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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510–6200

August 6, 2024

The Honorable Martin O'Malley
Commissioner
Social Security Administration
6401 Security Blvd.
Baltimore, Maryland 21235

Dear Commissioner O'Malley:

We write to request information about the Social Security Administration's (SSA) use of artificial intelligence (AI) systems. The SSA is entrusted with ensuring accurate and timely payment of more than $1 trillion in Social Security benefits and Supplemental Security Income (SSI) payments to millions of seniors, individuals with disabilities, and their families each year. In light of the agency's important mission, we are requesting information about the steps SSA is taking to ensure that its AI systems are being deployed responsibly, especially in contexts involving decisions about benefit eligibility and payment amounts.

AI refers to many types of machine-based systems, from simple rules-based programs (commonly referred to as "expert systems") to predictive algorithms trained on large datasets, to generative AI systems powered by large language models. For over 20 years, SSA has explored and deployed AI systems to streamline functions like claims processing and ensure consistent policy implementation.[1] Today, SSA employs over a dozen AI systems to help with important tasks such as reviewing medical evidence in disability claims, expediting disability claims that are likely to be awarded benefits, identifying cases with possible fraud or abuse instances, flagging cases with highest expected overpayment for additional human review, and extracting handwritten data into machine-readable formats, among other uses.[2] Building off use cases in the private sector and across government, SSA may consider building systems to deliver better customer service through AI-enabled chatbots, provide SSA employees a better interface through which to understand and apply program rules, and develop more readable and accessible customer notices.

We also recognize the agency's recent efforts to gather external input on its use of AI.[3] Whether incorporating newer technology like generative AI to improve customer experience and increase

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[1] Leary, Ed. "Expert Systems at the Social Security Administration." Journal of Policy Analysis and Management 8, no. 2 (1989): 200–203. https://doi.org/10.2307/3323378.

[2] Social Security Administration AI Inventory, https://www.ssa.gov/data/SSA-AI-Inv.csv.
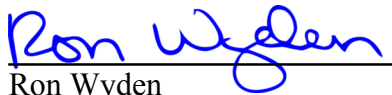
efficiency or leveraging predictive AI to provide decision support in the disability determination process, it's critical that SSA meaningfully engage stakeholders, including its customers and employees, throughout the process of deploying new technology.

Notwithstanding its capabilities, AI is not a panacea for all challenges facing SSA. Without the proper structure and guidelines for the procurement, deployment, and monitoring of AI systems, SSA's use of AI could reduce the effectiveness of its benefit administration processes, exacerbate improper payments, and jeopardize beneficiaries' financial security. To mitigate the risks associated with deploying AI across its programs, SSA must have strong governance frameworks in place that, among other important aspects, clarify the role of human discretion.

As the Senate committee with jurisdiction over the Social Security and SSI programs, we have a responsibility to ensure SSA pays the right benefit amount to the right person at the right time, provides the public with the level of customer service they expect, and is a responsible steward of taxpayer dollars, including overseeing SSA's development and adoption of emerging technology like AI. To further our understanding of how SSA uses AI systems, we request that you respond to the attached questions in writing by September 3, 2024.

Thank you for your attention to this important matter. If you have any questions, please contact Sam Conchuratt and Lara Rosner with the Senate Finance Committee at (202) 224-4515.

Sincerely,

Ron Wyden
United States Senator
Chairman, Committee on
Finance

Michael D. Crapo
United States Senator
Ranking Member, Committee
on Finance

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[3] How Artificial Intelligence May Affect the Landscape of Social Security - Part 1, April 17, 2024, https://www.ssa.gov/ndf/documents/24-478%20NDF%20-%20How%20Artificial%20Intelligence%20May%20Affect%20the%20Landscape%20of%20Social%20Security%20%E2%80%93%20Part%201.pdf; How Artificial Intelligence May Affect the Landscape of Social Security - Part 2, May 15, 2024, https://www.ssa.gov/ndf/media/24-597_NDF%20-%20How%20Artificial%20Intelligence%20May%20Affect%20the%20Landscape%20of%20Social%20Security%20%E2%80%93%20Part%202.mp4.

AI Governance Across SSA

1. When developing AI systems, how does SSA comply with existing guidance around responsible AI use, including but not limited to:
    a. Office of Management and Budget M-24-10 on "Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence."
    b. The National Institute of Standards and Technology's AI Risk Management Framework. In particular, has SSA established an internal AI risk management framework?
2. With respect to procurement, how does SSA comply with existing guidance such as M-24-10? To the extent that SSA procures AI systems, does it require vendors to provide documentation to assess the AI's capabilities or guidelines on appropriate use?
3. In order for SSA to deploy AI systems to advance its mission, the agency must find, hire, and retain qualified personnel.
    a. Leaders from across the federal government have acknowledged the need for hiring AI talent.[4] What AI or AI-enabling positions, as defined in M-24-10, has SSA created and have they been filled?
    b. How is SSA leveraging cross-functional product teams that include technical and non-technical employees to build and implement AI systems that maximize user needs and achieve technical and policy objectives?

AI in the Disability Determination and Appeals Processes

4. SSA is actively employing AI systems in the disability determination process to "improve the efficiency and consistency of disability determinations and decisions." Moreover, SSA is using AI systems in the appeals process to "help maximize the quality, speed, and consistency" of adjudicators' decision-making. Please list the AI systems most heavily engaged in decision support for disability determinations or appeals, including IMAGEN and Insight, and, for each system, answer the following questions.
    a. On what metrics is SSA evaluating the success of the system?
    b. In what scenario(s) would SSA cease the use of the system?
    c. What stakeholders, especially those who represent beneficiaries and employees, were consulted pre- and post-deployment of the system?
    d. What policy guidance does SSA provide to employees on responsible use of the system?
    e. What is the output of the system that is shown to a human reviewer? If the system offers a recommendation, what additional actions, if any, are required if human reviewers disagree with or deviate from the system's output?

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[4]AI and Tech Talent Task Force: Increasing AI Capacity Across Government, April 2024, https://ai.gov/wp-content/uploads/2024/04/AI-Talent-Surge-Progress-Report.pdf.

  f. What approaches has SSA used to empirically measure the impact of the system on human decision-making?

AI in Program Integrity

5. Please list and provide a detailed description of the AI systems SSA most heavily uses to promote program integrity, including preventing improper payments, collecting overpayments, transmitting underpayments, and detecting fraud. If the systems are Commercial Off-the-Shelf (COTS), please list the vendors from which the systems were procured and provide the Committee with the terms of the contract agreement.