SOCIAL SECURITY ADMINISTRATION

OCCUPATIONAL INFORMATION DEVELOPMENT ADVISORY PANEL

QUARTERLY MEETING

JANUARY 22, 2010
HILTON DALLAS LINCOLN CENTER
DALLAS, TEXAS

DR. MARY BARROS-BAILEY
CHAIR

PANEL MEMBERS

Gunnar B.J. Andersson, M.D., Ph.D.

Mary Barros-Bailey, Ph.D. – Chair

Robert T. Fraser, Ph.D.

Shanan Gwaltney Gibson, Ph.D.

Thomas A. Hardy, J.D.

Allan Hunt, Ph.D.

Sylvia E. Karman, Project Director

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Abigail Panter, Ph.D.

David J. Schretlen, Ph.D.

Nancy G. Shor, J.D.

Mark A. Wilson, Ph.D.

P R O C E E D I N G S

(8:36 a.m.)

MS. TIDWELL-PETERS: My name is Debra Tidwell-Peters, and I'm the Designated Federal Officer for the Occupational Information Development Advisory Panel. This is the panel's first meeting of FY 2010, and I will now turn the meeting over to Dr. Mary Barros-Bailey, the panel chair. Mary?

DR. BARROS-BAILEY: Good morning, everybody. Welcome back. Thank you for all the work that transpired this week. We are in our last day of meetings. And we are having a little bit of a change in our agenda for this morning. Just to go over what we will be doing, we will be having the first half hour. Yesterday we had the panel in terms of the external users to SSA. This morning we will have the opportunity to have a work group stakeholder panel. And so we will be hearing from three individuals within the work group, and I'll introduce those individuals in a moment when we get started.

And then we will go from there to the report of the User Needs and Relations Subcommittee by Nancy Shor and then from there to the report by the Research Subcommittee chair, Sylvia Karman. We'll go to a break, and then we will go into the administrative meeting from that point on.

I want to acknowledge that we have a panel member who is

not present with us around the table but is available to us telephonically.

Abigail? Is she there? Okay. But we might be hearing a voice from above

every once in awhile as we go through this process. Also want to

acknowledge and welcome members of the audience, both here face to face

and also on the telephone. And for those on the telephone who would like to

follow along with today's agenda, understanding that it's going to be

slightly amended this morning, you could go to our website,

www.ssa.gov/oidap, and follow along.

Just to kind of reiterate the mission that I start every meeting

with. The panel is chartered to provide advice and recommendations to the

Social Security Administration for the development of an occupational

information system to replace the Dictionary of Occupational Titles in the

disability determination process. I'd like to go ahead and welcome the three

panel members from the work group stakeholder panel. First we have

Mr. John Owen. He is the deputy division director from the DDS operation

support. Then we have Jeff Kirkwood. He is the administrative appeals

judge with the Appeals Council. And we have Tom Johns -- we are here at

his home in Dallas this time instead of him following us everywhere else --

with DQP, branch chief, Dallas Office of Quality Performance. Welcome

all three.

Similar to what we did yesterday, I'd like to open it up to

both panels, the work group panel and also the OIDAP in terms of

questions or clarifications of our work. So, go ahead and open it up.

MR. OWEN: Thank you and good morning. The work group came up with some questions as we were going through the process of listening the last couple of days, so not all the questions we're going to read are our own questions. So if you have questions about clarification, you'll have to give us a moment.

But we do continue to hear and see questions coming up regarding why the panel does not just use O*NET or the DOT in update, one of those tools that are available. These come from both the members on the panel but also from new members in the work group and in comments from the general public. For the benefit of those new individuals and for the public record, we'd like to ask for a brief explanation of why that specifically is not a solution being further pursued by the panel. And I'm not sure, Mary, who wants to answer that question, but leave that for the panel to decide.

DR. BARROS-BAILEY: Anybody want to take that up? Mark? So designated.

DR. WILSON: If there's some way I've caused problems for you, Mary, that I can get you to quit calling on me for all these difficult questions, please let me know.

Well, I think there are a couple different ways to answer that question. Probably the simplest one now would be that in the

case of both the Dictionary of Occupational Titles and O*NET, there have been scientific panels convened that have looked at these instruments and expressed significant and numerous scientific methodological objections to the work analysis system. Doesn't mean that they still couldn't be used, but one of the issues that was foremost in my mind in making recommendations as part of the Work Taxonomy Committee was defensibility of the system. If there was one thing I learned, whatever work analysis system is developed and implemented is going to be challenged. And so it needs to really meet a very high level of professional and legal scrutiny.

And the work of the panel as a whole and the work taxonomy group has been out there right now. And while there have been comments and questions, and I've actually spoken to some members of the NAS panel about some of our work, no one's expressed concerns about the methodology, the sort of proposed solution. So that's one answer.

I think the second answer is that neither of these systems were designed for disability determination. They are generalized systems. In the case of O*NET, the level of measurement is by a factor of 10 smaller in terms of -- the distinction that I've made, John, is between an ergometric system, which is looking at the work, versus an econometric system, which is the way O*NET is commonly used to study labor market trends, general work analysis.

And so in that sense there are all kinds of aggregation issues

and things of that sort that would create real problems. Again, doesn't

mean you couldn't at least in theory take the same work descriptors and

bring them down to a more specific level. But if you read between the lines

in the recent report, they've requested a scientific panel be convened to look

at a lot of the reliability and validity issues within the O*NET system. And

having done some of the work in that area, my guess is when that panel is

convened that they're going to express some reservations. I don't know if

this is helpful for you or if there's something else that I could say that

would --

                MR. OWEN: I was looking towards the person who

asked the question. I think that's good. Thank you. And I'm going to move

on to the second question before I pass it on to the judge.

                The work group earlier was asked, and this is more of a

logistical question, to do some research and review of the materials for the

panel. And the work group was wondering if -- I think this actually came

from Dr. -- Mr. Hardy originally, to review the materials that were

available, there was too much stuff to go through. Is there continuing to be

a need for that kind of support? And, if so, are those materials still

available needing to be reviewed?

                MR. HARDY: That was a review of literature

regarding transferability of skills.

                MR. OWEN: I believe so.

MR. HARDY: Yeah. Right now that committee is really not active, and I think at some point in the future it will become active again, but right now we're not anticipating any work in that committee for some time. So I think you can table that request.

MR. OWEN: Thank you.

DR. BARROS-BAILEY: I have kind of a follow-up question. Was that specific to that subcommittee, or was that just a general kind of question?

MR. OWEN: It was a general question. I'm not sure who actually wrote the question. I just remember from my own experience that that request had originally -- that I had heard it came from Mr. Hardy, and we thought it was related to that. But if there's other material that needs to be read, I think we -- the sooner we know it, the better.

DR. BARROS-BAILEY: Okay. That will be very helpful I think as we move forward through our work to make sure that we keep everybody plugged in so we're all moving in the same direction, have the same information. And I know that the work group is involved in core.gov and has access, and we're planning on hopefully uploading more information to that system that everybody would have access to so that we're all coming from the same knowledge base.

MR. OWEN: And one other question that has to do with the fact sheet that we saw earlier this week. Was that going to be

vetted by the panel at this meeting, or will it be subsequent?

DR. BARROS-BAILEY: At this meeting, I believe.
It's going to be part of the --

MS. SHOR: Debate.

DR. BARROS-BAILEY: Yes.

MR. OWEN: Great. Thank you.

DR. GIBSON: Mark, is that because you want to be
able to utilize it sooner, just out of curiosity?

MR. OWEN: Absolutely. We'd love to.

MR. KIRKWOOD: I was going to -- for the new
members of the panel, Dr. Hunt, you're the new member here, so for you,
the administrative appeals judge is designated by the Commissioner to
adjudicate the final level of appeal, administrative appeal. We adjudicate
cases appealed from administrative law judge decisions. We also
participate in cases appealed to the federal district court and all through
the court process.

I personally was interviewed early in the process and also
completed questionnaires but since then haven't paid diligent attention to
your proceedings. And so I apologize for questions I've had in our informal
meetings that I'm sure you've answered many, many times as the DOT and
O*NET questions and the like. I urge you to have patience though in such
things because I think it's in the nature of your enterprise to -- as new

entities become aware of your work, these questions are going to arise again and again.

With that said, in the panel's deliberations and proceedings, we've heard reference to such things as motivation and aptitudes, intelligence, which raises with us the question, is the panel aware of and considering only limitations resulting from medically determinable impairments? Because before I may consider any functional limitation, I must first find a diagnosis from a medically acceptable source -- I mean from an acceptable source of an impairment that could reasonably cause a limitation. So, as such, a general intelligence, somebody's motivation. Unless a deficit therein results from an impairment, I can't consider it. So is the panel aware that we consider only limitations resulting from medically determinable impairments?

