

**POLICY OPTIONS FOR IMPROVING SSI**

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**HEARING**

BEFORE THE

SUBCOMMITTEE ON SOCIAL SECURITY,  
PENSIONS, AND FAMILY POLICY

OF THE

**COMMITTEE ON FINANCE**

**UNITED STATES SENATE**

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

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SEPTEMBER 21, 2021  
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## POLICY OPTIONS FOR IMPROVING SSI

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TUESDAY, SEPTEMBER 21, 2021

U.S. SENATE,  
SUBCOMMITTEE ON SOCIAL SECURITY,  
PENSIONS, AND FAMILY POLICY,  
COMMITTEE ON FINANCE,  
*Washington, DC.*

The hearing was convened, pursuant to notice, at 2:50 p.m., via Webex, in the Dirksen Senate Office Building, Hon. Sherrod Brown (chairman of the subcommittee) presiding.

Present: Senators Wyden, Casey, Lankford, and Young.

Also present: Democratic staff: Chad Bolt, Legislative Advisor for Senator Brown. Republican staff: Beth Nelson, Health Policy Director for Senator Young.

### **OPENING STATEMENT OF HON. SHERROD BROWN, A U.S. SENATOR FROM OHIO, CHAIRMAN, SUBCOMMITTEE ON SOCIAL SECURITY, PENSIONS, AND FAMILY POLICY, COMMITTEE ON FINANCE**

Senator BROWN. Thank you all. I am sorry for starting a couple of minutes late, with the vote. I call this meeting to order. Senator Young, thank you, ranking member of the subcommittee, for working with us to schedule this hearing. I appreciate the professionalism and competence of your staff and Chad Bolt in my office. Working with all of you was really helpful. Thanks.

Thanks to Chairman Wyden for being part of this, helping to lead these efforts to protect and strengthen this critical part of our Social Security system.

Today's hearing on Supplemental Security Income, SSI, is long overdue. This is the first hearing on SSI in the Senate's Finance Committee since—well, almost before Todd Young was born, since 1998; before I was in the Senate, for sure. That would be almost a quarter of a century ago. There has not been a hearing in Congress specifically about increasing benefits on eligibility since the Reagan administration. In fact, that 1987 Ways and Means hearing called SSI, quote, “the forgotten safety net.”

It was a fitting title then, and it would be an even more fitting title now, given the decades of neglect that have hurt millions of Americans. Nearly 8 million people with disabilities and seniors rely on SSI to meet their basic needs—8 million people in our great country. The program's rules are needlessly complex, leaving seniors and other Americans facing a maze of very complicated and sometimes extraordinary rules at difficult times in their lives, and

making it challenging for the Social Security Administration to administer. We will hear more about that from our witnesses today.

Even worse, SSI's eligibility rules are even more outdated and illogical than they already were in 1987. When the program was created by Congress 50 years ago, in 1972, its purpose was clear. To quote: "To ensure the Nation's aged, blind, and disabled people would no longer have to subsist on below-poverty level incomes."

Now the opposite is true. The program's eligibility rules literally have not been updated in decades—in many cases, not even for inflation. They now force millions of disabled and older Americans to live well below the poverty line, and punish them for any of their own efforts to build a little financial security.

We want to incent people to do a little better. Under this program, they lose money when they do. They are punished if they try to save for an emergency. They are punished if they try to find a part-time job. They are punished if they accept food or shelter from generous family and community members. And, maybe most remarkably, they are even punished if they marry.

It makes no sense, particularly when these Americans are treated to constant lectures about the value of work and self-sufficiency. We are told over and over by some politicians that "personal responsibility," quote/unquote, is a central American value. Yet if someone who relies on SSI saves even \$1 more than the \$2,000 threshold, they lose their benefits. It sends a pretty absurd message. SSI's outdated rules make it impossible for beneficiaries to live with dignity.

Last year I talked with an Ohioan from Ottawa County—a very small county, Ottawa County—named Dorothy Gackstatter. Her son's benefits got a hit when an insurance policy she had in his name grew in value. She said, "It never should have happened. I felt it was unjust." She was of course right.

Make no mistake: poverty in America is a policy choice, a policy by us. It is up to this committee and this Congress to finally make a different choice. There are millions of seniors and people with disabilities who are living in poverty right now, not because of their own choices—but because of ours.

That is why, earlier this year, I introduced the SSI Restoration Act with 20 cosponsors, including six Senators from this committee. That bill would finally increase SSI benefit levels to the Federal poverty level and simplify and update the eligibility rules, so that these Americans are no longer punished for trying to build a better life for themselves.

Recent analysis from the Urban Institute tells us that the reforms in this bill would lift 3.3 million people out of poverty. It would cut poverty among SSI beneficiaries in half. The bill is supported by more than 100 national organizations, including AARP, AFL-CIO, and the National Women's Law Center. And even J.P. Morgan Chase—which I know well from chairing the Senate Banking and Housing Committee—supports increasing SSI's asset limits.

When you get the AFL-CIO and J.P. Morgan on the same page, you just may be on to something. We created SSI nearly a half-century ago as a key part of our Social Security system—one of the bedrocks of our society. People know that if they or a loved one



needs it, it will be there. It's just like the promise of Social Security.

For 30 years we have been breaking that promise. Now is the time for Congress to finally do right by the 8 million Americans relying on SSI who have been forgotten for far too long. Now is the time to finally restore this critical part of our Social Security system back to its real intent.

I have worked with Senator Schumer and Senator Wyden to ensure that, at least, long-overdue updates to SSI are included in the Family Infrastructure package we are pulling together.

Before I turn to Senator Young, I want to thank the hundreds of SSI beneficiaries who are following this hearing. You have shared your stories on Twitter with the Demolish Disabled Poverty hashtag. Thank you for that. You have written to this subcommittee about what improving SSI would mean to you and your families. Thank you for sharing those stories.

I want you to know I am listening. This subcommittee is listening. Senator Young is listening. I am really sorry it has taken this long for voices to be heard in Washington. That will change.

Senator Young, ranking member of the subcommittee, thank you for joining us.

[The prepared statement of Senator Brown appears in the appendix.]

**OPENING STATEMENT OF HON. TODD YOUNG,  
A U.S. SENATOR FROM INDIANA**

Senator YOUNG. Thank you, Mr. Chairman, for holding this hearing, for your leadership, and for members of your staff working with mine to get everything ready for today.

I appreciate this opportunity to discuss and review the Supplemental Security Income program—or SSI. Now more than ever, how every taxpayer dollar is spent really matters. And programs that don't achieve results have to be fixed. The SSI program needs examination to ensure it is achieving its intended goals in a fiscally responsible manner.

Is the program functioning as Congress and taxpayers expect and those with disabilities deserve? We cannot continue to just “spend more” and hope it helps. We need to review the program's effectiveness so we can ensure taxpayer resources are properly targeted.

The goal of the SSI program is to provide assistance to elderly and disabled individuals who have limited financial resources. It is intended, as the Social Security Administration identifies, as a program of last resort, and beneficiaries do not rely solely on SSI benefits to live.

Although SSI was created with the elderly low-income in mind, today it primarily benefits nonelderly disabled adults and children. The total number of beneficiaries has grown from 4.8 million in 1990, to 6.6 million in 2000, to 7.8 million today. In turn, SSI spending has risen from \$33 billion in 2000 to an estimated \$61 billion in 2021. SSI and Social Security Disability Insurance have been on the Government Accountability Office's “high-risk” list since 2003.

GAO states that, quote, “Management attention and efforts are needed across the government to ensure that disability programs

provide benefits in a timely manner, reflect current ideas about disability, and achieve positive employment outcomes,” unquote.

The Social Security Administration struggles to ensure current recipients remain qualified for these programs. SSI continues to have a higher overpayment rate than other SSA programs. That is an unfair burden to taxpayers as well as SSI recipients who incorrectly receive funds they may have to repay.

While SSI faces challenges in administration, labor force participation remains a pressing policy challenge. Our economy is feeling its impact acutely as we emerge from the COVID-19 pandemic. Disability and health-related issues have been top contributors to declines in labor force participation among people in their prime working years—causing both increased poverty rates and the perpetuation of poor health for many Americans. This is why we need to focus on creating more job opportunities for working-age Americans with disabilities.

However, the current patchwork of safety-net programs for low-income Americans facing disabilities or health issues is flawed. Many of these people are productive individuals with the potential to make valuable contributions to their communities through work. And many wish to pursue benefits from the dignity of work, to the extent that they are able to do so.

Without work, however, many will fall into poverty and may never again see the social and economic benefits associated with employment. In having this discussion today—our first this Congress in this subcommittee—we would be remiss not to acknowledge that some of our Nation’s most important Federal programs, including programs administered by SSA, are financed through dedicated revenue sources and managed through trust funds.

Several of the largest trust funds are heading towards insolvency—worsened by the pandemic. According to the most recent Social Security trustees’ report, the combined Old-Age, Survivors, and Disability Insurance trust funds will be exhausted in 2034—a year earlier than was projected last year.

This spring, I joined Senator Romney and a group of colleagues in reintroducing the Time to Rescue United States’ Trusts Act, or the TRUST Act, bipartisan legislation which would create a process to rescue the endangered Federal trust funds and rein in the national debt—and allow Congress to put our major Federal programs on a stronger financial footing. If we don’t act now, the trust funds in these programs will be exhausted, leading to significant benefit cuts under current law, and America’s safety net will be significantly weakened.

We believe in people, and we believe most people don’t want to be trapped. SSI should be available for those in need, with a goal of preparing as many individuals as possible for a life of dignity in the workforce.

I look forward to hearing from our witnesses on these topics and examining this program in greater detail today.

Lastly, I would like to make note of the complete lack of committee process for the reconciliation bill being drafted by Senate and House Democrats. My Republican colleagues on this committee have called for hearings and a markup of any reconciliation provi-

sions in this committee's jurisdiction. Americans deserve an open and transparent process.

With that, I thank the witnesses for being here today, and I look forward to hearing their testimony.

[The prepared statement of Senator Young appears in the appendix.]

Senator BROWN. Senator Young, thank you.

Before introducing the four witnesses and hearing their testimony, I wanted to introduce—we have been joined by the distinguished chair of this committee, Ron Wyden, the senior Senator from Oregon, who has led this process and has been very, very helpful in encouraging this subcommittee hearing and helpful in how we move forward legislatively.

Senator Wyden, Mr. Chairman, I would love to hear your remarks.

**OPENING STATEMENT OF HON. RON WYDEN,  
A U.S. SENATOR FROM OREGON**

Senator WYDEN. Well, Senator Brown, a big thanks to you for all of your leadership work in this area—and not just through this Congress, but Congress after Congress after Congress.

People are walking an economic tightrope, balancing their food bill against their fuel bill, fuel bill against the rent bill. Senator Brown has been there to say that the Federal Government has to have a sturdy safety net. So, I so appreciate his leadership. And I also see on the screen Senator Young, and I look forward to working on this issue as we have tried on so many in a bipartisan way.

Mr. Chairman, you indicated it has been a long time since this committee or any committee has taken a close look at this absolutely crucial safety net program. Almost 8 million Americans rely on Supplemental Security Income, including 88,000 in my own home State. Ten thousand of them are under the age of 18. So, it is time for a crucial update for a program that is so important for so many who are so vulnerable.

Now I will wrap up with just a couple of quick additional thoughts. First, I am very pleased to be a cosponsor of Senator Brown's bill to update SSI. And I agree the Build Back Better plan now under consideration is a very opportune moment to make these necessary and essential improvements.

I also want to thank Chairman Brown and others on the Finance Committee for cosponsoring a bill that I have been very involved in, the Work Without Worry Act. If it passes, that bill will provide needed peace of mind to a lot of individuals with disabilities who today face a disincentive to work and be in a position to live up to their full potential.

Today, the law says that young people who receive SSI could have their benefits cut if they decide to try to work and make an income. In most cases, we are talking about modest benefits for people with disabilities, which is, I think it is clear—and I see our friend Senator Hassan here, who has done so much important work for vulnerable people. I think she would be the first to agree this is hardly an extravagance. These are individuals who should not have to fear if they try to work that they are going to lose their benefits they count on to get by.

In addition, I hope we will be able to enact some provisions in Senator Brown's bill to update SSI in reconciliation, and I am also looking for opportunities to get Work Without Worry across the finish line. I also want to emphasize, in addition to noting Senator Hassan's terrific work in this area, Senator Cassidy is also a co-sponsor of Work Without Worry.

So, in the best tradition of the Senate Finance Committee, Chairman Brown and Senator Young are bringing Senators together. And on the issue of SSI, it is not a close call. It is time to update the program and better meet the needs of those who find it so crucial.

Thank you, Chairman Brown.

Senator BROWN. Thank you, Chairman Wyden, for your comments.

I want to introduce the four witnesses. The introductions will be brief, because I think we want to get through this, since we started a bit late.

The four witnesses are Elizabeth Curda, the Director from the Government Accountability Office who oversees Federal disability programs. Welcome, Ms. Curda.

Stephen G. Evangelista is the Acting Deputy Commissioner for Retirement Policy at the Social Security Administration and is responsible for overseeing SSI at SSA. Thank you, Mr. Evangelista, for joining us.

Mia Ives-Ruble is director of the Disability Justice Initiative at the Center for American Progress and a former SSI beneficiary herself. Ms. Ives-Ruble, it is nice to see you.

And Kathleen Romig is a senior policy analyst at the Center on Budget and Policy Priorities and is the lead expert on Social Security and SSI at the Center.

So we will begin with Ms. Curda. You are recognized for 5 minutes. Thank you for joining us.

**STATEMENT OF ELIZABETH CURDA, DIRECTOR, EDUCATION, WORKFORCE, AND INCOME SECURITY, GOVERNMENT ACCOUNTABILITY OFFICE, WASHINGTON, DC**

Ms. CURDA. Chairman Wyden, Chairman Brown, Ranking Member Young, and members of the subcommittee, I am pleased to be here today to discuss our work on the SSI program.

SSA has faced longstanding challenges in administering SSI. GAO has issued a number of reports with recommendations for how SSA might address these challenges. While SSA has taken action on many of our recommendations, others remain unimplemented. My testimony today describes SSA's challenges with (1) incentivizing employment for SSI recipients who wish to work and are able; and (2) preventing improper payments to SSI recipients, including overpayments.

My testimony is based primarily on prior GAO reports, as well as preliminary results upon review of the Ticket to Work program to be issued later this fall. I will discuss work incentives for two SSI populations: transition-age youth who are 14 to 17 years old, and working-age adults.

For transition-age youth on SSI, SSA administers work incentives and other employment supports for youth moving into adult-

hood. But our work has found that few benefit from these incentives. These supports encourage work by allowing transition-age youth to keep at least some of their benefits, even if they have earnings.

However, a GAO analysis of SSA data from 2012 to 2015 showed that less than 1.5 percent of SSI youth benefited from these incentives. This may be because SSI youth and their families are unaware of or do not understand the work incentives, or may fear that their work will negatively affect their benefits or eligibility.

SSA has agreed with and has implemented some of the recommendations made pertaining to work incentives for transition-age youth. But others remain unimplemented. For example, our recommendations for SSA to explore options to further connect transition-age youth to employment services have not been fully implemented.

For working-age adults on SSI who are able and wish to work, the Ticket to Work program is a voluntary program for disability beneficiaries that helps them obtain employment, increase earnings, and reduce dependency on benefits. We conducted analysis of Ticket where we used statistical techniques to match participants with similar nonparticipants and compare their employment success with outcomes.

Our preliminary analysis found that SSI participants had on average increased earnings of about \$1,600 per year, compared to similar non-participants. Further, we found that from 2002 through 2015, 5 years after participating in Ticket, about 4 percent of SSI participants had left the disability rolls due to earnings from their work compared to 2 percent of similar nonparticipants.

Nonetheless, we also found that 57 percent of SSI Ticket participants did not report any earnings at all. Ticket participants face a number of disincentives to work such as (1) loss of cash and medical benefits; (2) complexity of the rules; and (3) fear of overpayments. Overpayments can occur when beneficiaries who work do not timely report earnings to SSA, or SSA delays in adjusting their benefit amount. Overpayments are more common for SSI recipients, and especially those who are working.

SSA estimated that in Fiscal Year 2019, it made approximately \$4.6 billion in SSI overpayments. We estimate that from 2002 through 2015, Ticket participants were twice as likely to receive overpayments as similar nonparticipants, and that includes both SSI and SSDI participants.

Overpayments may be especially burdensome to SSI recipients because they may not be aware that they were overpaid, and may have spent the money. GAO and SSA's Inspector General have made recommendations related to overpayments, but challenges remain.

In April of 2020, we recommended that SSA develop a process to measure the effectiveness of its corrective action for improper payments. SSA agrees that this priority recommendation remains unimplemented. SSA's OIG also reported that SSA has not resolved lags in updating beneficiaries reported earnings, despite making some progress over the years.

SSA is taking steps to address overpayments. For Fiscal Year 2021, SSA named improving program integrity as a focus area, and

planned to improve wage reporting. For example, SSA now has on-line tools that allow individuals to make wage reports, thus making it easier for recipients to comply with reporting requirements.

In summary, as Congress considers reforms to SSI, opportunities exist to encourage work for those who are able and want to and reduce the burden of overpayments on SSI recipients.

This completes my prepared statements, and I look forward to your questions.

[The prepared statement of Ms. Curda appears in the appendix.]  
Senator BROWN. Thank you, Ms. Curda.

Mr. Evangelista, you are recognized for 5 minutes.

**STATEMENT OF STEPHEN EVANGELISTA, ACTING DEPUTY COMMISSIONER, RETIREMENT AND DISABILITY POLICY, SOCIAL SECURITY ADMINISTRATION, BALTIMORE, MD**

Mr. EVANGELISTA. Chairman Brown, Ranking Member Young, and members of the subcommittee, thank you for inviting me to discuss the Supplemental Security Income program, or SSI. My name is Stephen Evangelista, and I am the Acting Deputy Commissioner for Policy and Research at the Social Security Administration.

The SSI program is a vital safety net for people who have limited income and resources, and who are elderly or disabled. We have administered SSI since the early 1970s when Congress created the program to replace several State-run income maintenance programs. We currently pay about 8 million people Federal SSI benefits every month.

In Calendar Year 2021, the maximum SSI benefit for a single person with no countable income is \$794 per month, or about 75 percent of the Federal poverty line for a one-person household. In addition to a monthly cash benefit, SSI eligibility provides beneficiaries in many States with automatic eligibility for medical assistance, and as a gateway to other State and Federal programs such as food assistance.

To be eligible for SSI, a person must have \$2,000 or less in countable resources, and a couple must have less \$3,000 in countable resources. Eligible married couples must have \$3,000 or less. Resources are assets a person can use to support themselves such as bank accounts.

The law excludes dozens of types of resources, some without a time limit, others with certain time periods. The law requires us to determine a person's eligibility and benefit amount for every month, using information we verify with independent and collateral sources.

The more countable income a person has, the less their monthly benefits will be. We must also consider the income and resources of spouses and parents who live with the beneficiary. The law requires us to count cash income and in-kind support and maintenance. This support is the value of food given to a beneficiary and the value of rent, utilities such as electricity bill, and other shelter expenses paid by someone else.

To figure out how much to pay a person in a month, the law requires that we exclude various types of income a person receives in a month. The law excludes all or part of 86 specific types of in-

come. Nearly every change in a beneficiary's life—moving, a friend giving them groceries, picking up a few extra hours at work—can affect the monthly SSI benefit.

We take seriously our responsibility to pay people the correct amount of benefits. We have a variety of tools in place to identify and correct situations where we are paying people too much or too little. We regularly conduct reviews called “non-medical redeterminations” that detect changes in a person's situation and ensure that our information is current.

We provide automated options for beneficiaries to regularly report their wages, including an automated telephone system and mobile app. And we obtain data exchanges from various private and governmental entities to detect when payments are not correct. These include information about bank accounts, wages, self-employment, unemployment, Federal pensions, and VA benefits.

Thank you for holding this hearing and raising awareness of the SSI program. During the pandemic, applications for SSI have been lower than pre-pandemic levels. We are committed to ensuring that everyone who qualifies for SSI benefits receives them.

This year we launched a paid public service announcement campaign on TV, radio, and social media. And we have also enlisted local community-based organizations across the country to help us reach people who may be eligible for SSI. Over 3,000 groups have committed to helping us identify and assist people who are interested in applying for SSI.

The groups are helping us by either identifying these people so we can obtain an application for benefits, or by helping the person complete an application for benefits. And we have designated employees to work with these groups to review the applications and evidence, and obtain applications and process the applications provided.

Finally, we are using our data to identify people who are receiving Social Security benefits who may be eligible for additional benefits from the SSI program. And we are sending these notices to let them know they can apply for SSI. We expect to send about 1.4 million of these notices in total by June of 2022.

Thank you for the opportunity to appear before you today, and I would be happy to answer any questions that you may have.

[The prepared statement of Mr. Evangelista appears in the appendix.]

Senator BROWN. Thank you, Mr. Evangelista.

I rarely comment on witnesses' testimony right after their opening statements, but when you said that enrollment is lower than during the pandemic, that is really telling, because clearly the need is greater. But the difficulty, apparently—and we will talk more about that.

Ms. Ives-Ruble, welcome, and we are glad you are joining us. Thank you.

**STATEMENT OF MIA IVES-RUBLEE, DIRECTOR, DISABILITY JUSTICE INITIATIVE, CENTER FOR AMERICAN PROGRESS, WASHINGTON, DC**

Ms. IVES-RUBLEE. Thank you, Chairman Brown, Ranking Member Young, and members of the subcommittee, for the invitation to

appear before you today. My name is Mia Ives-Rublee, and I am the director of the Disability Justice Initiative at the Center for American Progress. I am here to speak on behalf of almost 7.8 million disabled recipients of SSI who rely on the program to help keep a roof over their heads.

Many continue to struggle with the daily living expenses and arduous, outdated rules due to the fact that the program has had few updates since its creation in 1972. This discussion is very personal to me. Although I am now working at a major nonpartisan policy institute, I used to rely on Supplemental Security Insurance to pay for rent, utilities, gas, and food. When I graduated from high school, there were few jobs that were accessible to me. Using a wheelchair meant that I could not find work in the retail or restaurant industry and many other entry-level jobs.

I was encouraged by Voc Rehab to go to college to gain the skills needed to find more accessible, stable employment. But that meant at least 4 years without stable income. SSI paid for housing and food costs, particularly during the summer when my scholarship funds and student aid ran out. Yet the benefit level was extremely low, forcing me to max out credit cards and take out significant loans to cover my expenses that I am still paying today.

But even after getting my master's degree in 2009, it took me almost a year to finally land a full-time job. I was denied numerous positions because places did not want to hire me as someone in a wheelchair. I was denied opportunities to volunteer. By the end, I applied to over 100 jobs in 2009. It was not until January 2010 that I was employed by North Carolina Vocational Rehabilitation Services.

My time as a rehab counselor showed I was not alone in my struggles with the SSI program. I spent 6 years talking to disabled clients trying to help them navigate the system. The first hurdle was trying to apply to the program. Thousands of people die every year waiting for disability benefits as a result, or go bankrupt.

The current application process is so cumbersome it is often said that you need a law degree to access disability benefits. I have walked client after client through the disability process, sending medical documentation and statements of disability to the Social Security Office. For individuals lucky enough to navigate this application process and be found eligible for benefits, most of them still find they are unable to afford daily living expenses.

The current max benefit of \$794 per month is just three-quarters of the Federal poverty line for an individual, and does not come anywhere close to covering the average rental cost for a one-bedroom apartment in the United States, which was \$1,466 per month in July 2021.

I worked with SSI recipients who frequently experienced setbacks due to the stresses of navigating the system. They were too ill to work without a stable support system and Medicaid coverage, for which SSI made them automatically eligible. Many spend hours navigating various other safety net programs due to the difficulty of finding affordable housing, and food insecurity.

Current SSI policies are archaic. Benefits are way too low, which causes actual harm. While the program used to be the most successful antipoverty program for disabled people, it now traps them



in poverty. Many individuals have no other options to support themselves, which forces them into perpetual evictions and instability.

The Biden administration committed to five main changes to the SSI program, including increasing the Federal benefit rate, raising asset limits, updating the income disregards, eliminating the in-kind assistance provisions, and removing marriage penalties.

Through the leadership of Chairman Brown, the SSI Restoration Act provides guidance to revitalizing the program. The Center for American Progress supports the bill and has pushed to ensure SSI is not left behind in the Build Back Better reconciliation bill.

Long-overdue updates to the SSI program could—according to the Urban Institute—raise 3.3 million Americans out of poverty. Congress has the monumental opportunity right now to help communities that have seen significantly high death rates, unemployment, and poverty rates over the last few years.

The program was originally created with the goal of ensuring—as President Nixon stated during signing—that the Nation’s aged, blind, and disabled people would no longer have to live on below-poverty income.

You have the chance to help millions by revitalizing the SSI program.

Thank you, and I am open for questions.

[The prepared statement of Ms. Ives-Ruble appears in the appendix.]

Senator BROWN. Thank you, Ms. Ives-Ruble.

Ms. Romig, welcome. It is good to see you. Thanks for joining us.

**STATEMENT OF KATHLEEN ROMIG, SENIOR POLICY ANALYST,  
CENTER ON BUDGET AND POLICY PRIORITIES, WASHINGTON, DC**

Ms. ROMIG. Thank you for having me. Chairman Brown, Ranking Member Young, members of the subcommittee, thank you so much for the opportunity to testify today.

As Congress considers economic recovery legislation, it should seize the opportunity to update and simplify SSI. As you heard from the other witnesses, SSI is woefully out of date. Some of the key features have not been updated in decades, which leaves many needy people ineligible for benefits, and others without enough to meet basic needs.

SSI also has complex and intrusive rules that are hard for SSA to administer and burdensome for beneficiaries. SSI shortcomings disproportionately harm people of color, who are more likely to meet SSI’s medical and financial requirements because of persistent health and economic disparities.

Like the other witnesses, I thank Chairman Brown and others on this subcommittee for their leadership in proposing the SSI Restoration Act. It would dramatically cut poverty among seniors and people with disabilities, give beneficiaries more dignity and independence, and improve program integrity. While the emerging House bill includes important provisions to improve health care for seniors and people with disabilities, it does not yet include any provisions to fill in the income gap left by inadequate SSI benefits.

As the reconciliation process moves forward, Congress should update this critical program. As others have explained, SSI provides monthly cash assistance to 7.8 million people who are disabled or elderly and have little income and few assets. SSI benefits are very low, and should be raised.

The maximum Federal benefit is just \$794 a month, only three-quarters of the Federal poverty line. That leaves about 4 in 10 SSI beneficiaries in poverty.

As for SSI's rules, they are outdated and overly complicated. SSI's income disregards have been frozen for almost 50 years, since SSI was enacted in 1972.

Beneficiaries who work can only keep \$65 of their earnings each month, after which their benefits are reduced by \$1 for every \$2 they earn. Those reductions take effect when the total income to beneficiaries is still below the poverty line, which keeps even working beneficiaries in poverty.

SSI only allows beneficiaries to keep \$20 of any other benefits they receive. This includes Social Security benefits, which about a third of beneficiaries receive. Those Social Security benefits average about \$500 per month on paper, but SSI beneficiaries may only keep \$20 of that sum.

Likewise, SSI asset limits have been frozen for over 30 years, since 1989. SSI beneficiaries can keep just \$2,000 in savings, far less than people need to weather an emergency, let alone provide stability or invest in their futures.

SSI's complicated in-kind support and maintenance rules require beneficiaries to disclose any material help that they receive from family and friends, whether groceries or a place to sleep. Every \$1 worth of assistance shrinks their SSI benefits by \$1. No other Federal program counts in-kind support when determining benefit eligibility or levels.

Finally, SSI's rules penalize beneficiaries who marry one another. They receive lower benefits and have lower asset limits than if they stayed unmarried.

The SSI Restoration Act would raise benefits to the poverty line, update SSI's income and asset limits as if they had kept up with inflation from the start, and repeal the in-kind support and maintenance rules and marriage penalties.

The bill would cut poverty among SSI beneficiaries by more than half and lift over 3 million people above the poverty line, according to new research from the Urban Institute. It would allow beneficiaries to work, marry, save, and accept help from their loved ones without the harsh penalties in the current system, and it would reduce errors caused by overly complex and outdated rules.

Updating SSI is necessary to ensure that low-income seniors and people with disabilities have what they need to afford rent, food, and other basic needs. Congress should add SSI improvements into the Build Back Better legislation, even if the package cannot accommodate the full SSI Restoration Act.

Thank you.

[The prepared statement of Ms. Romig appears in the appendix.]

Senator BROWN. Thank you, Ms. Romig. Thank you for the insight and the illumination on an issue that just simply is not talked about in this society enough, and certainly, as Senator

Young has acknowledged, not talked about in the halls of Congress nearly enough.

Ms. Romig, let me start with you, your comments about the \$2,000 and the \$3,000, that the asset limits have not changed for 30 years. It is just pretty unbelievable. Talk about what a difference it can make having emergency savings when it comes to achieving any kind of economic stability. Talk that through, if you would.

Ms. ROMIG. Sure. Well, these limits were set back in the 1970s, and we have learned a lot about poverty traps since then. And we know now that having adequate savings is a really important way to bring people out of poverty.

And when you think about it, it makes sense. If you cannot afford to weather an emergency, then you could get stuck in poverty. What if you do not have enough money, for example, to repair your car? Then you lose your transportation to your job.

Another reason that savings are so important is to invest in your future. If you do not have enough money to do some additional job training, then you would miss out on work opportunities, as Mia's testimony so eloquently described.

So we know now that keeping people below a certain level of savings literally traps them in poverty. And we know that now in a more real way than we did back in the 1970s when these limits were first set.

Senator BROWN. Thank you. Talk too, Ms. Romig, about asset limits. Are there specific types of resources—I mean, there are going to be asset limits we want to raise dramatically, but are there certain types of resources that we should be excluding, like retirement accounts?

I mean, if the whole goal is long-term economic security—and we say that, though we have not acted on it—but if that is the case, what kinds of resources should be excluded from the asset limit calculation?

Ms. ROMIG. Well, a lot has changed since the 1970s. SSI was signed into law in 1972. At that point, IRAs did not yet exist. 401(k)s did not yet exist. Those were established later in the 1970s. At that point, workers typically would receive a pension from their job and were not expecting, necessarily, to save toward their own retirement. Now, they are. That expectation has changed.

But SSI continues to penalize people who save for their future and try to provide for their older years. And so other programs, other low-income programs, including SNAP, exclude all retirement savings from their asset limits.

Senator BROWN. Well, how interesting is that, because we do not—so few have defined pension benefits now. If that did not count against your asset limits, now we have something inferior to a defined pension—that is, some kind of 401(k) look-alike—which counts against your asset limits, and that is a really important point you make.

Ms. Ives-Rublee, you shared your experiences of trying to make ends meet on SSI with the sum of \$794, which you pointed out is not enough to live on. What are the consequences of this low benefit level for disability? What would increased benefits mean, at least for the Federal poverty level?

Ms. IVES-RUBLEE. Yes. Having lived on SSI, I know personally, the current SSI benefits are not enough to make ends meet. You know, disabled people, like any other individuals, need to be able to pay for rent, utilities, food, clothing, transportation, and all of the other things that you need to be able to survive.

They also have the added expenses of medical costs, home modifications, and other disability-related expenses. The National Disability Institute reported that it costs disabled people 28 percent more to live at the same standard as their peers.

So when we look at the average rental cost, and when we look at it, say in July, it was \$1,466, and in August it was \$1,633, that means that the max benefit of \$794 would not even cover rent. That means that disabled people spend a good portion of their life applying to other safety net programs, including section 8, SNAP, and reduced utility programs. You know, SSI's beneficiaries are always living on the cusp of homelessness or institutionalization, causing significant stressors that can negatively affect their health outcomes and general well-being.

Increasing the levels to at least poverty level would give many beneficiaries less to worry about, and they could spend more time applying to other safety net programs and actually focusing on their health and stability.

Senator BROWN. Thank you for that insight. My time has expired. I have questions for Ms. Curda and Mr. Evangelista, but my time is up, and I will turn to Senator Young.

Senator YOUNG. Well, thank you, Mr. Chairman. I enjoyed hearing from Ms. Romig and Ms. Ives-Rublee. I will be asking a question of Mr. Evangelista of the Social Security Administration. I would like to dive a bit into SSI benefits and the Federal poverty level.

We have heard in testimony today that current SSI benefits are not enough to rent an apartment or raise beneficiaries' income above that Federal poverty level. However, the Social Security Administration identifies that SSI is intended as assistance of last resort.

SSI takes into account all income resources that an individual has or can access, including wages and earnings, other types of remuneration, Social Security benefits, unemployment compensation, and other forms of income. SSI benefit eligibility also excludes consideration of other forms of income such as State or locally funded assistance based on means, Federal rent subsidies, the value of Supplemental Nutritional Assistance, and many other resources.

In fact, Mr. Evangelista's testimony contained pages of exclusions showing 86 current SSI income and resource exclusions which are not taken into account in determining someone's SSI benefits. So I am just trying to—I am laying the foundation for a question. What is the intention of the SSI program, Mr. Evangelista? Is this to be a sole source of income to a beneficiary for them to live, pay rent, obtain medical care, and buy food?

Mr. EVANGELISTA. Thank you, Senator Young. The goal of the SSI program is to be a vital safety net for those who have limited income and resources. And the SSI eligibility provides a cash benefit, and it also provides sort of a gateway, if you will, for other Federal and State benefits such as medical assistance.

Senator YOUNG. Okay, so it is not intended to be a sole source of income to a beneficiary?

Mr. EVANGELISTA. It is a vital safety net for those who have limited income and resources, and are either elderly or disabled.

Senator YOUNG. Which would not be a sole source of income? Is that accurate?

Mr. EVANGELISTA. There could be other sources of income, but we would have to count other sources of income against the benefit for SSI.

Senator YOUNG. Okay. Thank you.

What data, Mr. Evangelista, are available from the Social Security Administration on the full array of resources that SSI beneficiaries would have on average, since measuring their income and its relation to the poverty level based solely on what they get from SSI seems to be somewhat misleading?

Mr. EVANGELISTA. Sir, there are many, as I said in my testimony—many resource exclusions. Every month, we have to evaluate a person's circumstances and look at the changing eligibility that they have in terms of their resources, including income and their living arrangements.

In terms of the data, yes, we certainly have data on what individuals would have in their records. And again, we have to count certain resources. The statute actually contains what resources we can exclude and what resources we have to count against—

Senator YOUNG. Thank you, sir.

Ms. Curda, your testimony provides information about the Ticket to Work program. This began nearly 20 years ago. It is a program that allows SSA to pay service providers to help Disability Insurance beneficiaries and SSI recipients to achieve employment outcomes. Your testimony identifies challenges that still have not been overcome by SSA in trying to effectively implement the program. And SSA has perhaps not closely followed many recommendations offered by GAO.

Ms. Curda, what steps could be taken to help ensure that SSI recipients who want to work are encouraged to do so?

Ms. CURDA. Thank you for the question. Yes, GAO has been calling attention to this issue for several decades—starting in 1996 when we published a report on how disability programs were lagging in the promotion of Return to Work—and up until the present, in terms of our ongoing work looking at the Ticket to Work program, which will be issued later this fall.

But most recently, before that, our 2017 report on transition-age youth found that more could be done to connect SSI youth to the vocational rehabilitation services. We recommended that SSA explore options to increase these connections, and we highlighted the Ticket to Work program because it is an established program with structures already in place to connect adults to the VR services.

So the idea would be to extend that program, which is currently not available to youth. And at the time, SSA officials told us that the agency did not have legal authority to directly refer SSI youth to VR services. So clarifying or establishing that SSA's legal authority exists to direct youth to VR providers, or clarifying that they could be eligible for the Ticket to Work program, could potentially help create more opportunities for youth.

In our ongoing examination of the Ticket to Work program, we identified a number of challenges that SSI recipients face in working. And these include, as a number of the witnesses have mentioned, fear over loss of cash or medical benefits. And for SSI beneficiaries, benefits are generally reduced by \$2 for every \$1 of monthly earnings that exceed \$65.

There can be a fear of overpayments. That can be a barrier to participating in employment. In 2018, the Office of the Inspector General reported that, of a sample of beneficiaries they looked at who earned above the SGA, 79 percent were overpaid. And our preliminary work on our Ticket program found that Ticket participants were twice as likely to receive an overpayment as were non-participants.

And also, just the complexity of work incentives—and a number of the witnesses have alluded to this. SSA itself has found that the complexity of work rules constitutes a barrier to returning to work for beneficiaries, and an administrative challenge for SSA.

Senator YOUNG. I am sorry, Ms. Curda. I am grateful for the comprehensive response. I will follow up with some written questions. I know there are some other members wanting to ask questions.

Mr. Chairman, thank you so much.

Senator BROWN. Thank you, Senator Young.

Senator Casey of Pennsylvania is recognized.

Senator CASEY. Mr. Chairman, Chairman Brown, thank you for having this hearing. We are grateful you are spotlighting the issues that are being raised at the hearing, and grateful for your work and that of the ranking member

I wanted to start with Ms. Ives-Rublee, first of all to say how much I appreciate her testimony, but also to assert that she has kind of a triple credential. You have been an SSI recipient. You have worked for years with people with disabilities to secure employment. And you have also been a public policy advocate. So I think your qualifications are without question, and I wanted to direct my first question to you and ask you in particular about SSI policies on employment.

You have experienced the fear of exceeding the SSI asset limit, or the Federal benefit rate limit, and we know that that limit right now is \$794. A couple of years ago, back in December of 2014, as part of the tax bill, we passed the ABLE Act, which I was leading at the time with Senator Burr from North Carolina.

We passed into law a provision that created ABLE Accounts, almost like the 529 accounts, for disability, just like we have had them for higher ed for years, but not until 2014 did we have them for disability. And these accounts are one way to address this asset limit issue. And now we have over 50,000 people across the country who have opened these ABLE Accounts to be able to accrue assets beyond the \$2,000 limit.

We know that the SSI Restoration Act, Senator Brown's bill, which I am a cosponsor of, would also address this concern by increasing the asset limit to \$10,000. With approximately 26 percent of the 61 million people with a disability living in poverty, we have to address and improve their economic health as we consider these issues.

So my basic question is, what should we do to remove the barriers to work, and to incentivize employment?

Ms. IVES-RUBLEE. Thanks for asking that question. You know, I think that there needs to be an understanding that the income disregards and the asset limits do not work outside of each other. They work in tandem with each other. And we know that the income rules have never changed since the program's inception, and we know that the asset limit, the last time it was updated was in 1989.

Now, yes, there are these programs that are available like the ABLE Act, like the Earned Income Exclusion. The problem is that they exclude a number of individuals who are on SSI. And so, they unfortunately do not cover every single recipient who may need to utilize those programs.

So, while they are beneficial, the ABLE Act Accounts, they do not work if the individual's disability started after the age of 26. There is also a \$14,000-a-year limit. It also specifically addresses individuals who are getting assistance from family members. It is very hard for an individual to save any money from their income and put it towards that account because, as I said earlier in my testimony, it is just really hard to save on that basic income.

And so, I think what we really need to do is reduce some of these archaic rules that make it so hard for individuals to understand sort of how to utilize these services, and how to navigate the system. Like I said earlier, you kind of have to be a lawyer to be able to understand that or the rehabilitation counselor who provides you counseling on this.

So it is very difficult. So, if we can reduce some of these rules and increase the income, increase the asset limits, that is going to so much reduce some of these overpayment issues, and it is going to reduce some of these barriers for individuals to feel like they can go to work.

Senator CASEY. Well, thanks very much. We look forward to working with you on these issues.

Mr. Chairman, I am giving back a couple of seconds. Thanks.

Senator BROWN. Thank you, Senator Casey.

Senator Lankford of Oklahoma is recognized. Welcome.

Senator LANKFORD. Mr. Chairman, thank you very much. I thank all the witnesses. I appreciate your testimony today and your engagement.

Can I just pick up right where Senator Casey just left off, right there on what discourages people from actually getting back into the workforce, and those income limits? You were just talking about the income limits, and they should increase.

Can I just ask a question, just to be able to continue on that same process while we are picking your brain? What should those income limits be? If we are talking about an increase in an income limit, what should that look like, to what?

Ms. IVES-RUBLEE. Yes, thank you for that question. And I actually do not have the specific amounts on hand right now. But I could send you something to give you a better understanding of that.

Senator LANKFORD. That is great. Does anyone else—thank you, by the way. Does anyone else want to try to jump in? What should

those income limits be to continue to encourage people? Because, again, it is critical when you are actually able to work to actually get back to work. You engage in the community. You engage in relationships. It helps with your own personal well-being, as well as your productivity in the workforce.

So what should those income limits be?

Ms. ROMIG. I am happy to jump in here. The SSI Restoration Act, as the name suggests, would restore SSI to its original provisions, just indexing them to inflation. And inflation since 1972 is about four or five times as high as the 1972 levels. So that is one way of looking at it, just restoring it to 1972 levels.

