffing.

QUESTION: Would you be willing to work with Congress and the Social Security Advisory Board to compile a reliable set of historical SSA performance metrics so Congress can better understand how SSA uses its allocated funding? If so, when could we expect this to be completed?

I share your interest in useful data and metrics, and I look forward to diving into SSA's data if confirmed. As both a mayor and as a governor, I developed a discipline for harnessing data and information technology in ways that got the best out of large, siloed organizations of people that many – inside and outside of government – thought too unwieldy, too slow, or too steeped in excuses to change. One of the ways I've learned to do this is by bringing people together in a regular cadence to review the data and measure performance – creating both accountability and collaboration. And these reviews

certainly need to include data that indicate performance, tactics, and strategies, not just final outputs.

If confirmed, I look forward to reviewing this data and examining ways to make it more useful to Congress and others. I would be glad to work with you and with the Social Security Advisory Board on this. I would hope to provide some topline performance metrics within 90 days depending on the availability of historic data.

- 2. Governor O’Malley, Louisiana was one of 10 states that was part of a pilot program that eliminated the Reconsideration step of the Social Security disability application process. When Congress allowed SSA to end this pilot program in 2019, SSA promised to provide research on the effect of this change to Congress. However, this data was never provided. After this change, the disability application backlog in Louisiana has ballooned, creating situations where some applicants experienced waits that grew by over a year on top of what the previously too long wait times were prior to the change. There are a number of disability applicants in Louisiana who are dying before they get a chance to have their case heard before an Administrative Law Judge – that is simply unacceptable.**

QUESTION: Since the data on this change is easily available to SSA researchers, this should be a pretty easy report for the agency to complete. Will you commit to providing a full report on the effect of ending the 10 state Reconsideration Pilot Project to Congress within six months of your confirmation?

I have pledged that, if I am confirmed, I will immediately review the entire disability program from start to finish, and work with agency experts and other stakeholders to explore options for improving the entire process. I fully expect that this review will include looking at the effects that reinstating the reconsideration step has had on both applicants and the agency, and I will report to Congress on this matter within six months of my confirmation.

Ranking Member Crapo

- 1. During your nomination hearing, you stated that it is Congress’ prerogative to make policy decisions about improving Social Security’s solvency and that you “would not step on that prerogative.” However, in response to questioning, you also seemed to express your opposition to a policy dial that has been debated in Social Security solvency proposals. If confirmed, do you commit that you will not weigh in on policy decisions beyond providing Congress with information about the program’s finances and the estimated financial effects of various policy options?**

I do. My intent was not to weigh in on a specific policy dial, but rather to provide our nation’s duly elected policymakers – such as you and your colleagues on the Senate Finance Committee – with the best information you need to make policy decisions on Social Security.

- 2. In your testimony and responses to questions, you discussed many of the operational and customer service challenges facing the Social Security Administration. If confirmed, how specifically will you determine which key indicators to track to determine if the tactics and strategies in place are working to improve operations and customer service? Please detail the considerations that will factor into these decisions.**

As both a mayor and as a governor, I developed a discipline for harnessing data and information technology in ways that got the best out of large, siloed organizations of people that many – inside and outside of government – thought too unwieldy, too slow, or too steeped in excuses to change. One of the ways I’ve learned to do this is by bringing people together in a regular cadence to review the data and measure performance – creating both accountability and collaboration.

Regarding specific key indicators, I look forward to diving into SSA’s data if confirmed. I can tell you that from where I sit right now, it appears to me that SSA’s lagging performance indicators – such as call wait times and delays for applicants – are clear; what’s not clear is the tactics and strategies needed to combat them. By mapping the current process and listening critically to the suggestions for improvement from frontline managers and workers, we will prioritize the leading actions which bring about the greatest value to improve the customer journey and the efficiency of workflows. Useful indicators need to not just be easily measured and monitored, but must also be *meaningful* gauges of what’s happening. If confirmed, I aim to harness the agency’s data to actually measure the strategies, not just the outcomes – and then to build on that information to improve customer service.