DR. BARROS-BAILEY: I think --

DR. SCHRETLEN: One of us can say yes.

MS. KARMAN: Yes.

DR. BARROS-BAILEY: I think the answer around the room, nobody is picking up the mike, but I'll speak for the panel and say yes.

MR. KIRKWOOD: Thank you. Second question, the basis for decisions, adjudication at Step 5 of our sequential evaluation is the existence of unskilled work. An idea has gained some circulation that the

panel has somehow offered the opinion that there is no unskilled work,

which arose the underpinnings of Step 5, our Step 5 determination. Is the

panel taking into consideration that our grids or vocational rules are based

on the existence of unskilled work that exists in significant numbers and

that basically our Step 5 determinations are based on that idea?

DR. FRASER: I think that's in relation to what we've

been discussing, relation to g in the DOT. I think we all believe there's

unskilled work in significant numbers, but I think that reference was

related to the g level, mentioned a couple of times.

DR. BARROS-BAILEY: I think that there are

probably a variety of different questions within that question is what I'm

getting. One of them is a definitional issue. I think Lynn presented the

other day about understanding that, you know, even at SVP 1 there's some

learning that happens, so even at a very, very abstract level. So is it a

semantical issue, you know, how does that fit? But Mark I think was going

to answer that from a data perspective.

DR. WILSON: I was going to ask you to answer that.

Well, I think it's a good question in the sense that -- and it

kind of relates back to the other question. If you look at the SVP rating

within the DOT, it's another example of a relatively crude measure. The

way that came about was people -- is it not on?

DR. BARROS-BAILEY: There you go.

DR. WILSON: Is it on? Okay. My mike was the only one that actually worked most of the time yesterday.

And it encompasses the entire job. So I don't think the idea -- so I think in that sense, you know, a single holistic measure that would striate work in terms of skill because of the DOT was being used, was all that's available. And the way I would answer the question is, you'll have a much more detailed understanding of the skills required of work in, you know, perhaps several different domains, the physical level of skill required, the cognitive level of skill required, the interpersonal level of skill required so that -- and you'll be able to look at that in terms of relative demands.

So I'm very much in agreement with the people who said that all work involves, you know, varying levels of skills, but I don't think anyone would dispute the idea that certain kinds of work are considerably more demanding physically, cognitively, interpersonally. So I think that any kind of new work analysis system as is being envisioned and discussed and proposed here would allow you to striate work in terms of the underlying demands from less demanding to more demanding. I don't know if that helps, Judge.

MR. KIRKWOOD: It does. And I suppose it'll be a policy question for the agency once we have the information that you've given us to find where a line might be drawn and with which we can take

administrative notice of a certain amount of jobs that fall under that line that we can -- okay. Thank you.

DR. BARROS-BAILEY: Yeah. I just want to kind of maybe explain that from a different perspective. Unskilled is a category. It's a box that information gets put on and you can put information, and right now we have SVP 1 and 2 in that box. As long as you collect the information, you could put it in that box if you so choose, or you can do something different with it. And so the process that we're going through is collecting information that will include skill. Obviously has to include skill. And it can fit in that box.

I think it was Shanan that said yesterday is you can take information collected at a lower level and aggregate it up into any level you want, but you can't take information that is poorly maybe collected or collected at a very abstract level and disaggregate. And so if the information is collected at a level that people want to stick in the unskilled label box, then it can be there. Does that help?

MR. KIRKWOOD: Yes.

DR. BARROS-BAILEY: Okay.

MR. JOHNS: Good morning. I guess it's a little bit late for me to say welcome to Dallas, but welcome to Dallas anyway.

I was asked just briefly to kind of explain what the role of OQP, what kind of horse we had in this race, but OQP is a large

component. We have many missions. The mission that I'm part of, there are 11 regional offices, and we oversee the work of the DDSs. So we see up to 50 percent of the allowance determinations that the DDSs make and a certain percentage of their allowance and denial determinations that they make, and we review those primarily for correctness of decision is our first charge, is to make sure that the DDSs are making the correct decision and then correctness to -- and part of that correctness is evaluating the medical correctly and also applying SSA policy.

For example, I have six vocational specialists that answer to me in Dallas, and so we do a lot of work at Step 4 and 5. So we have -- OQP has a lot of interest, of course, in the DOT, as everyone in SSA does, because we do a lot of work at that level. I'm the one that got stuck with the vocational specialists because I did spend seven years in Baltimore in the Office of Disability Programs as a senior vocational policy specialist, so -- and part of my charge was I spent those seven years traveling across the country to every regional office and many DDSs training on SSA's vocational policy and trying to explain our myriad vocational policy to the unwashed heathens of us.

But anyway, my question, the primary question that I've been charged with asking is, there seemed to be some discussion when Shirleen and Michael presented their report. There seemed to be some questions from the panel about some of the questions that had been asked, some of the

structure that was used in presenting the user needs questions to the -- out in the field. So my question that I've been charged to ask is, what are any suggestions that you might have to conduct future user needs analysis to get the result of the practical use of a OIS data elements and aiming at creating a practical job analysis for disability adjudication?

So I guess basically, do you have any suggestions? And this may not be something to come off the top of your head anyway, but do you have any suggestions for altering the user needs analysis that's been done currently to maybe get more effective information, more useful data information?

DR. BARROS-BAILEY: Go ahead, Shanan.

DR. GIBSON: I don't really have a question, Tom. First I just want to express the gratitude I had for getting the results of the user needs analysis. Not in any way, shape or form trying to critique the methodology. The data they brought us was wonderful. The identification of themes that showed up across the various users was exactly what I was looking for. And as Shirleen was giving us page numbers, I was flipping and highlighting and trying to find them and see what they were.

And part of that reason it was so helpful for me was because it substantiated some of my personal experiences when, for example, Mark and I went to the DDS and took vocational experts to lunch and I tried to interact with these people on a much smaller scale. So from that

perspective it was very helpful. What I was going to express is that I hope as we go forward, that as we start creating prototypes of items, that we'll be able to utilize the same resource to go back and be our first check of are we on the right trail here or are we totally off base and this makes no sense to us, you're talking a language we don't get. So that's what I'm hoping we'll see will be in a future user needs analysis is that they'll be there to help guide us as we start trying to create instrument items and tell us is it useful or not.

DR. BARROS-BAILEY: Was that helpful?

MR. JOHNS: That was. I think we -- I wasn't -- I mean, I was just part of the Chicago group, so came in just kind of as a interviewer, but I was very impressed with the information as well. But I would certainly throw this out to the panel. If there's anything, you know, perhaps if there's any data that comes up in the discussion that would be useful to see or any other information that you might want to see, certainly share that with Shirleen or with the work group and we can try to design questions or design interviews that would get at that information, because primarily we're here to support your work. So if there's something that you need that we can get from you possibly, then let us know.

DR. BARROS-BAILEY: Fantastic. Thank you, Tom. Other questions? Did you have any follow-up on that? Okay.

MR. OWEN: That was all of our questions.

DR. BARROS-BAILEY: That was all the questions.
Okay.

MR. JOHNS: Thank you for this opportunity.

DR. BARROS-BAILEY: Let me see if there are any questions from the panel for -- while we have you up here. Any questions from the panel?

DR. GIBSON: Is there a preferred or better way we might undertake to keep you in the loop as we move forward? For example, the judge said that he hadn't had an opportunity to go back and pay a whole lot -- I'm sure it's just busyness as well, but is there something we can do to facilitate getting information out to you? Because the user groups in general have expressed that desire to be kept in the loop as quickly and as efficiently as possible.

MR. KIRKWOOD: Well, I think that's -- that you guys are putting out as much information as we need. It's pretty much incumbent on us that we assimilate that information. And in our discussions yesterday we've taken on the task of informing our betters of your activities and trying to make sure that the input needed is given at the right stage of the process.

So I don't think there's anything that you-all can do. I mean, you're responsive to all our questions. You posted everything on the CORE and on the website or Social Security website. So I think it's incumbent on

us to get the information and assimilate it and pass it on, so -- but thanks for offering.

DR. BARROS-BAILEY: I just want to follow that up as well. We expressed it to the user groups that presented to us, to the people providing public comment, and definitely to the work group, if there is anything we can do to facilitate the communication and make sure that we're all at the table together, please let us know. So I appreciate your time this morning. Thank you.

DR. SCHRETLEN: Mary, I have a question.

DR. BARROS-BAILEY: Go ahead, Dave.

DR. SCHRETLEN: I think I was a little bit surprised by the NOSSCR report or letter asking about the -- suggesting that we consider revising O*NET or revising the DOT rather than develop a new occupational information system. And Dr. Hunt was asking the question as well. And then it comes up again this morning, and it just makes me wonder, is it your sense within DDS or Social Security that there is a significant reservation among users about the advisability of developing a new system? Because I think if there is, we need to know that as a panel and we need to address this very, very directly.