But another way of looking at it is thinking about, what do we know now that we did not know in 1972? And what are our goals now? Do we want to encourage work? Do we want to make sure that people who do work can support themselves?

And I think it is worth considering even a higher income threshold, especially as in the Social Security Disability Insurance program, there is a period where you can earn an unlimited amount. It is called the Trial Work Period, and you can test out your ability to work in the labor market without any fear of losing benefits, without losing your health-care coverage. And I think contemplating other changes like that could really encourage people to work—especially young people, people who are aging out of the child benefits and getting their start in the labor market, giving them that opportunity.

Senator LANKFORD. Okay. That is helpful.

I would say, as I talk to individuals on SSI or SSDI, either one, it is very common to hear, “I would return to work, but I’m afraid of losing my health care. This has been very helpful. I have a certain set of doctors, a certain set of insurance; I am on a pattern here. I would return, except for this.”

That one piece of that proposal, I think, is very significant to me. It is also interesting the number of people I have talked to who are single, living together with someone else who is on benefits, and what I say to them is, “You’ve been together for years. What’s ever kept you from being married?” I am a big proponent of marriage because I love my wife, and I am excited and want other people to be able to have that kind of joy. I will say, “What’s kept you from being married?” Almost always they’ll say, “I’m afraid of losing our benefits. I’m afraid of the income piece of it.”

So it seems like we are discouraging work, and we are discouraging marriage and families and the stability that that brings. Does anyone else agree or disagree with that?

Ms. ROMIG. Yes, I absolutely agree with that. I mean, we—I think it is really important to think about goals. What do we want to encourage? Do we want to encourage work? Then we should not have rules that penalize work.

Do we want to encourage marriage? Then we should not have rules that penalize marriage. Do we want to encourage savings? Then we should not have rules that penalize savings.

Senator LANKFORD. Mr. Evangelista, let me ask you a question. You have mentioned in your testimony that SSI benefits dropped during the pandemic time period, as far as the number of people who actually enrolled in that. Is there an expectation that there



are going to be a lot of people who start to enroll after we see the pandemic subside—which, God willing, some day we will? So, is that an expectation? If so, how are we preparing for that?

Mr. EVANGELISTA. Good afternoon, Senator Lankford. Thank you for your question. We did notice a decrease in the SSI applications. And during the pandemic we implemented a nationwide outreach strategy to actually reach some of these people who we think may be underserved in our communities.

Some of the things that we are doing right now to address these low application rates are, we are expanding our collaboration with community organizations, meeting with them regularly, hearing about the challenges, and identifying solutions.

We have also launched a paid national public service announcement on radio, TV, and social media to actually try to get to children with impairments, people with limited incomes. We are partnering with these organizations, working with these organizations, and they have agreed to assist us in helping to take applications from people who are interested in applying for SSI, and certainly referring people to us, or referring leads to us. We have established designated employees to work with these organizations to complete these claims.

To answer your question, we are in the relatively early stages of this, Senator. So we are going to evaluate this very closely, and we are hoping to see whether or not there is an increase in the SSI application rate moving forward.

Senator LANKFORD. Mr. Chairman, may I have 30 seconds to ask one additional question?

Senator BROWN. Of course. Yes.

Senator LANKFORD. Thank you, Mr. Chairman.

I wanted to ask about kids who are minors, as they are transitioning into adulthood. There have been a lot of questions about the hearing time, where they have to go through the reapplication process.

I have talked to some of the professionals who work in this area, and they have said there is a smaller number of people who qualify for post-18-year-old SSI benefits than there are when they are a teenager, but it seems to take 2 years to actually get to the hearing and go through the process based on just the backlog time period.

Now that could be somewhat dated. Maybe that has changed recently with what is happening during the pandemic time period. But the simple question is, is there a way, as they are transitioning from the minor SSI program into the adult program, that they could actually be put on the top of the list and get a decision faster than other people who are way into the process—since such a small number of people actually qualify—so they could get an answer faster? Is that being considered?

Mr. EVANGELISTA. Senator, thank you for your question. I would have to take that back to see whether or not that is being considered, and perhaps I could provide that for the record.

Senator LANKFORD. That would be just fine. Thank you.

Mr. Chairman, thank you for the extra minute.

Senator BROWN. Thank you, Senator Lankford. I found it fascinating that you said that this penalizes work, it penalizes mar-

riage, and Ms. Romig said it penalizes savings. And we obviously have work to do.

Senator Young, if it is okay with you as ranking member, why don't you and I take a short second round? I know that Senator Cassidy and Senator Hassan and Senator Bennet have checked in. I do not think they are here now. But we can have a short second round.

I want to take off on something you said, Senator Young, when you asked Ms. Curda a question about enrollment and underpayments and overpayments.

Ms. Curda, would you kind of walk through this. If we increased asset limits and eliminated SSI's so-called "in-kind maintenance and support rules," which we heard penalize some of the poorest SSI beneficiaries for receiving help from loved ones to make sure they have enough to eat and a roof over their head, would this—you sort of intimated this in response to Senator Young's question—would this reduce SSI underpayments and overpayments? And if so, can you explain that in some detail?

Ms. CURDA. Sure. I mean, it is really just the math. We have not done any work on this issue specifically, but it is sort of a mathematic truism that if you raise the threshold for income and earnings, fewer people would automatically be in an overpayment status. But there are some sort of countervailing effects that I think you need to keep in mind. You know, on the one hand in the short run, of course, fewer would be in that overpayment status or underpayment status. But overall the program costs are obviously going to increase because what was once an overpayment subject to recovery is now a program cost.

In addition, to the extent that raising or expanding the population of individuals who might be eligible for that benefit goes, it might also increase the number of SSI recipients.

And then after raising the limits, the improper payments, overpayments, underpayments might continue to be an issue if the system for determining individual eligibility continues to work the same way, with benefits changing as the arrangements change. It just may be occurring at a higher level.

Senator BROWN. Thank you. And my only other question, then—before turning it over to Senator Young—Ms. Romig, your testimony notes that about half of the eligible people are currently being left behind by SSI because the application process is so difficult to navigate. We have seen the program cratering to historic lows during the pandemic, just evidence of something unusual right there.

How concerned are you about these numbers? And what do we do to ensure that eligible people are able to access this critical program in their time of most dire need?

Ms. ROMIG. Yes, this is such an important question, and I think the pandemic has brought some focus on a problem that has existed really for decades.

You know, as you noted, during the pandemic, applications and awards for SSI are down to historic lows. And that, we think, is not because the need is any less—in fact, the need is greater as people have been losing jobs and becoming sick and sometimes disabled for the long term. But SSA's field offices have remained

closed to the public for the most part since March of 2020. And so that certainly has been a factor that has kept applications down.

There is a problem that really predates all of that as well. Several careful studies have looked at who is eligible for this program. For example, a few years ago SSA commissioned a study from the Institute of Medicine about children with mental health disabilities. And it looked across six different major diagnoses at low-income children who had significant disabilities, and whether they applied for the program. And they found that about half, across all these major diagnoses, even applied for the program.

Another study on low-birth-weight babies found the same thing: roughly half. Another study on adults—again in the neighborhood of half did not even apply for the program. And then, among people who do apply, only 4 in 10 are awarded benefits even after all levels of appeal.

So it is very difficult to receive these benefits. And Mr. Evangelista talked about some of SSA's efforts. I think they are starting to take some steps to really improve outreach. I think we need to do a lot in terms of simplification. It is extraordinarily complicated to apply for SSI, particularly for the disability program. I think often people need assistance.

You know, we were talking about people with a lot of barriers: people who have sometimes cognitive impairments; people who might have limited education levels; people with language barriers. We need to really address all of these barriers that people have to applying and give them the assistance they need in order to access the program.

And so, I think there is a lot—while SSA has taken some first steps to try to improve outreach, to try to simplify the program, and to try to get people the assistance that they need, we need to do a lot more. Because there are many people who are entitled to these benefits who are not receiving them. And that is just as much of a problem, if not more of a problem, than overpayments.

Senator BROWN. Thank you, Ms. Romig.

Senator Young, if you want to take a second round here; thank you.

Senator YOUNG. Thank you, Mr. Chairman.

SSA recently launched a vulnerable population liaison program to connect eligible individuals to SSI and to SSDI benefits. Following the onset of the pandemic, SSA increased outreach to certain groups, recognizing that shutdowns of in-person service at field offices created heightened barriers to access.

Mr. Evangelista, given the important role SSA field offices play in connecting individuals to the benefits they are eligible for, when do you anticipate the field offices will reopen?

Mr. EVANGELISTA. Thank you, Senator Young, for your question. Since the beginning of the pandemic, our offices have been open primarily for in-person appointment-only services. As you mentioned, we did have to limit walk-in traffic, or walk-in unscheduled visits, to protect the public and protect the employees who serve them.

But we are working on our reentry plans, working in concert with the administration, working under the guidance of the Centers for Disease Control, and will continue to work through that.

And while we are doing that, we are going to keep focusing on making sure that our services are accessible to those who need them through that outreach program I mentioned earlier.

Senator YOUNG. So no projected timeline right now in terms of opening the field offices?

Mr. EVANGELISTA. As I mentioned, we will continue to work through our in-office appointments and increase the availability there, and we will continue to work through those reentry plans in concert with the administration and CDC.

Senator YOUNG. So you are working on it, but there is no projected timeline? Is that accurate?

Mr. EVANGELISTA. That is accurate. I do not have a time frame.

Senator YOUNG. Thank you. Thank you for your answering the question.

Mr. Evangelista, in response to recent questions from Finance Committee staff, SSA officials have said that the vulnerable population liaison program is an ongoing initiative that SSA will continue to monitor and evaluate to determine its overall effectiveness.

How are you monitoring for effectiveness? What constitutes "effectiveness" for this program? And do you envision this VPL as a temporary initiative?

Mr. EVANGELISTA. Thank you, Senator Young. I think one of the things that we are going to assess moving forward is the availability of community organizations to help us, their access to the community, and their capacity to help us take those SSI applications.

Again, this is an ongoing initiative, and we are going to continue to monitor it for its effectiveness to make sure that we can reach out to these individuals who could potentially be eligible for SSI.

Senator YOUNG. Will you be using metrics to measure effectiveness. If so, what metrics are you using to measure success?

Mr. EVANGELISTA. Thank you for the question. As I mentioned earlier, we are in our early stages of doing this. One of the metrics that we are going to measure is to see whether or not there has been an increase in the SSI application rate. And again, we are still early on in the process, but I would say that is one of the key metrics that we are going to want to measure: is there an increase in the SSI application rate moving forward? And that is something that we are going to measure.

Senator YOUNG. Okay. So directionally, would an increase in recipients constitute effectiveness? Or does it have to hit some threshold before you would say the VPL program is effective?

Mr. EVANGELISTA. That is a great question. I think how I would respond is that, certainly all those who apply for VPL benefits will not necessarily be approved for benefits. But I think right now what we are going to focus on is making sure that we are making our services accessible to everyone who is interested in applying.

And then at a certain point, we are going to have to determine whether those who have applied were also those we were hoping to reach. So it is a little bit early to come to those conclusions, but we are certainly going to monitor the effectiveness of this outreach.

Senator YOUNG. Okay. It is unclear to me why it is early to come up with success metrics, or at least a preliminary range. I think most organizations would come up with success metrics, and then

if they needed to be changed, a rationale would be given for changing the metrics.

Why is it different at SSA? Or perhaps as a management exercise, I am wrong. I am open to being wrong, sir.

Mr. EVANGELISTA. I thank you for the question. No, I think we take these metrics very seriously. We do want to measure the effectiveness, and we want to make sure that we are reaching the targeted population that we think may be eligible for SSI.

In terms of the actual metrics, Senator, let me take the rest of this question back and see whether or not we could provide additional details for the record.

Senator YOUNG. Okay.

Just lastly—because I asked it in that fusillade of questions—would you just answer “yes” or “no,” do you envision the VPL as a temporary initiative?

Mr. EVANGELISTA. Right now we are going to consider it as an ongoing initiative. Again, we are going to monitor the effectiveness in terms of how those employees are going to be working with the organizations, taking those claims for SSI. So right now, I would consider it an ongoing initiative.

Senator YOUNG. Okay. It sounds like you are keeping your options open.

Thank you so much, Mr. Chairman.

Senator BROWN. Thank you, Senator Young. Thank you to my colleagues and to our witnesses for being here today. I just want to recount some things we heard on which I think there is general agreement, sort of from all of us on the Senate side, and in both parties, and from the witnesses.

Ms. Ives-Ruble told us that SSI beneficiaries are living on the cusp of homelessness or institutionalization. I think we agree that is shameful, and it underscores the urgency for Congress to act.

Here is what else we heard. Because it is over-complicated and full of outdated rules, it discourages work. The income disregard thresholds are too low, and the rules are so complicated that SSI beneficiaries are afraid to go back to work. It discourages savings. The asset limits have not been updated, as you all said, by Congress for close to 40 years. The \$2,000 limit means beneficiaries simply cannot meaningfully save for an emergency—a car breaking down, or a number of other things. It even discourages marriage. If two SSI beneficiaries get married, they receive lower benefits than they would if they had stayed unmarried.

These are problems that have a concrete effect on beneficiaries' lives. The rules are so complicated that SSA has difficulty administering the program. Our legislation would make long-overdue updates and simplify the rules. It is long past time that we restore SSI to its original purpose, where we restore dignity to the lives of the beneficiaries who rely on it.

Thank you all for being here. Senator Young, thanks for your cooperation and that of your staff. The four witnesses, all four of you, made major contributions. Thank you so much, and the hearing is adjourned.

[Whereupon, at 4:03 p.m., the hearing was concluded.]



## APPENDIX

### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

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PREPARED STATEMENT OF HON. SHERROD BROWN,  
A U.S. SENATOR FROM OHIO

I'll call this hearing to order. Thank you, Senator Young, the ranking member of this subcommittee, for working with us to schedule this hearing. And thank you to Chairman Wyden for being a part of it and helping us to lead these efforts to protect and strengthen this critical part of our Social Security system.

Today's hearing on Supplemental Security Income, or SSI, is long overdue. This is the first hearing on SSI in the Senate Finance Committee since 1998—that would be nearly a quarter century ago—and there has not been a hearing in Congress specifically about increasing benefits or eligibility since the Reagan administration.

In fact, that 1987 Ways and Means hearing called SSI “the forgotten safety net.” It was a fitting title then and it would be an even more fitting title now, given the decades of neglect that has hurt millions of Americans.

Nearly 8 million people with disabilities and seniors rely on SSI to meet their basic needs. The program's rules are needlessly complicated, leaving seniors and other Americans facing a maze of complex and sometimes contradictory rules at a difficult time in their lives. And they make it challenging for the Social Security Administration to administer—which we'll hear more about from our witnesses today.

Even worse, SSI's eligibility rules are even more outdated and illogical than they already were in 1987. When the program was created by Congress in 1972, its purpose was clear: to ensure “the Nation's aged, blind, and disabled people would no longer have to subsist on below-poverty-level incomes.”

But now the opposite is true. The program's eligibility rules haven't been updated in decades—in many cases even for inflation. They now force millions of disabled and older Americans to live well below the poverty line, and punish them for any of their own efforts to build a little financial security.

They're punished if they try to save for an emergency. They're punished if they try to find a part-time job. They're punished if they accept food or shelter from generous family and community members. They're even punished if they're married.

It makes no sense—particularly when these Americans are treated to constant lectures about the value of work and self-sufficiency. We're told over and over by some politicians that “personal responsibility” is a central American value. Yet if someone who relies on SSI saves even \$1 more than \$2,000, they lose their benefits.

That sends a pretty absurd message. SSI's outdated rules make it impossible for beneficiaries to live with dignity.

Last year I talked with an Ohioan from Ottawa County named Dorothy Gackstatter. Her son's benefits took a hit when an insurance policy she had in his name grew in value. She told me: “It should have never happened. I felt it was unjust.”

Make no mistake: poverty in America is a policy choice. And it's up to this committee and this Congress to finally make a different choice. There are millions of seniors and people with disabilities who are living in poverty right now, not because of their own choices—but because of ours.

That's why earlier this year, I introduced the SSI Restoration Act with 20 cosponsors, including Senators Wyden, Warren, Menendez, Casey, Bennet, and Whitehouse from this committee. That bill would finally increase SSI benefit levels to the Fed-

eral poverty level, and simplify and update the eligibility rules, so that these Americans are no longer punished for trying to build a better life for themselves.

Recent analysis from the nonpartisan Urban Institute tells us that the reforms in this bill would lift 3.3 million people out of poverty and cut poverty among SSI beneficiaries in half.

The bill is supported by more than 100 national organizations, including AARP, the Strengthen Social Security Coalition, The Arc, the National Women's Law Center, and AFL-CIO. Even J.P. Morgan Chase—which I know well from chairing the Senate Banking and Housing Committee—supports increasing SSI's asset limits.

When you get the AFL-CIO and J.P. Morgan on the same page, I think you may be on to something—I don't know if you can get a broader coalition than that.

We created SSI nearly a half-century ago as a key part of our Social Security system—one of the bedrocks of our society. People know that if they or a loved one needs it, it will be there. It's just like the promise of Social Security.

For more than 30 years, we've been breaking that promise.

Now is the time for Congress to finally do right by the 8 million Americans relying on SSI we've forgotten for far too long. Now is the time to finally restore this critical part of our Social Security system to its original intent.

I am working with Chairman Wyden and Leader Schumer to ensure that long-overdue updates to SSI are included in the forthcoming family infrastructure package we're putting together, and I thank them for their support on that.

Before I turn it over to Senator Young, I want to thank the hundreds of SSI beneficiaries who are following this hearing. You've shared your stories on Twitter with the Demolish Disabled Poverty hashtag, and you've written to this subcommittee about what improving SSI would mean to you and your families.

I thank you for sharing your stories with us, and I want you to know: I'm listening. We are listening. I'm only sorry it's taken this long for your voices to be heard here in Washington. That will change.

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PREPARED STATEMENT OF ELIZABETH CURDA, DIRECTOR, EDUCATION, WORKFORCE,  
AND INCOME SECURITY, GOVERNMENT ACCOUNTABILITY OFFICE

### **Supplemental Security Income: SSA Faces Ongoing Challenges With Work Incentives and Improper Payments**

#### **Why GAO Did This Study**

SSI is a Federal assistance program administered by SSA that provides cash benefits to certain individuals who are elderly, blind, or have a disability. SSI acts as a safety net for individuals who have limited resources and little or no other income. As such, SSI is a means-tested program. As of July 2021, approximately 71 percent of SSI beneficiaries were children or working-age individuals with disabilities. SSA faces longstanding challenges related to administering SSI and its other disability programs. GAO has issued multiple reports with recommendations on how SSA might address these challenges.

This testimony describes SSA's challenges with (1) incentivizing employment for SSI recipients who wish to work, and (2) preventing improper payments to SSI recipients, including overpayments.

This statement is based primarily on prior GAO reports issued between 2010 and 2021, as well as preliminary observations from an ongoing GAO review of the Ticket program. To conduct the work for these reports and the ongoing review, GAO used a variety of methods including analyzing data; reviewing relevant Federal laws, regulations, and guidance; reviewing key agency documents, such as SSA's strategic plan and annual SSI stewardship reports; and interviewing experts and SSA officials.

#### **What GAO Found**

The Social Security Administration (SSA) has undertaken several efforts to encourage employment for individuals with disabilities who receive Supplemental Security Income (SSI) and who would like to work, but few benefit from these supports.



- **Work incentives and supports for transition-age youth.** SSA administers work incentives and other employment supports for transition-age youth (ages 14 to 17) on SSI. These supports encourage work by allowing these youth to keep at least some of their benefits even if they have earnings. In 2017, GAO analysis of SSA data from 2012 to 2015 found that less than 1.5 percent of SSI youth benefited from these incentives. According to SSA and other officials, this may be because SSI youth and their families are often unaware of or do not understand the incentives, and may fear that work will negatively affect their benefits or eligibility.
- **Work incentives for working-age adults.** The Ticket to Work and Self-Sufficiency Program (Ticket) is a voluntary program that was established to assist individuals with disabilities in obtaining and retaining employment, and help reduce dependency on benefits. Preliminary GAO analysis of Ticket indicates that SSI recipients participated more often than other disability beneficiaries, and benefited modestly from the program. GAO analysis of SSA data from 2002 to 2015 found, 5 years after participating in Ticket, about 4 percent of SSI participants had left the disability rolls due to earnings from work, compared with 2 percent of nonparticipants who were similar in characteristics such as age, disability type, and education. However, earnings for SSI Ticket participants remained low. GAO's analysis of data from 2002 to 2018 shows that average earnings for SSI Ticket participants, 5 years after participating, were \$3,940 per year, including 57 percent who did not report any earnings at all. GAO's preliminary work also indicates that Ticket participants face a number of challenges to returning to work, including their primary disabling condition, which may not improve sufficiently to allow for full time employment, and disincentives to work such as the loss of cash and medical benefits.

Prior and ongoing GAO work has identified issues with SSA's efforts to reduce improper payments, including overpayments, to SSI beneficiaries in general and beneficiaries who are working in particular. Overpayments can occur when beneficiaries who work do not timely report earnings to SSA or SSA delays in adjusting their benefit amounts. SSA reported that SSI's overpayment rate in fiscal year 2019 was estimated at 8.13 percent, higher than other SSA programs. Further, SSA reported it made approximately \$4.6 billion in SSI overpayments in fiscal year 2019. Overpayments may have to be repaid, which may be burdensome for recipients, especially those who were not aware that they were overpaid and already spent the money. While SSA has taken steps to reduce overpayments, SSA's Office of Inspector General found that SSA had not resolved lags in updating information on beneficiaries' earnings. In addition, SSA has not implemented a 2020 GAO priority recommendation that it develop and implement a process to measure the effectiveness of its corrective actions for improper payments, including overpayments.

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Chairman Brown, Ranking Member Young, and members of the subcommittee, I am pleased to be here today to discuss our prior and ongoing work on the Supplemental Security Income (SSI) program, including the Social Security Administration's (SSA) efforts to encourage its beneficiaries to work if able and to correctly pay them benefits. SSI is a Federal assistance program administered by SSA that provides cash benefits for certain individuals who are elderly, blind, or have a disability. SSI acts as a safety net for individuals who have limited resources and little or no other income. As of July 2021, approximately 71 percent of SSI recipients were children or working-age individuals with disabilities. Specifically, during the month of July, 4.4 million working-age SSI beneficiaries received approximately \$2.9 billion dollars in benefits, with an average monthly payment of about \$617.<sup>1</sup> During the same month, 1.1 million child SSI beneficiaries received \$757 million dollars, with an average monthly benefit of \$693. According to SSA, in many States, eligibility for SSI also confers eligibility for Medicaid benefits.<sup>2</sup>

SSA faces longstanding challenges in administering SSI. We have issued a number of reports with recommendations for how SSA might address these challenges. While SSA has agreed with and taken action on many of our recommendations, oth-

<sup>1</sup>In addition to setting a Federal benefit standard, Federal law also permits individual States to supplement the Federal payment with an additional monthly amount. As of May 2020, 44 States and the District of Columbia have optional State supplementation programs.

<sup>2</sup>According to SSA, in 18 States SSI eligibility does not confer automatic eligibility for Medicaid. Also, SSA stated that SSI applicants who are not categorically eligible for SSI may be Medicaid-eligible, depending on State eligibility rules.

ers have not been implemented. In addition, Social Security disability programs are on GAO's High Risk List due to persistent workload and other management challenges.<sup>3</sup> The COVID-19 pandemic in 2020-2021 has presented unprecedented workload challenges as the agency closed its offices to the public and transitioned to remote service delivery.<sup>4</sup> The pandemic also created new challenges for SSA, such as in reaching vulnerable populations who traditionally rely on SSA's in-person services.

This testimony describes SSA's challenges with (1) incentivizing employment for SSI recipients who wish to work, and (2) preventing improper payments to SSI recipients, including overpayments when earnings exceed allowable thresholds. My testimony is based primarily on reports we issued from 2010 to 2021,<sup>5</sup> as well as preliminary observations from our ongoing review of the Ticket to Work and Self-Sufficiency Program (Ticket to Work or Ticket).<sup>6</sup>

We used multiple methodologies to conduct the work for our prior reports. We analyzed SSI data; reviewed relevant Federal laws, regulations, and guidance; reviewed key agency documents, such as SSA's strategic plan and annual SSI stewardship reports; and interviewed SSA officials.<sup>7</sup> In this testimony, we also include preliminary observations from our forthcoming report on SSA's Ticket program, a voluntary program established to assist individuals with disabilities to obtain and retain employment, and reduce their dependency on benefits.<sup>8</sup> That analysis compares outcomes for Ticket participants to a statistically matched group of similar nonparticipants using data from SSA's Disability Analysis File from 2002 to 2018 matched with earnings data from SSA's Master Earnings File.<sup>9</sup> We assessed the data we received by, for example, reviewing relevant documentation and interviewing knowledgeable officials, and determined that the data were sufficiently reliable for the purposes of our reporting objectives.

We performed the work on which this statement is based in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

<sup>3</sup>*High-Risk Series: Dedicated Leadership Needed to Address Limited Progress in Most High-Risk Areas*, GAO-21-119SP, <https://www.gao.gov/products/gao-21-119sp> (Washington, DC: March 2, 2021).

<sup>4</sup>In certain instances, SSA allowed for limited in-office appointments for critical services.

<sup>5</sup>This statement is also based on an ongoing review of SSA data and updates on actions taken to address past GAO recommendations we obtained in September 2021 from reviewing SSA reports and guidance. Prior GAO reports are cited throughout and include GAO, *Supplemental Security Income: SSA Has Taken Steps to Prevent and Detect Overpayments, but Additional Actions Could Be Taken to Improve Oversight*, GAO-13-109, <https://www.gao.gov/products/gao-13-109> (Washington, DC: December 14, 2012); *Supplemental Security Income: SSA Could Strengthen Its Efforts to Encourage Employment for Transition-Age Youth*, GAO-17-485, <https://www.gao.gov/products/gao-17-485> (Washington, DC: May 17, 2017); *Highlights of a Forum: Actions That Could Increase Work Participation for Adults With Disabilities*, GAO-10-812SP, <https://www.gao.gov/products/gao-10-812sp> (Washington, DC: July 29, 2010); *Payment Integrity: Selected Agencies Should Improve Efforts to Evaluate Effectiveness of Corrective Actions to Reduce Improper Payments*, GAO-20-336, <https://www.gao.gov/products/gao-20-336> (Washington, DC: April 1, 2020); and GAO-21-119SP, <https://www.gao.gov/products/gao-21-119sp>.

<sup>6</sup>The Explanatory Statement accompanying the Consolidated Appropriations Act, 2018, contains a provision for GAO to study and issue a report on the effects of Ticket to Work to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate. 164 Cong. Rec. H2707 (March 22, 2018). We expect to issue a report on the results of this work in fall 2021.

<sup>7</sup>More information on the scope and methodology of our work is contained within each of the published reports.

<sup>8</sup>See Pub. L. No. 106-170, §2(b)(4), 113 Stat. 1860, 1863.

<sup>9</sup>Using SSA data, we sought to analyze earnings, benefits, and other outcomes of Ticket participants in relation to nonparticipants. We used statistical matching methods to construct this comparison group of nonparticipants and to adjust for differences between the two groups. The resulting comparison group was similar on average to the Ticket participants on characteristics that could influence Ticket participation such as the primary disabling condition, expectations of medical recovery, state of residence, age, gender, and education level. These matching methods yielded a comparison group that allowed us to analyze outcomes for nonparticipants similar to Ticket participants. Comparison group members received similar amounts of disability benefits before the participants started services, but on average earned \$487 less per year than participants before services started.

## BACKGROUND

*SSI Eligibility*

The SSI program is a means-tested program that was established in 1972 under title XVI of the Social Security Act and provides payments to individuals who are elderly, blind, or have disabilities—both adults and children—who meet certain financial eligibility requirements.<sup>10</sup> To determine financial eligibility, SSA staff review SSI applications. To be eligible, in 2021, an individual's or married couple's monthly countable income had to be less than the monthly Federal SSI benefit rate of \$794 for an individual and \$1,191 for a married couple. Further, countable resources (such as financial institution accounts) had to be \$2,000 or less for individuals and \$3,000 or less for married couples. SSI recipients are to report changes in their income and financial resources to SSA as soon as they occur. A penalty may be deducted from the recipient's benefit if the report of a change is not made within 10 days after the close of the month in which the change occurred.<sup>11</sup> If income changes are not reported in a timely manner, or if the change in income is not processed in a timely manner, an improper payment may occur. An improper payment is defined as any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements.<sup>12</sup>

SSI also has two sets of medical eligibility requirements to determine disability—one for adults (individuals age 18 and older) and one for individuals under 18. For adults to be considered disabled, they must have a medically determinable physical or mental impairment (or combination of impairments) that prevents them from doing any substantial gainful activity (SGA) and that has lasted or is expected to last for a continuous period of at least 12 months or result in death.<sup>13</sup> While similar to the requirements for adults, the requirements for children are that the impairment must cause marked and severe functional limitations.<sup>14</sup>

*Work Incentives for Transitioning Youth*

As a provider of means-tested benefits, SSA does not provide direct employment services to SSI recipients, including transitioning youth (ages 14 to 17) on SSI. However, for recipients who want to work, the SSI program is designed to support their efforts and reduce their reliance on benefits, according to SSA's Annual Report of the Supplemental Security Income Program. Federal law provides several work incentives and other employment supports to help SSI recipients, including youth, enter, reenter, or stay in the workforce. Most transition-age youth are also students, and the importance of education is emphasized by the primary work incentive for this population, the Student Earned Income Exclusion (SEIE), which encourages work, but generally requires recipients to attend school to be eligible for the exclusion of some of their income when calculating SSI benefits. SSA also administers other work incentives and employment supports that are available, but not targeted, to transition-age youth.

*Ticket to Work Overview*

Ticket was established to assist individuals with disabilities to obtain and retain employment, and help reduce dependency on benefits. This voluntary program was also designed to provide beneficiaries with greater choice in public and private providers of employment services, such as job preparation and placement and voca-

<sup>10</sup>The SSI program was established by the Social Security Amendments of 1972 and became effective in 1974. Pub. L. No. 92-603, § 301, 86 Stat. 1329, 1465 (codified as amended at 42 U.S.C. § 1381-1383f).

<sup>11</sup>20 CFR §§ 416.708(c) and (d) and 416.714.

<sup>12</sup>31 U.S.C. § 3351(4).

<sup>13</sup>Substantial gainful activity, or SGA, describes a level of work activity that is both substantial (*i.e.*, involves the performance of significant physical or mental activities) and gainful (*i.e.*, the kind of work usually done for pay or profit). Generally, work earnings of over \$1,310 a month are evidence of ability to engage in SGA. If an SSI applicant is earning over \$1,310 a month, he or she generally would not be considered disabled. However, if an SSI recipient is earning over \$1,310 a month, he or she could continue to be eligible for SSI. SSA, *Annual Report of the Supplemental Security Income Program* (Baltimore, MD: May 29, 2020).

<sup>14</sup>Individuals under age 18 are considered disabled if they have a medically determinable physical or mental impairment or combination of impairments that causes marked and severe functional limitations, and that can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months. If a child is blind, they must meet the same definition of blindness as applied to adults. 42 U.S.C. § 1382c(a).

tional rehabilitation services.<sup>15</sup> In general, SSI beneficiaries ages 18 through 64 are eligible for Ticket.<sup>16</sup> These beneficiaries may choose whether or not to use their tickets, and with which service providers.

SSA FACES CHALLENGES WITH WORK INCENTIVES FOR  
SSI RECIPIENTS WHO WANT TO WORK

*Few Transition-Age Youth Took Advantage of Available Work Incentives*

As we reported in 2017, SSA administers work incentives and other employment supports for transition-age youth on SSI as they move into adulthood, but few benefited from these supports.<sup>17</sup> These supports encourage work by allowing transition-age youth to keep at least some of their benefits even if they have earnings. The work incentive targeted specifically to younger SSI recipients is the Student Earned Income Exclusion (SEIE), which allows income to be excluded from benefits calculations if a recipient is a student under the age of 22. However, less than 1.5 percent of all transition-age youth—and generally less than one-half of those with earnings—benefited from SEIE in 2012 through 2015.

SSA data also showed that almost no youth benefited from other incentives that allow them to exclude earnings used for specific purposes. For example, SSA data showed that in 2012 through 2015, no transition-age SSI recipients used incentives that allow SSI recipients to deduct the cost of certain items necessary to help the individual work from the income used to determine their benefit.<sup>18</sup> Further, no more than five individual youths in any given year from 2012 through 2015 used the work incentive that allows individuals to set aside income to meet work goals.<sup>19</sup> According to SSA and other officials, use of these work incentives may be limited because youth and their families are often unaware of or do not understand them, and may fear that work will negatively affect their benefits or eligibility.<sup>20</sup>

While SSA has implemented some of the recommendations we have made pertaining to work incentives for transition-age youth, others have not been implemented. For example, the agency took steps to analyze why youth on SSI with earnings did not benefit from SEIE and to improve communication about work incentives and rules. However, SSA has not fully addressed our recommendations for the agency to work with the U.S. Department of Education to determine how many youth on SSI are not connected to vocational rehabilitation services and explore options to further connect them, such as by expanding Ticket to serve transition-age youth.<sup>21</sup>

*SSI Beneficiaries Who Participated in Ticket to Work Benefited Modestly, but Challenges Affected Success in the Program*

Our preliminary work on the Ticket program indicates that SSI beneficiaries are more likely to participate in Ticket than other types of disability beneficiaries, and left the rolls for work at a higher rate than similar nonparticipants. From 2002 to 2018, among the Ticket-eligible population, around 41 percent received only SSI benefits. During this same period, SSI-only beneficiaries made up about 59 percent

<sup>15</sup> Congressional Research Service, *Ticket to Work and Self-Sufficiency Program: Overview and Current Issues*, R41934, (updated January 24, 2014).

<sup>16</sup> Beneficiaries of SSA's other disability program, Social Security Disability Insurance (SSDI), and beneficiaries who were concurrently eligible for SSI and SSDI, are also generally eligible to participate in Ticket. SSDI is a program for disabled individuals that provides monthly cash benefits to certain individuals unable to work because of disability.

<sup>17</sup> GAO-17-485, <https://www.gao.gov/products/gao-17-485>.

<sup>18</sup> SSA data for Impairment-Related Work Expenses and Blind Work Expenses, both of which allow for the exclusion of certain work-related expenses from the income used to determine SSI benefits, showed no transition-age SSI youth participated from 2012 through 2015. GAO-17-485, <https://www.gao.gov/products/gao-17-485>.

<sup>19</sup> The Plan to Achieve Self Support work incentive allows the setting aside of income for a specified period of time so that SSI recipients may pursue a work goal.

<sup>20</sup> Because youth receiving SSI are also generally eligible for Medicaid, recipients may fear that losing SSI benefits may result in losing health insurance as well. Furthermore, according to SSA officials, since most transition-age youth on SSI are receiving Medicaid, which covers the vast majority of these expenses, most transition-age youth are not able to take advantage of the deductions.

<sup>21</sup> Federal funds administered by the U.S. Department of Education support a wide range of services provided by State vocational rehabilitation agencies, including: assessments; counseling, guidance, referrals, and job placements; vocational and other training; transportation; and, in certain circumstances, post secondary education and training. Individuals receiving disability benefits, including transition-age youth on SSI, are generally presumed eligible for such services. GAO-17-485, <https://www.gao.gov/products/gao-17-485>.

of Ticket participants who started the program in 2002 through 2018.<sup>22</sup> Based on our preliminary analysis of SSA data, 5 years after participating in Ticket, SSI beneficiaries had an average increase in earnings of about \$1,602 per year compared to similar nonparticipants.<sup>23</sup> From 2002 through 2015, 5 years after participating in Ticket, about 4 percent of SSI participants had left the disability rolls due to earnings from work, compared to 2 percent of similar nonparticipants. However, earnings for SSI Ticket participants remained low. Our preliminary analysis of data from 2002 through 2018 shows average earnings for SSI Ticket participants were \$3,940 per year, including 57 percent who did not report any earnings at all, while the average for those who had any earnings was \$9,083.

Our preliminary observations from our ongoing work indicate that Ticket participants face a number of challenges to returning to work, including their primary disabling condition, which may not improve sufficiently to allow for full time employment. In addition, in our interviews with disability policy experts and program officials, as well as in our analysis of prior GAO and SSA reports, we consistently identified three key disincentives to work faced by disability beneficiaries: (1) loss of cash and medical benefits, (2) fear of overpayments, and (3) complexity of rules surrounding work. For example, the Social Security Advisory Board stated in its 2017 report that the SSI earnings offset effectively imposes a high marginal tax on work—\$1 for every \$2 earned, or 50 percent—that exceeds those of other Federal assistance programs.<sup>24</sup> Additionally, GAO work over the past 25 years has reported on the variety of ways that the structure of disability benefits, including SSI, discourages work. For example, in 2010 we found that SSA program rules for receiving benefits—such as tying the definition of SGA to income thresholds—can create incentives to stay out of the workforce, even when work is possible. Disability experts stated that the incentives should be aligned so that work becomes the rational choice for individuals with disabilities who can do so and not the risky choice.<sup>25</sup>

#### SSA FACES ONGOING ISSUES WITH EFFORTS TO REDUCE OVERPAYMENTS TO SSI RECIPIENTS

Prior and ongoing GAO work has identified issues with SSA's efforts to reduce improper payments, including overpayments to beneficiaries, which are more common for SSI recipients than other types of SSA beneficiaries in general and those who are working in particular. For example, in its fiscal year 2020 agency financial report, SSA reported that SSI's overpayment rate in fiscal year 2019 was 8.13 percent, which was higher than other SSA programs.<sup>26</sup> Overall, SSA reported that in fiscal year 2019 it made approximately \$4.6 billion in estimated overpayments in the SSI program. Further, based on our preliminary analysis of the Ticket program we estimated that, from 2002 through 2015, Ticket participants were twice as likely to receive overpayments as similar nonparticipants.<sup>27</sup> Thus, the disability beneficiaries who have achieved the stated goals of Ticket may receive overpayments, which they may have to pay back. Overpayments may be especially burdensome if the recipients were not aware that they were overpaid and spent the money. According to experts and SSA officials we interviewed, fear of overpayments also constitutes a barrier to participating in Ticket and employment more broadly.

<sup>22</sup> Working-age beneficiaries of SSA's other disability program, SSDI, and beneficiaries who are dually eligible for SSI and SSDI, comprise the remaining share of the Ticket-eligible population and participants. Information on Ticket eligibility was included in the data we analyzed, and GAO did not make any eligibility determinations in carrying out the analysis.

<sup>23</sup> These averages also include individuals with no earnings. We chose to compare participants at the 5-year Ticket participation mark because, according to SSA officials, it can take several years for individuals to complete their participation in Ticket and experience the benefits of the program. All dollar amounts are inflation adjusted to 2020.

<sup>24</sup> Social Security Advisory Board, *Statement on the Supplemental Security Income Program: Work Incentives and Work Supports in the SSI Program* (July 2017).

<sup>25</sup> GAO-10-812SP, <https://www.gao.gov/products/gao-10-812sp>.

<sup>26</sup> This includes overpayments for all reasons, including earnings. Social Security Administration, *Agency Financial Report: Fiscal Year 2020*, SSA Pub. No. 31-231, November 2020.

<sup>27</sup> This analysis was for SSI and SSDI recipients combined; we did not disaggregate by program. Our estimates of overpayments were derived from historical SSA benefit data that were not designed to track overpayments to beneficiaries. Nonetheless, they are the best available data on the population of Ticket participants, and provide a reasonable measure of the extent to which overpayments occur among them. For the purposes of this analysis, we defined an overpayment as a circumstance in which an individual received a benefit payment when they were not entitled to receive benefits. We did not assess whether individuals were entitled to a benefit or how much they were entitled to; rather, we relied on SSA data regarding benefits paid and benefits due.

As our prior work has shown, overpayments may also result because eligibility reviews are not conducted in a timely manner, information provided to SSA is incomplete or outdated, or errors are made in applying complex program rules. According to SSA's Office of the Inspector General, working puts people at risk for an overpayment because individuals may not report their earnings right away, and when they do, SSA may lag in receiving and processing beneficiaries' new earnings information.<sup>28</sup>

GAO has made a number of recommendations related to this issue, but challenges remain.<sup>29</sup> For example, in April 2020, we reported that although SSA developed corrective actions corresponding to the identified root causes of improper payments, it did not measure the effectiveness of its corrective actions for SSI.<sup>30</sup> We recommended that SSA develop and implement a process, documented in policies and procedures, to measure the effectiveness of the agency's corrective actions for improper payments; SSA agreed but this priority recommendation has not been implemented.<sup>31</sup> Additionally, despite some progress in recent years in addressing overpayments, SSA's Office of the Inspector General reported in 2018 that management had not resolved lags in updating its information when beneficiaries self report income or when SSA receives employer-reported data on earnings.<sup>32</sup> In its annual performance plan for fiscal years 2021–22, SSA named improving program integrity as a focus area and planned to address the root causes of improper payments by improving wage reporting.<sup>33</sup> For example, SSA now has a way for individuals to report online and through a mobile application that allows individuals to make monthly wage reports through a computer, smart device, or smartphone. SSA expects these tools will help reduce improper SSI payments by making it easier for recipients to comply with reporting requirements.