- 3. Given the amount of information and range of services available behind the *my Social Security* online portal, it is crucial that the Social Security Administration’s digital identity verification process complies with federal requirements. The SSA Office of the Inspector General recently found that the SSA’s digital identity verification controls for the *my Social Security* portal do not fully meet federal standards. If confirmed, how would you ensure that the SSA’s digital identity verification processes meet all necessary standards going forward?**

SSA’s online services are an important part of the agency’s service to the public, and I am committed to continuing to improve them. While I am not an expert on digital identity, if confirmed, I look forward to working with the relevant experts at SSA and across the federal government to review the current processes and standards, as well as the OIG report, and to seek improvements where warranted. I aim to hold the agency to high standards across the board, and I believe we can deliver on that.

Senator Daines

- 1. Thousands of Montanans rely on Social Security payments, but unfortunately, we hear all too often the struggles they have getting assistance from the Social Security Administration (SSA), including long wait times to speak to a representative and navigating the website.**

If you are confirmed, what steps will you take to address the customer service challenges facing SSA?

I share your concerns with SSA's customer service crisis. The current wait times, backlogs, and delays are simply unacceptable, and we must do better. It is my strong belief that the public deserves the highest level of customer service from their government. We owe it to every American to improve the level of customer service at Social Security so people can get answers to their questions and get their benefit applications decided in a timely manner.

I believe I was nominated for this position because I have the leadership skills, the management skills, and the experience needed at this moment to lead SSA forward. I wholeheartedly commit to making customer service improvements a top priority. If confirmed, I plan to comprehensively review the agency's customer service plans, assess how we can improve them, and then move quickly to implement those improvements and measure their success.

As both a mayor and as a governor, I developed a discipline for harnessing data and information technology in ways that got the best out of large, siloed organizations of people that many – inside and outside of government – thought too unwieldy, too slow, or too steeped in excuses to change. One of the ways I've learned to do this is by bringing people together in a regular cadence to review the data and measure performance – creating both accountability and collaboration. If confirmed, I look forward to applying these strategies, and others, toward improving SSA's customer service.

- 2. SSA relies on their information technology (IT) infrastructure to provide individuals their benefits and as you said in your hearing, "keep the trains running on time".**

How will you determine what IT changes need to be implemented at SSA and ensure that any technology modernizations will be effective and not interfere with individuals receiving their benefits?

First and foremost, I believe that it is critical upfront – from the very beginning of the technology modernization or design process – to center two groups of people: the customers, and the frontline workers who will be directly using the system. There is no use designing a system that doesn't effectively serve customers the way they want to be served, or that produces inefficiencies and impedes frontline workers from doing their

jobs effectively. Not only should any changes “not interfere” with individuals receiving their benefits, as you said, but the changes should actually *improve* individuals’ ability to receive prompt, accurate, and responsive service from SSA.

- 3. If you are confirmed for this position, you will be at the front lines of all aspects of Social Security, including solvency. In your testimony, you mentioned that your job includes providing Congress data, evidence, and information for legislative solutions to be developed.**

What concrete steps will you take to ensure members of Congress receive both accurate and comprehensive metrics in a timely fashion?

As you noted, I have pledged that – if confirmed – I will ensure that you and your colleagues in Congress receive the best information possible to facilitate your policy decisions and deliberations on Social Security. While I do not know at this time what specific steps will be needed, I look forward to working with you and your colleagues on this. I hope that by providing timely and accurate information, we can protect a spirit of trust, civility, and honesty in these discussions.

In addition, I have long been a strong believer in timely, accurate data *shared by all*. I’ve found in my past experience that a focus on data for all, combined with regular accountability and collaboration, helps to create a winnable game for employees and improve performance across the board, even – especially – in large agencies.

- 4. The telework policy at SSA has been at the forefront of many conversations surrounding staffing at the administration and how it functions on the whole.**

Please provide specific data you will use when evaluating SSA’s telework policy and in determining how and when employees should return to work.