DR. BARROS-BAILEY: I want to follow that up and ask, is it a reservation or is it information, misunderstanding of what the goal is?

MR. OWEN: I think it's a little of both. I think that there are new faces coming to these meetings who may not be as familiar with the information that's been provided at previous meetings. So part of it is misinformation. I think if there is one concern that some of us have, it's the fear that because creating a new system is such a big --

DR. WILSON: The word is "daunting," John.

MR. OWEN: -- daunting task that if enough progress isn't made that when there is a change of administration perhaps at SSA that this won't move forward and that somehow we will be left yet without a tool that's updated and usable and relevant to making accurate decisions at the DDS.

And so the idea of just updating the tool that we already have and are used to and are comfortable with, even though we clearly recognize it's inadequate in many ways, especially when you think of the mental side, and those things that always come up like, you know, the single-armed person or the person with restrictions on one arm or, you know, the number of examples that you've all heard, that we're just concerned that -- you know, if you were just doing a revision, it sounds -- I think someone said it sounds easier even though it's probably not easier, but for people sitting on the outside I think it just seems like that would be easier. So I think it's a little of both.

MR. JOHNS: And I would say that there -- that

you're coming along at a good time or this is coming along at a good time 30 years late, but there have been a lot of changes in the DDSs in the way they do work. You know, during the last commissioner's reign we, you know, went to an electronic case processing system so that most of our cases are electronic now. There was a big, you know, reservation of that. People didn't want that. Now that they have it, I don't think they can imagine processing cases any other way.

We're seeing now a tool called ECAT, which is an electronic case analysis tool, and they were going to slowly roll that out. I think it's at eight sites now.

MR. OWEN: Twelve.

MR. JOHNS: Twelve. Well, when the DDSs began seeing it, they're talking they may roll that out by the end of this year because every DDS wants it. So I think there's going to be some preparation, at least in their minds, for this new tool. They're going to -- seeing the tools that have come along recently and seeing how that improved their work, I don't think there will be that resistance.

On the other hand, I once gave a briefing to Martin Gerry, a former deputy commissioner at SSA, and I said the DOT is like a cancer in our policy. Not a -- not necessarily a bad cancer, but what I meant was it's an invasive cancer that has fingered its way throughout our Steps 4 and 5 process. The language from the DOT is there. The concepts from the DOT

are there. Everything about the DOT, our RFC, our residual functional

capacity forms, our physical ones are from the DOT, and that if you were to

try to extract that, what you had left was not -- there wasn't much left to it.

So I think there is some trepidation, some concern that this

new tool, you know, when it's through there won't be anything left of the

current policy and that integration of the new tool with the old policy. And

I think there's some of that trepidation, some of that concern because, as I

said, we can't even think without, you know, going and looking what the

DOT, how they define stooping, how they define crouching. So it's just so

integrated.

MR. KIRKWOOD: And with any change there's cost.

And to the extent that your group can give a cost-benefit analysis showing

us how any change improves our process and that you've considered all the

external costs of these changes.

And at the user group meeting, Tom mentioned some ripple

effect that this is going to have throughout the -- that not only Social

Security will have costs, will bear costs of any of your recommendations,

but the LTDs whose process mirrors ours, the -- now, and yesterday

someone said, well, you'll just have to deal with it. But to the extent that

your recommendations are successful, the success of your recommendations

depends at least to some extent on buy-in from all the entities who will be

affected.

So if you as a panel can explain why changes you make benefit more than they cost, the success will be marginally greater.

DR. BARROS-BAILEY: Sylvia?

MS. KARMAN: Some of the issues that we're hearing are not the issue of the panel, so, I mean, I'm glad these things are getting raised. The issues of cost go both ways in terms of what is the cost to the agency if we don't do something, if the agency doesn't do something, regardless of whether there's a panel or not, and what is the cost, you know, moving forward to choose one approach versus another approach. But those issues are, you know, cost-benefit issues that SSA has to take up and, in particular, at this point the Office of Program Development and Research and the Office of Retirement Disability Policy, so -- and we have in fact briefed the Office of Management and Budget about our research plans, and I mentioned that yesterday, you know, in the project overview of what we've done over the last few months. So that -- I mean, that's taking place within the agency already, so --

MR. KIRKWOOD: That's very true that SSA will decide how to -- what to take from your recommendations, but you'd want -- I would think that you'd want to make recommendations that are accepted. And should you come up with something that's impractical but better, I mean, better in an ideal sense yet not going to be applied, why would you do it? So while things are -- or it's SSA's determination what to

do with your recommendations, nevertheless, at the front side you probably ought to take these into consideration because to some extent the success of your recommendations depends on that.

DR. BARROS-BAILEY: Mark?

DR. WILSON: Excellent question and important point. And I definitely agree with Sylvia that there are some issues that really it's not up to the panel to make recommendations to Social Security about their policy. I mean, that was made clear to us. But the two things -- and it comes back to some issues we were discussing earlier that make me think it's unlikely that we would recommend something that was idealistic but unworkable. The hope is, especially as we move into a more development phase where we're helping Social Security carry out various activities, that the communication flow, like today, is maintained, that as something is in the development phase, if it seems unworkable, hopefully you'll tell us that, this is way too much or this is not enough.

But I think the other issue with regard to cost, which I was trying to get at earlier and much less articulately than Mary did, is that whatever system is proposed, whatever system is presented as the new and improved is going to be challenged. It's going to have to meet a level of scrutiny that current systems don't. A new DOT that's revised, a new improved O*NET, whatever, it is going to have to meet a level of scrutiny that existing ones don't.

And I think to fix any of those, the costs would be significant, involved, and not particularly different, depending upon which system. So then the question to me always becomes, well, why don't we just design one that's specifically for your purposes. And the reason I think -- I like this cancer example. I think it does present significant challenges for SSA but also significant opportunities to develop information that not just takes the place of DOT but goes well beyond it in terms of facilitating policy, increasing efficiency, perhaps even being able to identify key elements that can be addressed much sooner in the process.

So, you know, perhaps some costs that exist now, because you're dealing with, you know, a system that wasn't designed for you, over time will diminish. So I think between those issues, significant cost no matter what. We are across or at least in the middle of the Rubicon as far as I'm concerned here. The ball has started rolling. There are already court cases out there that we've discussed. And so something has to be done. It has to be fixed, and so we might as well fix it in a way that is optimized for your use. And in doing so, we're going to have to meet challenges that the DOT never met, nor do I think it could, and certainly that O*NET has never met and nor I think it could like anything that existed before.

MS. KARMAN: I'd also like to mention in reference to what we're hearing this morning and especially for some of the people

who are new to the work group on the Social Security side, and as well since we have new members on our panel, that last year when the -- the first meeting that we held, our inaugural meeting, that we as a panel talked about our development or the advice that we would be giving the Social Security Administration would be from the standpoint that we imagine for the time being that agency's policy is standing still. That does not mean that we cannot be imagining in our guidance and the advice or the recommendations that we give that that wouldn't be something that would enable us to, say, carry something forward but that we are providing advice that for a large, you know, in large part would enable the agency to continue as the policy stands today but enable it -- give it a platform from which it can build and move forward.

So, for example, the question earlier about unskilled work versus definitions and all that, the definitions are SSA's policy to make. And Mary made the point that, you know, once -- if you gather the information at a low enough level, you can aggregate it, you can group it in a way that is suitable for the agency's policy today, tomorrow, if you change it, if we don't change it. But at a minimum we're in a position to use what we can do, what we can develop, for starters, but not be hemmed in so that, as Tom's description of, you know, the DOT sort of invasively with its roots into all of our policy, we just cannot disentangle ourselves. So it is a difficult thing where we need to be able to try to walk between these things.

And that is one of the reasons that we also have invited and will continue to do user needs analyses, at least our team in OPDR, because as we move along and every time we have something that we can show the users or invite them in to look at, that will give us a sense of, okay, what are the practicalities here, what are the policy implications, which we can take a look at outside the realm of the panel. But the panel is cognizant of what the policy implications are, but that's not our role, only because we felt that it would be important for the panel to be able to make relevant recommendations if at least one piece of what we're looking at, the criteria are standing still. It's going to be very difficult to make -- to give advice on something that's moving and changing.

So, for example, when you hear about the skills thing, the fact is that our focus in making recommendations for data elements would have -- were along the lines of what data elements would the agency need to have in the content model, be reflected in the content model that would enable work history analysis, that would enable transferable skills analysis, that would enable our use of the information, how the agency sees fit to assess skills.