Chairman Brown, Ranking Member Young, and members of the subcommittee, this completes my prepared statement. I would be pleased to respond to any questions you may have at this time.

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QUESTIONS SUBMITTED FOR THE RECORD TO ELIZABETH CURDA

QUESTIONS SUBMITTED BY HON. SHERROD BROWN

*Question.* If Congress eliminated SSI's so-called "in-kind maintenance and support" rules—which penalize some of the poorest SSI beneficiaries for receiving help from loved ones to make sure they have enough to eat and a roof over their heads—do you think that would reduce SSI underpayments and overpayments?

*Answer.* GAO has not evaluated this issue. However, the Social Security Advisory Board noted in its 2015 statement on the Supplemental Security Income Program that the in-kind support and maintenance (ISM) rules significantly complicate administration and lead to many over- and under-payments.<sup>1</sup> They suggested a thorough reexamination of the way SSA adjusts benefits for ISM.

*Question.* SSI's income limits have not been adjusted for inflation since 1972. If those levels were updated for inflation, do you think that would reduce underpayments and overpayments in SSI? Would it also encourage more people to work?

*Answer.* Research shows that many SSI recipients are reluctant to work because they fear losing their benefits. Raising the income limits would change the incen-

<sup>28</sup> SSA Office of the Inspector General, *Incorrect Payments to Disabled Beneficiaries Who Return to Work*, Audit Report No. A-07-17-50131 (Baltimore, MD: 2018).

<sup>29</sup> See, for example, GAO's current list of open priority recommendations for SSA, which includes three related to overpayments. GAO, *Priority Open Recommendations: Social Security Administration*, GAO-21-430PR, <https://www.gao.gov/products/gao-21-430pr> (Washington, DC: June 3, 2021).

<sup>30</sup> GAO-20-336, <https://www.gao.gov/products/gao-20-336>.

<sup>31</sup> GAO-21-430PR, <https://www.gao.gov/products/gao-21-430pr>.

<sup>32</sup> The SSA Office of Inspector General stated in its 2018 report that once beneficiaries report their earnings, SSA's processing of that information is beyond the beneficiaries' control and they are likely to be unaware of the effect on their benefits. They may assume that SSA will stop their benefits when appropriate. SSA Office of the Inspector General, *Incorrect Payments to Disabled Beneficiaries Who Return to Work*, Audit Report No. A-07-17-50131 (Baltimore, MD: 2018).

<sup>33</sup> Social Security Administration, "Annual Performance Report Fiscal Years 2021–2022."

<sup>1</sup> Social Security Advisory Board, *Statement on the Supplemental Security Income Program: The Complexity of In-Kind Support and Maintenance*, 2015.

tives they face and could encourage more recipients to work, to the extent that they are able to do so.

It stands to reason that raising the income limits would, in the short run, result in a decline in overpayments due to there being fewer people that would reach the income limit. However, overall program costs could increase because what was once an overpayment subject to recovery is now a program cost. In the long run, the impact on underpayments or overpayments is less clear. For example, if raising the income limit expands the population of individuals who might be eligible for benefits, it might increase the number of SSI recipients. Even after raising resource limits, overpayments will likely continue to be an issue if the system of determining individual eligibility continues to work the same way, with benefits changing as earnings or living arrangements change.

*Question.* Your testimony says that changes in income are “not processed in a timely manner” and that “SSA may lag in receiving and processing” earnings reports and that can result in overpayments. Does GAO have an estimate about how many overpayments and underpayments are because SSA doesn’t have the staff, technology, or capacity to process reports in a timely manner?

*Answer.* Although GAO has identified lags in updating income information as an issue affecting overpayments, we have not estimated how staffing, technology challenges, and capacity to process wage reports timely impact the amount of overpayments. As we noted in our 2015 report on SSDI overpayments, SSA’s sample size for determining improper payments is too small to reliably analyze the root causes of overpayments, such as these delays.<sup>2</sup> We also noted that SSA’s process for processing work reports had internal control weaknesses that increase the risk of overpayments.

*Question.* You testified before the Social Security Advisory Board recently on the challenges facing SSA during the pandemic. Specifically, you highlighted that SSA should be analyzing their online services and other methods of providing services, especially for low income communities with less access to electronic services. Do you think reforms such as eliminating in-kind support and maintenance penalties and updating SSI’s income rules would help SSA provide better service to low income beneficiaries who don’t have reliable Internet or phone access?

*Answer.* In prior work,<sup>3</sup> GAO has reported on the complexity of the eligibility rules for SSA’s disability programs and highlighted that this complexity can make it challenging for customers to complete certain processes online. We reported that, according to SSA officials, the online application for disability benefits requires claimants to provide detailed information on their medical and work histories and to navigate through over 10 separate web pages. Although we have not analyzed the effect of the specific reforms mentioned, our findings suggest reducing complexity and simplifying rules could make the program easier for applicants and recipients to navigate.

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#### QUESTIONS SUBMITTED BY HON. TODD YOUNG

*Question.* In SSA’s most recent budget justification to Congress, there is a proposal backed by SSA to reform the Ticket to Work program, including transferring administrative management of the program to the Department of Labor’s Employment and Training Administration.

Do you believe that there could be efficiencies and better beneficiary service gained from transferring administrative management of the Ticket to Work program to Labor’s Employment and Training Administration; and, if you do, could you explain why?

*Answer.* GAO has not evaluated this proposal, and therefore cannot comment on its potential merits or feasibility.

*Question.* Based on GAO’s work, what steps could SSA take to reduce overpayments in the SSI program?

<sup>2</sup> GAO, *Disability Insurance: SSA Could Do More to Prevent Overpayments or Incorrect Waivers to Beneficiaries*, GAO-16-34 (Washington, DC: October 29, 2015).

<sup>3</sup> GAO, *Social Security Administration: Long-term Strategy Needed to Address Key Management Challenges*, GAO-13-459 (Washington, DC: May 29, 2013). GAO, *Social Security Administration: Improvements Needed in Facilities Planning and Service Delivery Evaluation*, GAO-17-597 (Washington, DC: July 25, 2017).

Answer. GAO has conducted extensive work on SSA efforts to reduce overpayments. Overpayments can pose a financial hardship for beneficiaries responsible for repaying the debt, a cost to SSA (when it allows a beneficiary to keep overpayments or expends resources to recover them), and a loss for taxpayers. Fear of overpayments can be a barrier to participating in employment, according to experts and SSA officials we interviewed.

SSA has taken steps towards reducing improper payments, but the effectiveness of those steps is unclear. In its annual performance plan for fiscal years 2021–22, SSA named improving program integrity as a focus area and planned to address the root causes of improper payments by improving wage reporting. However, SSA has not measured the effectiveness of these efforts. To that end, in April 2020, we recommended that SSA develop and implement a process to measure the effectiveness of the agency’s corrective actions for improper payments in the SSI program.<sup>4</sup> We designated this recommendation as high-priority. The agency agreed with this recommendation. We believe that by developing and implementing a process to measure the effectiveness of corrective actions for OASDI and SSI improper payments, SSA will be better able to ensure that its actions reduce improper payments.

GAO has also conducted work that points to factors that may hinder SSA’s ability to determine the effectiveness of its corrective actions.<sup>5</sup> Specifically, in 2015, we reported on limitations in SSA’s sampling process for computing overpayment rates. We recommended that SSA increase transparency by providing additional information in its public reports about margins of error, confidence intervals, and limitations.

More recently, in our forthcoming report on the Ticket to Work program, we estimate that Ticket to Work participants were more than twice as likely to receive overpayments 5 years after starting the program than nonparticipants. SSA has not focused on overpayments among Ticket to Work participants who may assume that, because they are participating in an SSA program, the agency is aware of their earnings.

*Question.* Regarding the programmatic changes SSA has made to expand outreach and collaboration with groups SSA decides is worthy of partnership, many, and perhaps most, outreach partners, such as church groups and United Ways, have long records of service to people. Others that SSA designates as partners is simply up to SSA, using only criteria of whether a group knows people in communities and has capacity to process numerous applications for benefits on behalf of others.

One effort SSA is expanding is a “Third Party SSI Claims Taking Campaign.” SSA is providing training and guidance to these outside groups, yet SSA has no controls in monitoring the groups. This raises concerns. For example, SSA has training videos for organizations and advocacy groups to help people apply for SSI or other benefits, showing advocates what information to obtain from potential beneficiaries. That information includes personally identifiable information—or PII—of potential applicants that an outside organization thinks may be eligible for benefits, such as names, Social Security numbers, disability information, mailing addresses, incomes, available resources, telephone numbers, living arrangements, and more.

SSA has devoted, since March of this year, 200,000 full-time-equivalent hours to this effort, and proposes to spend more than a million hours more in fiscal year 2022. SSA has been in contact with more than 12,000 organizations to promote the effort. And, while well-intentioned, it is not clear that there are any substantive privacy and monitoring guardrails built into SSAs plans. For example, when asked about whether SSA assesses data security policies and procedures at partner organizations, SSA has said only that “organizations may have their own guidelines for receiving or protecting their clients’ PII.” That is hardly reassuring, and risks having SSA-sanctioned “partner organizations” harvesting PII without protections.

From a GAO perspective, would you have any concerns about an SSA program promoting to outside organizations how to gather PII to use in filling out forms for people to send in to SSA, while at the same time having SSA know nothing about its partner organization’s protocols, if any, for safeguarding of PII?

<sup>4</sup> GAO, *Payment Integrity: Selected Agencies Should Improve Efforts to Evaluate Effectiveness of Corrective Actions to Reduce Improper Payments*, GAO–20–336 (Washington, DC: April 1, 2020).

<sup>5</sup> GAO, *Disability Insurance: SSA Could Do More to Prevent Overpayments or Incorrect Waivers to Beneficiaries*, GAO–16–34 (Washington, DC: October 29, 2015).



Answer. GAO has not analyzed this program, but any time a Federal agency is asking an outside entity to collect PII on their behalf they should be concerned about the protection of that information. In March 2021, GAO issued its high-risk series update and reiterated the importance of agencies addressing the protection of privacy and sensitive data, among other cybersecurity challenges. In that update we reported that personal privacy hinges on ensuring that databases of PII maintained by government agencies or on their behalf are protected both from inappropriate access (*e.g.*, data breaches) as well as inappropriate use (*e.g.*, for purposes not originally specified when the information was collected).<sup>6</sup>

*Question.* You cite a paper, which was funded by Ms. Romig’s organization, suggesting that Chairman Brown’s SSI legislation could lift millions out of poverty, using a proprietary simulation model. And Ms. Romig asserts that SSI improvements in question “would also help close racial equity gaps,” though that assertion is open to question. Those two of our witnesses are appearing here today, at least in part, to advocate mostly or solely to Democrats in the Senate to include some or all of Chairman Brown’s legislation in the Democrats’ reconciliation bill.

Has SSA or GAO performed any analysis of effects on poverty or equity gaps of Chairman Brown’s proposed changes to SSI benefits and program features, and if not, and given that reconciliation could happen at any time in the near future in the Senate, could you provide an analysis within 10 days to this subcommittee?

Answer. GAO has not performed such analyses. Although the resource and technical requirements to conduct these analyses would not be possible in 10 days, we could provide unpublished technical assistance in which we review the data, methods and key conclusions from the analyses by the Urban Institute<sup>7</sup> and the Center on Budget and Policy Priorities.<sup>8</sup> This would require coordination and cooperation with those two organizations as the two available papers on the topic do not contain methodological details regarding how the estimates were computed.

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QUESTIONS SUBMITTED BY HON. ROBERT P. CASEY, JR.

*Question.* The Ticket to Work program, passed in 1999, was designed to be an incentive for SSI recipients to return to work. For the past 2 decades, however, usage of the Ticket program has been notoriously low—in the low single digits of percentage of SSI recipients. Recipients also complain to our office that the Ticket program is complicated. What recommendations do you have to incentivize SSI recipients to work? I would appreciate recommendations related to the Ticket program and to new ideas for incentives.

Answer. Our forthcoming report on Ticket to Work examines specific barriers to participation in Ticket to Work, such as loss of cash and medical benefits, fear of overpayments, and the complexity of program rules. Our report also highlights the need for SSA to address the issue of overpayments. Specifically, according to SSA’s Office of the Inspector General, working is a risk factor for overpayments. We estimate that Ticket to Work participants were more than twice as likely to receive overpayments 5 years after starting the program than nonparticipants. SSA has not focused on overpayments among Ticket to Work participants who may assume that because they are participating in an SSA program, the agency is aware of their earnings or attempts to work. Even if participants report earnings timely, it can take months for SSA to process the information, after which they may present a Ticket participant with a bill for overpayments. This can be very challenging for individuals who were not aware they were being overpaid and already spent the money. Moreover, according to experts and SSA officials we interviewed, fear of overpayments also constitutes a barrier to participating in Ticket and employment more generally.

<sup>6</sup> GAO, *High-Risk Series: Federal Government Needs to Urgently Pursue Critical Actions to Address Major Cybersecurity Challenges*, GAO-21-288 (Washington, DC: March 24, 2021).

<sup>7</sup> Boyens, Chantel, Danielle Kwon, Elaine Maag, and Jack Smalligan. “How Four Proposals to Reform Supplemental Security Income Would Reduce Poverty,” Urban Institute, September 6, 2021, <https://www.urban.org/research/publication/how-four-proposals-reform-supplemental-security-income-would-reduce-poverty>.

<sup>8</sup> Romig, Kathleen and Sam Washington, *Policymakers Should Expand and Simplify Supplemental Security Income*, Center on Budget and Policy Priorities, June 30, 2021, <https://www.cbpp.org/research/social-security/policymakers-should-expand-and-simplify-supplemental-security-income>.

GAO has also made recommendations related to improving employment outcomes for transition-age SSI youth. In 2017, we reported that few transition-age SSI youth benefited from work incentives.<sup>9</sup> We recommended that SSA work with the U.S. Department of Education to determine how many youth on SSI are not connected to vocational rehabilitation services and explore options to further connect them, such as by expanding Ticket to serve transition-age youth.

More broadly, GAO work over the past 25 years has reported on the variety of ways that the structure of SSI benefits discourages work. First, work incentive provisions are complex and difficult to understand, making them difficult to implement.<sup>10</sup> Further, the work incentives do not allay the fear of losing medical coverage and other Federal and State assistance that beneficiaries who return to work may face. For example, SSI beneficiaries may lose Medicaid benefits when their earnings exceed a certain level. To protect health-care eligibility and cash benefits, some beneficiaries may decline to seek or choose to limit employment. In addition, the eligibility determination process concentrates on applicants' incapacities.<sup>11</sup> GAO has also pointed to the lengthy disability determination process as a deterrent to work.<sup>12</sup>

GAO has reported on proposals that could mitigate these disincentives.<sup>13</sup> These include but are not limited to the options below.

**Adopting a partial disability system.** DI and SSI are limited to individuals with disabilities that generally prevent them from working. In contrast to this generally all-or-nothing approach, a partial disability benefit recognizes that some individuals with disabilities can still work, but have lower earning potential and may need financial support to make up for lost earnings. Policymakers could adopt a partial disability system—like that of the Department of Veterans Affairs—that uses a predetermined schedule or medical listings to assign a percent disability rating to a person. These ratings determine the amount of cash benefits a person receives. Although cash benefits would be lower for those with less-severe disabilities, this option may increase the overall number of people with disabilities eligible for disability benefits and increase program complexity.

**Making the program more flexible by reducing or temporarily suspending benefits when a beneficiary is able to work and restoring the benefits when earnings decline.** This would allow people with disabilities to choose when and how much to work according to their health condition, work opportunities, and abilities. Advocates of this option believe it would provide disability beneficiaries a greater incentive to work than other approaches SSA has tested.

**Intervening early to help people with disabilities remain in the workforce.** To help people with disabilities remain in the workforce, Federal agencies could partner to provide financial support, vocational rehabilitation, and health benefits directly to individuals before they apply for disability benefits or for those who voluntarily suspend their disability benefit applications. Several proposals call for SSA, in partnership with other Federal agencies, to test early-intervention strategies to acquire the evidence needed to assess their merits.

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#### QUESTIONS SUBMITTED BY HON. JAMES LANKFORD

*Question.* In your testimony, you discuss preliminary findings that the Ticket-to-Work Program participants left the SSI rolls for work at a higher rate than non-participants. However, you also note that earnings for SSI Ticket-to-Work participants remain low and there are still three key disincentives to working, including: (1) loss of cash and medical benefits; (2) fear of overpayments; and (3) complexity of rules surrounding work.

<sup>9</sup> GAO, *Supplemental Security Income: SSA Could Strengthen Its Efforts to Encourage Employment for Transition-Age Youth*, GAO-17-485 (Washington, DC: May 17, 2017).

<sup>10</sup> GAO, *SSA Disability: Program Redesign Necessary to Encourage Return to Work*, GAO/HEHS-96-62 (Washington, DC: April 24, 1996).

<sup>11</sup> GAO, *SSA Disability: Other Programs May Provide Lessons for Improving Return-to-Work Efforts*, GAO/T-HEHS-00-151 (Washington, DC: July 13, 2000).

<sup>12</sup> GAO, *Social Security: Disability Programs Lag in Promoting Return to Work*, GAO/T-HEHS-96-147 (Washington, DC: June 5, 1996).

<sup>13</sup> GAO, *Social Security's Future: Answers to Key Questions*, GAO-16-75SP (Washington, DC: October 2015).

Based on your work at GAO and other GAO findings, what are ways that we can restructure the SSI program to better incentivize and support work for those who are able to do so?

Answer. GAO work over the past 25 years has reported on the variety of ways that the structure of SSI benefits discourages work. First, work incentive provisions are complex and difficult to understand, making them difficult to implement.<sup>14</sup> Further, the work incentives do not allay the fear of losing medical coverage and other Federal and State assistance that beneficiaries who return to work may face. For example, SSI beneficiaries may lose Medicaid benefits when their earnings exceed a certain level. To protect health-care eligibility and cash benefits, some beneficiaries may decline to seek or choose to limit employment. In addition, the eligibility determination process concentrates on applicants' incapacities.<sup>15</sup> GAO has also pointed to the lengthy disability determination process as a deterrent to work.<sup>16</sup>

GAO has reported on proposals that could mitigate these disincentives.<sup>17</sup> These include but are not limited to the options below.

**Adopting a partial disability system.** DI and SSI are limited to individuals with disabilities that generally prevent them from working. In contrast to this generally all-or-nothing approach, a partial disability benefit recognizes that some individuals with disabilities can still work, but have lower earning potential and may need financial support to make up for lost earnings. Policymakers could adopt a partial disability system—like that of the Department of Veterans Affairs—that uses a predetermined schedule or medical listings to assign a percent disability rating to a person. These ratings determine the amount of cash benefits a person receives. Although cash benefits would be lower for those with less-severe disabilities, this option may increase the overall number of people with disabilities eligible for disability benefits and increase program complexity.

**Making the program more flexible by reducing or temporarily suspending benefits when a beneficiary is able to work and restoring the benefits when earnings decline.** This would allow people with disabilities to choose when and how much to work according to their health condition, work opportunities, and abilities. Advocates of this option believe it would provide disability beneficiaries a greater incentive to work than other approaches SSA has tested.

**Intervening early to help people with disabilities remain in the workforce.** To help people with disabilities remain in the workforce, Federal agencies could partner to provide financial support, vocational rehabilitation, and health benefits directly to individuals before they apply for disability benefits or for those who voluntarily suspend their disability benefit applications. Several proposals call for SSA, in partnership with other Federal agencies, to test early-intervention strategies to acquire the evidence needed to assess their merits.

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PREPARED STATEMENT OF STEPHEN EVANGELISTA, ACTING DEPUTY COMMISSIONER,  
RETIREMENT AND DISABILITY POLICY, SOCIAL SECURITY ADMINISTRATION

Chairman Brown, Ranking Member Young, and members of the subcommittee, thank you for inviting me to testify about the Supplemental Security Income (SSI) program. My name is Stephen Evangelista. I am the Social Security Administration's (SSA's) Acting Deputy Commissioner for Retirement and Disability Policy.

THE SUPPLEMENTAL SECURITY INCOME PROGRAM

Congress enacted the SSI program in 1972 to replace the varied Federal-State programs of Old-Age Assistance, Aid to the Blind, and Aid to the Permanently and Totally Disabled in the 50 States and the District of Columbia. In 1974, the SSI program began paying benefits. About 8 million people currently receive monthly Federal SSI benefits, and we expect to pay about \$56 billion in Federal SSI benefits in total this fiscal year.

<sup>14</sup>GAO, *SSA Disability: Program Redesign Necessary to Encourage Return to Work*, GAO/HEHS-96-62 (Washington, DC: April 24, 1996).

<sup>15</sup>GAO, *SSA Disability: Other Programs May Provide Lessons for Improving Return-to-Work Efforts*, GAO/T-HEHS-00-151 (Washington, DC: July 13, 2000).

<sup>16</sup>GAO, *Social Security: Disability Programs Lag in Promoting Return to Work*, GAO/T-HEHS-96-147 (Washington, DC: June 5, 1996).

<sup>17</sup>GAO, *Social Security's Future: Answers to Key Questions*, GAO-16-75SP (Washington, DC: October 2015).

The program provides monthly benefits to people who are blind, disabled, or at least age 65, and who also have limited income and resources. SSI is a vital lifeline that enables beneficiaries to meet their basic needs of food, clothing, and shelter. The maximum Federal monthly benefit amount in 2021 is \$794 for individuals (about 75 percent of the Federal, individual poverty line) and \$1,191 for couples where both individuals are eligible for the program.

The States can—and in some cases must—provide supplemental benefits to residents who are eligible for SSI. In 12 States, we determine on behalf of the State whether SSI beneficiaries are eligible for these State supplements and pay the appropriate amount of the State supplement, using the criteria set forth in an agreement we reach with that State. There is an administrative fee associated with this practice to reimburse our costs to administer these payments on the State's behalf.

The SSI program requirements are complex and many in number. The law requires us to determine a person's eligibility for SSI benefits every month, using information verified from independent and collateral sources. This determination does not only consider all of the income and resources that the beneficiary or applicant has or can access, but also considers the income and resources of spouses, parents (of child beneficiaries under 18), and sponsors (of certain noncitizen beneficiaries) who live in the household.<sup>1</sup>

Eligibility for and the amount of SSI benefits depend on a person's countable income. The Social Security Act defines income broadly and requires us to count more than 20 types of income, such as wages, self-employment, and pensions, as well as support and maintenance provided "in-kind," which can include the provision of food or the payment of all or some of a person's household expenses.

The law distinguishes between income that is "earned" and income that is "unearned," and applies different basic exclusions to each type. Earned income includes wages and self-employment, and unearned income includes pensions, in-kind support and maintenance, and interest.

We exclude up to \$20 of a person's unearned income. If a person has less than \$20 in unearned income, we apply the remainder of this exclusion to their earned income. We then exclude \$65 plus one-half of the remainder of earned income. The \$20 and \$65 monthly exclusions were established by legislation enacted in 1981 and have not been increased since.<sup>2</sup>

The Social Security Act and other Federal laws further exclude from counting some or all of over 86 other types of income, including assistance based on need, advance refundable tax credits, disaster assistance, earned income of students of a certain age, certain payments for participation in clinical trials, various payments Tribes provide their members, and payments in reparation for Nazi genocide or certain eugenics programs. Attached is a list of these exclusions.

Eligibility also depends on a person's countable resources. The Social Security Act allows someone to own up to \$2,000 in resources and a couple to own up to \$3,000 in resources in order to be eligible for SSI. When resources exceed these limits, the person or couple are ineligible for SSI. The \$2,000 and \$3,000 limits were established by legislation enacted in 1984 and have not been increased since 1989.<sup>3</sup>

The Social Security Act also provides specific procedures for evaluating certain resources, such as a home, burial expenses, the cash surrender value of life insurance, and trusts. The Social Security Act and Federal law further exclude some or all of the value of dozens of other types of resources, some indefinitely and others for only a certain period. Finally, the law requires us to consider a person's resources for the 3-year period *before* he or she filed for SSI in order to determine whether the applicant sold or disposed of any assets for less than fair market value, which can result in a period of ineligibility for SSI. Attached is a list of the SSI resource exclusions.

In addition to income and resources, the law requires us to consider a host of other factors in determining whether a person is eligible for SSI and the amount of benefits he or she will receive. People who reside in a hospital operated by a State are not eligible, whereas those who reside in a private hospital are eligible, although their monthly benefit may be capped at \$30 per month if Medical Assistance is pay-

<sup>1</sup>We are also required to consider the income and resources of a sponsor even if the sponsor doesn't live with the beneficiary.

<sup>2</sup>Public Law 97-35.

<sup>3</sup>Public Law 98-369.

ing a substantial portion of their care. Individuals are not eligible for SSI benefits if they fail to apply for other benefits for which they may be eligible, are fleeing to avoid prosecution or confinement for a felony, or are violating a condition of probation or parole. Most people who reside outside the United States are not eligible,<sup>4</sup> but students or the children of American service members temporarily abroad remain eligible.

The rules concerning eligibility for people who are noncitizens are particularly complex, requiring us to, for example, evaluate a person's current immigration status and prior statuses and when they were attained, as well as the person's work history and in some cases the work history of a parent or spouse.

#### HELPING PEOPLE WHO ARE FACING BARRIERS

We are committed to ensuring that all people who qualify for these crucial benefits receive them. During the pandemic, applications for SSI benefits are lower than their pre-pandemic levels. We have implemented targeted strategies to reach people who are at risk, including low income individuals, those with limited English proficiency, those facing homelessness, and those with mental illness. Specifically, our efforts have included a robust, nationwide communications strategy, expanding our collaboration with community-based groups that assist people facing barriers to service, and outreach to current Social Security beneficiaries who may be eligible for additional benefits under the SSI program.

As part of our efforts, we hold regular meetings with partner groups and organizations to identify ongoing challenges in reaching people who are facing barriers in obtaining benefits from the SSI program and potential solutions for overcoming those challenges. As a result of these conversations, we launched a paid national public service announcement campaign on TV, radio, and social media, with emphasis on children with disabilities.

The Social Security Act requires SSA to engage in outreach to children who may be eligible for SSI. To increase awareness about SSI children's benefits, we ran TV and radio ads with instructions on how to apply for benefits. We also developed social media advertising focused on SSI children's benefits. We began partnering with national and local third-party groups to share an outreach toolkit through their networks.

We have enlisted the help of local, community-based organizations across the country to reach people who may be eligible for SSI. Over three thousand groups have committed to help us identify and assist people who are interested in applying for SSI, by either giving us information sufficient to establish a lead or protective filing for the person (which establishes a filing date in the event an application cannot be immediately filed, thus protecting against loss of benefits), or by helping the person complete an application for benefits. We trained these organizations on how to do this work, and we designated nearly 650 employees in our field offices to serve as liaisons for these organizations. These field office liaisons answer the organizations' questions, secure applications based on the leads and protective writings the organizations provide, and develop, review the application and evidence, and process the applications the organizations submit.

In December 2020, we started mailing notices informing certain people who receive Social Security benefits that they may be eligible for SSI benefits, as the Social Security benefits they are receiving are below the SSI maximum. We expect to send a total of about 1.4 million notices by the end of June 2022. After completing the final evaluation of this mailer campaign, we plan to assess whether or not this mailing campaign should become a regular activity.

#### ADMINISTRATIVE SIMPLIFICATIONS

The vast majority of the requirements for the SSI program are prescribed in statute—including the amount of benefits, what types of income and resources count, which types don't, and how much income and resources to exclude. We continuously work to improve our administration of the SSI program, such as by simplifying our operational policies and regulations where we have the authority to do so. I want to take this opportunity to highlight an example of one of our efforts.

<sup>4</sup>Residents of the Commonwealth of the Northern Mariana Islands are eligible for SSI. However, residents of Guam, American Samoa, the Commonwealth of Puerto Rico, or the U.S. Virgin Islands are not eligible.

We are working to streamline our policies related to temporarily institutionalized (TI) claimants. When an SSI beneficiary resides for an entire month in a medical treatment facility and Medical Assistance is paying for a substantial portion of his or her care, his or her SSI benefits are reduced to at most \$30 per month. Beneficiaries can continue to receive their regular SSI benefits for stays in a facility of less than 90 consecutive days, provided the beneficiary requests to receive the benefits and a physician certifies the stay as temporary. We are looking to simplify this process by creating a prescribed form to collect the necessary information from the physician. We are also developing a demonstration project, the "TI Benefits Demonstration Project," to assess the effect of automatically providing these temporary benefits without the recipient requesting or physician certifying.

#### PROGRAM INTEGRITY

We take seriously our responsibilities to ensure eligible individuals receive the benefits to which they are entitled, and to safeguard the integrity of benefit programs to better serve recipients. We utilize dedicated program integrity (PI) funding to conduct continuing disability reviews to ensure that only beneficiaries who still qualify to receive benefits under the Social Security and SSI programs continue to receive them. For the SSI program, we also perform non-medical redeterminations to determine whether beneficiaries continue to meet the program's income and resource limits and other eligibility requirements.

To help beneficiaries quickly report income to help ensure accurate benefit payments we provide automated options for wage reporting, including an automated telephone system and a mobile application.

We also obtain data from various private and government entities to detect when payments are not correct, including data about bank accounts, wages, self-employment, Federal pensions, Department of Veterans Affairs benefits, deaths, beneficiaries who have been admitted to certain medical facilities, travel outside the United States and deportations, and incarcerations.

#### CONCLUSION

Thank you for inviting me to testify today. I look forward to answering any questions you may have.

#### ATTACHMENT—CURRENT PROGRAM EXCLUSIONS

##### *Earned Income Exclusions*

- Any refund of Federal income taxes received under section 32 of the Internal Revenue Code (relating to earned income tax credit (EITC)) and any payment received under section 3507 of the Internal Revenue Code (relating to advance payment of EITC);
- Amounts received pursuant to the Making Work Pay tax credit set forth in the American Recovery and Reinvestment Act of 2009;
- Any refundable child tax credit;
- The first \$30 of earned income in a quarter if it is infrequent or irregular, that is: (1) if it is received only once in a calendar quarter from a single source and is not also received in the month immediately preceding or the month immediately following the month of receipt regardless of whether or not these payments occur in different calendar quarters; or (2) if its receipt cannot reasonably be expected;
- Up to \$1,930 per month but not more than \$7,770 in a calendar year received by a blind or disabled recipient who is a working student under age 22 and regularly attending school;
- Any portion of the monthly \$20 exclusion not used to exclude unearned income;
- \$65 of earned income in a month;
- Amounts used to pay impairment-related work expenses if a recipient is disabled (but not blind) and under age 65 or is disabled (but not blind) and receiving SSI (or disability payments under a former State plan) before age 65;
- One-half of remaining earned income in a month;
- Earned income used to meet any expenses reasonably attributable to the earning of the income if the recipient is blind and under age 65 or if he or she received SSI as a blind person prior to age 65;

- Any earned income received and used to fulfill an approved plan to achieve self-support if the recipient is blind or disabled and under age 65 or is blind or disabled and received SSI as a blind or disabled individual in the month before he or she attained age 65;
- Cash or in-kind income provided under an AmeriCorps program;
- Any earned income deposited into either a Temporary Assistance for Needy Families (TANF) or “Assets for Independence Act” Individual Development Account (IDA).

*Unearned Income Exclusions*

- Any public agency’s refund of taxes on real property or food;
- Assistance based on need wholly funded by a State or one of its political subdivisions. This exclusion includes State supplementation of Federal SSI benefits but does not include payments under a Federal/State grant program such as TANF;
- Any portion of a grant, scholarship, fellowship, or gift to an individual used for paying tuition, fees, or other necessary educational expenses;
- Food raised by a household if it is consumed by that household;
- Assistance received under the Disaster Relief and Emergency Assistance Act and assistance provided under any Federal statute because of a catastrophe that the President of the United States declares to be a major disaster;
- Assistance received under a program for flood mitigation activities;
- The first \$60 of unearned income in a quarter if it is infrequent or irregular, that is: (1) if it is received only once in a calendar quarter from a single source and is not also received in the month immediately preceding or the month immediately following the month of receipt regardless of whether or not these payments occur in different calendar quarters; or (2) if its receipt cannot reasonably be expected;
- Any unearned income received and used to fulfill an approved plan to achieve self-support if the recipient is blind or disabled and under age 65, or if the recipient is blind or disabled and received SSI as a blind or disabled individual in the month before he or she attained age 65;
- Periodic payments made by a State under a program established before July 1, 1973 and based solely on the recipient’s length of residence and attainment of age 65;
- Payments for providing foster care to an ineligible child placed in the recipient’s home by a public or private nonprofit child placement or child care agency;
- Any interest earned on excluded burial funds and any appreciation in the value of an excluded burial arrangement left to accumulate and become part of the separately identifiable burial fund;
- Certain support and maintenance assistance provided in the form of home energy assistance;
- One-third of support payments made by an absent parent if the recipient is a child;
- The first \$20 of unearned income in a month other than income in the form of in-kind support and maintenance received in the household of another and income based on need;
- The value of any assistance paid with respect to a dwelling unit under the United States Housing Act of 1937, the National Housing Act, section 101 of the Housing and Urban Development Act of 1965, title V of the Housing Act of 1949, or section 202(h) of the Housing Act of 1959;
- Any interest accrued on and left to accumulate as part of the value of an excluded burial space purchase agreement (effective April 1, 1990) and any interest earned on the value of nonexcludable burial funds and burial space purchase agreements is excluded from income (effective July 1, 2004);
- The value of any commercial transportation ticket for travel by a recipient or his or her spouse among the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands that is received as a gift and is not converted to cash;

- Payments received from a fund established by a State to aid victims of crime;
- State-provided pensions to aged, blind, or disabled veterans (or their spouses);
- Relocation assistance provided by a State or local government that is comparable to assistance provided under title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;
- Hostile fire pay received from one of the uniformed services pursuant to 37 U.S.C. 310 and other kinds of additional pay received by military personnel in a combat zone;
- Interest or other earnings on a dedicated account excluded from resources;
- In-kind gifts not converted to cash and the first \$2,000 annually of cash gifts made by tax-exempt organizations, such as the Make-A-Wish Foundation, to, or for the benefit of, individuals under age 18 with life-threatening conditions;
- Payments made under the Ricky Ray Hemophilia Relief Fund Act of 1998;
- Up to \$2,000 per calendar year in compensation for participating in clinical trials researching treatment of rare diseases and conditions;
- TANF funds made available to an SSI recipient as part of an IDA;
- Amounts received from the Filipino Veterans Equity Compensation Fund set forth in the American Recovery and Reinvestment Act of 2009;
- Amounts received by Medicaid recipients from the “Incentives for Prevention of Chronic Diseases in Medicaid” program established by the Affordable Care Act of 2010;
- Payments to Indian landowners made in accordance with the *Cobell et al. v. Salazar et al.* lawsuit settlement as ratified by the Claims Resettlement Act of 2010;
- Refundable tax credits (or advance payment of such credits);
- Deposits made by a participating individual or a sponsoring nonprofit organization or State or local government into an IDA under the Assets for Independence Act IDA demonstration project and interest earned on these deposits;
- Unearned income excluded by other Federal laws. See Federal Regulations Appendix to Subpart K 20 CFR 416;
- Generally, all interest and dividend income earned on countable resources;
- Lump sum payments made under the Energy Employees Occupational Illness Compensation Program Act of 2000 (the EEOCIP Act), including reimbursement for medical expenses, are excluded from income for SSI purposes;
- Contributions to an Achieving a Better Life Experience (ABLE) account are excluded for the account’s beneficiary. In addition, interest and dividends accrued by and retained within an ABLE account are also excluded;
- Payments made by a State program intended to compensate individuals who had been sterilized under the authority of a State;
- Many Federal laws in addition to the Social Security Act provide for the exclusion of assistance received in the form of food, housing and utilities, educational and employment benefits, or benefits derived from being a member of a Native American Tribe.

*Resource Exclusions*

- The home in which an individual has ownership interest and that serves as the individual’s principal place of residence (including the land appertaining thereto);
- Household goods and personal effects;
- One automobile if used for transportation for the recipient or a member of the recipient’s household;
- Property used in a trade or business that is essential to self-support;
- Up to \$6,000 of nonbusiness property that is essential to self-support;
- Resources of a blind or disabled individual that are necessary to fulfill an approved plan to achieve self-support;



- Stock in regional or village corporations held by natives of Alaska during the 20-year period in which the stock is inalienable pursuant to the Alaska Native Claims Settlement Act;
- Life insurance owned by an individual (and spouse, if any) provided that all life insurance on any person does not exceed a face value of \$1,500;
- Restricted allotted Indian lands;
- Disaster relief assistance;
- Assistance received under a program for flood mitigation activities;
- Burial spaces and certain funds up to \$1,500 for burial expenses;
- SSI or Old-Age, Survivors, and Disability Insurance retroactive payments for 9 months following the month of receipt;
- The value of any assistance paid with respect to a dwelling unit under the United States Housing Act of 1937, the National Housing Act, section 101 of the Housing and Urban Development Act of 1965, title V of the Housing Act of 1949, or section 202(h) of the Housing Act of 1959;
- Refunds of Federal income taxes and advances made by an employer relating to an EITC for 12 months following the month of receipt;
- One-time economic recovery payment received under the American Recovery and Reinvestment Act of 2009, for the month of receipt and the following 9 months;
- Amounts received pursuant to the Making Work Pay tax credit set forth in the American Recovery and Reinvestment Act of 2009 for the month of receipt and the following 12 months;
- Amounts received from the Filipino Veterans Equity Compensation Fund set forth in the American Recovery and Reinvestment Act of 2009;
- Refundable child tax credit for 12 months following the month of receipt;
- Refundable tax credits or advance payment of such credits for 12 months following the month of receipt;
- Grants, scholarships, fellowships, or gifts to be used for tuition or educational fees for 9 months following the month of receipt;
- Payments received as compensation for replacement or repair of losses, damages, or theft for 9 months following the month of receipt;
- Relocation assistance from a State or local government for 9 months following the month of receipt;
- Payments made from State-provided pensions to aged, blind, or disabled veterans or their spouses;
- Dedicated financial institution accounts for disabled children;
- In-kind gifts not converted to cash and the first \$2,000 annually of cash gifts made by tax-exempt organizations, such as the Make-A-Wish Foundation, to, or for the benefit of, individuals under age 18 with life-threatening conditions;
- Up to \$2,000 per calendar year in compensation for participating in clinical trials researching treatment of rare diseases and conditions;
- Amounts received by Medicaid recipients from the “Incentives for Prevention of Chronic Diseases in Medicaid” program established by the Affordable Care Act of 2010;
- Payments to Indian landowners made in accordance with the *Cobell et al. v. Salazar et al.* lawsuit settlement, as ratified by the Claims Resettlement Act of 2010 (for 12 months following the month of receipt);
- Payments made under the Ricky Ray Hemophilia Relief Fund Act of 1998;
- Amounts deposited into either a TANF or Assets for Independence Act IDA, including matching funds and interest earned on such amounts;
- Certain trusts (*e.g.*, those established by will or certain Medicaid trusts that will repay the State, upon the death of the recipient, for the costs of medical assistance provided to that individual);

- Payments or benefits provided under a Federal statute other than title XVI of the Social Security Act where exclusion is provided by such statute;
- Up to \$100,000 held in a qualified ABLE account. Furthermore, any distribution from an ABLE account for a qualified disability expense that is not housing-related is excluded from resources in the month it is used or in a month for which it is intended to be used for such expenses; and
- Payments made by a State program intended to compensate individuals who had been sterilized under the authority of a State.

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QUESTIONS SUBMITTED FOR THE RECORD TO STEPHEN EVANGELISTA

QUESTIONS SUBMITTED BY HON. RON WYDEN

*Question.* In August 2021, SSA reversed its ruling in determining that the Federal Economic Impact Payments (EIPs) would not be counted toward eligibility or payment amount for SSI purposes. While that is a positive development, it may have come too late for many struggling families who lost their SSI payments due to receiving one of the three EIPs. It is imperative that SSA restore SSI payments to individuals who had their payments reduced or eliminated due to the old policy, and to notify SSI claimants the change in policy as expeditiously as possible.

The following questions are to gauge SSA's progress in both tasks:

How many SSI recipients had their payments reduced or lost SSI eligibility altogether due to receiving the EIP(s)? How many SSI claimants were denied SSI payments due to receiving the EIP(s)?

As of October 1st, how many SSI recipients have had their payments restored?

When is the agency expected to restore all SSI payments to the remaining SSI recipients?

What is the agency doing to notify SSI recipients and claimants who do not have a mailing address (*i.e.*, those who are homeless)?