I believe strongly that if someone wants a face-to-face meeting with a Social Security employee to claim their benefits or for any other reason, they should be able to get one. In my view, that must be the key test of the agency’s telework policies. In addition to that key metric, SSA’s telework policies must also support its recruitment and retention needs, because adequate staffing is key to the ability to improve customer service.

Senator Lankford

- 1. I have previously raised the distinction between Administrative Law Judges (ALJs) and Administrative Appeals Judges (AAJs) in the appeals process and the increasing backlog at the Social Security Administration (SSA). Stakeholders have raised structural and due process concerns, particularly that AAJs are not bound to follow APA procedures and do not have the same job protections designed to encourage independent decision making.**

What is your viewpoint on the use of administrative law judges (ALJs) versus Administrative Appeal Judges (AAJs)?

I am not yet familiar with the particulars of these two roles, but if confirmed, I look forward to learning more about them from experts at SSA and beyond. I can tell you that it is my strong belief that the public deserves the highest level of customer service from their government, including the appropriate due process rights and an appropriate structure for deciding disability claims. If confirmed, I will review the disability adjudication process from start to finish, and will work with agency experts and other stakeholders to explore options for improving the entire process, including the appropriate roles of ALJs and AAJs.

From your perspective, what oversight or process reform is needed to root out ALJs that have a high over-turn rate on appeals or denials? Additionally, how will you appropriately work with the Office of Inspector General on such matters?

As noted above, I have committed to review the disability adjudication process from start to finish, and to work with agency experts and other stakeholders to explore options for improving the entire process. I plan to use data and metrics in this review in order to identify anomalies and hold individuals accountable for their performance.

If confirmed, I also look forward to learning more about SSA's existing partnership with the Office of Inspector General, and examining how it can be strengthened. My intent is to partner closely with the OIG in service of improving SSA's effectiveness and stewardship of the trust funds.

Senator Scott

- 1. I would like to discuss the Social Security Administration's (SAA) work to prevent synthetic identity fraud. Criminals create a synthetic identity by combining social security numbers (SSNs), names and birthdates of multiple people or by combining real information about a single person with fabricated information. A criminal uses this identity to apply for credit and eventually will be successful, building a credit profile over time, and finally, obtaining a large amount of credit, with no intent to repay ruining credit scores and lives. A frequent target of this fraud is children, as most parents are not checking their child's credit reports and the child's SSN is rarely used. This fraud is reported to be the fastest growing type of financial crime. Synthetic identity fraud is more prevalent in the U.S. than in other countries due in part to a strong reliance on SSNs as identifiers. Therefore, SSA holds the key to stopping this fraud. SSA's Electronic Consent Based SSN Verification ("eCBSV") system is aimed to do just that. It provides financial institutions, and their service providers, the ability to get a real time response as to whether the name, SSN, and date of birth submitted to the financial institution match SSA's records. If there is no match, that is an indication that it may be a case of synthetic identity fraud. However, sometimes the no match is due to a simple typo or the use of a nickname**

instead of a legal name. *Under your leadership, is SSA committed to continuing eCBSV and working with the financial services industry (and other industries) to improve the system to be more effective and efficient?*

Yes. I am a strong believer in working collaboratively with stakeholders. If confirmed, I look forward to learning more about eCBSV and working collaboratively with stakeholders across industry and Congress to make sure the system is working effectively and efficiently.

- 2. There are estimates that 1 million children every year are victims of identity fraud, and another estimate that ten percent of all people under the age of 18 have been victims of identity fraud. Congress's directive to SSA to create a real-time synthetic identity fraud prevention platform (eCBSV) and using this platform protects consumers and saves millions of dollars. One bank estimates that use of the eCBSV saved over \$110 million in credit card and deposit account fraud in 2022 alone. *With this Congressional mandate and as the issuer of SSNs, do you agree that part of SSA's mission is preventing synthetic identity fraud through the operation of eCBSV?***

SSA's mission is providing Social Security and Supplemental Security Income benefits to millions of Americans, as well as faithfully executing other responsibilities in the law. If confirmed, I am committed to carrying out that mission, including operating the eCBSV program.