So, when we look at it from that point, when the panel looks at it from a data element standpoint, we're looking at, okay, so what are the skill-like data elements. We wouldn't look at unskilled data elements, you know. So there's -- I think some of that is semantics, but it's really not quite

semantics. We really want it to be clear that we were looking at data elements that would -- that would serve the agency's assessment of work history and what needs to be assessed at Step 5. So I'm hoping that provides you some --

DR. BARROS-BAILEY: And I think we're so used to dealing with labels that sometimes it's hard for us to pull away from those labels and see what composes those labels, and those are the data elements. What are the concepts under SVP? Well, it's a composite of a variety of different things. What is the label of unskilled work? Well, it is a range of skill from, you know SVP 1 to SVP 2. You know, so these boxes that we're used to, we forget they're boxes and we only go with the labels.

So we have to look behind the label and see what's in the box, and is what's in the box -- can you disaggregate it further, can you break it down further into individual components that you could then measure and reaggregate and put in then the other box with any other label you want or in the same box with the same label. Tom? John?

MR. OWEN: Just one more point. Going back to the why not the O*NET or DOT update and it being whether it's informational or something else. And for some people it is more than informational. You know, we enter this believing that the policy would kind of be stagnant, and we hear comments like the DOT was not designed for SSA. And while that's completely true, SSA, from our perspective, especially from a

practical developing case perspective, has designed business practices and policies around the DOT. Even our forms are designed around the DOT. When you look at the RFC and MRFC form, it -- not the MRFC form, but the RFC form does resemble the boxes in the DOT.

So that's another reason why some people are somewhat wondering why you don't just update the DOT, because, okay, change what's in the boxes or behind the boxes, but why change the whole set of boxes if that's what all of our policies. It's kind of like you're going to take our Step 5 analysis, kind of put it into question because if it's now this other tool that looks different and policy is stagnant, you know, it really does -- does the panel understand that? That's what the note says.

DR. BARROS-BAILEY: I think I'll answer that, and then anybody else can pipe in. I think it comes back to what I was just saying. You can put anything into those boxes if you have the information collected. You can put it in any set of boxes that you want if it makes sense. I mean, if those boxes -- we're getting feedback from User Needs and Relations, from the different groups, you know. If the data elements are correct and you're collecting the information, you can put it into any boxes you want.

MR. OWEN: And maybe users would feel more comfortable if all that new data, the OIS, was made to look like the DOT and on the surface they saw what they used to see plus this additional set of

boxes, and then maybe the concerns would not be as great.

MS. KARMAN: We have -- I think one of the things that we tried to do when we wrote the final report was we made a concerted effort to put the things that were more familiar to users in the front of the report. So first we listed the physical demands, which are very much what our current RFC looks like. And then, of course, we included the other demand -- you know, the other physical elements that many users recommended, the panel was hearing, so some of those things would be new.

So it won't come as a surprise that a lot of those things are very familiar to us because, frankly, these -- there are only so many ways the human body can move and there are only so many things that are critical for disability evaluation in the realm of physical. So some of that's going to be very familiar.

I think what may not be understood widely and was not always apparent within Social Security either is that the amount of work that it takes to sample and to do the data collection. For example, just to bring in the mental cognitive elements, even if we were just going to get a handful of them, is really quite new. I mean, that -- and it takes a lot of work and we could have easily said, well, in that respect we're updating the DOT. But I don't -- we were concerned that that may have been misunderstood, if we just said that, the people would not understand the extent of work that might be required to bring about something that would

be defensible, that would last us, you know, into the -- into the next 25 years and beyond, you know.

So I don't think we're talking about creating something that is completely unlike anything you -- you know, it may be. We don't -- we can't say that, but that was not -- it was not the intent to just abandon everything that we know and move into something new just because it's new. I think it's just a recognition that just to bring on board some of the elements that SSA has not ever had to refer to about the world of work, such as the mental cognitive is a good example, that would represent a fair amount of work that just had never been done before.

DR. BARROS-BAILEY: I'm full of analogies, so I have another one. And then I want to address one of the questions that was asked in terms of, you know, recommending something that might be impractical or unusable, and then I have a question.

So my analogy for anybody who's ever remodeled a house in the group will understand. We had a 1900 Perry Foursquare and we had -- we wanted to do some remodeling, so we started with a couple rooms. It takes a lot of money to take stuff out and then put it back in, and then you have the rest of the house to do. And when we started calculating how much it was going to cost to remodel this house as opposed to build a house exactly like what we wanted that served our family needs, we understood that it was going to be cheaper to do it, to do it to the same design, the same

standards, with updated information.

And so I think one of the things that people think of when they think about updating the DOT is they don't see everything else that happens. And so here's a question back. I think, John, when we first started you were asking about the FAQs, and that seemed to be something that you thought was helpful in terms of what's going to be discussed. And so this is a question that continually comes up. It came up in July. It was one of the reasons that we put that section we did in the report, and it has come up continually. It comes up on list serves that I'm a member of, and so I'm wondering as we go through this morning and Nancy talks about User Needs and Relations and we talk about the FAQ if it might be helpful to have an FAQ on this.

And then one more thing and then I'll give it to you, and it was the concept of our recommendations and them being useful. If you remember the model that we have in terms of the way that we're structured, the main two functions of where we're going is communications and research. That's not -- that's not by mistake. And it's because communications -- and we're not talking about PR, we're talking about communications coming in and communications going out that inform our process, exactly what we're doing right now -- become very critical in terms of making sure that any recommendations are at the level where it's hitting the ground and not abstract.

And so keeping the flow coming in and going out is vital to this process, and so that's one of the ways that we can ensure that our charter, which is to provide advice and recommendations to SSA, is as on cue as it can be and that we're not recommending something that's off in left field. So when we start triangulating the data, we start bringing the data in from various sources and it all starts confirming itself, that's very good for us because it tells us that we're kind of hitting the mark. And we want to know if we're not. I mean, that's part of the reason we have the feedback period, and it is a feedback period that is static. It's an ongoing feedback period throughout this whole process. So I'll kick it back to you. John?

MR. OWEN: Well, first of all, I think the FAQ that's concise, easy to read, and understand, report on, the whole summary is going to be helpful to us. Similarly, a fact sheet addressing the specifics of why not O*NET, why not the DOT could help all of us in briefing up our ACs and communicating to our -- the people that we represent. And for me that's a huge number of the users that will someday be using the new OIS and the DDSs. So having that information at hand, because it's going to continue to come up, obviously. I think I've got it, but I also don't like having or don't always feel comfortable -- it was like when the report came out and I had to give a briefing on the report to the people above me. Having your own words in a concise report makes it clear that we're

communicating correctly the information. So having the fact sheet on why not the O*NET, why not the DOT, it's probably better to have it from the panel's own words than for us to, like, be going back and translating our interpretation.

And as far as the communication goes, I mean, of course, the UNAs were helpful I think to get initial impressions from DDS users, and we hope and obviously know that that's going to continue, which will give us representation and a voice at the table.

MR. JOHNS: I would just add to what John said. I agree with everything John said. I would just add, eight years ago when the people charged with vocational policy at central office were first trying to bang on people's heads and say, you know, we need a new OIS tool, it seemed like every other day somebody -- well, those people are mostly not here anymore, so I think I'm safe. An AC would pop up and say, I've just discovered the best tool, it's called O*NET. Have you heard of it? And so we would go through the process again of explaining why O*NET didn't meet our needs. Then three weeks later another one would pop up and say, hey, I've got this great tool, it's called O*NET. And so I really don't think it can do any harm whatsoever for the panel to carefully explain, as John said, in your own words why it is that O*NET doesn't meet our needs, why the DOT doesn't meet our needs and why, you know, what you're doing is what you're doing.

There have been concerns occasionally popped up from various people talking about the scope of the panel and, you know, are you, you know, reaching beyond what your charge is. I think the FAQ, this type of information helps saying, no, we're not, here is what we're doing. Yeah, there's a 700-page report and you may have gone wild over parts of it that were in appendices, but here's what we really are focusing on, here is what our intent is. I think it couldn't do anything but help.

DR. BARROS-BAILEY: Okay. Thank you.

MR. JOHNS: Until the next person pops up and says, hey, I found this --

MS. LECHNER: I think some of the comments I've heard this morning, particularly coming from John, I think, some of John's comments, kind of takes you down the line of some concerns we're hearing about how long will this take, how much will it cost. And I'm just wondering if there's a way that we could see, or maybe you all already have this laid out of, you know, we have a lot of start dates -- I think Allan mentioned that -- and we don't see the end dates. Is it possible at this point to see what is the time line of the total project, when do we expect certain phases to be finished and when and what is the price tag and on those particular phases and then what is the process? You know, I'm coming from a relatively naive perspective on this. What is the process for budgetary approval? So, sort of practical questions that kind of popped to

my mind.