How is the agency monitoring its progress of restoring SSI payments to individuals affected?

How is the agency monitoring its progress of notifying eligible SSI claimants of the recent change in policy?

*Answer.* Since the EIP program was established, our policy has been to exclude EIPs as income and as a resource when determining a person's eligibility for SSI benefits and the amount of their monthly benefits.

The following timeline shows how we have excluded EIPs from counting as a resource since the EIP program was established in April 2020:

- April 2020—The EIP program started in April 2020. We instructed our technicians to exclude EIPs from counting as income when received, and to exclude EIPs from counting as a resource for up to 12 months starting with the month after the EIP was received.
- April 2021—Before the one-year resource exclusion period expired on the first EIPs that were paid in April 2020, we instructed our field offices to defer taking action to deny or suspend benefits in any case where counting a retained EIP as a resource would have resulted in a person being ineligible for SSI. We instituted this pause while we evaluated whether EIPs are excludable disaster assistance under the Social Security Act.<sup>1</sup>
- July 2021—We issued the instructions you referenced, which instructed our field offices to exclude retained EIPs from counting as a resource indefinitely.<sup>2</sup>

<sup>1</sup>Please see section C.1 of EM-20014 SEN REV 2 at <https://secure.ssa.gov/apps10/reference.nsf/links/06042021092805AM>.

<sup>2</sup>Please see EM-20014 REV 5, the most recent version of these instructions, at <https://secure.ssa.gov/apps10/reference.nsf/links/06032022080040AM>. The July 2021 version has been archived and is no longer available on SSA's public website.

Since we have excluded retained EIPs as a resource since the EIP program was established, we have no plans to notify applicants or recipients of the July 2021 instructions.

*Question.* Preventing improper payments—both under-payments and over-payments—received significant attention in the hearing. Both Social Security retirement and disability as well as Supplemental Security Income are challenging programs to administer. Given the numerous ways monthly SSI benefits need to be adjusted, section 824 of the Bipartisan Budget Act of 2015 (Use of Electronic Payroll Data to Improve Program Administration) was regarded as a game changer for getting SSA the timely data needed to prevent improper payments related to earnings. My understanding is that implementing that provision has been a long and winding road. Please provide a detailed explanation of the challenges and obstacles to full implementation of section 824 and the plan for getting the job done.

*Answer.* Section 824 authorizes SSA to establish information exchanges with payroll data providers to efficiently administer the Social Security Disability (SSDI) and SSI programs. In order to implement this new and unique authority, we had to contract with a vendor, conduct extensive planning and analysis, create new systems and new forms (to obtain a person's authorization for SSA to obtain their wage and employment data from a payroll data provider, and to record that permission electronically), create a new database to store the wage and employment data we receive from the vendor, and update our SSDI and SSI systems so they can automatically use this data.

In FY 2022, we developed the enhancements that will allow our systems to automatically use the wage and employment data we receive from the vendor. In FY 2023, we plan to develop automated notices that will inform beneficiaries when they can stop reporting to us their wages from an employer (because we are receiving wage and employment information for that employer from the vendor). This systems enhancement, along with rulemaking (as needed), should be the last major milestones to complete before we will be able to implement 824.

We will keep you apprised of our progress in implementing section 824.

*Question.* Some of discussion in the hearing concerned the many perceived penalties in SSI policy: the marriage penalty, the savings penalty, and the work penalty. Policymakers could benefit from new ideas and data on how to overcome these policy flaws. One intriguing idea is The Ultimate Demonstration, which according to the Final Report of the Post-Entitlement Earnings Simplification Demonstration Technical Experts Panel Meeting, “would test a policy that allowed beneficiaries to earn any amount without affecting their benefits or entitlement status.” My understanding is that The Ultimate Demonstration is currently considered a demonstration for SSDI. Could it not also be used to study a similar policy change for SSI—that is, eliminate the 50 percent tax on benefits for any monthly earnings over \$85?

*Answer.* Section 1110 provides demonstration authority to study such a policy change for SSI. Please note however that SSI beneficiaries can become entitled to SSDI benefits over time as they work and earn quarters of coverage, and so such a study may have complications: as participants in such a study work and become entitled to SSDI benefits, they would be subject to SSDI earnings rules because our authority to *initiate* this demonstration for SSDI under section 234 of the Social Security Act expired last year. Subjecting participants to two sets of rules regarding earnings could affect the results of the study.

Our SSDI demonstration authority to *carry out* projects under section 234 sunsets after December 31, 2022. We are interested in working with Congress to extend section 234 authority in order to provide sufficient time to conduct new and ongoing demonstrations. For a list of our current projects, please refer to <https://www.ssa.gov/disabilityresearch/demos.htm>.

*Question.* ABLE accounts were discussed at the hearing and it was noted that the accounts do not help those with impairments that began after age 26. Does SSA have data on the number of SSI recipients who are ineligible for ABLE accounts due to the age 26 requirement? Of the SSI recipients who are eligible for ABLE Accounts, does SSA have data on how many have not opened an ABLE account?

*Answer.* We are not able to provide the specific data you requested because we do not determine the exact date when SSI applicants became disabled when it is not needed. The earliest a person can be eligible for SSI is the month in which they file an application, so we determine whether the applicant is disabled as of that month, unless we need to determine the specific date because the person is also po-

tentially eligible for SSDI or other disability benefits under the Social Security program.

While we cannot determine how many recipients are ineligible for ABLE accounts solely due to the age requirement, we can provide some data on the population of SSI recipients and those who have ABLE accounts. There are about 5.45 million SSI recipients who receive benefits because they have a disability. Of the nearly 3.5 million SSI recipients who have a disability onset date in our records that is earlier than their 26th birthday, 39,861 have an ABLE account. An additional 4,659 SSI recipients have an ABLE account and their onset date in our records is on or after their 26th birthday.<sup>3</sup>

*Question.* What information or assistance does SSA provide to people receiving SSI who are eligible for ABLE accounts?

*Answer.* We have updated several of our publications with information on ABLE accounts, and provide ABLE account information on our website, blog, and social media accounts. We developed a new youth website (<https://www.ssa.gov/youth/>) and materials that provide information about ABLE accounts as well as other important information for SSI youth. Every year we mail a notice and publication to the representative payees of SSI recipients who are age 14 through age 17 to provide information on resources that may be helpful as the recipient transitions into adulthood. This publication includes information on the ABLE program.<sup>4</sup> Finally, if a recipient asks, we will explain how owning an ABLE account can affect their eligibility for SSI.

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QUESTIONS SUBMITTED BY HON. SHERROD BROWN

*Question.* Your testimony discusses the different income and all of the different forms of assets that the agency analyzes to determine SSI eligibility. Are these outdated rules, in-kind maintenance and support, resource limits, and all of the different income limits, part of what makes it so expensive to administer SSI? And would updating these rules simplify and reduce SSA's administrative burden?

*Answer.* The complex requirements of the SSI program, which I described in my testimony, contribute to the cost of administering the SSI program. To determine a beneficiary's eligibility and benefit amount for each month, we must consider their living arrangements, income, and resources—as well as the income and resources of parents, spouses, and certain other people who live with the beneficiary—all of which can change from month to month.

We can provide technical assistance on a proposal you may have in this space. Any administrative savings and burden reduction would depend on the proposal specifics.

We are working to simplify SSI policies and procedures where we can. For example, OMB is currently reviewing a draft SSA Notice of Proposed Rulemaking to stop counting as “in-kind support and maintenance” (a type of countable income in the SSI program) when someone pays for an SSI beneficiary's food expenses or gives an SSI beneficiary food.

*Question.* Would updating the earned and unearned income disregards, and increasing the resource limit. Would those changes make SSI easier and cheaper for SSA to implement? How much money would SSA save if Congress got rid of or updated these archaic rules?

*Answer.* The administrative savings and the extent to which it would reduce SSA's administrative burden would depend on the specifics of the proposal. We can provide technical assistance on any proposal you may have.

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QUESTIONS SUBMITTED BY HON. TODD YOUNG

*Question.* Ms. Ives-Rublee's testimony mentions that “The current max benefit of \$794 per month is just three-quarters of the Federal poverty line for an individual and does not come anywhere close to covering even the average rental costs of a

<sup>3</sup>Data as of October 2021.

<sup>4</sup>This publication, “What You Need To Know About Your Supplemental Security Income (SSI) When You Turn 18,” is available at <https://www.ssa.gov/pubs/EN-05-11005.pdf>.

one-bedroom apartment in any State in the United States.” Ms. Romig’s testimony identifies that “SSI benefits alone have never been large enough to raise beneficiaries’ income above the Federal poverty line.”

However, as the Social Security Administration identifies (*e.g.*, [https://www.ssa.gov/OACT/ssir/SSI17/III\\_ProgramDescription.html](https://www.ssa.gov/OACT/ssir/SSI17/III_ProgramDescription.html)), SSI is intended as “assistance of last resort.” SSI takes into account all income and resources that an individual has or can access, including wages and earnings, other types of remuneration, Social Security benefits, unemployment compensation and other forms of income. SSI benefit eligibility also excludes consideration of other forms of income such as State or locally funded assistance based on needs, Federal rent subsidies, the value of supplemental nutritional assistance and many other resources. In fact, Mr. Evangelista’s testimony contains pages of exclusions, showing roughly 85 current SSI income and resource exclusions, which are not taken into account in determining someone’s SSI benefit.

Is it the intention of the SSI program to be a sole source of income to a beneficiary for them to live, pay rent, obtain medical care, and buy food?

Answer. The purpose of the SSI program is to provide basic financial support to people who are 65 or older, blind, or disabled, and whose income and resources are below certain limits. Congress also incorporated into the SSI program coordination with other benefits, as SSI eligibility often provides a beneficiary with automatic eligibility to other Federal programs, such as Medicaid and Supplemental Nutrition Assistance Program (SNAP) benefits.

*Question.* Please provide data on the full array of resources that SSI beneficiaries have on average for each major type of recipient (disabled under 18; disabled 18–64; disabled 65 or older; aged) in each year over the period 2009–2020, since measuring their income and its relation to the poverty level based solely on what they get from SSI seems to be very misleading.

Answer. Please see Attachment A for this information.

*Question.* Your testimony identifies that SSA now has a way for individuals to report wages online and through a mobile application, which are tools that are expected not only to reduce improper payments in SSI but also make it easier and less problematic for recipients to fulfill reporting requirements.

Could you expand on that and on the promise of a more efficient reporting system, since in the past beneficiaries often had difficulties fulfilling reporting requirements using sluggish mail services, and sometimes felt a disincentive to their work efforts out of fear that the clumsiness of the reporting systems could reduce or end benefits even if the beneficiary wasn’t doing anything wrong?

Answer. We provide several automated tools that allow SSI beneficiaries and their parents, spouses, and representative payees to report wages to us. These tools include an automated telephone system, a mobile application, and an online application that is available by creating a *my Social Security* account. When people report their wages with these tools, the wage information they provide directly updates our records and the person receives a receipt proving that they successfully reported their wages.

*Question.* In response to GAO’s recommendation that SSA improve how it measures the effectiveness of corrective actions to reduce improper payments (including SSI), SSA indicated it is arduous and difficult to isolate the impact of its corrective actions. Please explain why it is difficult to isolate the effect of SSA corrective actions? What steps or resources are required to better measure the impact of corrective actions?

Answer. We take this issue seriously and are exploring ways to implement GAO’s recommendation. Given the scope and complexity of our programs, it is difficult to isolate the specific effects of a particular corrective action. For example, we might assess an overpayment after obtaining an SSI beneficiary’s bank information, but it is difficult for us to say with certainty what portion of that overpayment resulted from that bank account verification process.

*Question.* In Ms. Curda’s testimony, she acknowledged the work SSA has done to implement previous GAO recommendations specific to work incentives for transition-age youth; however, there is more work to be done. Without appropriate education and communication, we may miss opportunities to promote work incentives and other supports, reduce fear and confusion, and potentially reduce dependence of transition-age youth on SSI benefits.

Does SSA have adequate procedures in place to easily communicate information on work incentives and how work affects benefits and eligibility to youth and their families?

Answer. We continuously explore ways that we can better communicate information about work incentives and how work affects benefits and eligibility for all our beneficiaries, including transition-age youth and their caregivers. Our approach is to provide information many times and through multiple channels, in order to reach as many beneficiaries as possible in whatever way is most convenient for them.

We require staff to discuss with recipients relevant work incentives, including those available to youth and their families. Our written correspondence also includes relevant information, such as information about the ChooseWork<sup>5</sup> site.

In addition to our efforts with staff, we prioritize services to youth in the Work Incentives Planning and Assistance (WIPA)<sup>6</sup> referrals from the Ticket to Work Help Line (Help Line). The Help Line refers any youth between the ages of 14 and 25, or their representative, to a WIPA for services if the caller expresses an interest in receiving information about work incentives, regardless of their employment status. WIPA providers must prioritize working with the youth once they receive the referral.

Our informational brochure, What You Need To Know About Your Supplemental Security Income (SSI) When You Turn 18,<sup>7</sup> is sent to youth and their caregivers, and provides relevant information to fill knowledge gaps regarding the age-18 re-determination, SSA work incentives that primarily affect youth, and common programs and services the family and youth may find helpful, such as vocational rehabilitation and the Department of Education's Parent Centers. We have also developed a new youth website (<https://www.ssa.gov/youth/>) and materials geared to youth and their family.

The shifting needs of, and resources for, youth necessitate continual attention to changes that can affect available resources. Each year we reevaluate what information should be included in the brochure and, in August 2021, we issued an updated brochure. We sent the brochure to approximately 337,920 youth who are between the ages of 14 and 17 and who receive SSI (327,473 English notices and 10,447 Spanish notices). These brochures can be found at: <https://www.ssa.gov/pubs/EN-05-11005.pdf> (English) and <https://www.ssa.gov/pubs/ES-05-10915.pdf> (Spanish).

We have also increased use of social media to reach youth. Our Ticket to Work Blog includes articles aimed at helping youth transition from school to the workforce, e.g., <https://choosework.ssa.gov/blog/2021-08-26-preparing-for-work-adults> and <https://choosework.ssa.gov/blog/2021-06-24-helping-young-adults-plan-for-the-future>. Information on work incentives is also provided through Twitter<sup>8</sup> and on our Facebook<sup>9</sup> page.

*Question.* Does SSA have a way to connect transition-age youth on SSI to State Vocational Rehabilitation (VR) agencies that provide training and employment services under the VR State Grants program administered by the Department of Education?

Answer. The Social Security Act precludes us from referring youth to Vocational Rehabilitation (VR) outside of demonstration projects; this includes agencies that provide services under the VR State Grants program administered by the Department of Education.

Additionally, the costs and benefits of increasing access to VR are highly dependent on specific legislation. Since no legislation has been enacted, all actions taken so far have had negligible costs or benefits.

To connect transition-age youth to Department of Education-funded VR agencies, we looked at indirect ways of referring youth to VR, such as referring them to other agencies. However, if the ultimate purpose is to refer to VR, then it is not allowed.

We continue to work with the Department of Education on the Federal Partners in Transition group and other relevant agencies to determine how we can work to-

<sup>5</sup> <https://choosework.ssa.gov/>.

<sup>6</sup> <https://www.ssa.gov/work/WIPA.html>.

<sup>7</sup> <https://www.ssa.gov/pubs/EN-05-11005.pdf>.

<sup>8</sup> <https://twitter.com/socialsecurity/>.

<sup>9</sup> <https://www.facebook.com/socialsecurity>.

gether. In addition, we have taken multiple steps to explore options to increase connections to VR agencies and services:

- Request for Information (RFI)—To gather information from external stakeholders, we published an RFI on Strategies to Improve Adult Outcomes for Youth Receiving Supplemental Security Income (SSI) in the Federal Register. This RFI explicitly asked about ways to connect youth receiving SSI with VR and about options for programs like a Ticket to Work for youth.
- Demonstration Projects—
  - Promoting Readiness of Minors in SSI (PROMISE)—PROMISE is a joint pilot demonstration project with the Department of Education (ED), Health and Human Services, and the Department of Labor. The goal of PROMISE is to test interventions that improve the health, education, and post-school outcomes of children who receive SSI resulting in long-term reductions in the child’s reliance on SSI. In addition to providing support for youth education and employment outcomes, we also hope to improve family or household outcomes through improved services and supports, such as education and job training for parents. As a part of this project, ED’s Office of Special Education and Rehabilitation Services awarded cooperative agreements to States to provide services. The ED-funded sites ceased serving youth and their families in 2019. The 60-month survey closed in late FY 2021 and we expect to receive the final impact analysis in FY 2022.
  - Ohio Direct Referral Demonstration (ODRD)—In January 2020 we started enrollment in a small pilot demonstration in Ohio to test the effectiveness of providing direct referrals to vocational rehabilitation services for age 18 and 19 year-olds who are, or may become, SSI or Social Security Disability Insurance beneficiaries. Due to the COVID–19 pandemic and local shutdowns, the recruiting for the ODRD was paused in early March 2020. ODRD resumed recruitment in July 2020. We expect it will take several years for us to evaluate final outcomes, since vocational rehabilitation services last on average about 24 months.
- Research Contracts—In 2020 we executed two blanket purchase agreement contracts to gather key information from researchers to identify evidence and recommendations to design regulatory and policy changes to support employment for youth and disabilities and synthesize available evidence on the effect of community-based services and supports for transition-age youth with disabilities. This initiative has helped us in identifying policy improvements, future research opportunities, and opportunities for additional outreach and education for employers that hire people with disabilities.

*Question.* As the 2020 Annual Report of the Supplemental Security Income (SSI) Program identifies: “Under section 231 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, SSA must submit a report on the SSI program to the President and Congress no later than May 30 of each year.” The 2020 Annual Report was delivered to Congress on May 29, 2020. It appears that the 2021 Annual Report has not yet been delivered to Congress, counter to what is called for in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Meanwhile, congressional Democrats are advocating that structural changes be made to the SSI program and be included in a partisan reconciliation bill. This is being done in the context of Congress not having benefit of the 2021 Annual Report of the SSI program, which is long overdue. Lateness of the Annual Report is occurring in a year in which, also, trustees reports on the financial challenges of the Social Security Old-Age and Survivor Insurance and Disability Insurance trust funds were delayed relative to their statutory due date for the longest period in modern history.

Please identify when Congress can expect the 2021 Annual Report of the SSI program, and explain why it is taking the Social Security Administration such a long time to report on the SSI program, especially in light of section 231 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

*Answer.* We issued the 2021 SSI Annual Report on October 29, 2021.<sup>10</sup> We agree that Congress should receive timely updates on program status. The SSI Annual Report is supported by the same demographic, labor participation, and other assumptions that support the *Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds* (the

<sup>10</sup>The report is available at <https://www.ssa.gov/OACT/ssir/SSI21/index.html>.

Trustees Report), which as you note, was delayed in 2021. The SSI Annual Report incorporated the updated assumptions from the Trustees Report, which was released August 31, 2021.<sup>11</sup>

*Question.* Both Ms. Romig and Ms. Ives-Ruble cite a paper, which was funded by Ms. Romig's organization, suggesting that Chairman Brown's SSI legislation could lift millions out of poverty, using a proprietary simulation model. And Ms. Romig asserts that SSI improvements in question "would also help close racial equity gaps," though that assertion is open to question. Those two of our witnesses are appearing here today, at least in part, to advocate mostly or solely to Democrats in the Senate to include some or all of Chairman Brown's legislation in the Democrats' reconciliation bill.

Has SSA or GAO performed any analysis of effects on poverty or equity gaps of Chairman Brown's proposed changes to SSI benefits and program features, and if not, and given that reconciliation could happen at any time in the near future in the Senate, could you provide an analysis within 10 days to this subcommittee?

*Answer.* We used our Modelling Income in the Near Term (MINT) model to analyze the effects on poverty or equity gaps of some of the major components of Chairman Brown's bill. Below, we list the components that we are able to model. We were also limited to analyzing the effects for the SSI aged 65 or older population.

Please see the Attachment B. The first table shows the effects on reducing poverty in 2030 for the population ages 65 and older. The MINT estimates show that the proposal would reduce the number in poverty by 1.5 million in 2030. The overall poverty rate, according to estimates, would decline from 6 percent without the proposal to 4 percent with the proposal. The table shows that largest estimated effect would be for the Black or African American, non-Hispanic population (a 53-percent reduction in the number in poverty in 2030 due to the proposal). The estimated decline in the poverty rate in 2030 by race and ethnicity would be: 4 percentage points for Hispanic or Latino, any race, from 13 percent to 9 percent; 1 percentage point for White, non-Hispanic from 4 percent to 3 percent; 5 percentage points for Black or African American, non-Hispanic population, from 10 percent to 5 percent; and 3 percentage points for all other races, non-Hispanic, from 13 percent to 10 percent.

The second table shows the results in 2050 for the population ages 65 and older. The MINT estimates show that the proposal would reduce the number in poverty by 1.7 million in 2050. The overall poverty rate, according to estimates, would decline from 7 percent without the proposal to 5 percent with the proposal. The table shows that largest estimated effect is for the Black or African American, non-Hispanic population (a 46-percent reduction in the number in poverty due to the proposal). The estimated decline in the poverty rate in 2050 by race and ethnicity would be: 3 percentage points for Hispanic or Latino, any race, from 12 percent to 9 percent; 1 percentage point for White, non-Hispanic from 4 percent to 3 percent; 5 percentage points for Black or African American, non-Hispanic population, from 11 percent to 6 percent; and 1 percentage points for all other races, non-Hispanic, from 13 percent to 12 percent.

Both tables also show that the proposal is estimated to reduce equity gaps by age, education, and marital status.

There are some important limitations to our SSI analysis using MINT:

- MINT projects SSI-related information as part of the household income and poverty calculations. Some SSI rules cannot be fully modeled in MINT, but we believe our analysis provides useful estimates of the potential effects.
- We could only model the effect of five of 12 total provisions in the proposal (see below).
- We could only analyze the SSI aged age 65 and older.
- The poverty rate estimates for current law and the proposal are higher than they would be if we could include SSI State supplemental payments. We hope to add the SSI State supplemental payments in a future model update.
- We needed to make assumptions about behavioral responses because not everyone who is eligible will claim SSI benefits. In addition to the amount of benefits, we considered other factors when determining the probability that

<sup>11</sup>The report is available at <https://www.ssa.gov/OACT/TR/2021/index.html>.



a person would participate in the program, such as age, sex, marital status, and whether the person previously received SSI benefits.

### Attachment A

#### Objective

We received the following request from Ranking Member Todd Young in the questions for the record for the Senate Finance Subcommittee on Social Security, Pensions, and Family Policy hearing on Supplemental Security Income held on September 21, 2021.

“Please provide data on the full array of resources that SSI beneficiaries have on average for each major type of recipient (disabled under 18; disabled 18–64; disabled 65 or older; aged) in each year over the period 2009–2020, since measuring their income and its relation to the poverty level based solely on what they get from SSI seems to be very misleading.”

#### How did SSA develop this request?

The sample data for this study were collected for title XVI (SSI) Stewardship reviews, which we use to measure the accuracy of the benefits we paid, for fiscal years 2009–2020. There are 16,243 records in total, amounting to approximately 1,000 per year. For some calculations, we summarize data over 3-year periods, creating four groups from 2009–2020.

Each record includes the age group and the type of master record for the recipient. Age groups include aged (ages 65+), adult (ages 18–64), and child (under 18). The types of master record for the adult and aged groups are the same: “individual” or “individual with an eligible or ineligible spouse.” Because of the way the data are structured in the database, we cannot break the data down by type of spouse. The types of master record for the child age groups include “child living with both parents,” “child living with one parent,” and “child alone.” Where reported in the findings, the calculations for “child living with one or both parent(s)” includes all the data for the “living with both parents” and “living with one parent” categories (also denoted in the findings with “\*\*”). Note that the “child alone” category is not reported in the central tendency charts, due to the small sample size ( $n < 100$ ) for this category when broken down in 3-year increments. Although the “child alone” category is not individually broken out, we do include these records in the overall child group. Below, Table 1 shows the counts of the records by age and type of master records in the dataset used for analysis.

For each record, we have provided both the liquid and non-liquid resources for the month reported. The liquid and non-liquid resources in the data are the countable resources that the individual had in the record at the time of sampling. The records we have are for those recipients who were in payment status during that month, and **those whose countable resources were over the limit will result in an overpayment.** The liquid and non-liquid resources in the record include both the resources owned by the recipient as well as the deemed to the recipient. Because of the nature of the eQA database, the liquid and non-liquid amounts cannot be further broken down by SSI recipient and deemor. We report on the liquid and non-liquid resources individually, as well as the sum of the resources (or the total resources in the record at the time). For the years in question, we report two measures of central tendency: the mean and the median.

#### What records were used for SSA analysis?

Table 1: The Counts of the Records in the Dataset

Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020	Grand Total
Adult		2,684	2,494	2,494	2,490	10,162
	Individual	2,082	1,961	2,007	1,998	8,048

**Table 1: The Counts of the Records in the Dataset—Continued**

Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020	Grand Total
	Individual with eligible or ineligible spouse	602	533	487	492	2,114
Aged		600	559	531	517	2,207
	Individual	445	417	404	365	1,631
	Individual with eligible or ineligible spouse	155	142	127	152	576
Child		1,069	1,031	928	846	3,874
	Child living with both parents	438	399	347	352	1,536
	Child living with one parent	559	572	529	446	2,106
	Child living with one or both parent(s)**	997	971	876	798	3,642
	Child Alone	72	60	52	48	232
Grand Total		4,353	4,084	3,953	3,853	16,243

**What did SSA find? (See table information at bottom of each chart.)**

**Table 2: The Mean of the Sum of Liquid and Non-Liquid Resources for All Age Groups in the Dataset**

Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020
Adult		\$2,282.06	\$2,666.17	\$2,007.77	\$2,397.75
	Individual	\$2,090.44	\$2,888.05	\$2,155.73	\$2,275.87
	Individual with eligible or ineligible spouse	\$2,944.78	\$1,849.84	\$2,398.02	\$2,892.72
Aged		\$4,712.59	\$3,104.09	\$3,660.69	\$4,260.96
	Individual	\$3,474.89	\$2,030.52	\$2,811.52	\$4,522.39

**Table 2: The Mean of the Sum of Liquid and Non-Liquid Resources for All Age Groups in the Dataset—Continued**

Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020
	Individual with eligible or ineligible spouse	\$8,265.96	\$6,256.74	\$6,361.98	\$3,633.17
Child		\$2,335.50	\$2,281.90	\$2,745.09	\$4,083.47
	Child living with both parents	\$2,041.93	\$2,270.86	\$4,217.43	\$3,339.63
	Child living with one parent	\$2,214.59	\$1,773.38	\$1,486.15	\$2,474.04
	Child living with one or both parent(s)**	\$2,183.73	\$1,977.80	\$2,568.06	\$2,855.86

**Table 3: The Mean of All Non-Liquid Resources for All Age Groups in the Dataset**

Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020
Adult		\$1,526.46	\$1,053.48	\$1,198.44	\$1,262.18
	Individual	\$1,293.91	\$1,137.05	\$1,291.05	\$1,220.45
	Individual with eligible or ineligible spouse	\$2,330.73	\$746.00	\$816.75	\$1,431.75
Aged		\$3,822.21	\$2,249.06	\$2,637.20	\$2,861.44
	Individual	\$2,591.12	\$1,334.59	\$1,751.93	\$3,021.93
	Individual with eligible or ineligible spouse	\$7,356.61	\$4,934.50	\$5,453.34	\$2,476.05
Child		\$1,363.62	\$1,240.94	\$1,220.56	\$2,500.39
	Child living with both parents	\$1,376.10	\$978.60	\$1,888.23	\$1,473.63
	Child living with one parent	\$1,314.70	\$1,025.01	\$464.69	\$1,198.79
	Child living with one or both parent(s)***	\$1,341.67	\$1,005.94	\$1,028.58	\$1,320.07

**Table 4: The Mean of All Liquid Resources for All Age Groups in the Dataset**

Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020
Adult		\$755.60	\$1,612.70	\$809.34	\$1,135.06
	Individual	\$796.52	\$1,751.00	\$864.68	\$1,054.81
	Individual with eligible or ineligible spouse	\$614.05	\$1,103.84	\$581.26	\$1,460.97
Aged		\$890.38	\$855.03	\$1,023.49	\$1,399.52
	Individual	\$883.77	\$695.93	\$1,059.59	\$1,500.46
	Individual with eligible or ineligible spouse	\$909.35	\$1,322.23	\$908.65	\$1,157.13
Child		\$971.88	\$1,040.97	\$1,524.53	\$1,583.08
	Child living with both parents	\$665.82	\$1,292.26	\$2,329.20	\$1,866.00
	Child living with one parent	\$889.89	\$748.37	\$1,021.46	\$1,275.25
	Child living with one or both parent(s)**	\$797.06	\$971.87	\$1,539.48	\$1,535.83

**Table 5: The Median of the Sum of Liquid and Non-Liquid Resources for All Age Groups in the Dataset**

Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020
Adult		\$391.77	\$433.11	\$382.61	\$476.86
	Individual	\$378.03	\$417.79	\$365.20	\$432.78
	Individual with eligible or ineligible spouse	\$420.15	\$538.00	\$429.19	\$652.61
Aged		\$1,030.00	\$788.69	\$826.60	\$689.43
	Individual	\$1,033.86	\$720.04	\$809.48	\$655.48
	Individual with eligible or ineligible spouse	\$1,006.18	\$1,076.90	\$917.33	\$868.08
Child		\$445.55	\$606.33	\$648.34	\$630.49

**Table 5: The Median of the Sum of Liquid and Non-Liquid Resources for All Age Groups in the Dataset—Continued**

Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020
	Child living with both parents	\$643.39	\$880.00	\$885.75	\$768.78
	Child living with one parent	\$334.70	\$361.83	\$441.34	\$536.27
	Child living with one or both parent(s)**	\$423.30	\$590.00	\$614.53	\$629.74

**Table 6: The Median of All Non-Liquid Resources for All Age Groups in the Dataset**

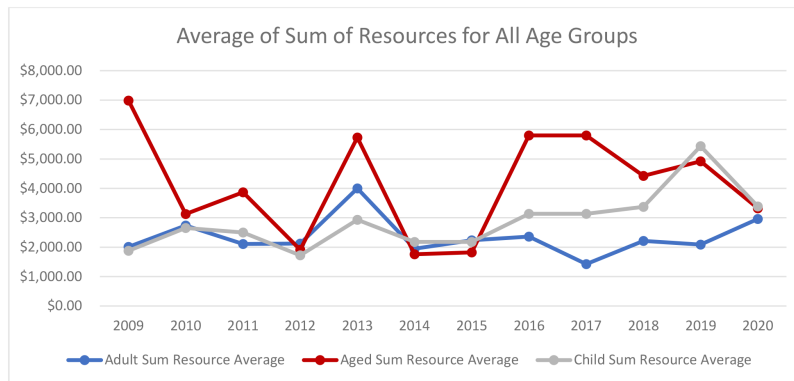
Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020
Adult		\$0.00	\$0.00	\$0.00	\$0.00
	Individual	\$0.00	\$0.00	\$0.00	\$0.00
	Individual with eligible or ineligible spouse	\$0.00	\$0.00	\$0.00	\$0.00
Aged		\$0.00	\$0.00	\$0.00	\$0.00
	Individual	\$0.00	\$0.00	\$0.00	\$0.00
	Individual with eligible or ineligible spouse	\$0.00	\$0.00	\$0.00	\$0.00
Child		\$0.00	\$0.00	\$0.00	\$0.00
	Child living with both parents	\$0.00	\$0.00	\$0.00	\$0.00
	Child living with one parent	\$0.00	\$0.00	\$0.00	\$0.00
	Child living with one or both parent(s)**	\$0.00	\$0.00	\$0.00	\$0.00

Note that for each 3-year interval more than 50% of records reflect \$0.00 as the value for non-liquid resources.

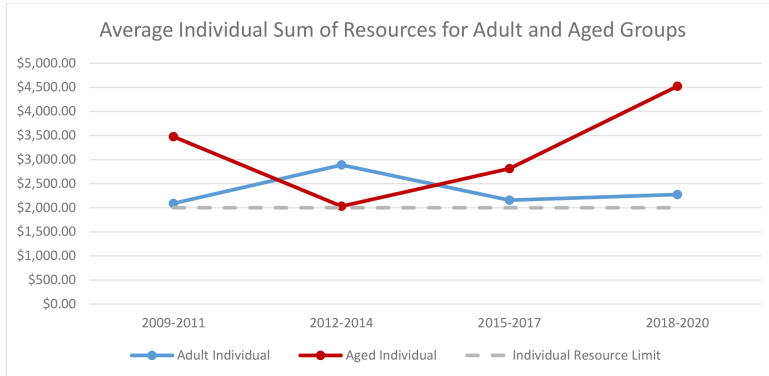
**Table 7: The Median of All Liquid Resources for All Age Groups in the Dataset**

Age Group	Type of Master Record	2009–2011	2012–2014	2015–2017	2018–2020
Adult		\$116.62	\$181.58	\$138.70	\$188.33
	Individual	\$112.61	\$175.96	\$134.07	\$186.00
	Individual with eligible or ineligible spouse	\$128.64	\$219.39	\$169.34	\$200.62
Aged		\$400.13	\$405.16	\$400.29	\$406.00
	Individual	\$351.02	\$343.53	\$385.65	\$370.66
	Individual with eligible or ineligible spouse	\$554.37	\$586.28	\$504.09	\$530.96
Child		\$175.31	\$274.14	\$317.77	\$338.24
	Child living with both parents	\$198.33	\$468.75	\$422.53	\$417.57
	Child living with one parent	\$126.46	\$139.94	\$223.75	\$243.07
	Child living with one or both parent(s)**	\$166.97	\$265.14	\$309.80	\$340.53

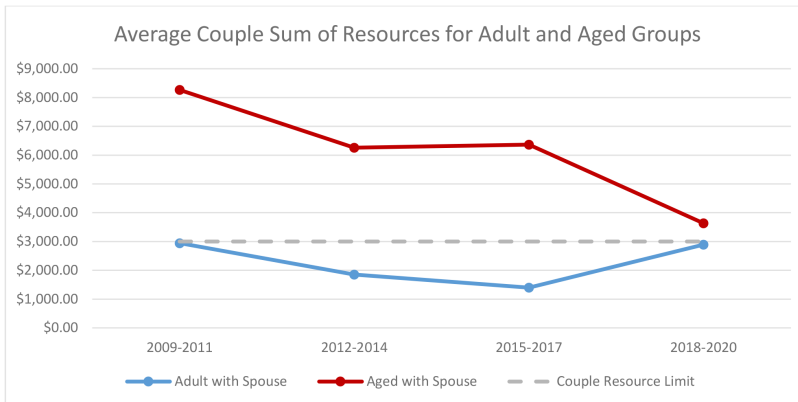
**Trends**



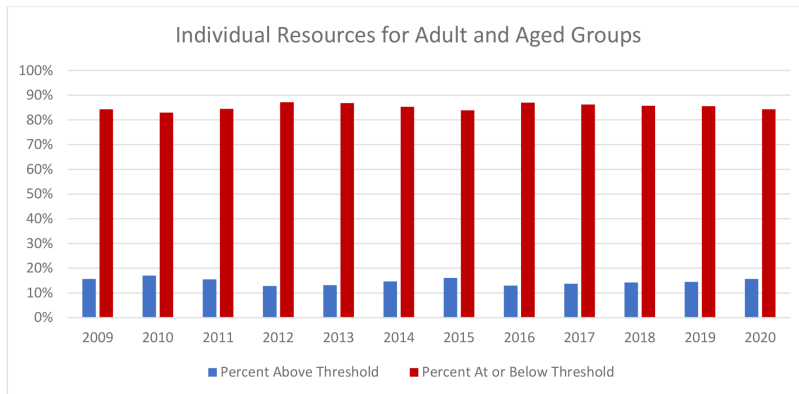
**Chart 1:** The mean of the sum of liquid and non-liquid resources for all age groups during fiscal years 2009-2020.



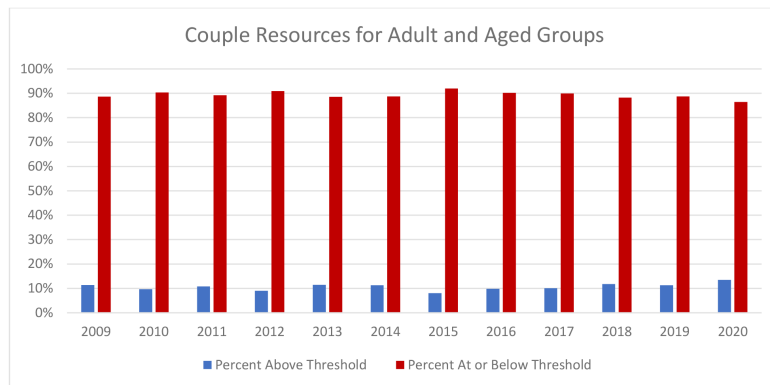
**Chart 2:** The mean of the sum of liquid and non-liquid resources for individuals in adult and aged groups, plotted with the individual resource limit for SSI recipients.



**Chart 3:** The mean of the sum of liquid and non-liquid resources for couples (“individual with eligible or ineligible spouse” category) in the adult and aged groups, plotted with the couple resource limit for SSI recipients.



**Chart 4:** The percent of the sum of liquid and non-liquid resources that are either above or below the resource limit of \$2,000.00 for individuals, for records in which the recipient filed as an individual.



**Chart 5:** The percent of the sum of liquid and non-liquid resources that are either above or below the resource limit of \$3,000.00 for couples (“individual with eligible or ineligible spouse” category), for records in which the recipient filed as part of a couple.

**Attachment B**

*PROPOSAL: SSI Restoration Act of 2021 (5 provisions modeled starting in 2022)*



## 1. Projected Effects of Proposal on Official Poverty Measure in 2030

Population: Aged 65 or older

Characteristics	Official poverty rate		Number of population in poverty (in thousands)		Percent change in the number in poverty
	Without proposal	With proposal	Without proposal	With proposal	
<b>Total</b>	6%	4%	4,296	2,756	-1,539
<b>Sex</b>					
Female	6%	4%	2,375	1,507	-868
Male	6%	4%	1,921	1,249	-671
<b>Race/Ethnicity</b>					
Hispanic or Latino, any race	13%	9%	979	676	-302
White, non-Hispanic	4%	3%	2,015	1,280	-735
Black or African American, non-Hispanic	10%	5%	701	327	-374
All other races, non-Hispanic	13%	10%	601	473	-127
<b>Country of birth</b>					
United States	4%	2%	2,504	1,387	-1,116
Other countries	15%	11%	1,792	1,369	-422
<b>Age</b>					
65-69	8%	5%	1,567	992	-574
70-79	6%	4%	2,051	1,294	-757
80-89	4%	3%	603	416	-187
90 or older	3%	2%	75	54	-21
<b>Marital status</b>					
Married	3%	2%	1,122	911	-211
Divorced	10%	7%	1,255	846	-408
Widowed	7%	4%	947	565	-381
Never married	19%	8%	973	435	-537
<b>Highest education level</b>					
Graduate	2%	1%	168	123	-44
Bachelor	3%	2%	413	308	-105
Associate	4%	3%	663	437	-225
High School	7%	4%	1,842	1,125	-717
Less Than High School	20%	12%	1,211	764	-446
<b>Current-law Social Security benefit type</b>					
Retired worker only	4%	3%	2,038	1,174	-864
Widow(er) (includes dually entitled)	4%	2%	464	251	-212
Spousal (includes dually entitled)	3%	2%	182	131	-50
Disabled worker only	14%	8%	96	54	-42

**1. Projected Effects of Proposal on Official Poverty Measure in 2030—Continued**

Population: Aged 65 or older

Characteristics	Official poverty rate		Number of population in poverty (in thousands)		Percent change in the number in poverty
	Without proposal	With proposal	Without proposal	With proposal	
None	29%	22%	1,515	1,146	-24%
				Change	
				-369	

**2. Projected Effects of Proposal on Official Poverty Measure in 2050**

Population: Aged 65 or older

Characteristics	Official poverty rate		Number of population in poverty (in thousands)		Percent change in the number in poverty
	Without proposal	With proposal	Without proposal	With proposal	
<b>Total</b>	7%	5%	5,957	4,252	-28%
<b>Sex</b>					
Female	7%	5%	3,302	2,367	-28%
Male	7%	5%	2,655	1,884	-29%
<b>Race/Ethnicity</b>					
Hispanic or Latino, any race	12%	9%	1,949	1,487	-23%
White, non-Hispanic	4%	3%	2,071	1,374	-33%
Black or African American, non-Hispanic	11%	6%	905	480	-46%
All other races, non-Hispanic	13%	12%	1,033	910	-11%
<b>Country of birth</b>					
United States	4%	2%	2,534	1,395	-44%
Other countries	15%	13%	3,423	2,857	-16%
<b>Age</b>					
65-69	10%	7%	2,014	1,432	-28%
70-79	7%	6%	2,465	1,831	-25%
80-89	5%	4%	1,202	809	-32%
90 or older	4%	2%	277	179	-35%
<b>Marital status</b>					
Married	4%	3%	1,594	1,326	-16%
Divorced	9%	6%	1,348	967	-28%
Widowed	9%	6%	1,381	1,020	-26%
Never married	16%	9%	1,633	938	-42%
<b>Highest education level</b>					
Graduate	3%	2%	314	281	-10%
				Change	
				-1,705	
				-935	
				-770	
				-461	
				-696	
				-424	
				-122	
				-1,139	
				-565	
				-581	
				-633	
				-392	
				-97	
				-268	
				-380	
				-361	
				-694	
				-33	

Bachelor	3%	655	567	- 87	- 13%
Associate	4%	742	542	- 199	- 26%
High School	10%	2,450	1,600	- 850	- 34%
Less Than High School	21%	1,796	1,261	- 534	- 29%
<b>Current-law Social Security benefit type</b>					
Retired worker only	4%	2,323	1,357	- 965	- 41%
Widow(er) (includes dually entitled)	4%	416	237	- 178	- 42%
Spousal (includes dually entitled)	3%	180	114	- 65	- 36%
Disabled worker only	6%	44	29	- 14	- 34%
None	39%	2,995	2,514	- 480	- 16%

## QUESTIONS SUBMITTED BY HON. ROBERT P. CASEY, JR.

*Question.* In April 2021, the National Consumer Law Center and Justice in Aging released a report titled: “Mismatched and Mistaken: How the Use of an Inaccurate Private Database Results In SSI Recipients Unjustly Losing Benefits.”<sup>12</sup> The report describes how SSA’s reliance on data from Accurint for Government (a database operated by LexisNexis) to determine whether SSI recipients had unreported real estate is causing some recipients to be removed from the program in error. The report describes instances of recipients receiving letters suspending their benefits or assessing an overpayment based on inaccurate documentation, problems that most acutely affect communities of color. What is the Social Security Administration doing to ensure accurate reporting of assets of recipients when using agency datasets and/or external data sources, and how is the agency working to protect beneficiaries from being penalized or losing benefits because of inaccurate data?

