

United States Senate

WASHINGTON, DC 20510

December 8, 2021

VIA ELECTRONIC TRANSMISSION

Dr. Kilolo Kijakazi
Acting Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore MD, 21207

Re: The Social Security Administration's Plan to Immediately Reopen its Field Offices to the Public

Dear Acting Commissioner Kijakazi:

Social Security is a bedrock of our nation's social safety net, especially for our nation's seniors aged 62 or older who comprise more than four-fifths of all Social Security beneficiaries.¹ In 2019, 43 million individuals received services from 1,230 SSA field offices.² On March 17, 2020, the Social Security Administration (SSA) suspended in-person services because of the COVID-19 pandemic.³ This suspension created a disruption to the millions of new applicants and beneficiaries receiving Social Security benefits. As members of the Senate Special Committee on Aging and the Committee on Finance, we urge SSA to reopen its field offices as expeditiously as possible.

SSA has slowly moved to limited, in-person appointments and now allows for an Express Interview option for certain beneficiaries. However, these steps do not fully address the needs of individuals who require additional time to speak with an SSA employee. This is a challenge for many individuals, especially seniors in rural areas, who do not have reliable telephone or internet access. Of additional concern is the impact the closed field offices have on individuals who qualify for benefits but are discouraged from applying for them. Supplemental Security Income awards are down, as are disability benefit approvals, likely also a reflection of SSA's lack of reopening plans.

We are also troubled about SSA's lack of proper mail controls policies. A July 2021 interim report issued by the SSA Office of the Inspector General (OIG) identified two key concerns regarding its

¹ Office of Retirement and Disability Policy. (2021) *Fast Facts & Figures About Social Security 2021*. Social Security Administration, Research, Statistics, & Policy Analysis. https://www.ssa.gov/policy/docs/chartbooks/fast_facts/2021/fast_facts21.html#contributions Accessed November 15, 2021.

² Miller, Mark. "Social Security Is Rethinking How it Runs Customer Service After COVID." *The New York Times*, May 28, 2021. Section BU, Page 5. <https://www.nytimes.com/2021/05/28/business/retirement-social-security-covid.html> Accessed November 15, 2021.

³ Social Security Administration. (2021) *Organizational Structure of the Social Security Administration*. <https://www.ssa.gov/org/> Accessed November 15, 2021.

policies and oversight of its mail controls.⁴ The first concern is that SSA does not have performance metrics in place nor does it maintain information on the volume of incoming, outgoing or pending mail. This lack of operational data results in an inability to have proper staffing levels to ensure mail received is processed in a timely manner. For example, one office identified by the OIG had more than 9,000 unprocessed original documents it had received as early as November 2020. These included documents that were necessary to establish individuals' eligibility for benefit payments.

Another situation raised by the OIG is that SSA lacks comprehensive policies and procedures to track and return original documents, including driver's licenses, birth certificates and passports. The SSA requires these documents to determine a person's eligibility for benefits or to receive a Social Security card. A lack of comprehensive policies and procedures increases the possibility of losing important and personally identifiable documents and of SSA being unable to return the documents to their rightful owner. This also raises serious privacy and identify theft concerns.

These failures reinforce the necessity for a prompt return to in-person services as quickly as possible. A press report stated SSA submitted its reentry plan to OMB on July 26, 2021.⁵ A more recent press report indicated that SSA cited a "new reentry plan" that would begin returning employees to offices in January.⁶ We are concerned the agency has not yet released its final reentry plan publicly, and that this plan first appeared in the press and was only provided to SSA union representatives before being shared with Congressional stakeholders. Reopening the field offices should be a top priority in light of President Biden's executive order requiring federal workers and contractors to receive a COVID-19 vaccine, the availability of three Food and Drug Administration-approved vaccines, and SSA's mandate that all employees be fully vaccinated by November 22.

In light of these issues and SSA's delay in announcing its plans to the public and Congress to reopen its field offices, we request an un-redacted copy of the current SSA reentry plan. We further request a response in writing to the following questions no later than December 10, 2021:

1. Did SSA submit its reentry plan to OMB on July 26, 2021?
2. Did this plan include policies for a return to in-office work for all SSA employees? If not, when does SSA expect the workforce to return to 100 percent in-office work on a full-time basis?
3. Has SSA leadership met with the American Federation of Government Employees regarding its reentry plan?
4. What roles has the American Federation of Government Employees played in SSA's return-to-work policy?

⁴ Office of the Inspector General Social Security Administration. (2021) *Interim Report: The Social Security Administration's Processing of Mail and Enumeration Services During the COVID-19 Pandemic*. A-08-21-51036 & A-15-21-51015. <https://oig-files.ssa.gov/audits/full/A-08-21-51036InterimReport.pdf> Accessed November 15, 2021.

⁵ Alms, Natalie. "Unions press SSA leaders for a new contract, workplace safety plans." FCW (Federal Computer Weekly). August 03, 2021. <https://fcw.com/articles/2021/08/03/ssa-unions-reentry-contract.aspx?m=1> Accessed November 15, 2021.

⁶ Ogrysko, Nicole. "SSA eyes January date for reopening offices, new employee telework schedules." FNN (Federal News Network). November 8, 2021. <https://federalnewsnetwork.com/workforce/2021/11/ssa-employees-will-begin-new-telework-schedules-reopen-offices-in-early-january/>.

5. Describe all areas of any SSA return-to-work policies that SSA believes it is required to collectively bargain, and identify whether the bargaining has concluded or, if not, the timeline for completion.
6. In light of the OIG interim report regarding SSA's deficits in its mail processing, what concrete steps is leadership taking to ensure the two key areas of concern are addressed in a timely manner?
7. If SSA has not developed this information, what is the timeline for it to address the OIG's concerns?
8. What steps is SSA taking to protect the original documents received from individuals applying for benefits?
9. What safeguards are in place to address concerns about lost items given the personally identifiable nature of those documents?
10. Does SSA plan to return to 100 percent of its pre-COVID-19 staffing levels? If so, what is the timeline for doing so? If not, what is its justification for failing to do so?
11. What is the current level of compliance among SSA employees regarding President Biden's COVID-19 vaccination mandate? What is the agency's plan for dealing with employees who refuse to get the vaccine and fail to present legitimate cause to refuse the vaccine?

We request the transmission of this information to Nichole Wilson of Senate Aging Committee staff at nichole_wilson@aging.senate.gov, and to Lincoln Foran of Senate Finance Committee staff at lincoln_foran@finance.senate.gov, by December 10, 2021. On behalf of the nearly 70 million Americans who receive benefits from SSA, we reiterate the need to reopen the field offices as quickly as possible. Our nation's seniors and beneficiaries of SSA programs deserve no less. We thank you for your prompt attention to these important questions.

Sincerely,



Tim Scott
Ranking Member
Senate Special Committee on Aging



Mike Crapo
Ranking Member
Senate Finance Committee



John Barrasso
United States Senator



Mike Braun
United States Senator



Richard Burr
United States Senator



Bill Cassidy, M.D.
United States Senator



Susan M. Collins
United States Senator



Chuck Grassley
United States Senator



James Lankford
United States Senator



Rob Portman
United States Senator



Marco Rubio
United States Senator



Rick Scott
United States Senator



John Thune
United States Senator



Pat Toomey
United States Senator

A handwritten signature in blue ink, appearing to read "Young".

Todd Young
United States Senator