MS. KARMAN: Some of this information is not something that I'm sure I can release at this point, but we'll certainly take that question back to the agency and find out what portions of what you're asking about are things that we can bring to the panel. It's one thing for us to share that among the work group, within the agency, that kind of thing. But if I bring it to the panel, it's public. And so I need to know from our executives what they're comfortable with doing. And whatever that level is, we'll share with the panel.

DR. BARROS-BAILEY: Okay. Any other questions from the work group?

MR. JOHNS: I would just say, Mary, just real quick, that I would like this type of thing maybe at each one of our quarterly meetings. I mean, it can be brief, it can be whatever, but just to keep the communication between us.

DR. BARROS-BAILEY: We've been thinking the same, so thank you for bringing that. We will be looking forward to continued interaction with the work group and with all users. So, thank you.

MR. OWEN: Thank you.

MR. JOHNS: Thanks.

DR. BARROS-BAILEY: Okay. At this time I would

like to pass the meeting on to Nancy Shor, the chair of the User Needs and Relations Subcommittee.

MS. SHOR: Mary, thank you very much. As Mary indicated, the User Needs and Relations Subcommittee is not the marketing arm. It's not the press release arm of the panel. We hope to be the communication facilitators, both incoming and outgoing. We've had a series of meetings by phone since the panel began I guess in early December, and I certainly want to extend thanks to the panel members for their time and a lot of follow-up work that they've done following the calls.

We have some pieces of paper that have been distributed to you yesterday and this morning that may have kind of gotten lost in the shuffle, but if I identify them and you can find them, I think you'll find it useful to understand my comments.

"Comments" really is the key word. There's been a Federal Register notice. The Federal Register notice looks like this. It's a show and tell. It has a date of December 29th on it, and down in the lower right-hand corner on page -- this print is small – 98896 (sic), it's Notice of Upcoming Quarterly Meeting.

Okay. So if you were looking in the Federal Register and if you even kind of new about the panel and you were kind of looking for what's what, you'd find this down here and you would say, okay, here's the information about the upcoming meeting. If you were really a glutton for

small print, you'd turn the page and you'd get to the second column and you'd find information about how to submit comments on the report.

Person's interested in providing feedback, it's pretty much the top of the second column. I don't think it would come as a huge surprise to you to learn that we didn't get a lot of comments, and I suspect reason number one is it was very difficult to find the notice, especially without even a headline that referred to it.

We know and members specifically from the subcommittee, but I've heard from other people as well talking to outside groups or the specific task we gave ourselves, which was to place a phone call or contact by e-mail everybody who had listened in at any portion of the meetings over I guess the four we had in 2009. And one of the comments that came back was, I didn't really realize there was a comment period. And secondly, for those who decided they were going to sit down and start reading the report, characterized it in terms like it's really hard to read, that it was really -- I got words like impenetrable.

So I think it's because it's so important to communicate out the work product of the panel and it's so important to hear back from outside people who may agree or may disagree, it's our recommendation that we take another stab at this whole comment period and try to address some ways that we can improve it with the goal towards enhancing both outward-bound communication and incoming.

So, first off, Mary kindly drafted a letter, which I believe the two of us are going to sign, going to the Commissioner that we're going to ask -- we're going to advise the Commissioner that we are extending the comment period to May 21st. There was an original comment period closing May 15th, but when I talked to people and they said I don't know if my group can make -- sorry, February 15th -- I don't know if my group can make a February 15th deadline, I said, look, it's more important to get the comments even late than to not get the comments at all. So I think informally we have kind of encouraged people if they could get it in by February 15th, great, but even if they couldn't, that the value of the comments outweighted worrying about a deadline.

So we're asking the Commissioner to approve a new -- a re-publication in the Federal Register that will have a headline that doesn't relate to the next meeting. It won't get buried along with something else. It will be a standalone that the comment period has been extended. It'll give the link to the report. And we think we're going to make real progress. And thanks very much to Shanan. I really echo the comments you've heard already this morning. This fact sheet, or some have called it the dummies' guide, is a wonderful way to start getting into the report. So it's our intention that the fact sheet is going to appear on the panel web page as its own thing, not just buried in the list of documents, but really as a "click here."

And we'd like to put in the notice affirmative statement that anybody who submits comments understands that they're going to be posted. If we don't do that, we engage in a lengthy back and forth going back to the person, and we may lose people in translation. My sense is most people submitting comments, that's their intention. But why not just get an affirmative language in the notice so that it comes back.

We're also going to make an effort to send -- so that's the kind of reopening or extending the comment period through the Federal Register. But we know not everybody reads the Federal Register every day, and we want to be doing a lot of things in addition to that. One of them certainly will be to identify first and foremost the people who listen in, because we know they're demonstrating an interest, but as well to every group we can identify that may have an interest in the panel's work, to send them the fact sheet along with either the Federal Register notice itself or just a letter, just an explanation that we've got a new date, May 21st, and there's a new fact sheet that's available, here's the link, it's right here.

And that brings us to our request to all the existing subcommittees, which is, if you can generate a fact sheet that's half as good as the one that Shanan has put together but that's a portal into what your subcommittee is looking at, the kinds of directions you want to go, as -- someone called it a cheat sheet -- but a way that a person has an alternative to skim down the 750 pages, because in the end it's a lot easier to start with

a guidepost than to just sit down with a document. So we would welcome

input from all of the subcommittees. I think the format that Shanan has

used is terrific, and I'd certainly encourage you to use it as a model. But

that's -- you know, it's completely up to you. That's kind of the outgoing.

The next thing I want to turn to is incoming. I have a folder

of comments that have come from a lot of various sources. And some of you

have handed me comments that you've received from other sources over the

last day or two. So I'm not really sure -- or I'm pretty confident actually

that what I've got in my little red folder here is not a complete set of

comments. Our difficulty right now is that we don't have a procedure. We

don't have a process for handling comments. I come at comments from the

Administrative Procedures Act process the Federal Register uses as part of

formal rule making. And I understand process is not the same, but it's just

to identify for you that's how I approach comments.

So I think the sense of the subcommittee is that it's very

important that comments get posted where everyone can see them. Now,

everyone in this room can see them if we put them at core.gov, but we know

that access to core.gov is limited to people inside. So I think what certainly

makes sense to our subcommittee is that comments get posted on the panel

website so that a person who has submitted a comment can see it and other

people can see it as well.

Internally -- and it means also that you-all can see it that way

if you choose not to go the core.gov route. It's certainly true that some comments are going to be more useful than others. Some comments will speak to the area of your interest. So one of the things that we would be prepared to do is to try to identify as best we can what's the logical subcommittee that we should make sure that this comment goes to. It gets tricky if a comment seems to cover more than a couple areas, et cetera, et cetera, but it's not -- it's certainly not a difficult task.

And what I would ask, if that becomes -- if that appears to be a reasonable process for you is that the subcommittees, then, shortly before -- well, it would be great before the next quarterly meeting, but we can figure out a different schedule if that's too soon -- present us back a summary of the comments that you received. Honestly, we're looking for themes. We're looking for areas that people find objectionable, confusing, areas of ambiguity. Not every comment is going to rise to the level that you can even discern a theme. But where you can, that would be really extremely useful.

The other thing I think for the panel to be thinking about as we go forward is how to reference comments in terms of any further -- future work product. Mary has promised no giant report, but obviously there's going to be other work product that is generated this year. And so I think an open question is how you want to -- how you want to respond to those comments.

And the last item that we have talked about is what I'm going to call other outreach, which follows really into two categories. One is various briefings that Mary and Sylvia have undertaken sort of as institutional briefings on Capitol Hill and various government entities. And then the second part of it is conferences where there are upcoming meetings of organizations who would appear to have a lot of interest in the panel's work.

So what we need from everybody, including those of you out there, is information about organizations that kind of fit that description as well as information about upcoming meetings. If it's possible to participate in those meetings through presentations, we think we've got enough depth that we can provide a speaker. We have a list put together of the meetings that we know about, but I would certainly welcome two things from all the panel members, and that is identifying any groups that you know of that would have an interest in our work. And, secondly, if you would be available not as a commitment, but if you would be available, you would undertake consideration of an invitation that we can get from a group as a speaker so that we don't end up that Mary and Sylvia have to carry a greater load on this travel and speaking than they're willing to undertake.

We've got both of them doing any number of things, and I'm very grateful. But if there are other panel members who would be interested in doing these kinds of presentations, I think we've got a

PowerPoint and a lot of material prepared and we'd be delighted to have you do that. Thank you.

DR. BARROS-BAILEY: Thank you. Go ahead, Sylvia.

MS. KARMAN: Thank you very much, Nancy, for mentioning that. And I know I've seen this list because our staff is staffing your subcommittee, but I'm not sure if everybody has, so at some point maybe we should get that list out.

MS. SHOR: Right.