*Answer.* Before we take an action to reduce or suspend a person’s SSI benefits based on information we receive from a third party, we first confirm the accuracy of the information by contacting the subject of the report.

Regarding our use of the Accurint database specifically, we recently updated our policy instructions to further clarify that non-home real property ownership information obtained from Accurint is only a lead, and that our field offices must verify that a person owns the property before counting it.<sup>13</sup> We also added additional procedures for verifying whether a person owns a property identified through Accurint. That process is as follows:

- Our field office staff first asks the person if they own the property;
- If the person denies owning the property, the field office must contact an appropriate local government office (e.g., property tax office) to obtain the property owner’s name.
- If the owner’s name matches the person’s name, then our field office will also ask the government office if there are any co-owners and the address where the property’s tax bill is sent.
- If the government office does not provide this additional information, then our field office will determine that the person does not own the property.
- If the government office provides this additional information but it does not match information in our records (e.g., the co-owner’s name does not match the name we have in file for the person’s spouse), then our field office will determine that the person does not own the property.

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 QUESTIONS SUBMITTED BY HON. JAMES LANKFORD

*Question.* According to the Social Security Administration, historically, about one third of children lose their SSI eligibility following their age-18 redeterminations. I’ve been told that, in some cases, these redeterminations can take place up to 2 years after the individual’s 18th birthday. For some, this means, they receive benefits for far longer than they’re actually eligible.

As asked during the hearing, has SSA ever considered prioritizing age-18 redeterminations to better ensure benefits only go to those who are eligible?

*Answer.* We take the requirement to conduct age-18 redeterminations for all children who are receiving SSI based on a disability seriously.<sup>14</sup> Our approach to handling our medical continuing disability review (CDR) workload, which includes age-18 redeterminations,<sup>15</sup> balances completing a mix of required reviews with those that optimize program savings.

*Question.* Does SSA have a backlog of age-18 redeterminations?

*Answer.* The number of pending age-18 redeterminations increased from 81,000 in October 2020 to 85,000 in October 2021.

<sup>12</sup> [https://www.nclc.org/images/pdf/credit\\_reports/RptMismatchedFINAL041421.pdf](https://www.nclc.org/images/pdf/credit_reports/RptMismatchedFINAL041421.pdf).

<sup>13</sup> Please see POMS SI 01140.100 at <https://secure.ssa.gov/apps10/poms.nsf/lnx/0501140100>.

<sup>14</sup> See section 1614(a)(3)(H) of the Social Security Act.

<sup>15</sup> We often refer to these age-18 redeterminations as “age-18 CDRs.”

*Question.* If so, how does SSA plan to address this to ensure improper payments are not issued?

Answer. In FYs 2020 and 2021, we completed fewer SSI non-medical redeterminations and medical CDRs due to pandemic- driven service delivery challenges.

	SSI Redeterminations	Medical CDRs
<b>FY 21</b>	2,367,000	511,000
<b>FY 20</b>	2,153,000	463,000

For FY 2022, we expect to complete 2.3 million SSI non-medical redeterminations and 621,000 medical CDRs.

*Question.* Social Security relies on Continuing Disability Reviews (CDRs) to determine and confirm eligibility for disability benefits. According to SSA's website, CDRs are conducted every 3 years, or every five to 7 years depending on the severity of the condition. I understand that during the pandemic, SSA had to put a lot of services and operations on hold, including CDRs.

What is SSA's plan to eliminate any existing CDR backlog and ensure that all applicants receiving SSI are eligible for benefits?

Answer. During a critical time in the pandemic, we temporarily deferred certain workloads, like medical CDRs, so that we could prioritize service to the public and maintain beneficiaries' payments and health care. We are working to restore our program integrity workloads to our pre-pandemic levels and anticipate eliminating the CDR backlog in 2023. We will continue to assess our progress toward eliminating this backlog.

*Question.* It's my understanding that the Social Security Administration is required to submit an Annual Report on the Supplemental Security Income Program to Congress every year. Specifically, under section 231 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, this report is to be provided to Congress no later than May 30th of each year. Despite this deadline, SSA has yet to complete and deliver the 2021 report to Congress.

When can we expect the 2021 annual report on SSI?

Why is the Social Security Administration so late to issue this report, as well as the 2021 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, which was issued over 4 months past the statutory deadline?

Answer. Please see our response to Ranking Member Young's similar question above.

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PREPARED STATEMENT OF MIA IVES-RUBLEE, DIRECTOR,  
DISABILITY JUSTICE INITIATIVE, CENTER FOR AMERICAN PROGRESS

Thank you, Chairman Brown, Ranking Member Young, and members of the subcommittee, for the invitation to appear before you today. My name is Mia Ives-Rublee, and I am the director of the Disability Justice Initiative at the Center for American Progress.

I am here to speak on behalf of the almost 7.8 million disabled recipients of Supplemental Security Income (SSI), who rely on the program to help keep a roof over their heads.<sup>1</sup> Many continue to struggle with daily living expenses and arduous outdated rules due to the fact that the program has had few updates since its creation in 1972. This discussion is very personal to me. Although I am now working at a major independent nonpartisan policy institute, I used to rely on SSI to pay for rent, utilities, gas, and food.

When I graduated high school, there were few jobs that were accessible to me. Using a wheelchair meant that I wasn't able to find work in retail, the restaurant industry, and many other entry-level jobs. I was encouraged by the Division of Voca-

<sup>1</sup> Social Security Administration, "All Federally Administered Payments" (Woodlawn, MD: 2021), available at [https://www.ssa.gov/policy/docs/statcomps/ssi\\_monthly/2021-08/ssim-2021-08.pdf](https://www.ssa.gov/policy/docs/statcomps/ssi_monthly/2021-08/ssim-2021-08.pdf).

tional Rehabilitation to get an education to gain the skills needed to find more accessible employment. But that meant at least 4 years without a steady income. I applied to student aid and work-study programs. Yet there were no work-study programs at my school that would take me. SSI paid for housing and food costs, particularly during the summer, when my scholarship funds and student aid ran out. Yet the benefit level was extremely low—around \$674 per month—meaning I had to max out credit cards and take out significant loans to cover my expenses (bills that I am still paying off today).

I also got in trouble several times for earning small stipends—just a few hundred dollars over 3 months—for working at summer camps. It created a lot of stress as I tried to keep tabs on my benefits. For several months, my benefits got docked because no one explained the reporting requirements to me. Yet I couldn't save the small stipends I received for fear of hitting the \$2,000 asset limit. So often, Americans are told to save. Yet SSI recipients are not allowed to have more than \$2,000 in assets. SSI recipients have no way to save for rainy days.

But even after getting my master's degree in 2009, it took me almost a year to finally land a full-time job. I was denied numerous entry-level positions because places did not want to hire someone in a wheelchair. I was even denied opportunities to volunteer. By the end, I had applied to more than 100 jobs in 2009. It wasn't until January 2010 that I was employed by the North Carolina Division of Vocational Rehabilitation Services.

My time as a rehabilitation counselor showed that I was not alone in my struggles with the SSI program. I spent 6 years talking to disabled clients, trying to help them navigate the system. Their first hurdle around SSI was applying to the program. The average eligibility timeline is 3 to 5 months if you get approved during the initial application.<sup>2</sup> If you are denied and have to appeal, the process can take several years. Thousands of people die or go bankrupt every year waiting for disability benefits as a result. The current application process is so cumbersome, it's often said that you need a law degree to access disability benefits. I would walk client after client through the difficult process, sending medical documentation and statements of disability to the Social Security office.

For individuals lucky enough to navigate the application process and be found eligible for benefits, most recipients find they are unable to afford daily living expenses, even with SSI, because benefits are so low. The current maximum benefit of \$794 per month is just three-quarters of the Federal poverty line for an individual and does not come anywhere close to covering even the average rental costs of a one-bedroom apartment in any State in the United States—which was an average of \$1,466 per month in July 2021, although in some States, the average is much higher—even if an SSI beneficiary were to spend all of their benefits on rent.<sup>3</sup> I worked with SSI recipients who continuously returned to Voc Rehab, a setback due to the stressors of navigating the system and trying to keep a roof over their heads. I had clients I would counsel who talked about how they couldn't afford their apartments and so were trying to find ways to work. Yet I'd have to advise against it, knowing the effects it could have on their health and their benefits. They were too sick and unstable to work. They needed the stable income and Medicaid coverage, for which SSI made them automatically eligible, to pay for their mental health community support services. Yet few had other options due to the lack of affordable housing.

Current SSI policies are archaic, and benefits are too low, which causes real harm to beneficiaries. While the program used to be the most successful anti-poverty program for disabled people, it now forces and traps disabled people into poverty. Many of these individuals have no other options to support themselves, which forces them into perpetual evictions and instability. The Biden administration committed to five main changes to the SSI program, including:<sup>4</sup>

1. Increasing the Federal benefit rate.
2. Raising the asset limits.
3. Updating the income disregards.

<sup>2</sup>Social Security Administration, "What You Should Know Before You Apply for Social Security Disability Benefits," available at <https://www.ssa.gov/disability/Documents/Factsheet-AD.pdf> (last accessed September 2021).

<sup>3</sup>Realtor.com, "June Rental Data: U.S. Rental Prices Reach Highest Point in Two Years," available at <https://www.realtor.com/research/june-2021-rent/> (last accessed September 2021).

<sup>4</sup>Biden-Harris, "The Biden Plan for Full Participation and Equality for People With Disabilities," available at <https://joebiden.com/disabilities/> (last accessed September 2021).

4. Eliminating the in-kind assistance provisions.
5. Removing marriage penalties.

Through the leadership of Chairman Brown, S. 2065—the SSI Restoration Act—provides guidance to revitalize the program.<sup>5</sup> The Center for American Progress supports the bill and has pushed to ensure SSI is not left behind in the Build Back Better reconciliation bill. Long-overdue updates to the SSI program could, according to the Urban Institute, raise 3.3 million Americans out of poverty.<sup>6</sup> Congress has a monumental opportunity right now to help a community that has seen significantly high death, unemployment, and poverty rates over the past few years. The program was originally created with the goal of ensuring, as a Senate Finance Committee report stated during signing, “that the Nation’s aged, blind, and disabled people would no longer have to live on below poverty incomes.”<sup>7</sup> You have a chance to help millions by revitalizing such a critical program.

Thank you.

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QUESTIONS SUBMITTED FOR THE RECORD TO MIA IVES-RUBLEE

QUESTIONS SUBMITTED BY HON. SHERROD BROWN

*Question.* Do you think the current SSI income and asset limits keep beneficiaries from working? Did you give up opportunities when you were on SSI because of how hard it was to understand the rules? Do you think other people do?

*Answer.* It is a fact that SSI income and asset limits keep beneficiaries from working. I have seen that from my own experiences and others in the community. The first time I ever worked was for a summer job. I did not understand the rules at the time as my parents had helped me apply for the program and no one explained them to me. I was penalized for earning a few hundred dollars working as a counselor, having to pay back the over payment. This ate into my ability to pay for food and other daily expenses. After that experience, I made explicit efforts not to become employed until I would be able to get a full-time job. When I finally did get a full-time job, I spent several months attempting to get SSI to stop payments. During my time as a vocational rehabilitation counselor, I would often have to have long conversations with clients about whether it was worth it for them to work part-time. Many of them did not have the ability to work full-time due to numerous medical issues. Yet they wanted to do part time work to feel like they were a part of the community. However, they were often at risk of getting overpaid or losing their health benefits, which was based on their SSI eligibility. At times, I had to counsel them not to take a part-time job due to these issues.

*Question.* SSI application and award rates have hit concerning and historic lows during the pandemic—but access barriers to SSI were a problem long before COVID-19. In fact, it can be so difficult to navigate the SSI application process, it’s often said you need a law degree to access benefits. What are the consequences of having such a burdensome application process for such a critical income assistance program? What do you think the agency and Congress should be doing to ensure that people who might be eligible for SSI are able to access benefits in their time of need?

*Answer.* The process is extremely burdensome due to the often overly high hurdles individuals must hit to become eligible. Extensive medical documentation may not be available for individuals who have little access to the health-care system. Individuals may have doctors who may not understand the symptoms or be less sympathetic, particularly due to their own beliefs and biases. Individuals need to know

<sup>5</sup> Supplemental Security Income Restoration Act of 2021, S. 2065, 117th Cong., 1st sess. (June 15, 2021), available at <https://www.congress.gov/bills/117/congress/senate-bill/2065?q=7B%22search%22%3A%5B%22Supplemental+Security+Income+Restoration+Act+of+2021%22%5D%7D&s=1&r=2>.

<sup>6</sup> Chantel Boyens and others, “How Four Proposals to Reform Supplemental Security Income Would Reduce Poverty” (Washington: Urban Institute, 2021), available at <https://www.urban.org/research/publication/how-four-proposals-reform-supplemental-security-income-would-reduce-poverty>.

<sup>7</sup> U.S. House of Representatives Committee on Ways and Means, “Green Book: Background Material and Data on the Programs Within the Jurisdiction of the Committee on Ways and Means, Chapter 3: Supplemental Security Income,” available at <https://greenbook-waysandmeans.house.gov/2018-green-book/chapter-3-supplemental-security-income> (last accessed September 2021).

exactly how their disabilities impede their ability to obtain and maintain employment. Without a specific understanding of the language reviewers are looking for, individuals may have significant disabilities but not be deemed eligible. Lastly, long wait periods to become eligible put disabled people at significant risk of becoming homeless or going into medical emergencies. According to the GAO, 48,000 individuals filed for bankruptcy while awaiting appeals. In a ten-year period, 109,725 died prior to receiving a final decision on their appeal. The number dying during the appeals process has increased over time.

There are several things that could happen to help decrease the burdensome application process for disabled people:

- The application process should be available online.
- SSI needs to increase the amount of caseworkers reviewing cases to help reduce wait times.
- Increased funding for navigators.
- Improved communication between vocational rehabilitation programs and the social security administration to help with processing.

*Question.* We know people with disabilities rely on home and community-based services in order to live independently instead of in nursing homes and other isolating institutions. How do you see SSI and these HCBS services fitting together?

*Answer.* HCBS is integral for some SSI recipients. My brother is one of those individuals. SSI provides him a basic living allowance, helping pay for his food, housing, and other living expenses (along with other programs since the max benefit is below the poverty line). HCBS provides home care for him. An individual is paid to live with him, help with his personal needs, cooks, and provides him transportation to medical appointments. It also helps to pay for a job coach. He works part-time with a job coach, which allows him to work in an integrated work setting. My brother would be living in a nursing home or group home if it were not for HCBS.

*Question.* Current SSI program rules penalize marriage. Do you know anyone who hasn't gotten married because of SSI's marriage penalties? How big of a problem is this for people with disabilities?

*Answer.* I work with many community members who continuously ask me when they will be able to get married. My friend, Matthew Cortland, who is very open about his previous situation, was unable to get married for fear of lowering or losing his benefits if he got married. If individuals marry someone on SSI, they risk lowering their income if they were receiving it separately. Since max benefit is so low, this puts couples at extreme risk of losing their housing and not being able to afford everyday necessities. If individuals marry a spouse who is earning above the eligibility line, individuals are at risk of not only losing their SSI, but also their Medicaid insurance.

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PREPARED STATEMENT OF KATHLEEN ROMIG, SENIOR POLICY ANALYST,  
CENTER ON BUDGET AND POLICY PRIORITIES

Thank you for the opportunity to testify today on this timely and important topic. My name is Kathleen Romig; I am a senior policy analyst at the Center on Budget and Policy Priorities. The Center is an independent, nonprofit policy institute that conducts research and analysis on a range of Federal and State policy issues affecting low- and moderate-income individuals and families. Prior to coming to the Center, I spent 8 years as a career public servant at the Social Security Administration (SSA), and 4 years at the Congressional Research Service.

As Congress considers economic recovery legislation, it should seize the opportunity to update and simplify Supplemental Security Income (SSI). SSI is woefully out of date. Key features of the program haven't been updated in decades. This leaves many needy people ineligible for benefits and others without enough resources to meet basic needs. SSI also has complex and intrusive rules that are difficult for SSA to administer and burdensome for applicants and beneficiaries.

I would like to thank Chairman Brown and Senators Wyden, Casey, and Warren for their leadership on the SSI Restoration Act, which would update and simplify SSI. It would dramatically cut poverty among seniors and people with disabilities, allow beneficiaries more dignity and independence, and improve program integrity. The SSI Restoration Act gives policymakers a set of options for program improvements that could be incorporated into the recovery legislation. While the emerging House bill includes important provisions to support the health of seniors and people



with disabilities, it does not include any provisions to fill in the income gap left by inadequate SSI benefits. There is still time for the Senate to update this critical program for seniors and people with disabilities.

#### SSI BENEFITS ARE LOW

SSI provides monthly cash assistance to 7.8 million people who are disabled or elderly and have little income and few assets. There are three groups of SSI beneficiaries:

- **SSI serves 1.1 million disabled children.** SSI is the only cash benefit program for families caring for children with disabilities; children do not qualify for Social Security Disability Insurance benefits based on their own disabilities because they do not have the necessary work history. Child SSI benefits are particularly important for parents who must reduce their work hours or leave the paid workforce to meet their disabled children's needs.
- **SSI serves 4.4 million adults with disabilities.** Disabled adult SSI beneficiaries are held to the same statutory disability standard in Social Security Disability Insurance—that is, a severe physical or mental impairment that is expected to last 12 months or result in death, which makes the applicant unable to perform “substantial gainful activity” (monthly earnings of \$1,310 for most people, or \$2,190 for blind people) anywhere in the national economy.
- **SSI also serves 2.3 million seniors.** Seniors receiving SSI either do not qualify for Social Security benefits, or only very low benefits, which SSI supplements.

SSI benefits are very low and should be raised. The maximum Federal benefit is just \$794 a month, only three-quarters of the Federal poverty line. About 4 in 10 SSI beneficiaries live in poverty. When policymakers established SSI, they sought to assure that “aged, blind, and disabled people would no longer have to subsist on below-poverty-level incomes.”<sup>1</sup> SSI benefits alone, however, have never been large enough to raise beneficiaries' income above the Federal poverty line.

#### SSI'S RULES ARE OUTDATED AND COMPLICATED

SSI's rules are outdated and overly complicated.

- SSI's income disregards have been frozen for almost 50 years, since SSI was enacted in 1972.
  - Beneficiaries who work can only keep \$65 of their earnings each month, after which benefits are reduced by \$1 for every \$2 earned. Those reductions come into play when working beneficiaries' total incomes are still less than the poverty line, keeping even working beneficiaries in poverty.
  - SSI's treatment of unearned income only allows beneficiaries to keep \$20 of any other benefits they receive. This includes Social Security benefits, which one-third of SSI beneficiaries receive. On paper, those Social Security benefits average about \$500 per month, but SSI beneficiaries may only keep \$20 of them, after which their SSI benefits are reduced dollar-for-dollar.
- SSI's asset limits have been frozen for over 30 years, since 1989. SSI beneficiaries can keep a mere \$2,000 in savings—far less than people need to weather an emergency, let alone provide stability or invest in their futures.
- SSI's “in-kind support and maintenance” rules require beneficiaries to disclose any material help that they receive from family and friends, whether groceries or a place to sleep. Each \$1 worth of assistance shrinks SSI benefits by \$1. No other Federal program counts in-kind support when determining benefit eligibility or levels. These complex and intrusive rules make SSI more expensive to administer and burdensome for applicants and beneficiaries.
- Finally, SSI's rules penalize beneficiaries who marry one another. They receive lower benefits and have a lower asset limit than if they remained unmarried.

SSI is expensive to administer because its complex and outdated rules require SSA staff to continually monitor beneficiaries' living arrangements, incomes, sav-

<sup>1</sup> S. Rept. No. 92-1230, Social Security Amendments of 1972, U.S. Senate Committee on Finance, September 25, 1972, p. 384.

ings, support from family and friends, marital status, and more. SSI overpayments happen most frequently when beneficiaries' savings rise above \$2,000; when their wages exceed \$65 in a month; and when they receive in-kind support from family and friends.

If the rules governing assets, earnings, and in-kind support were modernized, SSI would have fewer errors and be less burdensome for both beneficiaries and administrators.<sup>2</sup> SSI benefits make up only 5 percent of SSA payments, but the program requires 35 percent of the agency's budget to administer.<sup>3</sup> In contrast, SSA spends 20 percent of its budget to administer Social Security Disability Insurance, even though it has nearly 2 million more beneficiaries than SSI.

The SSI Restoration Act would raise benefits to the poverty line, update SSI's income and asset limits as if they'd been indexed to inflation from the beginning, and repeal the program's in-kind support and maintenance rules and marriage penalties, in addition to making other technical fixes. The bill's major provisions would cut poverty among SSI beneficiaries by more than half and lift over 3 million people above the poverty line, new research from the Urban Institute shows.<sup>4</sup> It would allow beneficiaries to work, marry, save, and accept help from their loved ones without the harsh penalties that exist in the current system, and it would reduce errors caused by overly complex and outdated rules.

SSI improvements would also help close racial equity gaps. Because of persistent health and economic disparities, people of color are likelier to meet SSI's medical and financial requirements. As a result, most SSI beneficiaries are Black, Latino, and Asian American, though White people make up the single largest group. Thus, enhancements to SSI would disproportionately help people of color.

Updating SSI is necessary to ensure that low-income seniors and people with disabilities have the resources they need to afford rent, food, and other basic needs. The Senate should take the opportunity to add some of these important SSI improvements into the Build Back Better legislation, even if the package cannot accommodate the full SSI Restoration Act.<sup>5</sup>

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QUESTIONS SUBMITTED FOR THE RECORD TO KATHLEEN ROMIG

QUESTIONS SUBMITTED BY HON. SHERROD BROWN

*Question.* Congress made its intent clear in establishing the SSI program nearly 50 years ago—stating explicitly that the purpose of the program was to ensure that people over 65 and people with disabilities would no longer have to live on below-poverty-level incomes. Yet the maximum SSI benefit level is only 74 percent of the Federal poverty level—just \$794/month. Is this enough for people with disabilities or seniors to afford to meet basic needs in the U.S. today? How many people would be lifted out of poverty by increasing the benefit amount to at least the Federal poverty level?

*Answer.* SSI benefits are not enough for seniors and people with disabilities to meet basic needs in the U.S. today. As you noted, maximum monthly SSI benefits are well below the poverty line, leaving many recipients with below-poverty income and unable to cover their basic living expenses. When policymakers established SSI, they sought to assure that “aged, blind, and disabled people would no longer have to subsist on below-poverty-level incomes.” SSI benefits alone, however, have never been large enough to raise recipients' income above the Federal poverty line. In 2021, as you noted, maximum Federal SSI benefits only reach three-quarters of the Federal poverty line for an individual.

Moreover, the official poverty line is too low for people to meet basic needs. Official estimates of minimum living costs consistently exceed the poverty line by a wide margin; just two parts of a family's budget—rent for a modest two-bedroom apartment in a medium-cost metropolitan area as determined by the U.S. Department of Housing and Urban Development (HUD), and the cost of a minimum nutritionally

<sup>2</sup> SSA, *Agency Financial Report for Fiscal Year 2020*, Payment Integrity.

<sup>3</sup> “FY 2021 Congressional Justification,” Social Security Administration, 2020.

<sup>4</sup> Chantel Boyens, et al., “How Four Proposals to Reform Supplemental Security Income Would Reduce Poverty,” Urban Institute, September 6, 2021.

<sup>5</sup> For a more detailed discussion of the issues raised here, see Kathleen Romig and Sam Washington, *Policymakers Should Expand and Simplify Supplemental Security Income*, Center on Budget and Policy Priorities, June 30, 2021.

adequate diet as estimated by the U.S. Department of Agriculture (USDA)—cost \$21,000 in 2018, or 83 percent of the poverty threshold for a two-adult family. Surveys also show that most Americans would set the poverty line higher than the official poverty line.

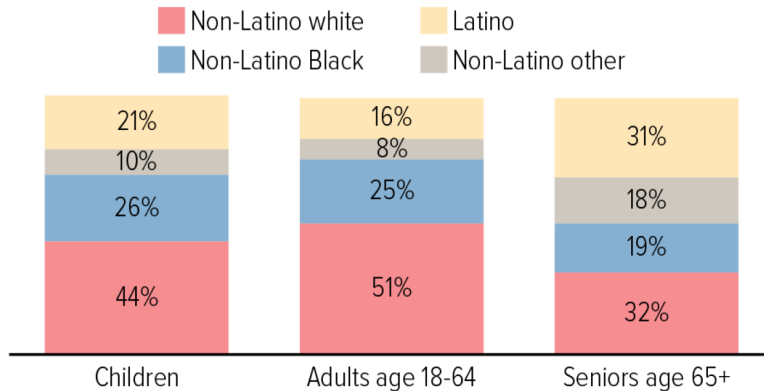
Policymakers should raise SSI's basic benefit at least to the poverty level, as the SSI Restoration Act would do. This provision alone would lift 2.4 million people above the poverty line, according to the Urban Institute.

*Question.* While SSI is critical for people of all types of racial and ethnic backgrounds, it is especially important to communities of color. What does the data tell us about the way SSI impacts racial equity gaps?

*Answer.* SSI is particularly important for low-income Black, Latino, and Asian-American seniors and people with disabilities. Due to persistent racial disparities in health-care access and quality—as well as in access to food, affordable housing, high-quality schools, and economic opportunity—people of color are likelier to become disabled. And due to persistent economic disparities, people of color are likelier to have incomes below the poverty line. As a result, the majority of SSI beneficiaries are African-American, Latino, and Asian-American. SSI benefits help mitigate these racial disparities in health and economic outcomes by providing additional help to seniors and people with disabilities who qualify.

### Majority of SSI Recipients Are People of Color

Share of Supplemental Security Income (SSI) recipients from each racial/ethnic group



Note: The U.S. population is 60.7 percent white, 18.2 percent Latino, 12.1 percent non-Latino Black, and 9.0 percent other non-Latino (including people identifying as more than one race). Those identifying as Latino may be of any race. Figures may not add to 100 percent due to rounding.

Source: Public use 2018 Survey of Income and Program Participation (SIPP)

With improvements, the SSI program could reach more seniors and people with disabilities, lift more of them above poverty, and reduce economic disparities for some of the Nation's most vulnerable citizens—and these changes would disproportionately help people of color.

*Question.* Thirty-five percent of SSA's administrative budget is spent on SSI because its outdated rules are difficult and burdensome for the agency to administer. What is the administrative burden the agency experiences as a result of these burdensome and complex SSI program rules? How much could be saved by updating or eliminating these outdated rules?

Answer. SSI is expensive to administer because its complex and outdated rules require SSA staff to continually monitor beneficiaries' living arrangements, incomes, savings, support from family and friends, marital status, and more. Even small changes—working more hours in a month, a birthday check, a move—can trigger benefit changes or even render a person ineligible for the program. SSI overpayments happen most frequently when beneficiaries' savings rise above \$2,000; when their wages exceed \$65 in a month; and when they receive in-kind support from family and friends, according to agency data.

If the rules governing assets, earnings, and in-kind support were modernized, SSI would have fewer errors and be less burdensome for both beneficiaries and administrators. The extremely low levels of the current limits on assets and income mean that beneficiaries with any savings or other sources of income exceed them easily. For example, reductions due to earned income begin when beneficiaries make just \$65 per month, and nearly every job pays more than that amount. Moreover, the low-wage, part-time work that most working SSI recipients can do typically has variable pay from month to month, depending on hours and other factors.

Simplifying SSI rules could save administrative costs and free up staff time to provide better customer service in other areas. An agency study on possible changes to in-kind support and maintenance rules in 2008 estimated that replacing ISM with a simpler rule for beneficiaries who live with others would save about \$70 million in administrative costs each year. Accounting for inflation as well as the even simpler policy to repeal ISM altogether in the SSI Restoration Act, it's likely that SSA could save \$100 million a year, or \$1 billion over 10 years, by adopting this single change. Updating the rules governing income and assets would lead to even fewer overpayments and more administrative savings.

*Question.* Your testimony notes that nearly half of eligible people are currently being left behind by SSI because the application process is so difficult to navigate, and that the program is dropping to historic lows during the pandemic. What can Congress do to ensure eligible people are able to access this critical program in their time of need?

Answer. There are many ways SSA could improve outreach and access to SSI benefits, including:

- **Mail notices about SSI to targeted Social Security beneficiaries:** SSA should mail notices to all Social Security beneficiaries with low benefits to encourage them to apply. SSA has already piloted<sup>1</sup> this and dramatically increased SSI awards among the low-income elderly who received notices. SSA should bring the pilot to scale and expand it to SSDI beneficiaries. The agency should also mail notices at age 65 (when early retirees become age-eligible for SSI) and periodic reminders for likely eligible Social Security beneficiaries.
- **Design a comprehensive SSI outreach campaign for low-income disabled and elderly people who face barriers:** Such a program should work to include people of color, people for whom English is not a first language, those in poverty, those experiencing homelessness, and the recently incarcerated. The agency should work with government, private, and non-profit organizations that serve these communities and ensure that they have the tools they need to assist potential applicants.
- **Create a dedicated phone line with a centralized SSI intake unit:** SSA does not have an online application for child or elderly SSI benefits, and only some disabled adults can apply for SSI online. While SSA's field operation is closed except for emergencies, most SSI applicants must apply over the phone. SSA's 800 number has long wait times and high busy rates, and callers often abandon their calls. Former SSA executive David Weaver has recommended<sup>2</sup> that the agency set up a separate agency phone number with a centralized SSI intake unit to take SSI applications.
- **Accelerate work on SSI online application:** The iSSI system should be expanded so more people can apply for SSI online. The agency should also simplify the online application to better allow applicants to fill it out without in-person or telephone assistance from SSA staff.

<sup>1</sup> [https://www.ssa.gov/OACT/ssir/SSI19/V\\_G\\_Bibliography.html#99786](https://www.ssa.gov/OACT/ssir/SSI19/V_G_Bibliography.html#99786).

<sup>2</sup> <https://thehill.com/opinion/finance/513711-ssi-awards-for-the-disabled-lowest-in-20-years-needs-congressional-attention/>.

- **Execute a comprehensive outreach plan for child SSI program:** SSA is legally mandated to reach out to families of children who are potentially eligible for SSI, but has not done so. Even before the pandemic caused SSI child applications to plummet, the National Academy of Sciences found that many potentially eligible children were not applying for benefits. SSA should consider data matching (*e.g.*, with school districts) to identify potentially eligible children; partnering with schools, medical providers, and State agencies to conduct outreach; running advertising on traditional and social media; sending letters to new parents with their children's Social Security cards informing them of SSI (both for specific newborn issues like low birth weight, and informing them that SSI may be there for them if their children develop health problems); and more.
- **Restore SSA's public outreach capacity:** In the past, SSA field offices did extensive community outreach, building relationships with community, business, non-profit, and government organizations. The agency also had a robust national communications operation. As its operating budget fell over the last decade, SSA significantly reduced its public outreach staffing and scope. SSA should restore its outreach capacity, with a special focus on reaching the low-income, older, and disabled populations whose applications for benefits have fallen most.

*Question.* One area of program integrity that gets far less attention comparatively is underpayments—which cause individuals and families in need to go without the benefits they are due. For example, SSA's annual agency financial reports show that some 200,000 children per year aren't receiving Social Security benefits they are due, because of SSA computer error. What do we know about underpayments to SSI beneficiaries? What harm does this cause? And how can we better be ensuring that SSI beneficiaries receive the full benefits they are due?

*Answer.* The causes of underpayments among *current* SSI beneficiaries are generally due to the same outdated rules as are overpayments. Agency data show that the three leading causes of underpayments in SSI are in-kind support and maintenance, changes in living arrangements, and earnings. As I answered above, updating these rules would go a long way in preventing underpayments that increase beneficiary hardship. They would also make the program more efficient to administer and free up staff time for customer service.

More broadly, as you point out, there are many people who are eligible for SSI payments who are not receiving them. In addition to the computer error you point out, there are many low-income Social Security beneficiaries who also qualify for SSI, but may not know it or may struggle with the complicated application process. SSA could identify these people in its data and do targeted outreach. The agency could also provide a more streamlined application process and assistance for applicants who need it. I describe these options in more detail in my response above.

Another idea, proposed by former SSA executive David Weaver, is to create an Office of Beneficiary Advocate at SSA, similar to the Taxpayer Advocate at IRS. The Beneficiary Advocate would provide needed balance to discussions of administrative issues. Agency leadership, the Office of Inspector General are overwhelmingly consumed with improper payments and “waste, fraud, and abuse” and not service to beneficiaries.

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QUESTIONS SUBMITTED BY HON. TODD YOUNG

*Question.* Your testimony says that SSI's rules penalize beneficiaries who marry one another. And, your testimony is designed, in part, to advocate mostly or solely to Democrats in the Senate to include Chairman Brown's SSI legislation in their reconciliation bill.

Indeed, you conclude by urging the Senate, which in the current context means only Senate Democrats, “to take the opportunity to add some of these important improvements into the Build Back Better legislation, even if the package cannot accommodate the full” set of Chairman Brown's proposal.

The reconciliation bill passed by Democrats in the House Ways and Means Committee, and Democrat tax proposals under consideration in the Senate, include increased and significant marriage penalties in the tax code.

Given your concerns about marriage penalties imposed by SSI rules, do you also advocate to the Senate that the bills under consideration be changed to reduce or

eliminate the significant marriage penalties that are built into the Democrats' tax proposals?

Answer. I am not a tax expert and do not advocate for or against the tax proposals in the reconciliation package under consideration.

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QUESTIONS SUBMITTED BY HON. ROBERT P. CASEY, JR.

*Question.* In your testimony you referenced the complexity of SSI rules, errors that are made in determining recipients assets, delays in adjusting earnings that recipients report resulting in overpayments and subsequently penalties to recipients. What specific changes do you recommend regarding reporting earnings and tracking assets? How can Congress make the SSI program more efficient and less burdensome for recipients and the agency?

Answer. The changes in the SSI Restoration Act would make SSI more efficient and less burdensome for SSI recipients and SSA. SSI is expensive to administer because its complex and outdated rules require SSA staff to continually monitor beneficiaries' living arrangements, incomes, savings, support from family and friends, marital status, and more. SSI overpayments happen most frequently when beneficiaries' savings rise above \$2,000; when their wages exceed \$65 in a month; and when they receive in-kind support from family and friends.

If the rules governing assets, earnings, and in-kind support were modernized, SSI would have fewer errors and be less burdensome for both beneficiaries and administrators. The extremely low levels of the current limits on assets and income mean that beneficiaries with any savings or other sources of income exceed them easily. For example, reductions due to earned income begin when beneficiaries make just \$65 per month, and nearly every job pays more than that amount. Moreover, the low-wage, part-time work that most working SSI recipients can do typically has variable pay from month to month, depending on hours and other factors.

Simplifying SSI rules could save administrative costs and free up staff time to provide better customer service in other areas. An agency study on possible changes to in-kind support and maintenance rules in 2008 estimated that replacing ISM with a simpler rule for beneficiaries who live with others would save about \$70 million in administrative costs each year. Accounting for inflation as well as the even simpler policy to repeal ISM altogether in the SSI Restoration Act, it's likely that SSA could save \$100 million a year, or \$1 billion over 10 years, by adopting this single change. Updating the rules governing income and assets would lead to even fewer overpayments and more administrative savings.

People who meet SSI's income limits (as well as age and disability eligibility) typically have little to no assets, according to agency research. Policymakers could also consider excluding the value of other non-liquid assets that are more difficult for applicants and beneficiaries to document and for the agency to verify, such as insurance policies, burial plots, and vehicles, to simplify the program.

SSA already uses a data matching program called Access to Financial Institutions that can automatically verify applicants' and beneficiaries' bank accounts, which is typically where any assets are held. The agency could require applicants to attest to the amount of their assets, without necessarily requiring complex documentation, and then independently verify claims as needed using AFI. This is common practice in other low-income programs with resources limits.

*Question.* The Ticket to Work program, passed in 1999, was designed to be an incentive for SSI recipients to return to work. For the past 2 decades, however, usage of the Ticket program has been notoriously low—in the low single digits of percentage of SSI recipients. Recipients also complain to our office that the Ticket program is complicated. What recommendations do you have to incentivize SSI recipients to work? I would appreciate recommendations related to the Ticket program and to new ideas for incentives.

Answer. Updating SSI's income disregards, as in the SSI Restoration Act, would better reward both current and past work among SSI beneficiaries. SSI exempts the first \$20 per month of unearned income when determining a person's eligibility and benefit levels; any income above that amount from sources such as Social Security, pensions, interest, and child support is subtracted from SSI benefits. Similarly, SSA disregards the first \$65 per month of earnings; each \$1 of earnings above that level reduces SSI benefits by 50 cents. These rules begin to reduce benefits even when a recipient's income is well below the poverty line. The amount of income that SSA

disregards when calculating SSI benefits has not changed, even to account for inflation, since 1972. That has increasingly eroded the inflation-adjusted value of benefits for SSI recipients who work or receive Social Security or other income. For SSI beneficiaries who can work, the stringent disregard for earned income significantly diminishes any incentive to work. The dollar-for-dollar benefits reduction for non-wage income above \$20 does little to reward those who receive Social Security based on their past work, since the combined benefits that they receive are little different than the benefits received by those with no work history.

Policymakers should increase these disregards, which have remained frozen for nearly 5 decades, and index them so they automatically rise with inflation, as the SSI Restoration Act would do, or index them with wages, to keep up with rising living standards. This would better reward current work. Increasing the general income exclusion, which includes earned Social Security benefits, would better reward past work.

Ticket to Work is outside my area of expertise, but generally, the evidence supports targeted employment interventions to beneficiaries with residual work capacity and interest in pursuing employment. Targeting work interventions, rather than offering a one-size-fits-all policy, would allow SSA to tailor interventions to the needs of beneficiaries with specific characteristics, and improve their odds of success. Evidence supports this approach—for example, SSA’s mental impairment-based demonstrations resulted in rare employment and earnings increases.

*Question.* Assessing assets for SSI recipients is complicated, including tracking below market housing and food support. What assets should be considered when determining initial and on-going eligibility for SSI and how should they be reported?

*Answer.* Policymakers could simplify which assets are considered against its resource limits.

For example, Congress could consider excluding retirement accounts from SSI asset limits. Since SSI was enacted in 1972, Americans have relied much more on individual savings to fund their retirement. Over the past 4 decades, far fewer workers have traditional pensions at work. Instead, policymakers and others encourage them to save for retirement on their own. Individual retirement accounts (IRAs) were created in 1974 and 401(k)s in 1978. The number of workers participating in such “defined contribution” retirement plans has risen nearly tenfold since the mid-1970s.

Despite that dramatic shift in retirement income sources, SSI’s asset test still penalizes low-income seniors and people with disabilities who manage to set aside retirement savings. Other programs, including SNAP, exclude retirement savings accounts from asset limits. Policymakers should exempt retirement savings from the SSI asset test, encouraging beneficiaries to save for retirement and letting those who accumulate savings benefit from them without losing their eligibility for SSI.