- 3. SSA's eCBSV system is working as Congress intended, with 1 bank reporting that it saved \$70 million in fraud prevention in the first year of using the system. Congress dictated that SSA's costs to build and operate the eCBSV system be fully recovered from the users of the system. That law did not mandate the period of time to recover funds, although it is acknowledged that Appropriations law does require the agency to recover funds within 6 years of expenditure. Unfortunately, SSA has decided to accelerate the time frame to recover the costs. To do that, SSA has substantially increased the fees for using the system, with some users being asked to pay more than 22 times what they originally paid, for the exact same system. There are serious concerns that unless SSA makes substantial adjustments to the cost recovery plan, current and future users will be deterred from using this system. *Will you commit to working with the current and future users of the system as well as Congress on extending the time frame for cost recovery to ensure eCBSV is effective as possible?***

If confirmed, I plan to review the current eCBSV operations and policies, and assess whether changes are needed. I look forward to working with current and future users of the system as well as with Congress as I do so. I am a strong believer in working collaboratively with stakeholders, and I expect that the feedback will be useful in assessing eCBSV to make sure it is working as effectively as possible.

Senator Thune

- 1. SSA Customer Service Backlog: I have heard from hundreds of constituents about their frustrations with long wait times and unanswered calls to SSA's customer service phone line. Even SSA's own workplan states that the speed of answering calls is estimated to increase this year to 35 minutes and the busy rate will increase to 15 percent. SSA has stated that "providing quality service to the public is critical to our mission" yet customers continue to experience long wait times and delays in getting the help they need with their benefits.**

Governor O'Malley, if you are confirmed, how will you work to address these long wait times and delays the public is experiencing? Can you commit to reducing call wait times and reducing the busy rate?

I share your concerns. As I said in my testimony, SSA faces a customer service crisis. The current wait times, backlogs, and delays are simply unacceptable, and we must do better. It is my strong belief that the public deserves the highest level of customer service from their government. We owe it to every American to improve the level of customer service at Social Security so people can get answers to their questions and get their benefit applications decided in a timely manner.

I believe I was nominated for this position because I have the leadership skills, the management skills, and the experience needed at this moment to lead SSA forward. I wholeheartedly commit to making customer service improvements my top priority, starting with improving phone service and reducing disability delays. If confirmed, I plan to comprehensively review the agency's customer service plans, assess how we can improve them, and then move quickly to implement those improvements and measure their success.

- 2. SSA In-person offices: While I understand a number of Social Security services can be accessed online, there are still services that are not available online, where a person must visit an office in-person. Earlier this year, a constituent reached out to my office because their closest Social Security office in Pierre, South Dakota was not offering in-person services, even though they had a person on staff. This office has not offered in-person services since March 2020. When I inquired with Social Security, they informed me that even with the end of the public health emergency, they still did not offer in-person services at this location. As you know, South Dakota is a very rural state so when this office is closed, individuals have to drive hours to the nearest location.**

Governor O'Malley, if you are confirmed, what will you do to ensure there is adequate staffing at Social Security offices? Can you commit to offering in-person services at offices, like the one in Pierre?

I believe strongly that if someone wants a face-to-face meeting with a Social Security employee to claim their benefits or for any other reason, they should be able to get one.

If confirmed, I look forward to learning more about the specific situation in Pierre and working with you to find a path forward to serve your constituents.

- 3. SSA overpayments: Social Security’s most recent reports estimate that SSA made \$13.6 billion in improper payments in FY 2022. According to OIG, improper payments are occurring for a number of reasons, but often it is due to a reliance on manual processes and insufficient or incorrect data. Improper payments have a detrimental impact on the fiscal stability of the program and on beneficiaries who may owe back payments or have been underpaid. The OIG has made hundreds of recommendations to address improper payments but of 299 recommendations made in the past five years, there are 76 outstanding recommendations.**

Governor O’Malley, if confirmed, how will you address the issue of improper payments?