MS. KARMAN: The other thing is that we did speak amongst ourselves. Mary and Nancy and I talked about the prospect of possibly providing instructional sessions for some of the associations, external stakeholders who have expressed a lot of engagement or have been very engaged in what we're doing, and especially in areas where we were thinking along the lines of the fact sheets where there may be confusion or on our part there was some ambiguity. So we're thinking that it's not only just a presentation about what we're working on, what we're doing and what we have recommended and this sort of thing, but also there may be more -- a need or a desire perhaps for more focused attention or more focused instructional sessions, for lack of a better word, by the subject matter experts in particular areas to do that with a variety of external stakeholders. And those of you who are association members in different

areas, that may become apparent to you as you're considering what other

associations that are not already on that list might want to hear about. Or

if there are associations that are identified on the list, that might be -- that

might be something that you want to let Nancy know.

DR. BARROS-BAILEY: Dave?

DR. SCHRETLEN: So I prefaced my question to the

work group, to John, about were there reservations or concerns within DDS

and SSA about revising O*NET or revising the DOT or merging, you know,

attempting, modifying O*NET with the comment that I was surprised that

this was a concern after as much time as we have spent working on this

panel. And I think the take-home message for me is, duh, I shouldn't have

been surprised, that this is probably not -- this is probably going to be an

ongoing concern forever. And so -- or at least through the conclusion of this

whole process.

So now I'm wondering, why do we want to close this at

May 15th, comment, and should we just have an ongoing -- should we

structure some mechanism, whether it's a new website apart from core.gov

that allows continuing input as we proceed through this process.

DR. BARROS-BAILEY: I think we've been very open

to saying that although the formal comment period in terms of the report,

you know, right now is February 15th and it's being extended to May 21st,

we're willing to take comments at any point in this process. And it's

incredibly important to have those comments. I mean, although we've been going for a year, we've been really busy and we're setting up procedures. It's developing a process that works.

There were some aspects that I was going to ask Nancy to describe, the administrative procedures process, for the members of the panel who aren't aware of how that works. There's also a need to be sensitive to the fact that there's a need for disclosure and informed consent of anybody who is posting something. So there has to be a sensitivity of if somebody's posting something, they need to know it's being posted.

Are there issues -- when I was talking to the media guy with NASA as part of the research for the User Needs and Relations Subcommittee when I was on that subcommittee for the first year, NASA is very different. They don't deal with the kinds of social issues SSA does, and so there was kind of a yellow flag raised by the NASA individual, the public relations Internet person, that in terms of the use of social media there has to be a consideration for that. So I think there are some things that we need to be able to be sensitive to, you know, people's names, social security numbers, you know, those kinds of things. There has to be kind of an interim step in terms of that that I think we need to flush out and be aware of.

And so administrative procedures, if we could explain that, you know, I think we need to look at the issue of disclosure and informed

consent so people are very aware of that and things don't just go, you know, from Step A to Step B without understanding there's a sensitivity to that process. And then I think we need to talk about the process internally if a comment comes in, because I just heard Nancy say that you've gotten some in the last 24 hours from various members. If it's coming in, how do we deal with having one collection point, dissemination point, so not just the viewing of it but how do we process those comments. So kind of three different things, if I can get Nancy to address the first one.

MS. SHOR: I'll just say I think the overarching view that I bring to trying to structure this is one of transparency. It's a word we've used a lot, but it won't have any meaning if our actions don't demonstrate it. And I think it would be a mistake down the road for anyone to be able to charge the panel with not having been open to listening to outside comments. So here's our opportunity to head that criticism off.

I also come at this with the notion that there's great -- potential great value in comments. I think that it is a mistake to assume that every good thought is in this room and that every good approach has already been identified in this room. That is very important to stay open to the kinds of contributions and comments and criticisms that outside folks have to bring to the process. So that's how I approach this task.

The model that I refer to for the Administrative Procedures Act, you will recognize it does not line up perfectly, but I think there are

aspects of it that are very useful. The APA model kicks in whenever an agency wants to amend its regulations. So the agency will put in the Federal Register in exactly the same format on the sheet we passed around earlier and say this is the existing regulation, this is our proposal to change that regulation, and here's a 30-day or 60-day or 90-day comment period. So it's a notice of proposed rule making. We're giving you, the members of the public, the opportunity to weigh in before we finalize this regulation. And, again, it doesn't mean that we will make any changes, doesn't mean we won't make any changes. We just -- the law requires that the proposal go out there. The comments come in, and the agency folks find the themes. They synthesize those comments and will identify that 27 commenters said they were opposed to blah, blah, blah; 14 commenters said they were confused by blah, blah, blah; 53 commenters said they thought the proposal was terrific.

The agency still controls what the final regulation is going to look like but with confidence that the process is working and that folks are coming at this with an open mind. They will issue a final rule that will contain, generally, a response to each of these themes that they've identified. So they'll just say, you know, these people -- these commenters were opposed and we're not accepting their point of view; these people identified an ambiguity, and we agree it's ambiguous, so we've clarified. So in the final regulation it will be slightly different than it was in the

amended. So it's a process that I think many of us who toil in the world of regulations are very comfortable with. I haven't kind of stepped back and thought about it in quite a long time, but now that I do, I see a lot of value in it. So I would certainly recommend -- I think I speak for the panel -- that the closer we can come to a process that looks like that for the public, I think the better.

And then the secondary question is how we want to deal with comments internally and process those.

DR. BARROS-BAILEY: And I'm going to ask the User Needs and Relations Subcommittee to come up with recommendations of how to deal with the issue of comments coming in in terms of being posted online. I do have to say that my dissertation is on Internet ethics, and so I'm hyperaware of the fact that people act differently online and once it's up there, it's up there permanently. And so we have a responsibility to have disclosure and informed consent of anybody that posts anything.

We also have the responsibility of posting that information responsibly. And so I'm going to ask the subcommittee to come back with kind of some guidelines in terms of working with SSA to come up with how to responsibly collect and post that information, understanding that it is different when it gets online.

So we're talking about two different things. We're talking

about the Federal Register. We're talking about things coming to us independently in terms of how it gets displayed, both immediately or pseudoimmediately through some sort of filtering process that looks at those kinds of issues. And then also Nancy talked about collectively, thematically in the long run so we could best inform our process.

The other issue, which is the third issue for me, is as things come in, I think probably the main collection point should be Debra or a Designated Federal Officer. If things come in from anyone in terms of public comment, we should immediately filter it to her or send it to her. She is not only our Designated Federal Officer. She's also working with Nancy on the User Needs and Relations Subcommittee, so she can work with Nancy in terms of disseminating it. If it's thematic to your subcommittee, if it has specifically to do with physical demands like the APTA, input that came to Sylvia directly, then it would go to Debra and her subcommittee could deal with it, mental cog. Or if it's kind of a collection of things or just general comments that fall into an "other" category, then we could decide what to do with that. But I think that's a real good way to do it.

And there was a mention of a PowerPoint. And there is a generic PowerPoint that Debbie Harkin put together and did a fantastic job. And in it there is a slide about why not the DOT and a lot of these topics we've been talking about. So there is an opportunity out there

already that we can use in terms of at the conference level. Dave?

DR. SCHRETLEN: So the answer to the question originally is that the -- we're talking about requesting the Commissioner to authorize a new announcement in the Federal Register to extend the comment for the report to February -- or May 21st but that in addition we're very actively thinking through how to create a more -- a vehicle for transparency in our deliberations and decisions.

DR. BARROS-BAILEY: Long-term, correct. And so we have to have a structure now because this is going to be kind of long-term. Even if you go to the website, the front page has been changed and it talks about the public comment period. It has a direct link to the report. And so there's things going on already.

DR. SCHRETLEN: So if we do create additional fact sheets, it seems like it would be very helpful to have those prominently displayed. If a lot of folks say that the report is just impenetrable, then having those key -- it may be very useful to direct people before you make a comment, look at those. If you are -- if you have a question about, you know, material in sort of Fact Sheet A, please read it before you make a comment, so that we might deflect comments based on misunderstanding.

DR. BARROS-BAILEY: Shanan?

DR. GIBSON: I was just going to say that one of the things we talked about within our subcommittee was to literally create an

area for the fact sheets within the website that was very distinctive and easy

to find. We also just discussed, and it kind of goes along with that, the idea

of removing the recommendations from all the appendices so people will

split that as well. But if we have a fact sheet area and we number them

sequentially, it's a fact sheet on general recommendations, fact sheet on why

not the O*NET, why not the DOT, hopefully that -- I'm guessing people will

take the Cliff Notes versions most times, so --

            DR. BARROS-BAILEY: Mark?

            DR. WILSON: I'm very supportive of this activity,

and I read the fact sheet that Shanan created and I think it's great. Tolstoy

needs to get concerned here in terms of being reinterpreted by Shanan,

but --

            DR. GIBSON: Long cab ride to the airport, Mark.