As I discussed in my response above, policymakers could also consider excluding the value of other non-liquid assets that are more difficult for applicants and beneficiaries to document and for the agency to verify, such as insurance policies, burial plots, and vehicles, to simplify the program. They could simplify reporting requirements and rely more on independent verification of bank accounts to reduce burdens on applicants and errors.

As for non-cash housing and food support (also known as in-kind support and maintenance, or ISM), Congress should consider repealing reductions based on this kind of support from family and friends. SSI’s ISM rules require beneficiaries to disclose any material help that they receive from family and friends, whether groceries or a place to sleep. Each \$1 worth of assistance shrinks SSI benefits by \$1. No other Federal program counts in-kind support when determining benefit eligibility or levels. These complex and intrusive rules make SSI more expensive to administer and burdensome for applicants and beneficiaries.

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QUESTION SUBMITTED BY HON. MICHAEL F. BENNET

*Question.* I want to ask about SSI’s earned income exclusion—which, like so many aspects of this program, has not been updated in nearly half a century. My office hears from constituents with disabilities who would like to participate in the workforce on a part-time basis. This helps them participate in their communities and to supplement their incomes.

Congress clearly intended for SSI recipients to be able to do part-time work when it created the earned income rules in 1972. But the failure to even adjust these rules for inflation in the intervening 49 years has all but barred recipients from participating in any work activities. At the same time, the program's low benefits level makes it all the more difficult for individuals to make ends meet without supplementing their SSI benefits with earnings.

How should we update SSI's earnings exclusion, and what would these changes mean for the economic security of individuals with disabilities and their families?

Answer. As you noted, SSI's earned income exclusion has declined dramatically in value over the last 5 decades. SSA disregards the first \$65 per month of earnings; each \$1 of earnings above that level reduces SSI benefits by 50 cents. Even earnings from part-time work easily exceed this earning threshold, and so working beneficiaries have their SSI benefits reduced. These rules begin to reduce benefits even when a recipient's income is well below the poverty line. The amount of income that SSA disregards when calculating SSI benefits has not changed, even to account for inflation, since 1972.

SSI's outdated earnings rules have increasingly eroded the inflation-adjusted value of benefits for SSI recipients who work. For SSI beneficiaries who can work, the stringent disregard for earned income significantly diminishes any incentive to work.

Policymakers should increase the earned income disregards, which have remained frozen for nearly 5 decades, and index them so they automatically rise with inflation, as the SSI Restoration Act would do, or index them with wages, to keep up with rising living standards. Had the disregards been indexed to wages since 1972, the earned income disregard would be \$493 per month.

Policymakers should also consider treating Social Security as earned income, so that SSI recipients can keep much more of their earned Social Security benefits.

Enabling SSI recipients to keep more of their Social Security benefits would improve their economic security and recognize their work and contributions to the Social Security system. By law, SSA treats Social Security benefits as "unearned income," so it disregards the first \$20 a month of such income and reduces the SSI benefit, dollar for dollar, by anything above that threshold. That means, in effect, that Social Security beneficiaries who receive SSI can keep only \$20 of their Social Security benefit. That \$20 figure has not changed since SSI's creation nearly 5 decades ago.

Social Security is by far the most common source of other income for SSI recipients. In April 2021, 2.6 million adult SSI recipients also received Social Security, representing about 28 percent of disabled adult SSI recipients and 57 percent of elderly recipients. Their average Social Security benefit was around \$500, but SSI recipients effectively receive only \$20 of that amount, significantly diminishing their economic security. If Social Security benefits were treated like earned income, an SSI recipient receiving a \$500 Social Security benefit would receive \$262.50 more in benefits per month. For many recipients, this change alone would bring total income up to the poverty line.

Social Security income, which people earn by working and contributing payroll taxes, could also be considered earned income.

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#### QUESTIONS SUBMITTED BY HON. ELIZABETH WARREN

*Question.* SSI is meant to be a lifeline for millions of low-income seniors and people with disabilities, but decades-old eligibility rules are forcing Americans who rely on SSI to live in poverty. Thus, advocates have been calling for long-overdue reforms like increasing SSI asset limits, which were included in the SSI Restoration Act that Senators Brown, Sanders, and I reintroduced earlier this year, and should be included in the reconciliation package that Congress is considering.

How long has it been since key SSI rules were updated, including benefit rates, income exclusions, and asset limits? How would reforming them as outlined in the SSI Restoration Act help reduce poverty and ensure that SSI is reaching and adequately supporting all the Americans it should be? How have changing circumstances since these rules were first enacted further drive the need for reforms?

Answer. SSI's rules are outdated:



- SSI's income disregards have been frozen for almost 50 years, since SSI was enacted in 1972.
  - Beneficiaries who work can only keep \$65 of their earnings each month, after which benefits are reduced by \$1 for every \$2 earned. Those reductions come into play when working beneficiaries' total incomes are still less than the poverty line, keeping even working beneficiaries in poverty.
  - SSI's treatment of unearned income only allows beneficiaries to keep \$20 of any other benefits they receive. This includes Social Security benefits, which one-third of SSI beneficiaries receive. On paper, those Social Security benefits average about \$500 per month, but SSI beneficiaries may only keep \$20 of them, after which their SSI benefits are reduced dollar-for-dollar.
- SSI's asset limits have been frozen for over 30 years, since 1989. SSI beneficiaries can keep a mere \$2,000 in savings—far less than people need to weather an emergency, let alone provide stability or invest in their futures.

Changing circumstances since the program's rules were first enacted drives the need for reform. Despite growing recognition by policymakers and analysts that assets boost economic security and that public policy has helped to fuel a significant racial wealth gap, SSI's limits on allowable savings are very restrictive. When they created SSI in 1972, the President and Congress set asset limits to let recipients have some savings to cover the cost of emergencies. The current limits have not been updated for more than 30 years, however, leaving SSI recipients vulnerable in the event of an accident, unexpected bill, or other expense. These asset limits discourage saving and encourage people to dispose of assets they may need to qualify for program benefits.

SSI recipients can't have more than \$2,000 in assets for an individual (and \$3,000 for a couple), including savings accounts and most retirement accounts. Policymakers raised these asset thresholds just once (in 1989) since enacting SSI, and that increase only partially offset the effects of inflation up to that point. Had asset limits been indexed to inflation since 1989, they would be almost twice as high as they are today—and had they been indexed since 1972, they'd be over four times as high.

In the years since SSI asset limits were last updated, Federal policymakers have given States significant discretion in liberalizing asset limits in other low-income programs, and nearly every State has used that discretion to liberalize asset limits or eliminate them altogether. These programs include SNAP (food stamps), Temporary Assistance for Needy Families (TANF), and the Low-Income Home Energy Assistance Program (LIHEAP). All States except Arkansas and Missouri have eliminated asset limits in at least one program, and seven—Alabama, Colorado, Hawaii, Illinois, Louisiana, Maryland, and Ohio—have eliminated them in all three programs. Families in states with more generous asset rules are less likely to cycle on and off SNAP, research shows. And the Affordable Care Act (ACA) prohibited States from applying asset limits to most Medicaid beneficiaries, including children, parents, pregnant women, and adults who became eligible for Medicaid under the ACA's Medicaid expansion.

Low asset limits essentially penalize SSI recipients for saving. Since exceeding the limit can cause the loss of not just SSI cash benefits but also in some cases Medicaid, housing assistance, and other benefits, a prudent recipient will avoid saving too much. Savings and assets, however, play an important role in improving economic stability and mobility for low-income individuals, a large body of research shows.

In addition to raising asset limits, the SSI Restoration Act also proposes to exempt retirement savings from SSI's asset limits, another change warranted by changing circumstances. Since SSI was enacted in 1972, Americans have relied much more on individual savings to fund their retirement. Over the past 4 decades, far fewer workers have traditional pensions at work. Instead, policymakers and others encourage them to save for retirement on their own. Individual retirement accounts (IRAs) were created in 1974 and 401(k)s in 1978. The number of workers participating in such "defined contribution" retirement plans has risen nearly tenfold since the mid-1970s.

Despite that dramatic shift in retirement income sources, SSI's asset test still penalizes low-income seniors and people with disabilities who manage to set aside retirement savings. Other programs, including SNAP, exclude retirement savings accounts from asset limits. Policymakers should exempt retirement savings from the

SSI asset test, encouraging beneficiaries to save for retirement and letting those who accumulate savings benefit from them without losing their eligibility for SSI.

Like the asset limit, SSI's general income exclusion and earned income exclusion have declined dramatically in value, necessitating updates like the ones in the SSI Restoration Act.

SSI exempts (or "disregards") the first \$20 per month of unearned income when determining a person's eligibility and benefit levels; any income above that amount from sources such as Social Security, pensions, interest, and child support is subtracted from SSI benefits. Similarly, SSA disregards the first \$65 per month of earnings; each \$1 of earnings above that level reduces SSI benefits by 50 cents. These rules begin to reduce benefits even when a recipient's income is well below the poverty line. The amount of income that SSA disregards when calculating SSI benefits has not changed, even to account for inflation, since 1972. That has increasingly eroded the inflation-adjusted value of benefits for SSI recipients who work or receive Social Security or other income. For SSI beneficiaries who can work, the stringent disregard for earned income significantly diminishes any incentive to work. The dollar-for-dollar benefits reduction for non-wage income above \$20 does little to reward those who receive Social Security based on their past work, since the combined benefits that they receive are little different than the benefits received by those with no work history.

Enabling SSI recipients to keep more of their Social Security benefits would improve their economic security and recognize their work and contributions to the Social Security system. By law, SSA treats Social Security benefits as "unearned income," so it disregards the first \$20 a month of such income and reduces the SSI benefit, dollar for dollar, by anything above that threshold. That means, in effect, that Social Security beneficiaries who receive SSI can keep only \$20 of their Social Security benefit. That \$20 figure has not changed since SSI's creation nearly 5 decades ago. By contrast, SSA disregards up to \$65 of earned income and reduces benefits by only 50 cents for every dollar earned above that threshold.

Social Security is by far the most common source of other income for SSI recipients. In April 2021, 2.6 million adult SSI recipients also received Social Security, representing about 28 percent of disabled adult SSI recipients and 57 percent of elderly recipients. Their average Social Security benefit was around \$500, but SSI recipients effectively receive only \$20 of that amount, significantly diminishing their economic security. If Social Security benefits were treated like earned income, an SSI recipient receiving a \$500 Social Security benefit would receive \$262.50 more in benefits per month. For many recipients, this change alone would bring total income up to the poverty line.

Social Security income, which people earn by working and contributing payroll taxes, should be considered earned income.

Finally, you asked how the changes in the SSI Restoration Act would affect poverty. Key provisions of the SSI Restoration Act together would lift 3.3 million people above the poverty line and would cut poverty among SSI beneficiaries by more than half, from 36 to 16 percent, according to the Urban Institute. (The Urban Institute analyzed the effects of the proposal using the Supplemental Poverty Measure, which accounts for non-cash benefits.)

Urban's findings include:

- **Increasing individual SSI benefits would lift 2.4 million people above the poverty line.** When policymakers established SSI, they sought to ensure that "aged, blind, and disabled people would no longer have to subsist on below-poverty-level incomes." But maximum Federal monthly SSI benefits are well below the poverty line, leaving many beneficiaries impoverished and unable to cover basic living expenses. The SSI Restoration Act would raise the individual SSI benefit to the official poverty threshold.
- **Eliminating SSI's marriage penalty would lift more than 700,000 people above the poverty line.** Two SSI beneficiaries who marry one another receive only 150 percent of the individual benefit amount. The SSI Restoration Act would allow each member of a married couple to instead receive the full amount of the increased individual benefit, providing a further benefit enhancement and eliminating a disincentive to marry.
- **Updating SSI's income disregards would lift nearly 400,000 people above the poverty line.** SSI's rules for those who have other sources of income have remained unchanged since the program's creation in 1972. Work-

ing SSI beneficiaries can earn only \$65 per month before their SSI benefits are reduced by 50 cents for each additional dollar of earnings, which hurts beneficiaries with incomes well below the poverty line. The income disregard for unearned income (such as Social Security benefits) is even lower: SSI beneficiaries can receive only \$20 per month before their SSI benefits are reduced dollar for dollar. The SSI Restoration Act would raise these amounts to what they would have been if they'd been indexed to inflation from the outset, and automatically increase them each year.

- **Eliminating SSI's "in-kind support" rules would lift over 70,000 people above the poverty line and simplify administration.** SSI requires beneficiaries to disclose any material help that they receive from family and friends, whether groceries or a place to sleep. For each \$1 worth of assistance, SSI benefits shrink by \$1. No other Federal program counts in-kind support when determining benefit eligibility. These complex and intrusive rules make SSI more expensive to administer and burdensome for applicants and beneficiaries. Social Security Administration employees, already facing customer service challenges due to underfunding<sup>3</sup> and the pandemic, often identify this as one of the most difficult aspects of SSI to administer. The SSI Restoration Act would repeal them.

The SSI Restoration Act would also make the important improvement of updating SSI's asset limits, along with other smaller changes. SSI's current asset limits of \$2,000 for individuals and \$3,000 for couples haven't been updated since 1989 and are far too low, leaving SSI beneficiaries vulnerable in the event of an accident, unexpected bill, or other expense. If beneficiaries exceed the limit by even a small amount—for example, after receiving a gift from a family member—they lose eligibility until they spend the savings. The asset limits are also out of step with those in other low-income programs, which policymakers have liberalized or eliminated. The SSI Restoration Act would increase them as if they had been indexed to inflation since SSI's passage in 1972, and automatically increase them each year.

The Urban Institute did not model the changes to SSI's asset rules because they would have an indirect effect on beneficiaries' income, and thus their poverty status. However, the report notes that increasing the asset limit "would further enhance the antipoverty impact of these proposals" by expanding eligibility and improving beneficiaries' material circumstances. Updating SSI's asset limit would also have a modest cost.

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PREPARED STATEMENT OF HON. TODD YOUNG,  
A U.S. SENATOR FROM INDIANA

Thank you, Mr. Chairman. I appreciate this opportunity to discuss and review the Supplemental Security Income program—or SSI.

Now more than ever, how every taxpayer dollar is spent matters. And programs that don't achieve results must be fixed. The SSI program needs examination to ensure it is achieving its intended goals in a fiscally responsible manner. Is the program functioning as Congress and taxpayers expect and those with disabilities deserve?

We can't continue to just "spend more" and hope it helps. We need to review the program's effectiveness so we can ensure taxpayer resources are properly targeted. The goal of the SSI program is to provide assistance to elderly and disabled individuals who have limited financial resources. It is intended, as the Social Security Administration identifies, as a program of last resort, and beneficiaries do not rely solely on SSI benefits to live.

Although SSI was created with the elderly low-income in mind, today it primarily benefits nonelderly disabled adults and children. The total number of beneficiaries has grown from 4.8 million in 1990, to 6.6 million in 2000, to 7.8 million today. In turn, SSI spending has risen from \$33 billion in 2000 to an estimated \$61 billion in 2021.

SSI and Social Security Disability Insurance have been on the Government Accountability "High Risk" list since 2003. GAO states that, "management attention and efforts are needed across the government to ensure that disability programs

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<sup>3</sup> <https://www.cbpp.org/blog/after-years-of-underinvestment-its-time-to-rebuild-the-social-security-administration>.

provide benefits in a timely manner, reflect current ideas about disability, and achieve positive employment outcomes.”

The Social Security Administration struggles to ensure current recipients remain qualified for these programs. SSI continues to have a higher overpayment rate than other SSA programs. That is an unfair burden to taxpayers as well as SSI recipients who incorrectly receive funds they may have to repay.

While SSI faces challenges in administration, labor force participation remains a pressing policy challenge. Our economy is feeling its impact acutely as we emerge from the COVID-19 pandemic. Disability and health-related issues have been top contributors to declines in labor force participation among people in their prime working years—causing both increased poverty rates and the perpetuation of poor health for many Americans.

This is why we need to focus on creating more job opportunities for working-age Americans with disabilities. However, the current patchwork of safety-net programs for low-income Americans facing disabilities or health issues is flawed. Many of these people are productive individuals with the potential to make valuable contributions to their communities through work. And many wish to pursue benefits from the dignity of work, to the extent they are able to do so. Without work, however, many will fall into poverty and may never again see the social and economic benefits associated with employment.

In having this discussion today—our first this Congress in this subcommittee—we would be remiss to not acknowledge that some of our Nation’s most important Federal programs, including programs administered by SSA, are financed through dedicated revenue sources and managed through trust funds. Several of the largest trust funds are heading towards insolvency—worsened by the pandemic.

According to the most recent Social Security Trustees’ Report, the combined Old-Age, Survivors, and Disability Insurance trust funds will be exhausted in 2034—a year earlier than was projected last year.

This spring, I joined Senator Romney and a group of colleagues in reintroducing the Time to Rescue United States’ Trusts (TRUST) Act, bipartisan legislation which would create a process to rescue the endangered Federal trust funds and rein in the national debt—and allow Congress to put our major Federal programs on a stronger footing. If we don’t act now, the trust funds in these programs will be exhausted, leading to significant benefit cuts under current law, and America’s safety net will be significantly weakened.

We believe in people—and we believe most people don’t want to be trapped. SSI should be available for those in need—with a goal of preparing as many individuals as possible for a life of dignity in the workforce. I look forward to hearing from our witnesses on these topics and examining this program in greater detail today.

Lastly, I would like to make note of the complete lack of committee process for the reconciliation bill being drafted by Senate and House Democrats. My Republican colleagues on this committee have called for hearings and a markup of any reconciliation provisions in this jurisdiction. Americans deserve an open and transparent process.

With that, I thank the witnesses for being here today, and I look forward to hearing their testimony.

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<https://www.aarp.org/>

September 21, 2021

The Honorable Sherrod Brown  
Chairman  
Subcommittee on Social Security,  
Pensions, and Family Policy  
Committee on Finance  
Washington, DC 20510

The Honorable Todd Young  
Ranking Member  
Subcommittee on Social Security,  
Pensions, and Family Policy  
Committee on Finance  
Washington, DC 20510

Dear Chairman Brown and Ranking Member Young:

On behalf of our 38 million members and all older Americans nationwide, AARP would like to thank you and the members of the Social Security, Pensions, and Family Policy Subcommittee for holding today's important hearing on "Policy Options for Improving SSI." We appreciate your efforts to examine areas in which Congress can make much-needed improvements to the Supplemental Security Income (SSI) program, which is a critical lifeline for millions of Americans who are most in need.

As you know, SSI provides needs-based financial assistance to approximately 7.8 million Americans,<sup>1</sup> including children, individuals with severe disabilities, and those over the age of 65, with very low incomes and limited resources. While some states supplement SSI, its monthly benefits are extremely modest and, in August 2021, averaged only \$586 for all individuals and \$476 for those age 65 and over.<sup>2</sup> Even the maximum monthly federal benefit in 2021 is only \$794 for an individual and \$1,191 for a couple,<sup>3</sup> well below the poverty level. AARP believes SSI's current maximum benefit levels do not go far enough to keep recipients out of poverty, and as such, Congress should increase benefits to bring SSI beneficiaries up to the poverty level.

In addition, to qualify for SSI, an individual must have assets valued at less than \$2,000, and for couples, that amount is \$3,000. These asset limits were set over 30 years ago and have not been adjusted since to reflect inflation. As a result, fewer and fewer of those in legitimate need, especially those who are older, are able to qualify for SSI. AARP believes Congress should increase the current asset limits and index those limits to inflation moving forward. Congress should also similarly update both the general and earned income exclusions for SSI, which have also not kept pace with inflation since they were set in 1981 at \$20 and \$65 per month, respectively.

Finally, AARP believes that certain SSI rules can also create financial hardships for the caregivers of beneficiaries. For example, SSI's already modest benefits may be reduced by one-third if a beneficiary lives in another person's household and does not pay for all his or her food and shelter. Such assistance is considered in-kind support and maintenance and is counted as income for SSI purposes. AARP is con-

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<sup>1</sup> Social Security Administration, Monthly Statistical Snapshot, August 2021, [https://www.ssa.gov/policy/docs/quickfacts/stat\\_snapshot/](https://www.ssa.gov/policy/docs/quickfacts/stat_snapshot/).

<sup>2</sup> *Ibid.*

<sup>3</sup> Social Security Administration, SSI Federal Payment Amounts for 2021, <https://www.ssa.gov/oact/cola/SSI.html>.

cerned about family caregivers who are struggling to help their older parents, spouses and other loved ones remain at home, where they want to be. As such, AARP believes Congress should modify SSI's rules to support informal caregiving arrangements and eliminate the one-third reduction in benefits for recipients living in someone else's household and not paying for food or shelter.

Once again, thank you for holding today's important hearing. SSI is often cited as "a program of last resort" and millions of older Americans, children, and those with disabilities and with limited resources rely on it for the bare necessities of life. Congress should work together to improve and update this program for the future and ensure it provides adequate assistance to those who are most in need. If you have any questions, please feel free to contact me, or have your staff contact Tom Nicholls of our Government Affairs staff at [tnicholls@aarp.org](mailto:tnicholls@aarp.org) or (202) 434-3765.

Sincerely,

Bill Sweeney  
Senior Vice President  
AARP Government Affairs

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ACCESS LIVING  
115 W. Chicago Ave.  
Chicago Illinois 60654

Dear Chairman Brown and Ranking Member Young:

Access Living submits this statement for the record for the subcommittee hearing "Policy Options for Improving SSI." Access Living is the Center for Independent Living serving Chicago. We are part of the Illinois Network of Centers for Independent Living, the 22 CILs serving people with disabilities around the state. We provide direct services to people with disabilities in the city and lead disability systems advocacy work.

The majority of the consumers we serve are low-income people of color, many of whom are SSI recipients. Supporting the economic stability of our consumers with disabilities is essential for ensuring that they can ultimately benefit from the services and programs we provide. For example, a core aspect of our work is assisting consumers with transitioning out of congregate settings, gaining access to Medicaid funded HCBS, and providing transitioning and recently transitioned congregate facility residents with peer support and skills training. To successfully transition to and thrive in the community, our members rely on SSI to pay for food, rent, and other crucial expenses and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years. SSI was passed to ensure "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes" and because of decades of neglect, it no longer fulfills this promise.

People with disabilities often incur high out of pocket medical costs that eat up a significant amount of their SSI allowance. However, the current standard monthly SSI payment does not account for this hidden cost of disability, or the overall cost of living, which has significantly increased over time. This reality makes it difficult for people with disabilities to make ends meet without taking on another job or otherwise seeking other sources of income. However, seeking other sources of income may also put a recipient in violation of SSI rules, and risk losing their benefits altogether. We need to incentivize people's efforts to lift themselves out of poverty, not punish them for it.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation, per the SSI Restoration Act.

Sincerely,

Angel L. Miles, Ph.D.  
Healthcare/Home and Community Based Services Policy Analyst  
Access Living of Metropolitan Chicago

September 20, 2021

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Re: "Policy Options for Improving SSI," hearing, Tuesday, September 21, 2021.

Dear Chairman Brown and Subcommittee Members:

The following 20 organizations, which serve and represent thousands of Illinois residents who are older adults and people with disabilities, jointly write to urge that you include long overdue updates and improvements to the Supplemental Security Income ("SSI") Program in the budget reconciliation process now underway:

- Access Living, 115 W. Chicago Ave., Chicago, IL 60654;
- The Arc of Illinois, 9980 190th St., Ste. C, Mokena, IL 60448;
- Disability Resource Center, 77 N. 129th Infantry Drive, Joliet, IL 60435;
- Financial Inclusion for All Illinois, 208 S. LaSalle St., Ste. 1300, Chicago, IL 60603;
- Health and Medicine Policy Research Group, 29 East Madison Street, Suite 602, Chicago, IL 60602;
- Heartland Alliance, 208 S. LaSalle St., Ste. 1300, Chicago, IL 60603;
- Illinois-Iowa Center for Independent Living, 501 11th St., Rock Island, IL 61201;
- IMPACT Center for Independent Living, 2735 E. Broadway, Alton, IL 62002;
- The Kennedy Forum Illinois, 1543 N. Wells St., Chicago, IL 60610;
- Lake County Center for Independent Living, 377 N Seymour Avenue, Mundelein, IL 60060;
- Legal Action Chicago, 120 S. LaSalle St., Ste. 900, Chicago, IL 60603;
- Legal Council for Health Justice, 17 N. State St., Ste. 900, Chicago, IL 60602;
- Mental Health Summit, 627 W. Fullerton Parkway, Chicago, IL 60614;
- Metropolitan Family Services, 1 N. Dearborn, Ste. 1000 Chicago, IL 60602;
- Progress Center for Independent Living, 7521 Madison St., Forest Park, IL 60130;
- Shriver Center on Poverty Law, 67 E. Madison St., Ste. 2108, Chicago, IL 60603;
- The Statewide Independent Living Council of Illinois, 1 West Old State Capitol Plaza, Ste. 716, Springfield, IL 62701;
- Supportive Housing Providers Association (SHPA), 6 Lawrence Square, Springfield, IL 62704;
- Thresholds, 4101 N. Ravenswood Ave., Chicago, IL 60613;
- Woodstock Institute, 67 E. Madison St., Ste. 2108, Chicago, IL 60603.

**In Illinois, nearly 260,000 people rely on SSI to meet their most basic needs, including nearly 69,000 Illinoisans age 65 or over.**<sup>1</sup> SSI serves thousands of people in every district across Illinois; urban, suburban, and rural alike. Including these changes would lift approximately 3.3 million people out of poverty nationwide, including 1.2 million people over age 65 and 1.2 million adults with disabilities.<sup>2</sup> SSI is a crucial but long-neglected safety-net program that serves our nation's poorest older adults and people with serious disabilities.

**SSI is often the sole source of income to pay for the basic needs of older adults and individuals living with significant disabilities who are supported in their homes by Home and Community Based Services (HCBS). SSI benefits must cover housing, food, utilities, clothing, and other necessities.** While it provides a lifeline to those in need, its sub-poverty benefit rate and outdated financial eligibility restrictions leave many people struggling to pay rent and meet their basic needs. The pandemic and economic crisis has only exacerbated this reality. With many SSI limits unchanged for 30 years, updates are vital to ensuring well-being and dignity for all Illinoisans.

<sup>1</sup> Illinois Congressional Statistics 2020, available at [https://www.ssa.gov/policy/docs/factsheets/cong\\_stats/2020/il.pdf](https://www.ssa.gov/policy/docs/factsheets/cong_stats/2020/il.pdf) (last accessed September 20, 2021).

<sup>2</sup> "How Four Proposals To Reform Supplemental Security Income Would Reduce Poverty," Urban Institute, available at [https://www.urban.org/sites/default/files/publication/104738/how-four-proposals-to-reform-supplemental-security-income-would-reduce-poverty\\_0\\_1.pdf](https://www.urban.org/sites/default/files/publication/104738/how-four-proposals-to-reform-supplemental-security-income-would-reduce-poverty_0_1.pdf) (last accessed, September 20, 2021).

**Bringing SSI into the 21st century will also enable more people to access Home and Community Based Services through Medicaid.** Without adequate income to pay rent and basic living expenses, people cannot leave expensive Medicaid-funded institutional care in favor of more integrated and less expensive Home and Community Based care. Ensuring SSI can more adequately pay for modest costs of living will support the use of HCBS.

**For these reasons, we urge Congress to take this opportunity to include the following long overdue updates to ensure that seniors and people with disabilities can live more independent and financially secure lives.**

**1. Increase the Maximum Benefit Level to the Federal Poverty Line**

Single adults with no other income receive only \$794 per month in SSI. This is just 74% of the poverty line. SSI, a program designed to serve seniors and people unable to work due to age or disability, should not relegate its participants to a sub-poverty struggle to survive.

**2. Increase and Index Resource Limits to Enable and Encourage Modest Savings**

Single adults can have no more than \$2,000 in countable resources before losing eligibility for SSI income completely. Married couples are limited to just \$3,000 in countable resources. This means for each month an individual has \$2,001 or more in countable resources, she loses the entire \$794 monthly benefit. **These limits have not changed since 1989. These limits must be updated to at least \$10,000 for individuals and \$20,000 for eligible couples so that SSI recipients can save for emergencies like a car or home repair without forgoing the income they need to pay their regular monthly bills.** All households encounter unexpected costs and need to be able to save modest amounts of money that can be used for an emergency without losing the income they need to pay regular monthly bills. Without meaningful ability to save, older adults and people with disabilities have often turned to high-cost, predatory loans that drive them further into poverty.

**3. Update and Index Income Exclusions**

**The income rules have not been updated since the program's inception in 1974.** Thus, they have lost their real value over time. Just the first \$20 of unearned income (which includes Social Security Retirement and Disability Insurance benefits) is disregarded before a \$1 for \$1 reduction is made to the SSI benefit. Only the first \$65 of earned income is disregarded, and each dollar earned above \$65 results in a \$0.50 reduction in SSI. **Raising these exclusions and indexing them will enable SSI recipients to supplement their modest SSI benefits when possible, further strengthening their economic and overall stability.**

**4. Eliminate Punitive "In-Kind Support and Maintenance" Income Rules**

**Currently, if a loved one or church helps an SSI recipient in need by pitching in to pay rent or buy a bag of groceries, that SSI recipient's benefit will be reduced by up to one-third.** During the COVID-19 pandemic, we have seen neighbors and communities come to the assistance of people in need; this should be encouraged, not punished. Current In-Kind Support and Maintenance rules disincentivize mutual aid and pose an administrative burden to the Social Security Administration. *In-Kind Support and Maintenance rules should be eliminated.*

We appreciate that there are many important interests seeking inclusion in the budget reconciliation package. SSI has been neglected for too long. The time is now to ensure that 260,000 Illinois older adults and people with disabilities do not remain entrenched in poverty any longer.

Sincerely,

Access Living  
The Arc of Illinois  
Disability Resource Center  
Financial Inclusion for All Illinois  
Health and Medicine Policy Research Group  
Heartland Alliance  
Illinois-Iowa Center for Independent Living  
IMPACT Center for Independent Living  
The Kennedy Forum Illinois  
Lake County Center for Independent Living  
Legal Action Chicago



Legal Council for Health Justice  
 Mental Health Summit  
 Metropolitan Family Services  
 Progress Center for Independent Living  
 Shriver Center on Poverty Law  
 The Statewide Independent Living Council of Illinois  
 Supportive Housing Providers Association (SHPA)  
 Thresholds  
 Woodstock Institute

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AGING AND DISABILITY RESOURCE CENTER OF THE NORTH  
 Sawyer County Branch  
 (866) 663-3607

U.S. Senate  
 Committee on Finance  
 Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

The ADRC-N Sawyer County Wisconsin submits this statement for the record for the Subcommittee Hearing: Policy Options for Improving SSI. ADRCs across the country provide assistance to elders and people with disabilities in accessing benefits and long term care programs. Our county residents rely on SSI to pay for food, rent, and other crucial expenses and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years. SSI was passed to ensure "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes" and because of decades of neglect, it no longer fulfills this promise.

The current asset rules punish SSI recipients who wish to become more independent. A SSI recipient can not save money to purchase or repair a vehicle needed for employment. If a recipient is lucky enough to own a home s/he cannot save for upkeep and major repairs.

There are not enough low income houses and apartments in rural areas to accommodate the needs of elders who rely on SSI as their only income. A SSI recipient would need to spend 2/3 or more of the SSI benefit to pay the average (unsubsidized) rent in this county.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Lauri Perlick, Adult Long Term Care Supervisor  
 ADRC-N Sawyer County Branch Manager and  
 Information and Assistance Specialist

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STATEMENT SUBMITTED BY JULIE ALEXANDER

**I am a person with a disability writing in support of S. 2065/H.R. 3824.** These bills would really help individuals with disabilities have enough money to live more adequately in todays economy. Right now SSI is set at a monthly benefit that is lower than the poverty level and the asset level is very low (under \$2,000). People can't save and have enough money to pay daily and monthly expenses. Also two people on SSI who get married get penalized because there is a reduction in their benefits and a financial penalty because they have gotten married. As a person with a disability I would really like to see this legislation passed so that people with disabilities can contribute to our economy and live more productive lives.

Thank you for listening to my comments. Have a nice day.

THE ARC  
1825 K Street, NW, Suite 1200  
Washington, DC 20006

September 20, 2021

Chairman Brown  
Subcommittee on Social Security, Pensions, and Family Policy  
U.S. Senate  
Committee on Finance

Ranking Member Young  
Subcommittee on Social Security, Pensions, and Family Policy  
U.S. Senate  
Committee on Finance

Dear Chairman Brown and Ranking Member Young,

The Arc of the United States writes to thank you for holding this hearing on the Supplemental Security Income (SSI) program. The Arc is the largest national community-based organization advocating for people with intellectual and developmental disabilities (IDD) and their families. The SSI program is particularly important to people with IDD and their families; over 20% of SSI beneficiaries are adults or children with an intellectual disability, including a disproportionate number of people of color with an intellectual disability.

In 1972, SSI was enacted to keep the lowest income adults and children with disabilities and older adults from living in poverty. However, due to decades of neglect, the program no longer lives up to those ideals and leaves peoples with disabilities and older adults trapped in deep poverty. Our members encounter major challenges with the \$2,000 asset limit that prevents individuals from saving. The \$65 earned income disregard and \$20 unearned income disregard discourage SSI beneficiaries from working. Many people with IDD do not marry because of the marriage penalties that reduce both benefits and asset limits for married couples on SSI. Others cannot afford rent and other necessary expenses on the sub-poverty benefits. And all of these issues are complicated by the penalties for accepting help from family and friends.

Chairman Brown's SSI Restoration Act, which we strongly support, would address these challenges and make many other needed changes to SSI. We thank the Chairman for this legislation and his focus on the needs of people with disabilities. These changes to SSI are long overdue. We would urge you to include improvements to SSI in the upcoming budget reconciliation package or any other legislative vehicle. These desperately needed changes would improve the lives of the 8 million people with disabilities and seniors who rely on SSI.

Almost 50 years ago, Congress made a commitment to the lowest income adults and children with disabilities—that they would not be forced live in deep poverty because of their disabilities. We urge you to reaffirm this commitment and update SSI.

Sincerely,

Bethany Lilly  
Senior Director of Income Policy  
The Arc of the United States

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LIFE WORKS, THE ARC OF COWLITZ COUNTY, WA

906 New York Street  
Longview, WA 98632  
Tel: (360) 577-9093  
Fax: (360) 577-9137  
<https://www.lifeworksua.org/>

Dear Chairman Brown and Ranking Member Young:

Life Works, The Arc of Cowlitz County submits this statement for the record for the subcommittee hearing "Policy Options for Improving SSI." Life Works provides residential, employment, day services and individual family support and advocacy to all individuals with an intellectual disability in our county here in Washington State. Our members rely on SSI and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000

without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years.

The lack of progress towards the amount of the benefit and the saving cap has created an endless cycle of poverty with very little hope towards achieving status and contribution in the community. Families and individuals wanting to break out of this cycle of poverty find themselves trapped into regulations and support that not only defeats their physical efforts but creates an emotional trap that continuously impacts them with confusion, desperation, and often serious mental and emotional instability. The only way to overcome this circle of challenges is start with this legislative victory and allow these individuals and families to know that their voices are heard; that they are valued as people and that they are supported to be contributing members of their communities.

For these reasons, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

David Hill  
Executive Director

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THE ARC MICHIGAN  
1325 South Washington Avenue  
Lansing, Michigan 48910  
(517) 487-5426  
1-800-292-7851  
Fax: (517) 487-0303  
Website: <https://arcmi.org/>

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

The Arc Michigan submits this statement for the record for the subcommittee hearing "Policy Options for Improving SSI." The mission of The Arc Michigan is to ensure that people with Developmental Disabilities are valued in order that they and their families can participate fully in and contribute to their community. It is not possible to participate fully in your community or make much of a contribution when you do not have enough money to meet your own basic needs. Our members rely on SSI and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years.

SSI is intended to pay for food and lodging for an individual, but the \$794 monthly Federal Benefit Rate no longer meets those most basic of needs. It will barely cover rent in most areas of our state (one of the least expensive states in the country for rent), and leaves little to nothing to cover the other financial obligations of living.

Should someone be fortunate enough to be able to set aside some savings, or to inherit even a small amount, they are at risk of losing their SSI. Yet the savings that will end their benefits isn't even enough to cover the minor emergencies most of us must face, such as home repairs or replacing a vehicle. Right now, if you receive SSI in Michigan and one of your grandparents leaves you \$5,000 in their will, you must immediately spend at least \$3,000 or find a way to shelter the savings. If you end the calendar month with the money in your bank account, you will lose your SSI and your SSI Medicaid eligibility.

While our country generally values and encourages the tradition of marriage, for people receiving SSI marriage is penalized. If two people receiving SSI marry, their monthly benefit rate is reduced to \$595.50 per spouse (\$1,191 per couple). If a person on SSI marries a person who is not getting SSI, then the income of the person who does not receive SSI is "deemed" to the SSI recipient and often results in a loss of benefits. This leaves the former SSI recipient with no income of their own,

making them much more vulnerable to abuse, and without the financial ability to leave an abusive relationship.

Finally, one of the most important ways to be a contributing member of your community is through employment, yet we discourage people receiving SSI from even trying employment by immediately reducing their benefit if their monthly gross earnings are over the \$65 Earned Income Exclusion (EIE). Increasing the EIE will allow people to engage in the dignity of work without fear.

For these reasons, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
 Sherri Boyd  
 Executive Director

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THE ARC OF NEW JERSEY  
 985 Livingston Avenue  
 North Brunswick, NJ 08902  
 T 732-246-2525  
 F 732-214-1834  
<https://www.arcnj.org/>

U.S. Senate  
 Committee on Finance  
 Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

The Arc of New Jersey submits this statement for the record for the subcommittee hearing "Policy Options for Improving SSI." The Arc of New Jersey promotes and protects the human rights of individuals with intellectual and developmental disabilities (IDD) and actively supports their full inclusion and participation in the community throughout their lifetimes. We advocate for many people with IDD who depend on the SSI program in order to live in neighborhoods across the state. New Jersey has a very high cost of living and those on SSI, if they are able to work, can typically only do so on a part-time basis. The benefits these individuals receive from SSI make a world of difference as these funds help them pay their bills and remain independent and living in the community.

Unfortunately, the SSI program has not been updated for a number of years and benefits have not kept up with rising costs, especially in places like New Jersey where housing costs and other related expenses are high. The current maximum benefit of \$794 per month is only three fourths of the Federal Poverty Level. We hear from many individuals who simply can't live on that amount of money and who struggle to pay bills from month to month. These are people who require some assistance to live independently but who do not require around the clock support. Think about all the costs that have gone up, especially since the pandemic began, and then imagine receiving a benefit of only \$794 per month. We hear the struggles people with intellectual and developmental disabilities grapple with as they strive to live an independent life but who can't make ends meet with such limited funds.

We know that increasing that monthly benefit, even to just the Federal Poverty Level, would go a long way toward assisting people with IDD who have difficulty meeting their basic needs. The individuals who call our office looking for help, they deserve to remain in the community, but they need the assistance of the SSI program to be successful. And they need that SSI program to reflect current day costs. People depend on SSI to have basic economic security, and for many, the program is no longer providing that security. For these reasons, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
 Thomas Baffuto  
 Executive Director

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U.S. Senate  
 Committee on Finance  
 Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

The Arc of New Jersey submits this statement for the record for the subcommittee hearing on September 21, 2021: "Policy Options for Improving SSI." The Arc of New Jersey has a long history of promoting and protecting the human rights of individuals with intellectual and developmental disabilities (IDD), and we advocate for their full inclusion and participation in the community throughout their lifetimes.

Many people with IDD for whom we advocate depend on the SSI program. Unfortunately, the SSI program has not been updated for many years. In addition to complaints about the low monthly maximum benefit of \$794 per month, I am also aware of concerns because individual SSI beneficiaries are not permitted to have more than \$2,000 in countable resources (or \$3,000 in resources for a married couple). A countable resource includes money in any type of bank account as well as cash. Individuals who exceed this resource maximum will either be denied eligibility for SSI or, if eligibility had previously been determined, their SSI will likely be terminated. This extremely low resource limit causes considerable anxiety and frustration. For example, if an individual with IDD wants to save money to move from the parent's home into an apartment, the landlord will require a significant security deposit, equal to one month's rent, and sometimes the requirement is for a security deposit of 1½ month's rent. With rental costs in New Jersey being very high, it is not possible to save the amount of money needed for the security deposit (and also the first month's rent), while also keeping one's resources below the \$2,000 maximum.

An additional important concern is related to the COVID relief bills that were passed by Congress. We know Social Security has determined that many of these payments are "disaster relief," and should *not* be counted as violating income or asset rules. However, we are very concerned that there will be confusion on the part of some staff who review the resources of SSI beneficiaries, and may determine that an individual has exceeded the \$2,000 resource limit—even though the money in the bank account in excess of \$2,000 is disaster relief. We fear that some SSI beneficiaries with IDD could be confronted with termination from SSI due to that type of error.