If confirmed, I look forward to learning more about how SSA prevents and addresses improper payments, and about the status of the outstanding OIG recommendations. I am committed to improving SSA’s operations by focusing on frequent, in-depth, operational reviews of what’s working and what’s not, and by listening to the frontline employees who are doing the work.

As both a mayor and as a governor, I developed a discipline for harnessing data and information technology in ways that got the best out of large, siloed organizations of people that many – inside and outside of government – thought too unwieldy, too slow, or too steeped in excuses to change. If confirmed, I look forward to implementing similar changes at SSA in ways that I hope and expect would help reduce improper payments.

- 4. UI and SSDI duplicate payments: In past presidential budget requests, administrations of both parties have requested that Congress address the issue of overlapping payments of unemployment insurance and SSDI.**

Governor O’Malley, is this a problem that you are aware of and, if so, do you have a sense as to how common these instances of duplicative payments are?

I am aware of this issue. [According to the Congressional Research Service](#), SSA “estimates that for each month in 2015, an average of about 0.34% of disabled-worker beneficiaries” received both SSDI and UI (approximately 30,000 people). If confirmed, I stand ready to work with you and your colleagues on this issue and provide any data and information requested.

Senator Young

- 1. One of the issues my team continues to hear from constituents on is the time it takes for the SSA to approve individuals to receive SSDI benefits. It often takes months**

for individuals to hear back from the agency initially, and many times it is only for them to be denied. Then, once someone is finally approved to receive SSDI, it also takes the payment centers additional time (often months) to determine the level of monthly benefit the individual should receive.

As an example, one of my constituents from Greensburg, Indiana was favorably awarded SSDI in January and they are still awaiting benefits nearly ten months later.

a) If confirmed, how would you aim to address this issue and help ensure SSDI recipients are approved and receive their benefits in a timely fashion?

I share your concerns. As I said in my testimony, SSA faces a customer service crisis. The current wait times, backlogs, and delays are simply unacceptable, and we must do better. It is my strong belief that the public deserves the highest level of customer service from their government. We owe it to every American to improve the level of customer service at Social Security so people can get answers to their questions and get their benefit applications decided in a timely manner.

I believe I was nominated for this position because I have the leadership skills, the management skills, and the experience needed at this moment to lead SSA forward. I wholeheartedly commit to making customer service improvements my top priority, starting with reducing disability delays and improving phone service. If confirmed, I plan to review the disability adjudication process from start to finish, and will work with agency experts and other stakeholders to explore options for improving the entire process.

b) Will you commit to working with my office to resolve cases, such as the one I've noted above, in a timely fashion?

Yes. If confirmed, I look forward to working with your office to ensure cases such as this one are resolved in a timely fashion.

2. **During your nominations hearing you noted that “the main test for if we have staffing right in the field offices is whether people who want face-to-face meetings can get them.”**

The day after your nominations hearing, my office was contacted by a constituent from Elkhart, Indiana that visited the SSA field office looking for help enrolling and managing her Medicare Part A benefits. She was advised to make an online appointment, but requested the opportunity to work with a representative in person. The clerk told her that she was unable to schedule an in-person appointment. Furthermore, the clerk was unable to set up an appointment via the phone before the end of the year and the 2024 schedule apparently isn't available at this time. This is of particular concern given the limited time an individual has to enroll. Whether it be as a result of workforce shortages, insufficient telework

policies, or a combination of both, constituents in my state that want face to face meetings currently cannot get them.

If confirmed, how will you ensure that people who want face-to-face meetings are able to schedule those appointments in a timely manner?

It is my strong belief that the public deserves the highest level of customer service from their government – and that is clearly not what your constituent received. We owe it to every American to improve the level of customer service at Social Security so people can conduct their business and get in-person appointments in a timely manner. If confirmed, I will examine in detail what the problems are, how we got to this point, and will develop a comprehensive plan to improve customer service, including the ability to schedule face-to-face appointments in a timely manner.