            DR. WILSON: But the one concern that I do have is

that there's a reason that the report is -- I don't know if I'd use the word

impenetrable, but complex, involved. These are not easy issues. And, you

know, we don't go to the particle physicist and say give us the Cliffs Notes

version of what you're doing. And as a scientist it's my job to make sure

that we get the science right. And I know it's frustrating for regular people

out there, but there are some issues that we're not going to be able to put in

very simple, accessible language, even with Shanan's considerable talents.

So to the point that I don't want people simply going to the Cliffs Notes

versions of everything. And so the one addition I might say is, you know, either have these Cliff Notes hyperlinked back to various points in more involved documents or something like that.

I don't think it -- you know, I don't want to create multiple lines of communication where people are unaware of the more detailed version. But I'm very -- you know, I completely agree with the notion that we cannot leave people out there frustrated and not aware or feeling like we're doing things that they don't understand.

DR. BARROS-BAILEY: Yeah, we live in a world of sound bites, but we need to have those sound bites linked back to the areas of further information so people understand that there's depth to it.

DR. GIBSON: To respond to Mark and also to the entire panel regarding the fact sheet that you received per our discussion today, when drafting it I was very concerned of the fact that in some ways I may be losing scientific precision in my description because writing as an academic is very different than writing for a general audience. And so one of the reasons we've brought it back to you is to, one, make certain that I have used language which is accessible but also to utilize language which is accurate and respectful of what we actually intended in the long recommendations. So I'm looking for, and Tom has already graciously pointed out one area where I could write something that made a little more sense without changing the meaning, and I hope others will make those

recommendations and make them to us quickly so that we can again distribute those to the users who would like to have it for their use.

DR. BARROS-BAILEY: Sylvia?

MS. KARMAN: I also think that this is a great idea. I know Mary and Nancy and I were talking right after -- soon after the report went out, I think probably maybe a couple months, and we were trying to come up with what ways could we do, you know, what could we be doing as a panel, what could we on our staff be doing, you know. So I'm really happy to see that this is being done. I really like what Shanan, what you've done here with this.

There were two things that -- one of the things Mark brought up and then something else that I have been thinking about. And one of them is that with regard to references in the hyperlinks, in particular probably would be helpful if we're actually hyperlinking to the actual section or maybe even giving them the citation, the page, the line, you know, not just hyperlink to the report and you go figure out where in that report it is. So I just thought I'd just mention that.

And, of course, you know, all of that is probably way in the weeds, but since the topic was brought up.

DR. GIBSON: I can add the citation, but somebody smarter than I will have to create the hyperlinks.

MS. KARMAN: The other thing is that we will need

to in some cases -- this may be more of an issue than in other cases, but for program reasons, for legal reasons or for just scientific research reasons make sure we're reflecting methodology correctly. I know there's a difference between interrater reliability versus interrater agreement. You know, things like that I just want to be sure that we are all mindful that when we create these sheets that we are not creating a document that somehow in one way or another might conflict with what we've originally written so that we aren't then having to explain the differences between those two. I'm sure that we will be able to overcome that. I'm just mentioning it as a --

DR. GIBSON: No, I was concerned with writing it and I said please look at it because it's very hard for me to differentiate is this my interpretation or is this what the intent of the panel was, and so --

DR. BARROS-BAILEY: Okay. Anything else, Nancy? Okay. Bob?

DR. FRASER: Just one thing. I think when we talk about the report, we talk about 750 pages, but most of that is appendices. The core report is 60 pages. So I try to direct the different people that I'm trying to contact to those pages and try to not overemphasis the length of the greater depth of the document.

DR. BARROS-BAILEY: Yeah. Okay. Allan?

DR. HUNT: I just would like to urge that this should

be a priority because, I mean, even to separating the 60-page report from appendices and showing it separately so that people can access it as quickly as possible. And, of course, it's fundamental to this outreach effort and to getting our notice out to organizations and individuals who would be interested. So we really can hardly do the second without the first, so it seems critically important to me.

DR. BARROS-BAILEY: Okay. Thank you. Any other thoughts or comments? Any feedback on the letter would be great. You know, we could do that outside. Let's go ahead and take a break now for 15 minutes and we'll come back and then Sylvia will present for the Research Subcommittee.

(Recess from 10:09 to 10:26)

DR. BARROS-BAILEY: I'm going to go ahead and start the meeting and ask Sylvia to present her Research Subcommittee report.

MS. KARMAN: Okay. Thank you. I'm going to look down the list to see if I want to reorganize this. We did meet on Tuesday, I believe it was, and we covered two main things. I've got several things on my list here, but the two main things we talked about were initiating the professional development among the panel members, and so there will be more information coming out about that. I think we also discussed that in the executive subcommittee meeting whereby, you know, last year when we

initiated the panel, the panel was convened in February, we basically spent

a few panel meetings with Social Security staff and others coming in to

present to the panel about what Social Security's process is and how

practitioners use occupational information, this kind of thing.

And now, after the panel has presented its report to the

Commissioner and now work begins in earnest, and a lot of it will for the

panel involve review of study designs, review of, you know, looking at

methodological issues, what kinds of threats are there to validity, you know,

all this sort of stuff, we're thinking that it might be helpful to have some

professional development, both off-line for panel members who are

interested, and also perhaps even at a full panel meeting if there is such an

interest expressed by either the panel or others.

So initially Mark Wilson and Shanan Gibson offered to do

some presentation, at least off-line for panel members, with regard to issues

and work analysis. And so we may be using some of the examples posed

by -- concerns raised regarding O*NET, since that has become an issue

where people are asking why not DOT, why not O*NET. Some of these

topics might lend themselves to an opportunity to present whatever

methodological issues, job analysis, work analysis, excuse me, work analysis

issues that we'll be confronted with. And so that is underway.

Also we are engaged in investigating points of inference in the

SSA disability determination process, I think a closer look at what are the

points of inference. And some of these points of inference are necessary. I mean, they're just simply you do need to have adjudicative judgment, so we recognize that. Those things are noted too. And then to some extent where is there inference, for example, with regard to assessing certain limitations when there is not adequate information about the world of work, what has SSA been doing to date.

To some extent SSA staff had presented to the panel on these issues in a general way. We're thinking there may be some value in having a little more detail, at least for the Research Subcommittee to take up so that when our staff begins to develop a variety of methods for doing job analysis that we're able to take these things into consideration, especially also when we're developing the work side instruments.

And then also we are -- a third element is that we are -- I have given the Research Subcommittee an initial draft of the OIS study design for them to provide us with some initial feedback before it goes to the panel. Whatever it is that we would want to share with the full panel, we, Social Security, would like it to be as near to -- I don't know about perfect, but certainly as near to final as we can get it so that when the panel takes a look at it, a lot of the more obvious concerns or problems have already been dealt with and we don't have to go over that with the entire panel. But certainly the panel will have an opportunity as a whole to see that.

So we are looking for feedback from our Research

Subcommittee over the next two to four weeks, in particular the next two

weeks, because we'll have a panel -- I mean, I'm sorry, a Research

Subcommittee teleconference to discuss some of the concerns. We'll also be

discussing our preparation for reviewing whatever the final report will be

for the National Academies of Science since the Research Subcommittee

will likely take that on initially. Again, results of which will be shared with

the full panel for their discussion, review, deliberation.

And I think that was really just about it. Now, I did cover

with the Research Subcommittee a little bit about what Richard Balkus and

I encountered when we briefed the National Academies of Science. We

were invited to meet with them last week. The National Academies of

Science, for those of you who may not be aware, have over the last year, the

Department of Labor had sponsored a committee to review O*NET. And

in the midst of that, in March they held a two-day-long conference, meeting,

one day of which was devoted to external people coming in to provide some

feedback to that panel with regard to the use of O*NET in a variety of

settings, and they had asked Social Security to present. And then it came to

me specifically, so I did make a presentation to that review committee on

how we use occupational information in our disability determination

process, why we use it, and, you know, more to the point for this

subcommittee, rather that committee, why we can't use O*NET.

And, subsequently, that committee produced a prepublication

report that we reviewed. They have an entire chapter devoted to disability determinations in the report, and we noted a number of inaccuracies that, you know, we felt might be valuable for them to know about before they go to publication. So we did contact them just to let them know that. They invited us to come in and meet with them, and we did. And in that meeting we provided, by way of background, a little bit about our project, why Social Security is embarking on this work, why we have a panel, what the panel's mission is, that the panel is not an ad hoc panel, they're a FACA panel, they'll be remaining with the project through the research and development phase. And we also noted that there were a number of elements in the National Academies of Science report that we find to be instructional for our purposes, for SSA's purposes, as we move forward developing an information system because we'll be faced with some of the same sampling issues and some of the same data quality concerns that they were raising for the Department of Labor to consider.