An increase in the SSI resource limit to an amount such as \$10,000 would allow individuals with IDD to save for items that are important and are consistent with living a full life in the community. In addition, we support an increase in the SSI resource limit to \$20,000 for married individuals. A substantial increase in the resource limit would also alleviate our concern about the possibility of errors from staff who were not fully aware of the disaster-relief rules.

As Congress considers policy options to improve SSI, we are hopeful that the very low resource limit for SSI beneficiaries will be substantially expanded.

Sincerely,

Beverly Roberts

Director of The Arc of NJ's Mainstreaming Medical Care Program

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THE ARC OF OKLAHOMA  
2516 E 71st St., Suite A  
Tulsa, OK 74136-5531  
918-582-8272

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

The Arc of Oklahoma submits this statement for the record for the subcommittee hearing "Policy Options for Improving SSI." The Arc of Oklahoma promotes and protects the human rights of individuals with intellectual and developmental disabilities (IDD) and actively supports their full inclusion and participation in the community throughout their lifetimes. Those we serve rely on SSI and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years.

We believe public policy should encourage rather than inhibit planning for financial independence, productivity, and self-determination of people with IDD. Instead, SSI leaves people with disabilities and older adults trapped in deep poverty, for fear of going over the limits and losing benefits. In addition, the SSI marriage penalty continues to be a top issue for our state and local People First chapters, made up of adults with IDD who act and speak on their own behalf and on behalf of their peers who cannot speak for themselves.

For these reasons, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Lisa Turner  
Chief Executive Officer

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LETTER SUBMITTED BY CONNIE ARNOLD

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Connie Arnold, and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." In the distant past, I relied on the Supplemental Security Income (SSI) program to meet my basic living needs before being switched over to another childhood disability benefit program. The SSI benefit rate and work disincentives have kept myself, and other persons with disabilities including seniors, living in poverty for decades. This includes persons with disabilities with a higher college education. SSI benefits, program rules, work disincentives, resource limits are desperately in need of updating. Many of the rules have not been changed since SSI was passed in 1972, and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

In 1978 when I was eighteen, I was off to college, but soon learned that my life would be limited by SSI rules that kept me from working as a result of my need for Medicaid benefits attached to the SSI program. The Medicaid benefits were necessary to continue to qualify for attendant help for my need to get out of bed, use the restroom, shower, dress, eat, and function throughout my day in California. The low rate for SSI means that persons with disabilities must obtain subsidized housing or stay living with their family for decades because rents are higher than SSI benefit payments allow to cover food, clothing, shelter, and other necessities in life. SSI benefits' eligibility meant and requires keeping bank accounts below the \$2,000 limit for individuals or lose Medicaid eligibility or undergo draconian SSI payback provisions for exceeding resource limits. It means never marrying especially for those requiring attendant services. SSI is linked to eligibility for Medicaid for healthcare for long-term services and supports essential to staying living independently outside of my family home or an institution. In my opinion, long-term services and supports should be completely de-linked from Medicaid as it is a matter of human and civil rights.

Eligibility for Medicaid funded attendant programs impacted decisions on accepting or not pursuing job opportunities. Reluctantly, jobs were bypassed because of ridiculous benefit exchange calculations and acquiring and maintaining employment is difficult itself because of ongoing disability discrimination in hiring practices, and as an advocate and woman with a significant disability, I applied, but never was hired after completing college. Additionally, SSI rules keeps persons with disabilities from saving money without forfeiting benefit deductions. SSI rules creates threats for losing Medicaid funded attendant care with a myriad of detrimental rules to keep track of and deal with SSA on an ongoing basis if a person with a significant disability accepts a job. SSI program rules made it too scary and difficult for myself and many others with severe disabilities to lose the income and care we needed if we got a job. The SSI system is oppressive, burdensome with complex rules including in-kind support and maintenance (ISM), obscene resource limits and asset tests, payback provisions for from what is considered an overpayment from the already SSI low-income received. SSI program rules and regulations stymies individual ambition and opportunities for persons with disabilities to risk becoming part of productive mainstream employment. In my own case, it has led to working with-

out pay to maintain other critical benefit eligibility for long-term services and supports, caused regrets, and created dependency on another broken system.

The SSI benefit itself is so low that people can barely afford to live, dream, achieve employment, or save for necessities in life due to low asset limits, and it often creates lifelong dependency on the public system, and SSI improvements must be modernized as part of the work by Congress.

I support the comments submitted by the Justice in Aging and other disability organizations.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Connie Arnold  
Disability Rights Advocate 30+ Years

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LETTER SUBMITTED BY BRENDA BACHECHI

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

I have worked in the California Public School System for 21 years, since fall of 2000 (as an educator and administrator). Upon retiring I found that I would not have access to my full Social Security benefits, even though I paid into Social Security prior to working in California, due to the Government offset for pensions. While this was upsetting, as I should have access to funds that I earned, it was even more disturbing to learn that I would not have access to my husband's social security either.

My husband passed away in November 2019, at age 52 from brain cancer (Glioblastoma).

He worked in corporate America his entire life and paid into the Social Security system for over 30 years. To have his social security benefits, which I should receive as his widow, be impacted by my pension is outrageous.

So the current government policy, which impacts workers in 14 states, creates a system in which both myself and my husband paid into Social Security but I will not receive any assistance in retirement. This impacts not only my standard of living but also that of my adult children who are in college. Basically, we made a charitable contribution to the Social Security system.

I would request that the subcommittee evaluate the current policy so that citizens who have paid into our Social Security are recognized and receive the appropriate compensation.

Sincerely,

Dr. Brenda Bachechi

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LETTER SUBMITTED BY NURIT BARUCH

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

To whom it may concern:

My son developed schizophrenia at the age of 25 after graduating university. For him to be independent is crucial for his self esteem but because he's paying 70% of his SSI check for a room with no kitchen he needs to beg for money to finish the month.

So three things: he should pay only 30% for rent; SSI should adjust to cost of living; and the law should change about family and friends helping with money.

Thank you for your understanding.

Nurit Baruch

## LETTER SUBMITTED BY JODI BAYER

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Jodi Bayer and I rely on Supplemental Security Income to survive. The program desperately needs to be updated. The name is absurd because if you're disabled and SSI is your only source of income, it's not supplementing anything, and anyone receiving it certainly doesn't feel secure. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

I'm unable to work. I have severe chronic pain due to fibromyalgia, peripheral neuropathy and Sjogren's syndrome, which is an autoimmune disease. The list of symptoms that I have is much too long to include here, so I'll just mention a few: I have severe pain in my muscles (fibromyalgia), my nerves (peripheral neuropathy) and my joints (Sjogren's syndrome). I have cognitive problems that flare-up, affect my concentration and make it difficult to get my thoughts together. When I'm speaking to someone, I often have trouble finding the words. It took me several days to write this letter. I have hand tremors, so I used voice-typing and dictated my thoughts to my computer. I pretty much rambled about anything that popped into my head, whether I could find the correct words or not. Eventually, I had enough information to piece together a coherent and heartfelt letter.

Like most chronic pain patients, I suffer from clinical depression. I'm constantly worried about money (or lack of it), which causes so much stress and anxiety. Everything has gotten so expensive since the pandemic began. It was difficult before, but now it's so much harder to survive. There's also the added expense of masks, disinfectants and hand sanitizer. On top of that, I live in New Jersey, which is an expensive state to live in. It would be nice to be able to buy the basic necessities (food, clothing, etc.) without worrying if I can pay bills. I would love to get out of debt and save some money. Maybe do something fun once in a while.

I would be homeless if it wasn't for my sister, who lets me live in her house. However, I lose  $\frac{1}{3}$  of my SSI because of that, which I don't understand because my housing doesn't cost the government anything. It makes no sense. I'm being punished because my sister doesn't want me to be homeless. Because SSI is so low, I can't afford to give my sister any money, which causes friction with my brother-in-law. The whole situation is taking a toll on my mental health, which affects physical health by causing flare-ups. Raising the SSI benefit to at least the federal poverty level and eliminating the "in-kind support" rule would be life-changing. Maybe I'd be able to look to the future again, instead of constantly worrying about survival in the present, and feeling like nobody cares. I'm not living. I'm existing.

The April 16th letter to President Biden and Vice President Harris said that if the original \$85 income exclusion was indexed to inflation, it would be \$745 today, so why did you reduce it to \$399 in the current proposal? It should be at least \$500. In today's world, that's not a lot of money. To be honest, I have no idea how I would make any extra money, but it would be nice to know that I could without being punished. Right now, the rules have created a poverty trap. It's both depressing and terrifying to know that there's no way out. There's no point in even trying because you risk losing what you already have.

Earn some money: benefits cut.  
Save over \$2,000: benefits cut.  
Get married: benefits cut.  
Get help from friends or family: benefits cut.

The rules are ridiculous, punitive and cruel! SSI recipients are treated with contempt. In our society, the value of a human being is often determined by income. SSI recipients are viewed as worthless by our fellow citizens and sometimes, even by family and friends. It's so hard to keep relationships. My friends have moved on. I couldn't afford to go out to dinner, or go away for the weekend or just do something fun with the group. They all got married and had kids. But for me, a relationship and possibly marriage meant an end to my benefits. What if I got married and it didn't work out? Where would that leave me?

My self-esteem is less than zero. I have nothing, I have no one and I'm literally trapped by a program that's supposed to help me. I'm grateful for SSI because I



would certainly be dead without it. However, the benefit is much too low and the rules make it impossible to have a better life. I feel like I'm being punished for being disabled. I feel useless. I can't get a job because I never know how I'm going to feel from day-to-day, or even hour-to-hour. I'm constantly in severe pain, but it's so much more than that. Will I have full body tremors today? Or vertigo? Will I be too exhausted to get out of bed? Will the "brain fog" act up and affect my comprehension or my ability to speak clearly? The list goes on and on. Who's going to hire someone that's so unreliable?

The income rules are unnecessarily complicated and punitive. Even the programs that are supposedly designed to encourage work and independence are bogged down with complex rules and regulations. I'd like to find a way to make a little extra money by doing something online, but frankly, the time, effort, pain and exhaustion involved wouldn't even be worth it because I would be penalized. I would only be allowed to keep \$85, free and clear. Anything after that, SSI takes half of my earnings. If, by some miracle, I started making more than the allowable limit, my benefits would be terminated and I'd be right back where I started. There's no way to get ahead! What's the point?

So I try to save money by buying things on sale or going to discount and dollar stores. I could reduce my expenses if I joined one of those Internet companies that give you cash back for shopping through their website, but I was told by SSA that it would count as income. Rebates or any kind of reimbursement is treated as income. How is it income? Money that I spent is being returned to me. It's not free money. They are literally returning my money. If I didn't spend it in the first place, I wouldn't be getting a dime. It's just like a discount or a coupon. The only difference is that discounts happen at the point-of-sale and rebates/reimbursements are delayed. There needs to be some common sense about this kind of thing. I can't understand why credit card company rewards and "cash back" programs are considered rebates, but other kinds of rebates, "cash-back" and reimbursements are income. Do you realize that you're punishing SSI recipients for saving money on a purchase?

Even though I believe the income rules don't make sense, they don't affect me at the moment because I don't know how I could possibly make extra money, anyway. If I did find a way, even if it was only 100 dollars a month, it would do so much to raise my self-esteem. Maybe I wouldn't feel so expendable and useless. Maybe certain family members wouldn't treat me like I was nothing. It's horrible to be viewed with contempt because of something you have no control over. But even the government treats me like I'm trying to cheat the system or get a "free ride". I don't know why, but in 2017, my case was suddenly under review. I was stunned. I had to prove my disabilities all over again! The stress caused major symptom flare-ups. SSA sent me to a doctor, which I was dreading because their doctors are always very skeptical. They're looking for fraud. But after interviewing and examining me, she said, "Why are you here?" She didn't understand why I was being reviewed. Let's be realistic: it's been 30 years. I'm not faking and I won't get better. Who would choose a life of forced poverty and isolation?

It's horrible to be looked at like you're lazy, crazy or lying. People only see me when I'm feeling well enough to go out. They don't understand that I have to "rest up" before going to the store, and I crash as soon as I get home. I even have some family members who don't believe me. Just because I went to a BBQ, that doesn't mean I'm fine. It's exhausting for me. I go home and crash on the couch for hours, with ice packs on one part of my body and a heating pad on another. Very often, it takes a couple of days to recover.

I depend on SSI. I would have no income without it. But \$573 a month only goes so far, and these days, it's not far at all. The SSI program started with good intentions, but something has gone horribly wrong. It's been broken by decades of neglect and the obvious disdain that so many people feel for those of us who need help. It's not working anymore. Year after year, prices go up, but benefits don't. For decades, no one has cared. If things don't change soon, every person whose only source of income is SSI will be hanging on the edge of homelessness. We all feel it. We all fear it. There's always money for war and tax cuts. Why isn't there ever any money for the disabled and the elderly? We need the entire SSI Restoration Act to pass.

- Raise SSI's monthly benefits to 100% of the federal poverty level and index them to inflation.
- Eliminate benefit reductions for receiving "in-kind" support from friends or family.

- Update and index the asset limit to \$10,000 for an individual and \$20,000 for a couple.
- Update and index SSI's income rules to allow at least \$500 a month from working—the proposed \$399 is too low. The original \$85 income exclusion, indexed to inflation, would be \$745 today, so why only \$399? The proposed \$123 a month in assistance from other sources is disgraceful! That should be higher, especially when you consider the fact the elderly would be most affected by that rule.
- Eliminate the marriage penalty and increase the benefit for married couples to double the individual rate, to put marriage equality within reach for SSI beneficiaries.

By ignoring the problems with the SSI program for decades, you've condemned disabled and elderly people to a sub-poverty life. It's time to fix it. I'm asking Congress to include improvements to SSI in the upcoming budget reconciliation legislation. Thank you for allowing me to submit my statement.

Sincerely,  
Jodi Bayer

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LETTER SUBMITTED BY DAWN E. BEDELL

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

STATING MY VIEW AS A DISABLED U.S. CITIZEN

September 27, 2021

My name is Dawn E. Bedell of Bay Mills Indian Community raised in Chicago most of my life. The last 3 years of my life here has been in isolation and fear of what has become of our system.

I grew up on the Northside Uptown area where things were hard without proper diagnosis and exposure to unhealthy lifestyles. I'm still in treatment for mental illness and A.D.H.D. I received good treatment and medical maintenance. I took advantage of resources on the Northside that would save my life.

I continue to survive now on the Southside where I learned much about being in my own apartment paying market rate rent and where life is very unfair on the west and south sides of Chicago. Food deserts, high crime, and lack of integrity and poor quality in housing and medical care systems are the norm.

I had so many dreams when I came here and now terrified of what I've seen in regards of what I've seen. I still keep my networks and health care on the Northside but my outreach Threshold team was transferred to the area I live in and I am so grateful.

People like me cannot socialize with the likes of active drug addicts or those in high-risk lifestyles and it seems because of income we are subjected to having to put up with much risk. Bullets, lack of safe secure living environments, and housing opportunities are scarce and when available placement is usually in areas more violent or far from quality health care.

The income we have via SSI has been priced out by rental agencies and landlords who often require an individual to have 3× the rent. I was fortunate to find a place to be on my own so I could be free from roommating with toxic people or others who distracted me from living a healthier lifestyle.

It is hard because some things must be sacrificed; an example of that would be having to go without hygiene products or cleaning to pay the light bill or phone. I often wonder how those who don't have an income survive but I look at the news and see the alerts of the increase in crime. There so many barriers to overcome; some are very hard such as how to continue taking medication if there is no food?

If people are stuck trying to get basic needs met, how then are they expected to become self sufficient, even if given health care or treatment? Especially if health care is overloaded with cases and lacking in resources needed to supply a way to maintain stability medically or in housing. I feel terrified most of the time and keep busy

either with art or learning to sew because I can't afford to buy clothes and have physical issues with my hip. I see why people are so desperate on this end and it is unfair that many are left to live under bridges or other places; it even seems people working in these fields are desensitized.

It is not an easy life to be on SSI and losing hope in a system that saved your life on the Northside and almost kills you on the Southside. My treatment will be ongoing for the rest of my life because I didn't choose to live in poverty like Ben Carson says. It is not a mind-set when one must endure hardships to keep mental health or physical health needs maintained in a culture of profit over people.

My goal here in this email is to express the needs of those disabled like me who feel stuck and have lost hope in our systems.

Dawn E. Bedell

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LETTER SUBMITTED BY DANIELLE E. BERNARD

United States Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Danielle Bernard, and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I am an advocate and some of my clients rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

As an advocate, I discuss the limitation of SSI with my middle-class friends. These are friends who think that SSI recipients are getting rich or gaming the system to collect SSI benefits. I counter their emotion with facts. I ask them to imagine buying groceries for themselves and their family with just \$784 a month and see how rich you feel. The amount does not change based on the size of the family. In addition, they must pay their rent and utilities out of the same sum. Are people really scamming the system to live in poverty?

As an advocate, clients tell me how excited they are that they are about to get married. Instead of being excited about this milestone in their lives, I feel obligated counsel them on how a marriage may affect their SSI income. People still get married, but I do not understand why Congress thinks that people's expenses go down simply because they get married or that a married couple need less resources because they got married. I can only believe that this decision that married people need less comes from a place of sexism that we, as a nation, have out grown. We can do better than that.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Danielle E. Bernard

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LETTER SUBMITTED BY KATHLEEN A. BESTOR

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

I recently became involved in assisting my 52 year old nephew who has been receiving SSI since he turned 18. I am involved because his mother is deceased and his father was recently diagnosed with dementia.

The assistance provided to our family by SSI benefits has been life-saving. However . . .

I was stunned to discover that the max he can accumulate is \$2,000. He recently received a large back payment—presumably the result of an error on the part of the government but as we have received no explanation, it is hard to be sure. That money would be wonderful to have available for his care in the future but as near

as I can tell, we can't save it and it must be spent within 9 months of receipt. He lives independently now but has several health problems and will likely require full time care at some point. I would love to set that money aside so we can be sure he is well cared for when the inevitable happens. I was told by one lawyer that it is possible to set up a trust to hold the money but she wanted a \$6,500 retainer to work on it. Didn't seem to me to be a good use of those funds. . . .

I was also stunned to discover that pretty much any monetary help my nephew receives from family and friends can be counted against his benefits. Honestly, who thinks that is a good idea?

Please support the many changes to this program proposed by its sponsors. Surely we can help those least able to help themselves.

Thank you.

Kathleen A. Bestor

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LETTER SUBMITTED BY CHRISTOPHER BLAKE

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Living comfortably or living luxuriously? I believe every American should be able to afford having a decent, meaningful life, whatever that may mean to the person. If you are not willing to do this, then meet us halfway and give us the help and assistance needed to work by factoring in and understanding the limitations caused by society such as transportation and other benefits (including social security).

It forces us to play a difficult balancing act while earning enough money without losing benefits. The ABLE account does help with some of these issues, but it is only a start. Most of us with disabilities who work or want to work are faced with a confusing system that is hard to navigate. Some people simply cannot work due to their disability but should be able to have the same financial opportunities as everyone else and not have no forfeit monies based on said disability. Some disabilities affect learning and education that will affect the amount of money that person can earn, such as being forced to take minimum wage jobs, making a "comfortable life."

By this term I mean more than having a roof over our heads, but also enough money to have healthy foods in the fridge, decent clothes, the ability to pay bills and enjoy a meal out, of perhaps even a vacation—which I would consider justifiable as "comfortable." It makes it nearly impossible to save money in the event of an emergency, or something as simple as a home repair or the purchase of a new appliance.

The rules and regulations are most confusing for people with disabilities, especially when receiving multiple benefits which can interact and alter each other. This also hinders a person with a disability. With all the benefits that are available, none really explain their relationship with each other and how they may tip the balance, possibly into a downward spiral. These changes can be both positive or negative, but usually this result isn't learned until days, weeks, months or even years later.

Many of these lessons I unfortunately learned the hard way. Think of us not as a burden, but instead a partner, and if you are able to assist us correctly, we can be equal in both the work force and society.

Christopher Blake

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LETTER SUBMITTED BY SAMUEL RAY BRADBURY

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Samuel Bradbury and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972.

My story, you can talk about how low benefits are and how hard that makes it to afford things, how marriage penalties have hurt you or kept you from getting married, how you can't get help from family members without it messing up your benefits, or about problems you've had working or with asset limits. This was already written as a template and is every-bit true. Even if you can't get our monthly payments up to the poverty level (I hope you can) could you try to include the other common sense changes? *Please*, I know everyone's vying for the funds, but even changing the outdated and (lets be honest) cruel rules to more of that of the SSI Restoration Act would be so helpful. Thanks!

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation. Just a P.S. here, think of the "poverty" level. Okay, we have, we do, live *under* the "poverty" level. Under it—as in below it. Come on man, we need a break already. Sorry, that was just an after thought.

Sincerely,

Samuel Ray Bradbury

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LETTER SUBMITTED BY KATHRYN CARROLL

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Kathryn Carroll and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I have previously relied on SSI. The program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

I was born legally blind. My family helped me apply for Social Security Insurance (SSI) once I became eligible. I was denied the first time. My family helped me apply again, and I was approved. It made sense to me that I would need assistance since I was working on getting training and equipment from the New York State Commission for the Blind that would help future employers overcome their prejudice against hiring me for being legally blind. Furthermore, work was difficult to obtain without substantial assistance as I would have to rely on poor public transit or rides from volunteers to get me to and from a job. This was true whether I was still a high school student wanting to make a little money or a college student returning home.

It was clear to me from the outset that SSI benefits were hardly sufficient to live on. I was only able to pursue higher education with the *combined* resources of the Commission for the Blind, academic scholarships, and SSI. Even so, I had to start accruing credit card debt.

When I completed by higher education, things were the worst they had been. After law school, I had to survive solely on SSI while my credit card debt remained, and grew. To provide some context, I was receive just under \$500 per month in SSI. I was living with one of my parents. That same parent today is renting out the same space I occupied in his home for \$1,200 per month. There is simply no way to survive on SSI. Because the benefits are so low, beneficiaries are put in the terrible position of trying to eek out an existence while wanting to change our life situation but unable bear the loss of the few benefits we get. While surviving on SSI, I needed to find a job. But paying for Internet service, food, transportation to job interviews and job fairs, and maintaining attire appropriate to a professional interview was impossible without the charity of other people. If I had to move to take a job, I would have been unable to save the money to pay the security on an apartment. I was able to make a very small amount of money working in a friend's small business "off the books." I had to work for an hour just to pay for my para-transit ride to and from the business each day.

There are programs to help people transition to work while surviving on SSI, but they did not assist me. Being highly educated, I knew I was not a top priority for the recipient of my Ticket to Work "ticket." I still had to spend the money to travel to meet with them in New York City to be assessed for work readiness. I received no connections to organizations willing to hire me. It felt like my whole life became

a tug-of-war between a \$495 payment each month and whatever my most in arrears expense was with me in the middle. I felt embarrassed.

Today, I am working, but still paying off the credit card debt I accrued while surviving on SSI. I am appalled at the level of assistance we provide to people we assess to be eligible. If anything, we should be ensuring that people's needs are actually met if we expect anyone to transition to a life that does not subsist on SSI.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Kathryn Carroll

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LETTER SUBMITTED BY TORI CASANOVA

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Tori Casanova. I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." My son relies on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures the nations aged, blind, and disabled people would no longer have to live on below-poverty incomes.

My son has severe bipolar disorder and has received SSI since 2014. Every day he talks about wanting a job but has been unable to maintain employment. His SSI is critically important.

- Increase the SSI amount. SSI should be increased to provide enough income for the disabled to live above the poverty line and near their families. Currently my son's SSI does not cover housing costs in the Bay Area.
- Simplify the law—it is so complex that SSA administrators are constantly making errors which are almost impossible to fix. It takes an incredible amount of effort on the part of families or others. There is huge cost to this complexity. My son currently has \$148 being erroneously deducted for Medicare. I have made numerous time-consuming phone calls and his representative payee has also done so. Each agency directs us to another to fix it. This has been going on since January with no success. I have binders full of documentation trying to correct errors, some which never are corrected.
- Allow others to supplement without penalizing the recipient. I should be able to supplement my son's food and housing.
- Do not penalize SSI recipients as severely (50% deduction) for working.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Very Respectfully,

Tori Casanova

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CENTER FOR FISCAL EQUITY  
14448 Parkvale Road, Suite 6  
Rockville, MD 20853  
fiscalequitycenter@yahoo.com

**Statement of Michael G. Bindner**

Chairman Brown and Ranking Member Young, thank you for the opportunity to submit these comments for the record to the Committee on this topic.

Social Security is inadequate. SSI is worse than inadequate. I invite any who disagree to limit their spending, including housing, to the amounts paid by either program. Anyone without family support—and even some with it—are entitled to the full range of welfare benefits. Obtaining these is above the capacity of most beneficiaries. The social welfare system cannot pick up the slack. To enable the kind of

support needed, the number of social workers in government agencies would have to at least double.

With a higher minimum wage, all wages below the middle management level would go up. Some would not need SSI, although people with disabilities who cannot work would still not be helped. Please see the attachment for a deeper discussion on how a higher minimum wage will impact retirees and the disabled. Raising the wage, rather than enlarging the trust fund through cost savings should be a no-brainer.

My daughter has Asperger Syndrome and Tourette's. Without a supportive work environment, she will require SSI to live independently, except SSI is inadequate to do so. Nor would work at the current minimum wage or any supportive work. She currently lives with her mother and, because I receive SSDI, she gets a monthly benefit. Once she graduates high school, if she requires SSI, she will receive less money.

Supportive social welfare benefits on top of SSI are not enough to live independently. This forces recipients to seek food from charitable donations, as well as housing and other assistance from private social welfare agencies like Catholic Charities and Lutheran Social Services. While I feel that these agencies may be better able to distribute government benefits, those benefits must still be adequate. The state should not have to rely on God to meet its financial requirements, especially as effective tax rates on the wealthiest among us have consistently fallen over the past several decades.

This brings us to the witness list. Catholic Charities, USA, Lutheran Social Services, the Red Cross, the Salvation Army and other private providers should have been invited to present their views on this most important topic. They would certainly have something to say about the adequacy of benefits.

The sad fact is that, because of our inadequate support structure, many Down Syndrome parents feel that they have little choice than to abort their children. Aside from inadequate support services, they have real and valid concerns about whether their children can live in dignity after they pass. As such, adequate benefits and adult support are a central pro-life issue. Those states, like Ohio, who wish to outlaw abortion of such children must take a hard look at the level of social services and financial support provided to those whose lives they would save. It is the height of cruelty to say not to abort such children out of one side of their mouths while calling adequate support for these children socialism with the other.

If such support is socialism, make the most of it.

The U.S. Conference of Catholic Bishops Office of Pro-Life Activities should also be invited as witnesses on this issue, although this is more to put them on record on how higher SSI benefits, childcare credits and the child tax credit are essential pro-life issues. There should be zero debate on this fact. Support for the measures sought by the President should be treated as pro-life and bipartisan. That they are not is the tragedy of our political system.

This brings us back to the minimum wage. It is not only essential for human dignity; it will also make it easy to fully fund Social Security without cutting benefits and raising tax rates. Again, as stated in the attachment, higher minimum wages and assumptions about the growth of other salaries will alter long-term projections of the viability of the system. Automatic cost of living increases for the minimum wage will make the future of Social Security, as well as budget balance as a whole, even more sustainable. It would also end the problem of a two-tiered economy.

SSI must go up. So should opportunities for training for recipients, both in terms of literacy and occupational therapy. Literacy includes both remedial education and English as a Second Language.

Participation in both kinds of training, which is already provided for in governmental budgets, must be expanded by increasing tuition reimbursements, but also paid. Participants must get a check for going and it should be at least at minimum wage levels. This both encourages participation (including meeting opportunity costs) and makes receipt of SSI (even at higher levels) not a ticket to long-term poverty.

There is a myth that deprivation is an essential incentive to work. This is true if you believe in slave labor. Civilized people do not. Studies have shown, again and again, that self improvement comes after people have an adequate income. Locking people in low wage jobs without paying their opportunity costs for something better should not be a feature of the strongest economy in the world. Paid training also

solves the non-existent problem of people losing their jobs because the minimum wage increases. Any that are shaken out of the workforce should likely not have been working in the first place. We can fix that and neuter the argument against higher wages.

Just to be clear, remedial training, like basic elementary and secondary education, must be considered a civil right and should be delivered (and paid) regardless of immigration status. Not to do so can only be called racism. This sounds like an ad hominem attack. If it is, make the most of it. Opposing such matters is the sign of a guilty conscience and prior bad actions. This is a chance for conversion and restitution.

Families of participants should also be paid the Child Tax Credit. This payment should come with paid training and be in addition to any other benefits. CTC payment should also be an automatic part of Unemployment Insurance (as should Medicaid or no-premium coverage in a public option for health insurance). Including more automatically is cheaper in terms of case work and a way to eliminate TANF and SNAP in favor of more dignified benefits.

Any concern that fraud will increase is shameful. We acknowledge there is fraud in the system now. Adequacy of benefits will not increase it. Rather, it will have the opposite effect. Fewer poor people reduce the need to defraud the government, especially in regard to selling Food Stamps to be able to buy toilet paper (at 50 cents on the dollar).

As previously mentioned, the President's Budget and now the current Budget Resolution, feature a permanent increase in the Child Tax Credit, retaining the refundability added as part of the *American Rescue Plan Act*. The CTC is the ultimate in bipartisan legislation. Both Republicans and Democrats have added to it, although only now has it become refundable for smaller families. It is still not adequate.

Our tax reform plan (which we can provide if you do not already have a copy), specifically the Subtraction Value-Added Tax, details how the Child Tax Credit can be paid out without turning the Internal Revenue Service to society's pay master. Payments through the IRS are a temporary expedient, but this is likely too much government for Republican members to support on a permanent basis. Distributing benefits through other government payments, such as Social Security, Unemployment Insurance and TANF training stipends and through wages (as an offset to either the subtraction VAT or quarterly payments to the IRS) is more likely to stand the test of time.

Funding adequacy is also a concern. Disability Insurance, the Employer Contribution to FICA and Supplemental Security Insurance should be decoupled from wages and credited on an equal dollar basis. Our first attachment explains how this can be done through tax reform. Doing so could be funded by consumption taxes in three ways.

Our (Credit) Invoice VAT will increase the competitiveness of our exports and protect worker jobs while decreasing employer costs. Our Subtraction (Net Business Receipts) VAT is useful if options include personal accounts holding employer voting and preferred stock (but in no cases should it be invested in the stock market). Our Asset VAT is appropriate for funding the repayment of the Social Security Trust Fund.

Each of these proposals (which can be used in tandem) burden the entire economy, as well as investors, who have had the benefit of worker productivity, especially that part of productivity which featured the destruction of unions and limiting pay and benefits for all but the top 10% of households. There are no caps to increase with these taxes and they can be adjusted more easily than payroll taxes (which are regressive).

Thank you for the opportunity to address the committee. We are, of course, available for direct testimony or to answer questions by members and staff.

#### **Attachment—Raising the Minimum Wage to Raise Retirement Income**

An increased minimum wage is an essential part of increasing income. Earlier this year, Senate Republicans countered the proposal for a \$15 per hour wage with a \$10 wage. This would return the current wage to the purchasing power it had at the last increase. Let us join hands and make this change now and with no phase-in period. From this point forward, the wage must be automatically indexed for inflation.



When this is done, the benefits of current retirees should be adjusted accordingly. An additional Cost of Living Adjustment is necessary as well. Food prices have gone through the roof and current retirees are suffering. We cannot wait for an end of the year price adjustment.

Over and above inflation, the minimum wage should reflect increased labor productivity. To get to parity with where wages and productivity diverged, a \$12 per hour wage is necessary. Another way to reward workers (and retirees) for productivity gains is to shorten the workweek to 32 hours (with 26 hours being considered full time for the purpose of benefits). In this case, the wage could be set to \$11 per hour.

Would these changes cost jobs? Hardly. Low-wage workers are sent home when workload is low and required to stay (or not call in) when workload is high. Their work is supplemented by work by higher-wage workers in high-demand situations, regardless of how much more these workers are paid. Unlike salaried workers, low wage workers are never allowed to sit or stand around doing nothing. Lower wages would not change this.

A statutory wage increase means that employers who do the right thing and pay a higher wage are not put at a competitive disadvantage to those without scruples. This is the logic behind increasing the child tax credit. Without such a credit, workers with children would either not be welcome or would, as now, suffer hunger while working.

Higher wages, ideally \$18 an hour (\$15 was so 2000s), would be accompanied by alternative educational opportunities (with pay) so that workers who are less productive would be paid the same wage to increase both literacy and job skills.

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### Statement of Rebecca Vallas, Senior Fellow

Chairman Brown and Ranking Member Young, thank you for convening this important and long-overdue hearing on improving and strengthening the Supplemental Security Income (SSI) program—a critical part of our safety net for disabled and older Americans which has largely been forgotten by federal policymakers for decades. Indeed, the program has been forgotten for so long that even today’s hearing is historic: The most recent Senate hearing focused on SSI was nearly a quarter-century ago, in 1998—and the last time the Senate held a hearing examining SSI’s benefit adequacy and eligibility criteria was in 1987. Notably, that hearing was titled “The Forgotten Safety Net”—and that was more than three decades ago.

#### **Woefully Outdated SSI Rules Now Trap Millions of Beneficiaries in Poverty**

A core component of the nation’s Social Security system, SSI is nothing short of a lifeline for nearly eight million of the nation’s poorest seniors and disabled people, including more than one million disabled children. When SSI was signed into law by President Nixon in 1972, Congress made its intent clear: to assure “that the nation’s aged, blind, and disabled people would no longer have to subsist on below-poverty-level incomes.”<sup>1</sup> Yet, because this critical program has been left to wither on the vine for over 30 years, SSI’s outdated program rules now assure the opposite.

As a former public benefits lawyer who represented low-income seniors and people with disabilities for several years prior to a career in public policy, I saw firsthand the human consequences of SSI’s decades of shameful erosion: millions of disabled people and seniors trapped in a sub-poverty-level existence by outdated program rules—many of which simply haven’t been adjusted for inflation due to Congress’s failure to act.

SSI’s meager monthly benefits top out at \$794 per month in 2021—just three-quarters of the federal poverty line, and not enough to rent a one-bedroom apartment in any state in the U.S., even if an individual spent 100 percent of monthly

<sup>1</sup> S. Rept. No. 92-1230, Social Security Amendments of 1972, Committee on Finance, U.S. Senate (September 25, 1972), p. 384, available at <https://www.ssa.gov/history/pdf/Downey%20PDFs/Amendments%20to%20the%20Social%20Security%20Act%201969-1972%20Vol.%203.pdf>.

benefits on rent.<sup>2</sup> Moreover, income rules that have never been adjusted for inflation since the SSI program was signed into law nearly 50 years ago further entrench poverty among seniors and disabled people and serve to actively discourage work. Similarly, archaic “in-kind support and maintenance” penalties reduce benefits even further for beneficiaries who receive in-kind help from loved ones with survival basics such as food or shelter.

Meanwhile, SSI’s shamefully outdated asset limits—which haven’t been adjusted for inflation since 1989—penalize savings and prevent beneficiaries from having even modest emergency savings to weather an unexpected expense or economic shock. And the program’s rigid marriage penalties functionally put marriage equality out of reach for millions of SSI beneficiaries by forcing people to choose between subsistence income and marrying the person they love.<sup>3</sup>

### **The SSI Restoration Act Would Dramatically Reduce Poverty and Hardship Among SSI Beneficiaries**

I am enormously grateful to Chairman Brown for his leadership in introducing the SSI Restoration Act of 2021. This important legislation—which has the support of 20 cosponsors in the Senate, including Senate Finance Chair Wyden, as well as more than 115 national advocacy organizations across the disability and aging communities—would finally reverse the decades of erosion brought about by SSI’s decades of neglect and restore the program to its original intent.

The SSI Restoration Act would increase monthly SSI benefits to the federal poverty level; update the program’s outdated asset limits for inflation, while, importantly, excluding retirement accounts from counting against SSI’s asset limits; update SSI’s income disregards for inflation; eliminate the program’s archaic in-kind support and maintenance penalties; and eliminate SSI’s marriage penalties, among other important technical changes. These updates would go a long way towards reducing need-less poverty and hardship among disabled people and older adults, with disproportionate benefits for beneficiaries of color. According to recent analysis by the Urban Institute, **these long-overdue reforms would bring 3.3 million people out of poverty and cut poverty among SSI beneficiaries in half.**<sup>4</sup>

Another long-needed update to the SSI program that is important to note, in addition to the SSI Restoration Act, is expanding eligibility to include residents of Puerto Rico, Guam, the U.S. Virgin Islands, and American Samoa—who, under current law, are unjustly excluded from SSI eligibility despite being U.S. citizens.

### **Voters of All Political Stripes Want to See SSI Brought into the 21st Century**

A recent poll conducted by Data for Progress and The Century Foundation<sup>5</sup> underscores that updating and strengthening SSI is not just the right thing to do—it’s also overwhelmingly popular among voters of all political stripes. Seventy-seven percent of Americans—including 90 percent of Democrats and 70 percent of Republicans—want to see SSI benefits increased to at least the federal poverty level.

<sup>2</sup>See “Priced Out: The Housing Crisis for People with Disabilities,” Technical Assistance Collaborative, available at <https://www.tacinc.org/resources/priced-out/>.

<sup>3</sup>For additional detail, see “Building Back Better Must Include Strengthening SSI” (The Century Foundation, April 2021), available at <https://tcf.org/content/commentary/building-back-better-must-include-strengthening-supplemental-security-income/?agreed=1>.

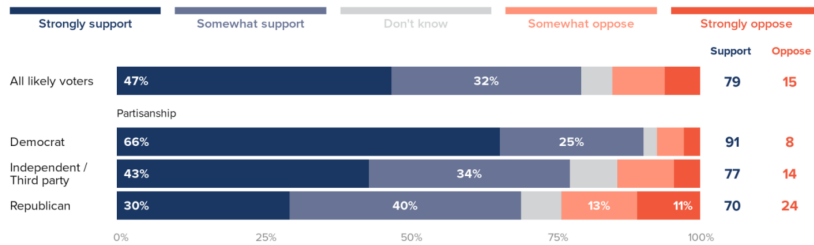
<sup>4</sup>“How Four Proposals to Reform Supplemental Security Income Would Reduce Poverty” (Urban Institute, September 2021), available at [https://www.urban.org/sites/default/files/publication/104738/how-four-proposals-to-reform-supplemental-security-income-would-reduce-poverty\\_0\\_1.pdf](https://www.urban.org/sites/default/files/publication/104738/how-four-proposals-to-reform-supplemental-security-income-would-reduce-poverty_0_1.pdf).

<sup>5</sup>“Voters Overwhelmingly Support Strengthening SSI” (Data for Progress and The Century Foundation, May 2021), available at [https://production-tcf.imgix.net/app/uploads/2021/05/27090206/21.5\\_IPAGER\\_SSI\\_v1.pdf](https://production-tcf.imgix.net/app/uploads/2021/05/27090206/21.5_IPAGER_SSI_v1.pdf).

### Voters Across Parties Overwhelmingly Support Increasing Monthly SSI Benefits

The Supplemental Security Income (SSI) program provides cash assistance to about 8 million people with disabilities and seniors who have little to no other income. SSI recipients receive a maximum of \$794/month from the federal government. During the presidential campaign, President Biden proposed to increase monthly benefits to the federal poverty level - \$1,073/ month - so that people with disabilities and seniors do not live in poverty.

Would you support or oppose this proposal?



May 21–23, 2021 survey of 1,250 likely voters

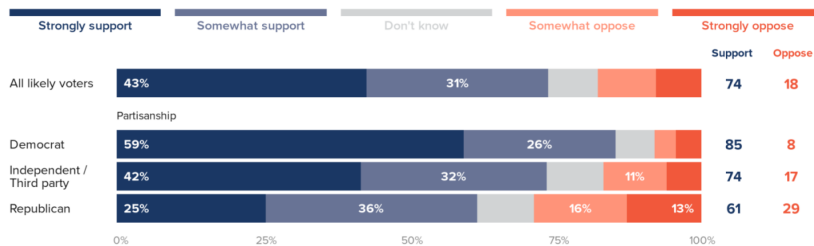
THE CENTURY FOUNDATION DATA FOR PROGRESS

Meanwhile, seventy-four percent of voters—including 84 percent of Democrats and 61 percent of Republicans—want to see the program’s outdated asset limits raised to \$10,000 for an individual and \$20,000 for a couple.

### Increasing SSI Asset Limits is Popular Among Likely Voters

The Supplemental Security Income (SSI) program has an asset cap, prohibiting people with disabilities and seniors from having more than \$2,000 in resources at any time. This asset cap has not been updated since 1989, and because of inflation, has lost over half its value. During the presidential campaign, President Biden called for the asset limit to be increased and indexed to inflation moving forward. Legislation has been introduced to raise the asset limit to \$10,000.

Would you support or oppose this proposal?



