



## SOCIAL SECURITY

Refer to:  
S9H: SSA-2023-006057

March 21, 2023

Todd Feathers  
MuckRock News  
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263 Huntington Avenue  
Boston, MA 02115  
[142855-91157544@requests.muckrock.com](mailto:142855-91157544@requests.muckrock.com)

Dear Todd Feathers:

I am responding to your request for a fee waiver concerning your March 14, 2023 Freedom of Information Act (FOIA) request to the Social Security Administration (SSA) for the following records regarding algorithmic tools used by SSA since January 1, 2018 to guide decision making for the administration of Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefits:

1. Executive summaries, project overviews, or comparable records that describe the scope and purpose of the algorithmic tool;
2. Contracts, statements of work, successful request for proposal submissions and bid packets, or comparable records that describe the purchase and/or construction of the algorithmic tool;
3. User handbooks, guides, training manuals, agency policies, or comparable records that describe the tool's functions and its appropriate uses.

You added that for the purposes of your FOIA request, “the term algorithmic tools refers to computer software or code that employs machine learning techniques. It does not apply to other types of algorithms, such as Excel formulas” and that your FOIA request “applies to all algorithmic tools developed in-house by [SSA], purchased for use by [SSA], or otherwise used by [SSA].” Lastly, you added that “[s]uch algorithmic tools include, but are not limited to, models for”:

- Fraud detection;
- Rate setting;
- Benefit use prediction (e.g., models that predict for how long individuals will require benefits or what the total cost will be);
- Enrollment prediction (e.g., models that predict enrollment rates among the larger population);
- Case management (e.g., models that group similar cases together or determine caseloads for adjudicators);

- Investigations (e.g., models that prioritize complaints for investigation or flag claims for additional review);
- Advertising/outreach prioritization (e.g. models used to decide where or to which groups to advertise).

I reviewed your request for a fee waiver and I have decided not to waive or reduce the fee. We may waive or reduce the fee under our regulation at 20 C.F.R. § 402.185(b) if we find that waiver is in the public interest. We make this determination if we find that disclosure of the information meets both tests below:

- it is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government, and
- it is not primarily in the requester's commercial interest.

Our regulation (20 C.F.R. § 402.185(b)) lists factors we consider in analyzing whether disclosure is in the public interest. These factors include:

- how the records pertain to the Federal government's operations or activities,
- whether disclosure would reveal any meaningful information about government operations or activities not already known to the public,
- whether the disclosure will advance the general public's understanding as distinguished from a narrow segment of interested persons, and
- whether the contribution to public understanding would be significant.

Your fee waiver request fails to explain with reasonable specificity how the disclosure of the information you requested will meet the above factors, and I have not otherwise found that release of the records requested would meet the abovementioned factors. Accordingly, applying the standards listed above, I cannot waive the fee. We will send further correspondence when we determine what fees, if any, apply to your request.

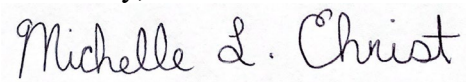
If you have questions or would like further assistance with your request, you may contact our FOIA Public Liaison by email at [FOIA.Public.Liaison@ssa.gov](mailto:FOIA.Public.Liaison@ssa.gov); by phone at 410-965-1727, by choosing Option 2; or facsimile at 410-966-0869.

You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration for dispute resolution services. OGIS is an entity outside of SSA that offers mediation services to resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, MD 20740-6001; email at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll-free at 1-877-684-6448; or facsimile at 202-741-5769.

If you disagree with this decision, you may file a written appeal with the Executive Director for the Office of Privacy and Disclosure, Social Security Administration, G-401 WHR, 6401 Security Boulevard, Baltimore, MD 21235. Your appeal must be postmarked or electronically transmitted to [FOIA.Public.Liaison@ssa.gov](mailto:FOIA.Public.Liaison@ssa.gov) within 90 days of the date of our response to your initial request.

Please mark the envelope or subject line with “Freedom of Information Appeal.”

Sincerely,

A handwritten signature in black ink that reads "Michelle L. Christ". The signature is written in a cursive style and is placed on a light gray rectangular background.

Michelle L. Christ  
Acting Freedom of Information Officer