And we also pointed out to them that we had been in conversation and working with the Department of Labor on specifically in this case the Employment and Training Administration who is responsible for developing O*NET and had just met with them, in fact, before our meeting with NAS.

So we also noted for NAS that we would be asking the panel to review their final report when that came out, which I'm understanding

may be in the middle of February. And we also finished by offering to ask

if, you know, any of those, you know, on the NAS staff would be interested

in perhaps presenting to our panel or even working with us in perhaps

upcoming roundtables where we might be needing to pull together some

individuals who have background in labor market information and

statistics, sampling, expertise. So we certainly got a lot of interest in that.

And then, finally, we noted to the National Academies of

Science that there has been a fair amount of work done already in Social

Security and outside of Social Security but with regard to how O*NET is

used or cannot be used in the Social Security disability determination

process. SSA has done a fair amount of analysis in that regard, and we

shared with them a paper that we had given to the panel early on about

SSA's concerns regarding O*NET.

And I think we mentioned this yesterday, that we are now

engaged in writing a broader paper on SSA, you know, lessons learned by

SSA for the use of O*NET or the implications of O*NET, the implications

of DOT, what doesn't work for us, what things could we pull from these --

the experience of the development of both of those systems that may be

useful to us.

So, in any case, we've pretty much given them this

information by way of context because we also gave them our corrections to

the inaccuracies in Chapter 8, and we felt that, you know, it's one thing to

just give somebody editorial comments, but it might be helpful for them as they make a decision about which things they may want to correct in Chapter 8 that they have a sense of context about what those things might -- what the implications for those might be, so they have a better editorial decision-making capability there. So that's it.

DR. GIBSON: Could I ask a question? Did you receive any indication as to whether or not they were receptive to making changes before their final report comes out?

MS. KARMAN: Yes. They were receptive to -- several of the staff that we were meeting with were taking copious notes. We did give them a copy of the actual comments, the editorial comments that we had for Chapter 8. So I think they are very interested in making sure that any factual editorial changes are made. But the extent to which the National Academies of Sciences is prepared to make changes in the way in which the recommendations may have been worded, I suspect not. I mean, they said no.

On the other hand, to some extent some of what we were presenting them with that was a factual issue might suggest the need to revisit how a particular recommendation may have been worded, so -- but that's -- again, that was why we provided them with context. That is obviously their decision to make. So, yes to the things that were inaccurate, or at least they were willing to do that. I don't know if they will perceive

those inaccuracies the way we did, but -- so it remains to be seen what will be changed.

DR. BARROS-BAILEY: Any other questions?

MS. KARMAN: Did I -- just want to ask the other Research Subcommittee members if I've missed anything. Okay.

DR. BARROS-BAILEY: Okay. Now we're moving on to the panel administrative part of the meeting. In your notebook in front of Tab 4, immediately in front of it are the minutes. Let's go ahead and take a couple minutes, they're rather short, for everybody to review them and see before we vote on them.

Okay. I will entertain a motion at this time.

DR. GIBSON: Move to approve the minutes as written.

DR. BARROS-BAILEY: Shanan.

MR. HARDY: I had one question.

DR. BARROS-BAILEY: Okay. Oh, let's get a second and then go to the question. So I have a motion. Do I have a second?

DR. SCHRETLEN: Second.

DR. BARROS-BAILEY: Second by Dave -- he un-turned on his mike -- on the record. And we do have a question. Go ahead.

MR. HARDY: Under User Needs and Relations,

second sentence, Ms. Shor suggested the fact sheet be created in ways

effective to decipher the Ralph document. Do we want to call it Ralph in

here or do we want to actually call it a report?

DR. BARROS-BAILEY: I think -- well, I will

entertain a motion to amend the minutes.

DR. GIBSON: How about just a friendly motion that

we refer to it instead of Ralph as the recommendation report?

DR. BARROS-BAILEY: Okay. Does the second

agree with that? Dave, do you agree with that?

DR. SCHRETLEN: Yes.

DR. BARROS-BAILEY: Okay. We also in the

minutes have in parentheses "communications," and I think it's because

when we refer to the User Needs and Relations Subcommittee report and I

think it's to reflect the function of that subcommittee in light of the fact that

we're trying to be as clear as possible on anything we put on the website. I

don't know how the panel feels about either keeping that in the parentheses

or amending that as well.

MS. KARMAN: You know, just as an aside, I think

that that came from the fact that in the transcript some of us, it may have

been even me, were referring to that subcommittee as Communications

Subcommittee. And so, so that it was -- could be reconciled with the

transcript, we tried to be as true to that. And that was just what that's

about.

DR. BARROS-BAILEY: Yes, thank you for that clarification. Is everybody okay with keeping it in the parentheses in terms of function? Okay. So all those in favor of the minutes as amended?

(All say aye.)

DR. BARROS-BAILEY: Okay. Anybody opposed? So carried. Okay.

Wonderful. Now we're into the final bulleted areas of the meeting, and that's the next steps, the March 2010 quarterly agenda. We've talked about, you know, the very top of the meeting when we started a couple days ago that we are in a public feedback period at this point. We heard this morning that we're extending that period, so that's continuing. But we are also kind of in that dovetail that we have the work plan that was brought to us for the project and also for the panel. So we are in that dovetail of kicking off those activities.

And so as we head into March, I know that we'll probably have continued presentation from User Needs and Relations in terms of efforts and research as they are kicking off the plan. We talked about how we will be adding a little bit more substance to the plan in terms of dates and subcommittees, and I'll work with the various subcommittees within that. We also talked about the National Academies of Science has been invited to present on the report on the O*NET that will be finalized at that

point. And we're also anticipating, I guess, I think from what emerged

from the last couple days, some sort of format of continued communication

with the user groups. I think we all found that to be very important in our

process.

We also are planning on kicking off a formal professional

development aspect to our meeting to help us all be flying in the same

direction as we're asked to address some of the issues emerging from the

panel and specific to the letter that the Commissioner provided to us a

couple of days ago.

Any other thoughts about the March agenda? I think we're

going to be very busy in March.

DR. GIBSON: I want to again request very

specifically that the panel have time to have read the NAS report and have

panel deliberations prior to their presentation.

DR. BARROS-BAILEY: So in terms of the timing of

the NAS presentation, toward the end of the agenda is what you're

suggesting?

DR. GIBSON: After us.

DR. BARROS-BAILEY: Okay. We'll take that into

consideration, yes.

DR. GIBSON: I'd also like to have the working group,

if we're going to continue the user needs, I really like the input from the

working group within SSA. I think they've been very helpful for us.

DR. BARROS-BAILEY: Agreed. Any other thoughts? At the very back of your three-ring binder you have the dates for the upcoming meetings. And the next meetings are from the 23rd of March through the 25th, generally those dates, and we will be kind of shoring those up as we go along. There are some tentative locations, and I will reiterate tentative. That depends on how hotels work out, and sometimes we don't know until a few weeks before.

Is there any other business that the panel would like to bring forth? Allan?

DR. HUNT: I would just like to compliment you all. I didn't know what to expect, obviously, when I arrived here on Tuesday. And having had some similar experience with some other panels, one of which I had the pleasure of -- I shouldn't say pleasure -- I had a chair position. It's a long story. Sometime over a beer maybe. But I'm very pleased to be here, and I really compliment you both on your erudition and the process that you have going here. It looks splendid to me.

DR. BARROS-BAILEY: And welcome. Thank you. Dave?

DR. SCHRETLEN: I guess one other comment about just the March agenda. I'd like to -- I'll reiterate this in the Research Subcommittee meeting that we reserve plenty of time to discuss the

proposed study, because I think it's going to require a lot of thought, and I wouldn't assume that that's a 45-minute discussion.

DR. BARROS-BAILEY: And I just want to again recognize that Abigail's on the phone. And, Abigail, do you have any thoughts or comments?

DR. PANTER: No, but, you know, I do want to just echo Allan's comment. This has been a great experience so far and I'm learning a lot and I would just like to say that it's been positive. I like the process very much. I think that we're moving forward well. We have some work to do, and I'm glad that I'm on board. That's it.

DR. BARROS-BAILEY: Thank you, Abigail, and welcome. Having no further business, I would entertain a motion to adjourn.

DR. GIBSON: So moved.

DR. BARROS-BAILEY: Shanan moved.

MS. KARMAN: I second.

DR. BARROS-BAILEY: And Sylvia second.

All those in favor?

(All say aye.)

DR. BARROS-BAILEY: We are so adjourned.

Thank you for all your work.

(Proceedings concluded at 10:49 a.m.)

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I, KAREN L. SHELTON, before whom the foregoing proceedings were taken, do

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Certified to by me this the 28th day of January, 2010.

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