- 3. A 2022 Office of the Inspector General report noted that in fiscal year 2021, the agency reported \$21.6 billion in unrecovered overpayments.¹ This includes individuals who were incorrectly granted excess survivor benefits as minors. These overpayments are then not realized until the individuals are able to withdrawal from their Social Security benefits, often decades later.**

As an example, one of my constituents from Fishers, Indiana received survivor benefits upon his mother’s death in 1980. The agency continued to send benefits to this individual’s father on his behalf for five months after he turned 18. Forty-three years later, he now owes the agency over \$2,000 as a result of those overpayments. This individual’s only income is SSDI, and he is now struggling to pay the agency back. My office often hears stories like this, where retired individuals struggling to make ends meet are hit with exorbitant back payments *decades* after the initial benefits were incorrectly received.

If confirmed, how will you ensure that the agency is correctly distributing benefits and avoiding a large backlog of overpayments?

I have seen similar reports about beneficiaries experiencing overpayments and the hardships they experience as a result, and I share your concerns. If confirmed, I plan to look into this and see what we can do to better protect beneficiaries, in addition to protecting the Social Security trust funds. As you noted, by improving the agency’s accuracy and service, some overpayments may be preventable – which would be a win both for beneficiaries and for the agency. I look forward to working with the Office of the Inspector General and others on these important improvements.

- 4. On October 30, the Biden Administration released an Executive Order (EO) titled the “Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence”. Most notably, the EO directs the Office of Management and Budget to provide recommendations to agencies to streamline artificial intelligence (AI) acquisitions, provide guidance on appropriate internal uses of AI, and “plan a national surge in**

¹ <https://oig.ssa.gov/assets/uploads/a-02-21-51120.pdf>

AI talent in government.” As a major purchaser of AI technology, the federal government has the opportunity to shape industry-wide adoption of safe AI systems.

a) What are your views on AI?

I am not an expert on the rapidly evolving AI field, but I look forward to learning more from experts at SSA and beyond. On this and other technology issues, it is critical that we make sure that we have the best people not only from within SSA, but also from across the federal government – such as from partnering with the U.S. Digital Service – and beyond.

b) If confirmed, how will you approach decisions related to the implementation of AI technology?

As I said, I am not an expert in AI, but I look forward to learning from those who are. As an operational leader, I recognize that I don’t need to have all of the answers; if I can ask the right questions of the right people, we can move forward together. I have said before that my top priority and my North Star at SSA, if I am confirmed, will be improving customer service; that goal will guide my decisions.

- 5. In your testimony, you noted that one of your primary focuses will be improving customer service at the SSA and that the agency “needs to be open to the private sector and the things they’re already doing that we can learn from.” You also highlighted that you “will need to do a rapid assessment of systems, the alignment of those systems” and in doing so, the customer will be in the forefront of your mind.**

Today the SSA utilizes multiple credential service providers to verify user's identities when opening a my Social Security account. These providers are responsible for providing both the user with a pathway to securely prove their identity and the SSA with the assurance that the owner of the account is legitimate. Therefore, understanding the security and efficacy of their support of SSA’s services at log-in is essential.

a) If confirmed, will you provide an assessment of the performance of these providers at the SSA and provide specific data on consumer experience and fraud mitigation, with relevant recommendations to the Committee?

Yes, I will provide the Committee with data and information on these topics following my reviews. I am not an expert on the rapidly evolving digital identity field, but I look forward to learning more from SSA and other relevant experts, and then assessing whether SSA’s digital identity providers are meeting the needs of the agency and the public.

b) Will you commit to making data-driven decisions about SSA’s customer-facing systems, provide choice to users, and ensure that those options are as user-friendly and secure as possible?

Yes, I will gladly commit to this. I have decades of experience in harnessing data to make data-driven decisions at large agencies, and I look forward to doing the same at SSA, if I am confirmed. Regarding technology, it is my strong belief that technology systems must be designed with two groups of people front and center from the very start: the customers, and the frontline employees who will be using the system.