

1 Defendant, Andrew Saul, Commissioner of Social Security (the “Commissioner”), by and
2 through his undersigned attorneys, hereby moves for a 60-day extension of time to file Defendant’s
3 Electronic Certified Administrative Record and Answer to Plaintiff’s Complaint. Defendant’s
4 Electronic Certified Administrative Record and Answer to Plaintiff’s Complaint are due to be filed by
5 November 20, 2020.
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7 In light of the global Covid-19 pandemic, SSA has taken the unprecedented step of suspending
8 in-office services to the public: <https://www.ssa.gov/coronavirus/>. The Agency is focusing on
9 providing the most critical services by mail, phone and online to those most in need. SSA is also taking
10 additional steps to protect its employees and help stop the spread of Covid-19, maximizing social
11 distancing, including significantly limiting employee access to SSA facilities for health and safety only
12 and has moved toward a temporary virtual work environment. Electronic processes allow some of
13 SSA’s most critical work to continue with minimal interruption; other workloads have been suspended
14 until the health crisis abates or the Agency is able to create new electronic business processes.
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16 For purposes of this particular case, the public health emergency pandemic has significantly
17 impacted operations in the Social Security Administration’s Office of Appellate Operations (OAO) in
18 Falls Church, Virginia. That office is responsible for physically producing the administrative record
19 that is required to adjudicate the case under Sections 205(g) and (h) of the Social Security Act, 42
20 U.S.C. § 405(g) and (h). *See* SSA Program Operations Manual System GN 03106.025.
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22 As detailed in the attached declaration, at the end of September, OAO had more than 8,700 new
23 court cases waiting to be processed. Additionally, OAO is focusing its efforts on processing the most
24 aged cases and the pandemic has adversely impacted the contractors’ capacity to deliver hearing
25 transcripts. Although overall the timeframe for delivering an administrative record has improved, the
26 backlog, prioritizing aged cases, and contractor capacity continue to cause some delays.
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ORDER

IT IS SO ORDERED:

Dated: 11/19/2020

By: 
HON. HAYWOOD S. GILLIAM, JR.
United States District Judge

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