

HAROLD ROGERS  
5TH DISTRICT, KENTUCKY

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STATE AND FOREIGN OPERATIONS



Congress of the United States  
House of Representatives  
Washington, DC 20515-1705

January 31, 2024

PLEASE RESPOND TO:

- 2406 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-1705  
(202) 225-4601
- 551 CLIFTY STREET  
SOMERSET, KY 42503  
(606) 679-8346 OR  
1-800-632-8588
- 48 SOUTH KENTUCKY HIGHWAY 15  
HAZARD, KY 41701  
(606) 439-0794
- 110 RESOURCE COURT  
SUITE A  
PRESTONSBURG, KY 41653  
(606) 886-0844
- 341 16TH STREET  
ASHLAND, KY 41101  
(606) 467-6211

Martin O'Malley  
Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, Maryland 21235

Dear Commissioner O'Malley:

I write to bring your attention to a matter of great interest to my constituents in eastern Kentucky, as well as the Social Security Administration (SSA), regarding the former clients and victims of attorney Eric Conn. I have successfully worked with the SSA in the past on this issue, and it is my hope you can assist in bringing this disgraceful saga to a close.

As you might know, Eric Conn is a former social security attorney and convicted felon who perpetrated one of the largest social security fraud schemes in American history. His legal practice featured regular conspiracy with doctors, administrative law judges, and others to defraud the SSA of more than half a billion dollars. He exploited disabled residents, manipulated their trust, and enriched himself through an intricate financial scheme. The harm inflicted on the affected communities was devastating, leading to financial despair and suicides. In 2017, he pled guilty to criminal charges and entered house arrest before cutting his electronic monitoring device and fleeing the country. Months later, he was captured in Honduras and extradited back to the United States. He is currently serving a 27-year prison sentence. Others involved in the scheme, including administrative law judges and psychologists, are also serving prison sentences.

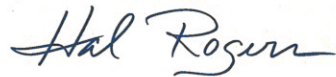
Despite his sentence, the harm inflicted on his former clients in eastern Kentucky has been devastating and remains ongoing. In 2015, SSA instituted mass redetermination hearings on 1,787 people to determine whether or not they were indeed deserving of their much-needed benefits – a process that proved unjust. At least three federal appellate courts have ruled the hearings utilized by SSA were unconstitutional. Thankfully, SSA and many of these victims were able to reach a settlement agreement to provide backpay to the former Conn clients.

Unfortunately, SSA has indicated it intends to initiate another round of redetermination hearings for a new round of approximately 1,800 former Conn clients. This would require the impossible task of proving they were disabled 15 years ago. In my distressed Appalachian district, many folks rely on a set income. For those individuals with disabilities, such as these noticed, a

disruption in social security benefits would be catastrophic. As I have suggested to previous SSA commissioners, the use of a more human continuing disability review (CDR) process under 42 U.S.C. 421, would be a vast improvement in the interest of fairness and justice for these individuals.

This regretful saga has persisted for too long in eastern Kentucky. It is my hope that you will lead the agency forward in a manner that does not punish those who have been wronged by absolutely no fault of their own and not pursue additional persecution of these individuals. I look forward to hearing from you on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Hal Rogers".

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HAL ROGERS  
Member of Congress