May 21–23, 2021 survey of 1,250 likely voters

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The other major elements of the SSI Restoration Act are similarly popular: 77 percent of American voters want to see SSI’s outdated income disregards updated for inflation, including 86 percent of Democrats and 69 percent of Republicans; 72 percent of voters support eliminating in-kind support and maintenance penalties, including 83 percent of Democrats and 62 of Republicans; and 76 percent of voters support eliminating SSI’s marriage penalties, including 84 percent of Democrats and 69 percent of Republicans.

### “Build Back Better” Legislation Offers a Once-in-a-Generation Opportunity to Update and Strengthen SSI

During the presidential campaign, President Biden pledged that seniors and disabled people should never have to live in poverty in America, in calling for each of the above-listed SSI reforms as part of his disability plan.<sup>6</sup> Inherent in this important pledge is a reminder that poverty in America is a policy choice—and Congress

<sup>6</sup>Joe Biden’s Plan for Full Participation and Equality for People with Disabilities, available at <https://joebiden.com/disabilities>.

now has before it the opportunity to make a different choice for seniors and for people with disabilities, by finally bringing this vital component of the American safety net into the 21st century. As Congress works with the Biden-Harris administration to chart a course to economic recovery through upcoming “Build Back Better” legislation, the only thing that would be more shameful than how long SSI and its beneficiaries have already been forgotten would be to leave them behind once again.

While updating SSI was already long-overdue well before the COVID–19 pandemic began, the reforms proposed in the SSI Restoration Act are even more urgently needed now as we work to rebuild from a crisis that has hit disabled and elderly Americans especially hard. Strengthening SSI takes on even greater urgency as COVID–19 “long-haulers”—many of whom may no longer be able to support themselves through work—begin to turn to SSI and other fraying components of the disability safety net to stay afloat. What’s more, since SSI beneficiaries’ budgets are stretched incredibly thin, boosting SSI benefits would further promote economic recovery by putting more money in very low-income consumers’ pockets. Benefits are generally spent very quickly, pumping money back into the local economy.

Today’s historic hearing is a step in the right direction, such that the deep and enduring poverty faced by millions of long-forgotten SSI beneficiaries no longer remains in the shadows. Now, it’s on Congress to take long-overdue action to ensure the nearly 8 million disabled and older Americans who rely on SSI are finally able to live in dignity and meet their basic needs.

I appreciate your commitment to improving the lives of low-income disabled people and seniors by updating and strengthening this critical component of our Social Security system. Thank you for convening today’s important hearing and for the opportunity to submit testimony for the record.

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U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

Charlotte Center for Legal Advocacy submits this statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” The Advocacy Center provides civil legal assistance to individuals and families living with low income in the Charlotte, NC area. Our clients rely on SSI to pay for food, rent, and other crucial expenses and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less, and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years. SSI was passed to ensure “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes” and because of decades of neglect, it no longer fulfills this promise.

Our clients with SSI are unable to live independently, as \$794 is not enough money to rent an apartment and pay for food and utilities in the Charlotte area. This problem is exacerbated by the fact that SSI benefits are reduced for people receiving free or lower cost room and board. We have represented several clients who were living with friends or family when they applied for SSI. Upon being found eligible for benefits, they wanted to begin paying rent, or seek housing of their own. However, they were unable to do so, because their benefits were reduced by one third because of in-kind support. Essentially, they have found themselves in a catch-22 where they cannot afford to pay rent but also cannot receive an increase in their benefits until they begin paying rent. This problem is compounded by the resource limit of \$2,000. Time and time again, we have encountered clients who were unable to afford to find housing because they could not save a first month’s rent plus a security deposit.

The SSI program must be updated. On behalf of our clients, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Cassidy Estes-Rogers  
Deputy Director, Family Support and Health Care Program  
Nicholas Parr  
Staff Attorney, Family Support and Health Care Program

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LETTER SUBMITTED BY BRIDGET CLOSE

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

My name is Bridget Close. I married my husband back in 2007. I am legally blind with anxiety and depression. I lost my SSI due to marriage penalty.

My state of Missouri has a program called blind pension which is funded through our state. Even though I'm legally blind, with limited vision, staying and remaining qualified for blind pension is quite tricky. The positive in being a state funded program, the asset limits are not as strict as the federal level of SSI. Plus there is no marriage penalty for blind pension.

The challenge lies in qualifying and keeping it. Even though the asset limits are more relaxed, the visual qualifications are quite rigid. When I applied the first time I got denied.

Blind pension visual qualifications deal with both visual acuity and peripheral/field vision. Even though I am considered legally blind, visual acuity for blind pension is almost totally blind. However the peripheral/field part for me is tricky. My degree of field is somewhat low but sometimes it's hard to get an accurate reading for my visual situation.

The first time I applied I got denied and had to appeal. It took several months but my appeal was accepted in the spring of 2008.

Every few years I have to do a visual examination review. A state ophthalmologist doesn't do the testing but is the deciding vote for eligibility, and it isn't always the same one. I have been denied and have already had to appeal once. I did win my appeal, but am afraid one time I may not, because I don't think they look at past records when I've applied and had hearings in the past. My next hearing is coming up in spring of 2022.

I understand another option would be for me to draw survivors benefits from one of my deceased parents. My mother died of pancreatic cancer back in 2016. She was single and I was her only child period, with a disability. I understand in order to be eligible I would have to legally divorce my spouse, and just have a civil union.

If SSI was reformed, and the marriage penalty done away with, I could discontinue receiving blind pension and no longer go through the eligibility process headache every few years. Then go back to receiving SSI without having to legally divorce.

In conclusion I just want to say it is inhumane to treat people with disabilities the same as regular, able-bodied welfare kings and queens. For we did not ask to be born into our situations.

Thank you.  
Bridget Close

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U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Community Legal Aid Society, Inc. (CLASI) submits these comments for the record for the subcommittee hearing "Policy Options for Improving SSI." CLASI is a state-wide, nonprofit law firm whose mission is to combat injustice through creative and

persistent advocacy on behalf of vulnerable and underserved Delawareans. We have represented hundreds of vulnerable SSI applicants and recipients over the course of many years. CLASI is also Delaware's designated Protection and Advocacy agency for individuals with disabilities. I have represented SSI recipients and applicants for over thirty years as a legal aid attorney in Minnesota, West Virginia, Pennsylvania and Delaware.

Over the course of more than three decades, I have personally witnessed the destitution faced by SSI recipients. My clients have frequently had to choose between rent and food. That should be unacceptable in this country but it all too common for SSI recipients. The federal SSI grant of \$794 per month forces recipients to make impossible choices and accept unfit housing or sleep on the streets or in homeless shelters.

We tell people that they should save for emergencies, but SSI recipients are forced to do the opposite. Because the resource limit is a paltry \$2,000 for individuals and has remained unchanged for over thirty years, SSI recipients cannot even try to make plans for emergencies—emergencies that they face all too often.

Appallingly low grant amounts, draconian resource limits and cruel rules that reduce SSI if friends or relatives try to help recipients by providing them food or shelter all contribute to a dehumanizing existence.

Every day I work with clients and advocates to help them navigate these complex, confusing and ultimately demeaning rules—all to try to ensure that my client can get \$794 per month. It is heartbreaking. No-one chooses to be on SSI.

SSI no longer comes close to fulfilling the promise of providing basic supports for the most vulnerable amongst us.

Urgent, substantial reform is needed—NOW. Not in a year, not at some distant point in time. Today.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation

John S. Whitelaw  
Advocacy Director

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U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

Thank you for the opportunity to submit this statement for the record for the subcommittee hearing on "Policy Options for Improving SSI." This statement is submitted on behalf of Community Legal Services of Philadelphia (CLS).

For more than 50 years, CLS has provided free legal services to address the legal needs of low-income Philadelphia residents in civil matters affecting their families, health, jobs, homes, and incomes. The Supplemental Security Income (SSI) Unit is a practice group within CLS that provides individual representation to disabled people who seek benefits under Title XVI of the Social Security Act. We advise clients and provide representation in appeals relating to disability before the Pennsylvania Bureau of Disability Determination, the Social Security Office of Hearing Operations, and in federal court. We also assist people who lose access to SSI benefits for financial eligibility reasons. CLS advocates for SSI policy changes, including by convening two national advocacy workgroups that meet regularly with Social Security Administration (SSA) senior staff to discuss critical issues facing disabled people, particularly during the COVID-19 pandemic. We also work to ensure that underserved communities are able to access tax credits through direct representation, litigation, and systemic advocacy.

Each year, our team represents 1,100 SSI applicants and recipients, and we provide advice and community education to hundreds more. We are reminded every day that SSI is a critical component of the American safety net. It keeps people housed and connected to medical care. It ensures that parents can meet the needs of their dis-

abled children, reducing stressors and family separation. It gives family members some financial breathing room to recover from disabling trauma and move forward with their lives.

The SSI program is lifesaving and life-changing. It is also neglected. SSI benefits and program rules have not been updated in decades. The SSI program traps disabled people in poverty. It is overly complicated and hard to navigate, and we have seen thousands of eligible people over the years be unable to qualify due to red tape. The SSI program is long overdue for modernization, and we urge Congress to include two categories of improvements in the upcoming budget reconciliation legislation.

**1. Ensure that People Receiving SSI Do Not Remain Trapped in Poverty.**

SSI benefits are often only the income supports available to disabled people, and they can make the difference between housing instability and hunger or the ability to meet basic needs. But the SSI program is far from generous. The maximum benefit is only \$794 per month, and many people receive even less because of program rules. Married couples have their benefits reduced quite a bit if both members qualify for SSI, even though the costs associated with their disabilities are unique and significant. SSI's extremely low asset limits prevent people from saving to escape poverty, by design. These strict income rules make living with disability so much harder than it needs to be for people who, by definition, cannot supplement their incomes with much work. The poverty inflicted by the SSI program is purely a policy choice, one that Congress must reverse.

**2. Streamline SSI Financial Eligibility Rules so People Can Stay Connected to Benefits.**

Embedded in the SSI program are complex, bureaucratic rules that trip up the most careful SSI recipients. If family members help recipients with groceries or an unusually high utility bill, recipients can see their (already meager) SSI grants slashed by one-third. If recipients receive a few thousand dollars as an inheritance and want to save it for community college classes or a housing repair, they can be cut off SSI altogether. Even when recipients manage to follow SSI rules perfectly, some still face issues due to miscommunications or SSA errors. Resolving these issues requires administrative appeals, months of time and stress, and SSA staff resources that could be better redirected to help claimants. Often, these issues are only resolved because lawyers like us get involved—and there are not enough of us go around. Simplifying the SSI program rules by eliminating “in-kind support and maintenance” provisions and raising asset limits would allow eligible SSI recipients to stay connected to benefits while protecting limited government resources.

Thank you very much for the opportunity to submit this statement. If you would like to discuss these comments further, please contact me via telephone at (215) 981-3782 or via e-mail at kdama@clsphila.org.

Sincerely,

Kristen M. Dama  
Managing Attorney, SSI and Medical-Legal Partnership

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LETTER SUBMITTED BY FELICITAS P. CONNOLLY

October 4, 2021

Chairman Brown  
U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Ranking Member Young  
U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young,

I am really grateful that Congress held a hearing on the Supplemental Security Income (SSI) program. I am fortunate to be on the ARC email list and able to be in the loop on happenings to the SSI program. I read your opening statement; Ranking Member Young, the ARC Statement, Mia Ives-Rublee's as well as Mr. Stephen

Evangelista's Statement for the Record. I do agree that changes to the SSI program are long overdue.

With this development I want to share my experience in navigating thru the program. My daughter has physical and intellectual disabilities and is conserved. I shared my experience by writing to then Senator Allen K. Simpson in 1996 who was then the Chairman, Finance Committee but did not receive a response. I am sharing excerpts from my letter.

I am writing on behalf of families with disabled children to express the sentiments that I feel are common among us. This concerns the program involving children's welfare and benefits 1 to 18, in particular Supplemental Security Income programs. Being a "welfare" program, the requirements are so stringent and limiting that it makes the family a slave to the system. What concerns me most as a parent is how the benefits for disabled children, ages 1 to 18 are being handles. When a child qualifies and receives SSI benefits, all the income in the household is counted towards **\$2,000 monthly income** that a family receives, whether earned or unearned.

But in the past, with the income limitation imposed by the SSI welfare program, our daughter could not qualify for any benefits under the SSI program. However, times and circumstances changed; our family life was disrupted by the recession that hit our economy. I am sure that many families were greatly affected as we were. We waited almost eight months for the application process before my daughter's benefit was approved. The experience was a nightmare!

Also, SSI employees should go through a complete, mandatory training on how the SSI system works. These employees should be able to explain the hows and whys, not just the results. A family should not leave the office with as much misunderstanding and confusion of the system as when they first came in. I know because I went through this nightmarish experience with my own child. The processing time should also be speeded up. The "retrospective accounting" method should be done away with. An income averaging, especially for families whose income fluctuate, and annual review of benefits should be adopted. I have done some research on the calculation of SSI benefits for children ages one to eighteen (enclosed) As can be noted, families whose income fluctuate lose out on the \$780.00 annual exclusion against earned income. Also, why should we penalize the wage earner for disability income. It is apparent the earner could not work for no fault of his own plus the wage earner has to pay into the program to qualify for state disability benefit.

Therefore, I request that Congress and its staff look into this matter, especially, **SSA Section: 19:43-45; 19:137, 138, and 146**. I know parents who take care of their child with disabilities will be comforted knowing that help is available without going through the bureaucratic red tape and an almost hopeless wait. I do believe we represent a large segment of the population.

I do relate to the experience described by Mina Ives-Ruble because I got into trouble the way she did. At one time, I was working on a commission basis. There are times I made over the income limitation and ended with overpayment which reduced my daughter's benefit. I did not how the program work and that is why I did my own research. SSA employees do not explain how income affect the benefits. They claimed the procedure is complex and could not be grasped/understood by a layman. So, I surprised my case worker reviewing my daughter's case when I told her how the benefits are calculated and came up with the benefit mount my daughter was getting.

The following is what I came up with based on my experience navigating the SSI program.

#### **Fact Sheet on SSI Disability Benefits for Children Ages 1 to 18**

1. Most families cannot live on \$2,000.00 per month income/resource at today's living standard. That might have been possible in the early 1990s.
2. Income category should be treated as one type instead of classifying it as "earned" and "unearned." (Please refer to enclosed sample of calculations of benefits.)
3. A family is being penalized for unearned income; like state disability and disability pensions. One had, in essence, paid for these when they are working. Plus, it is not someone's fault not to be able to work in this age of downsizing.
4. By not averaging income for the year and applying and applying the exclusions on the average monthly income, a family loses on the annual income exclusion



of \$780.00. This is especially true when a family's income fluctuates on a monthly basis.

5. The government will save a lot of manpower, time, and money by doing a once-a-year review instead of the monthly reviews and calculations. The SSA normally sends out a five-page letter every time they review a case. Imagine, how many tons and reams of paper can be saved if correspondence would be on an annual basis.
6. There are almost five million children under 17 years with disability that could be in the same situation as our family. If these cases were renewed annually, the savings of time and manpower can be diverted to processing applications. (Please refer to page 78 of the government on American with Disabilities issued in 1993.)
7. The SSA employees are not adequately trained to respond to question raised by families. Depending on who you speak with on the 800 number, a family could get as many different answers to same question.
8. It takes an average of 6 months to a year to completely process an SSI disability case. A child has to go through a fine-tooth comb before he qualifies for a benefit. So, why not make the benefit once qualified a specific amount and leave it at that, especially if the disability was considered lifetime.
9. It is traumatic enough for a family to have a disabled child to raise and take care for. It turns a family's life 360 degrees when it happens. The government can show its compassion to help families with disabled children by cutting down the bureaucratic red tape.

At the same time, along with the above, the following are my:

#### **Recommended Areas of Changes on SSI Benefits for Children Ages 1 to 18**

1. **Income Requirement:** Increase the income/resource level from the current \$2,000.00 per month to at least \$4,000.00. A family without health insurance and allowed only \$2,000.00 would be wiped out with a day's hospital bill.
2. **Income Category:** Treat all income as one type, then apply the exclusions against the total income.
3. **Deeming of Income:** Eliminate deeming of parental income to children ages one to eighteen. Once a disabled child qualifies; the regulations for amount with a once-a-year review.
4. **Retrospective Accounting:** Eliminate retrospective method of accounting; use averaging of income if the income/resource level will not be modified. Time and manpower saved on this aspect can be diverted to processing applications.
5. **Income Averaging:** As indicated above income averaging will be of advantage to families; they will have the benefit of annual income exclusion instead of losing out the way the system is today.
6. **Processing Time:** This may be administrative policy, if not, shorten the processing to 90 days. In the interim, give the family the benefits the disabled child might be entitled to.

I hope that by sharing my experience in navigating the SSI program coupled with my "Fact Sheet on SSI Disability Benefits" and "Recommended Areas of Changes on SSI Benefits" which are focused towards children age one to eighteen; the Committee will take into consideration some of my comments/concerns about the SSI program.

Thank you very much in giving me an opportunity to submit a "Statement for the Record."

Respectfully,

Felicitas P. Connolly

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CRAWFORD COUNTY SPECIAL OLYMPICS OF PENNSYLVANIA  
222 Chestnut Street  
Meadville, PA 16335

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

Special Olympics of Pennsylvania Crawford County (SOPA-CC) submits this statement for the record for the Subcommittee Hearing: Policy Options for Improving

SSI. SOPA-CC works directly with individuals with intellectual and/or developmental disabilities, providing programs that engage these individuals in health, wellness, and sports training, which also combat the deep isolation these individuals encounter. As program manager for SOPA-CC I know that many of our participating athletes rely on SSI and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years.

As an example, our athletes who “live” on SSI are often unable to purchase appropriate shoes for sports training, and it is not unusual for them to wear old sneakers in the deepest part of winter. They are also often unable to purchase proper food for a truly healthy diet, and usually are forced to live in sub-standard rental properties. Several athlete couples were unable to marry although they wanted to because of the restrictions. Those who are truly high-functioning are limited in the number of hours they can work for fear of losing their SSI benefits.

For these reasons, on behalf of my local management team, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Amara B. Geffen  
SOPA-CC Program Manager  
814-720-7089  
ageffen@allegheny.edu

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LETTER SUBMITTED BY JOSEPH MICHAEL DAMIANO

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Joseph Michael Damiano and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

I am a person with a disability who receives SSI and I have been engaged to my fiancée for a year and a half. My worry is that if there are not improvements for SSI, my benefits could be hindered because of the marriage penalty. My mother is my rep payee for the program, and I am happy to say I have started working but it is hard for me with the asset limits that SSI imposes to report everything and I am always worried I might lose my benefits (depending on the situation).

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Joseph Michal Damiano

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LETTER SUBMITTED BY DIANE DAVIS

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Thank you for this upcoming hearing and for accepting my comment.

I am an SSI disability recipient and receive a small check for SSDI retirement. This means that I live well below the poverty line. I speak not only for myself but also as a Long-Term Care Ombudsman for the County of San Diego.

I have volunteered and advocated for residents at a 99 bed skilled nursing facility 20 hours per month more than 10 years. This is volunteerism for the elderly and with very little reward.

SSI in long term care. . . . Facilities want private pay. Medical Medicare Medicaid residents consistently face eviction and dumping. Indigent are not welcome at skilled nursing facilities.

SSI recipients and indigent patients are routinely not accepted from hospitals into skilled nursing facilities. More and more SSI recipients are becoming homeless. An SSI check is barely enough money to live on the street today, let alone find housing. I am 64 years old, disabled and this will be my future.

I volunteer now in hope that livable SSI, ombudsman, outreach and advocates for low-income seniors and disabled seniors will be available to me in the near future.

Please consider updating our SSI system now, it is long overdue. As a side note, our federally mandated Long-Term Care Ombudsman program needs better funding.

Sincerely,  
Diane Davis, LTCO

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LETTER SUBMITTED BY MICHELE DISARIO

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Michele Disario and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972.

Until recently, I was an active member of my church choir. Another choir member gave me a ride home one day and realized that I live with my boyfriend. He confronted me about my living situation and told me it was a sin. I explained that if we got married one of us would lose our SSI benefits.

The current SSI program forces many individuals with disabilities, like me, to compromise religious convictions in order to retain SSI benefits that help us to survive. As a result, the choir director asked me to move home to live with my parents or leave the choir.

I am no longer a member of the choir or the church. I had to make the difficult decision to sacrifice my religious beliefs and practices in order to comply with SSI, which I rely on to live independently at home in the community. For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Michele Disario  
Secretary  
Oklahoma City People First

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LETTER SUBMITTED BY KATHLEEN DOWNES

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Kathleen Downes and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

I am 28 years old and I have cerebral palsy and a rare spinal disorder called Tarlov cyst disease that causes debilitating chronic pain. I depend on Medicaid home care services to get assistance with bathing, dressing, catheter care, toileting, and transfers. Strict income and asset limits have made it impossible for me to try working as I would have to choose between employment and life-sustaining care. People with disabilities should not have to live in poverty because of the nature of their medical needs. Further, being disabled is crushingly expensive and it simply does not make sense to give people with such high expenses so little on which to survive.

I would like the opportunity to get married one day, but presently people on SSI face a penalty to their benefits if they marry. This is a modern-day example of marriage inequality that prevents disabled people from marrying those they love.

As a highly educated social worker, patient advocate, and disability activist who feels extremely held back by the archaic rules of the program, I am begging you to modernize SSI so that I can live a more flexible, independent life full of the opportunities that others my age have. Improvements on the program would allow me to make better use of my education and allow all of us to have a chance at employment without surrendering vital benefits.

Please do the right thing. America has the duty and the potential to do so much better for its most marginalized groups.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Kathleen Downes, LMSW

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EASTERSEALS NEW JERSEY  
 25 Kennedy Blvd., Suite 600  
 East Brunswick, NJ 08816  
 P: 732-257-6662  
 F: 732-257-7373  
<https://www.easterseals.com/nj/>

U.S. Senate  
 Committee on Finance  
 Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

Easterseals New Jersey is a non-profit agency that provides services to thousands of New Jerseyans living with disabilities and mental health challenges each year. We have been active nationally for over 100 years and in New Jersey for more than 70 years. We strongly believe that the rules for SSI, many of which have not been updated since 1972, should be updated. Much has changed since the SSI was passed, and this program needs to be adjusted to meet the needs of disabled Americans living in the 21st century.

Currently, the maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about receiving help from family and friends or other income people can earn before they lose benefits have not been updated for almost 50 years. SSI was passed to ensure "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes" and because of decades of neglect, this program no longer fulfills this promise.

Many of our program participants either receive SSI benefits or will at some point. We work tirelessly to help them make ends meet and live productive and happy lives. But the outdated rules for maintaining SSI eligibility are always in the back of our minds. This is not how this program was intended to run, with disabled Americans living on the brink of poverty, knowing one misstep could jeopardize their benefits. This reality that we deal with every day is proof enough that Congress must revisit rules for the SSI program. We must ensure that SSI meets the challenges of the modern era and provide the support to Americans living with disabilities that the authors of this program intended.

If you or members of your staff have any questions about Easterseals New Jersey's perspective on SSI, please contact Jacob Caplan at [jcaplan@nj.easterseals.com](mailto:jcaplan@nj.easterseals.com). Thank you for your time and attention to our thoughts on this critical matter.

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Easterseals is a national 501(c)3 nonprofit organization that has helped children and adults with disabilities and special needs, live better lives for 100 years. Operating in 21 counties throughout the state, Easterseals New Jersey offers a variety of disability services to help people with various special needs address life's challenges. Annually, Easterseals New Jersey serves over 5,000 individuals at our over 100 sites with direct services, advocacy, and education. We believe everyone, no matter their circumstance or level of ability, deserves the opportunity to increase their independence and achieve their goals.

Brian Fitzgerald, President and CEO  
Jacob Caplan, Advocacy Manager

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LETTER SUBMITTED BY ANDREA EIBLUM, M.S., LCPC

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Andrea Eiblum and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." My clients rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

The amount of SSI is below poverty level and my clients have difficulty finding housing in Maryland. They also have tremendous difficulty paying for medications and groceries with this low monthly amount. The SSI amount is currently well under Federal Poverty Level and needs to be raised. Resource limits have not been increased since 1984 and only \$1 over eliminates eligibility/continuation of benefits. Back payments must be spent as resources if not spent within 9 months—given how long it takes to receive SSI, this is a challenge and should have no limit on being counted as resources as these are funds that are due from SSA. Please remove in kind support as a deduction for SSI payments. Lastly, the work incentives are woefully inadequate, deducting either \$65 or \$85 right away from someone's earnings.

For the above reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Andrea Eiblum, MS, LCPC  
SOAR Program in Carroll County  
Springfield Hospital Center

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LETTER SUBMITTED BY NANCY K. FORD

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

My name is Nancy Ford, and I am the grandmother, personal caregiver and legal guardian for my intellectually disabled grandson. We have lived together, and I have cared for him since he was 8 months old. I am 73 and work full time to support Michael and myself. Retiring isn't an option for me because without the income from my job we would be homeless. As a constituent I urge you on behalf of myself and all the other parents and grandparents with children, young adults, and older adults with a disability to support changes to social security and supplemental security income guidelines.

Congress needs to ensure that changes increase SSI asset limits, income rules, and benefits. This bill would create hope and security for people with disabilities. I worry everyday about what will happen to my grandson when I pass. Most of us that live with and care for loved ones with disabilities worry about what will happen to their loved one when they are no longer able to care for them, and what happens when they pass on. None of us truly have the means to provide the income that

will be required to keep their loved one from becoming one of the homeless and unsupported individuals in this country. Why? Because there are income rules in place that restrict the total assets anyone on SSI can have.

SSI prevents us from providing any financial assistance to those on the program. If we do, they immediately reduce the maximum payment of \$794.00 per month based on the amount of assistance that is provided. Michael was receiving \$794.00 a month but because I must help with rent, utilities, food cost and personally pay for any special things he requires, he was cut back to \$241.85 per month. He was already in the below poverty level status receiving the full benefit, now he is expected to live on even less, which means I must pay even more of his expenses each month. Congress needs to ensure that changes to social security and supplemental security allows people to receive help from family without being penalized.

Individuals with a disability are discriminated against every day. They have few friends, few relationships, and even less support from the leaders of this country because they are seen as different. Yes, they are different, but they can be just like you and I if given a chance. By keeping them in poverty, limiting their ability to support themselves by restricting their income and by treating them as if they don't really matter, they are being discriminated against by Social Security, SSI and this country because they are different. Please help us change the rules to provide reasonable income without restriction, that will pull them out of poverty and show them that they do matter. Please stand up for what is right and make the necessary changes so people with disabilities can live out of poverty and disrespect.

Thank you for your time and support.

Nancy K. Ford

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LETTER SUBMITTED BY JUDITH FRANTONIUS, R.N., M.S., PNP

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Greetings, I am a public employee in California through the Regional Center system for individuals with disabilities. We do not pay into SS but many of us have had previous jobs where we accrue SS credits by paying into the SS system. We are penalized if we become public employees at a later date. I do not have a pension plan, but my employer (Golden Gate Regional Center) pays into my 403(b) plan. So I will collect very little SS when I retire, less than half of what I earned. Also I believe that we are not able to collect SS from our spouses after they die.

So if you become a teacher (or public employee) at later in your career, you are penalized twice. As you lose your accrued benefits and have not paid enough into your pension or have enough years in teaching to offset that loss.

This is my understanding.

I think if we want more qualified public employees, we need to address this problem.

Judith Frantonus, R.N., M.S., PNP  
Early Start Nurse Specialist  
Golden Gate Regional Center

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LETTER SUBMITTED BY MOLLIE KATHERINE GATHRO

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Sherrod Brown and Ranking Member Todd Young,

My name is Mollie Katherine Gathro and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I have personally relied on Supplemental Security Income (SSI) disability benefits in order to stay alive, and I can assure you that the program desperately requires reform.

I became permanently disabled due to degenerative disk disease of the spine at the age of 22 in February of 2010. Three back injuries in the span of six years had

caused even the otherwise-healthy disks in my spine to begin decaying at a more rapid rate than normally occurs in the aging process.

A year later, finally accepting that my latest back injury was not recovering the way my previous two had, and no longer able to support myself by working, I attempted to apply to the Social Security Disability Insurance (SSDI) program. I had been working minimum wage jobs paying into Social Security all through high school and throughout college, so I was shocked to learn that the SSDI program is purposefully designed to weed out disabled and chronically ill people like me—I had enough work credits from years worked and dollars earned to qualify, but I did not have them in enough consecutive time periods to qualify. Taking time off for management of my chronic illnesses and injuries was penalized. SSDI disability pays based on your income, so it is horrifying that the SSDI disability benefit for working minimum wage jobs would have been significantly higher than the below the poverty line benefit I was forced to rely on by qualifying for Supplemental Security Income (SSI) instead. If the minimum wage is truly the minimum standard fit for one person to live on, why are SSI disability benefits so much lower?

First of all, the initial application process was awful. I was constantly lied to and given the administrative runaround by Social Security Administration employees. I do believe a large part of that is not even maliciously intended by the employees in order to save the Social Security Administration money, but rather occurs because there is such a high rate of turnover at these minimum-wage paperwork-intensive jobs to the point that the employees themselves do not actually know that what they are telling me about my case is untrue. So the burden has fallen to me to become an expert in Social Security Administration program policies, which is ridiculous.

As a disabled person, I am only alive if the government decides to keep me alive. It is not just the Social Security Administration—it is Supplemental Nutrition Assistance Program (SNAP) food stamps benefits managed through the Massachusetts Department of Transitional Assistance, it is government-subsidized housing on the basis of disability managed through the West Springfield Housing Authority, it is dealing with MassHealth (Medicaid in Massachusetts), Medicare, and my Commonwealth Care Alliance health insurance company, and it is managing my entire medical care team. The amount of paperwork it requires to stay alive as a disabled person takes up the equivalent to a part-time job's worth of hours of my life. If you count all the hours I spend on symptom management waiting to be well enough to manage the paperwork, being disabled is quite literally more than a full-time job. I have to fight so hard for every dollar, that any improvements you can make to the system—from increasing benefits to reducing paperwork burdens—have a dramatic ripple effect in making my daily life substantially easier to manage. Increasing benefits means I can pay for more relief that health insurance does not cover, and reducing paperwork means I have to harm my body less to retain my benefits. From talking with other disabled people, I know I am far from alone in spending almost all of my time on what amounts to “death by a thousand paper cuts.”

It took three appeals of Social Security Administration denials before I could even begin receiving SSI benefits in 2013. I had to hire a lawyer on the last round who took 60% of my back payment award, despite the fact that for my case, the only work he did was to meet with me for an hour so I could brief him on the case, write a letter to the Social Security Administration to say he was representing me, and then stand up next to me in court the day of the hearing; I had done all of the hard work by myself already. I could have hired an actor to pretend to do all that for thousands of dollars less! When I spoke to him about the disproportional payout to workload ratio, he told me that taking on comparatively easy, well-organized and straightforward cases like mine allowed him to finance his work on complex cases requiring vastly more effort on his part. I take comfort in knowing that my money went to help some other disabled person get the legal assistance they needed, but it absolutely should not be this way. It was very clear that the Social Security Administration's denials were not based on the factual merits of my case—I am literally two inches shorter now than I was at the time of my first back injury, so of course all the muscle attachments to my spine are out of alignment causing chronic pain, and spinal disk tissue does not ever grow back once it is lost—but rather upon my relatively young age of 22 at the time of the disabling injury. The Social Security Administration should have had to pay for my lawyer's time, rather than taking his payment from my rightfully-owed benefits. If the Social Security Administration were held financially responsible, it would properly incentivize them to make correct decisions the first time around.

My parents divorced in 2008, following my accidental discovery in 2006—which funnily enough, occurred while I was out of college with my first back injury, which eventually triggered the degenerative disk disease of the spine that resulted in my total permanent disability—that my father had used legal loopholes to steal \$10,000.00 that I had personally saved for college in order to finance his secret double life of mistresses, strippers, and Internet porn. His career arc and income level had gone down throughout their marriage so that my mother was the proverbial breadwinner at that time. They had incurred over \$100,000.00 of medical debt when my mother sustained her own back injury in 1995 on a family vacation. It took her over a year to recover enough to work again. She also carried the majority of family debt on credit cards taken out in her name only, because my parents divided household labor so my mother did the shopping and my father paid the bills. Unfortunately, this meant even though they were married at the time those debts were incurred and they were of provable benefit to the entire family, none of the debt in my mother’s name only was my father’s legal responsibility. So my father exploited all of this, as Massachusetts is a no-fault divorce state, to screw my mother and I over. The terms of their divorce settlement required my mother to pay me the \$10,000.00 back out of her own pocket. But she had to refinance the mortgage on the house in order to buy him out, so if I accepted the money, she would lose the house. The rent for the worst studio apartment in town was over \$600.00 per month back then, not including utilities, so that amount of money would not have bought me safe, independent living for more than six months when you factor in all the other bare minimum basic living costs and my much higher than average personal medical expenses. So after the deposit hit my account, I immediately wrote a check back to my mother for that \$10,000.00. That is the only reason I had a place to stay that was not a homeless shelter with each subsequent back injury leading up to my total permanent disability throughout my college years. All this debt eventually led to my mother having to declare bankruptcy a few years later. When I confronted my father about the theft, he said he “deserved” my money because as a chronically ill child, I was “an inconvenience” in his life. I love children and I babysat for years to earn a large chunk of that money, but I cannot imagine any circumstance in which I would describe having children as remotely “convenient” in any way! It is all extra laughable, because with my childhood chronic illnesses, my mother was always in charge of taking me to doctor’s appointments, as well as refilling my medications and administering them until I was old enough to do so myself, because she was professionally employed as a nurse. The only impact my chronic illnesses ever had on his daily routine is that he had to cook dinner more often when my mother and I went to afternoon appointments that ran long. His refusal to acknowledge what he did beyond that initial outburst, to apologize, or to actually pay me back is why we are estranged to this day.

Then in 2019, I heard through the social media grapevine that my estranged father had taken early retirement the previous year; which a disabled friend then told me meant that I could now apply to upgrade from my own Supplemental Security Income (SSI) disability benefits to his Retirement, Survivors, And Disability Income (RSDI) disability benefits. Essentially, I have moved from being below the Federal Poverty Line while on SSI disability benefits to just squeaking by above it on RSDI benefits. Currently in 2021, I receive \$1,284.00 per month on RSDI—while my friends still on SSI disability receive only \$794.00 per month this year by contrast. It is on my to-do list as soon as I recover a bit more from my latest back injury, but I learned this year that the Social Security Administration was supposed to contact me when my father retired and upgrade me automatically from SSI to RSDI. They only gave me RSDI back pay to the date of my application for the upgrade, when it should have been to the date of his first Social Security early retirement payment over a year earlier. Like I said, I have had to become my own expert in the Social Security Administration’s program policies because the actual Social Security Administration employees I have dealt with over the years have either been malicious liars or woefully misinformed. If any of you would like to call the Social Security Administration and yell at them on my behalf, please consider this your open invitation!

In December of 2017, I was lucky enough to have my application for subsidized housing on the basis of my disability accepted. I moved into my own apartment, thanks to the generosity of a friend of a friend loaning me money so I could afford to pay movers (as their initial estimate for the job magically tripled when it came time to present me with the final bill), which I paid back over the next few months. One side effect of disability is that it has shrunk my life down massively—so by 2017, I no longer knew anyone locally who was physically strong enough or had the free time available to help me move in exchange for pizza and beer the way most



other Millennials of my generation have financed moving in their 20s and 30s. I am incredibly lucky to have found community among fellow disabled people in online spaces, particularly Twitter, which is how I learned of this committee's activities.

I bring up my move because SSI disability benefits so far below the poverty line is why I was stuck living with my violently abusive younger sister and my enabling mother for so long. When I had to drop out of Mount Holyoke College due to my disability in the Spring 2010 Semester, I also lost my on-campus student housing. I moved home thinking it would be temporary until I recovered—as previous back injuries in 2006 herniating my L5/S1 disk and in 2008 rupturing my L3/L4 disk had only taken four or five months to heal each time. I had a full semester plus one half-credit class left to finish in order to complete my undergraduate degree. So I put myself back in my childhood mentality of having to suffer temporarily until I could get free again, because despite my sister's violence towards me being publicly known for our entire lives, no one ever cared enough to intervene to help me. I thought I would recover, finish my degree, then get a job paying well enough to be permanently free of my sister's violence and my mother's enabling and gaslighting excuses.

I was paying rent to my mother each month that amounted to about 90% of my SSI disability benefits, with me usually not having more than between \$5.00 and \$20.00 left at the end of each month after paying the health insurance co-pays on all of my medications. There was simply no way I could have saved up enough to put down the standard first month, last month, and security deposit required to rent my own apartment safely away from my sister. My sister hounding my mother that I needed to pay rent or go homeless was why I applied for SSI disability benefits in the first place, really—she put a ticking clock on it, so I could not deny in 2010 that I simply was not healing as fast as I did from my previous injuries in 2006 and 2008. From the state of Massachusetts, I applied for Emergency Aid To The Elderly, Disabled, And Children (EAEDC) and I was granted it immediately while I applied for SSI disability. My mother took almost the entirety of my EAEDC check every month. After the cost of my prescription medication co-pays to my health insurance company and my cell phone bill, I again usually had somewhere between \$5.00 and \$20.00 left over to spend for the month. The amount of rent my mother charged me increased in proportion with my income, from EAEDC up to SSI disability.

But the fact was that there were three people living in my mother's house and my rent, while substantial, did not amount to 33.3% of my mother's mortgage payment. So instead of counting what I paid as rent, even though we had a written contract like any other landlord and tenant would, the Social Security Administration insisted that my mother was giving me the gift of lodging while I was paying her rent for fun! So the entire time I rented a room from my mother, my SSI disability benefits paid out at about half of the maximum individual amount. If at any time I had stopped paying rent, my sister would have violently evicted me. My mother even insisted that I give her almost all of my remaining SSI back pay after the lawyer took his cut in 2013. She allowed me to buy a new laptop and cell phone, because mine were both dying after being purchased for my 2005 high school graduation and they were necessary technology in order to complete the never-ending paperwork required to keep my SSI disability benefits payments coming, but that was about it. What little remained I used to give my loved ones slightly more expensive Christmas gifts than my minuscule budget would normally limit me to. Again, it was nowhere near what I would have needed in order to finance moving out on my own.

The Social Security Administration's commitment to such tough standards for the SSI program is unequivocally why I was stuck living in a violently abusive and financially exploitative situation for so long. It is perhaps easy to say I should have just gone to a shelter, but I do not fit the typical domestic violence mold of having been the victim of my romantic partner, so the fine print of many programs kept me from qualifying to use them. Additionally, the Social Security Administration requires you to have a fixed address because they only communicate by paper mail, so moving into shelters, where residence is often not guaranteed from one night to the next, would not have been viable in terms of keeping the SSI disability benefits keeping me alive. And the same is true for health insurance, even under MassHealth, which is the Medicaid program in Massachusetts. The highest priority in government-subsidized housing is given to disabled people, not abuse victims, and yet it still took me over three years from my date of application in 2014 to my apartment move-in date in 2017.

Which leads me to the fact that I have simply given up dating even though I still long for romantic partnership in my life. If I married a fellow disabled man (I use this wording because I am heterosexual), the Social Security Administration would cut each of our already-meager SSI disability benefits amounts; and if I married an able-bodied man, I would lose my SSI disability benefits entirely. After being financially coerced into an abusive living situation for so long, I cannot imagine willfully surrendering what tiny financial freedom I have to someone else, no matter how much I loved them; and I cannot imagine any man who truly loved me would honestly expect me to marry him, knowing what peace of mind in terms of safety it would cost me. If he turned out to be an abuser too, I would never be able to leave for the exact same reasons as before. I am not sure that this same penalty applies now that I have upgraded from my own SSI disability benefits to my father's RSDI benefits, because I could not find the answer researching on my own, and as I have said, the word of any given random Social Security Administration employee has proven worthless in my experience, so if you folks in the Senate know the answer, I would love—pun fully intended—to hear back from you!

Many of the rules have not been changed since SSI was first created in 1972 and it no longer ensures its founding mission “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.” Please fix this! When I was reliant on SSI disability benefits below the Federal Poverty Line for all those years, every month the stress of doing my budget involved both a migraine and a crying breakdown on how unlivable my life was. Now that I have RSDI disability benefits just slightly higher than the Federal Poverty Line, my monthly budget process only involves a migraine. That tiny bit of breathing room is something I wish I could give to all the people who still rely on SSI disability benefits in order to survive. We deserve not to live under crushing financial stress every moment of our lives!

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Please feel free to reach out to me if you have any further questions about my experience with the SSI disability benefits program, or anything else I have touched on in my testimony. I am happy to help, especially if it will result in meaningful material improvements in the lives of my fellow disabled people.

Sincerely,  
Mollie Katherine Gathro

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LETTER SUBMITTED BY EMILY GENSHEIMER

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Emily Gensheimer and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

Here is my story: I was born with a rare degenerative eye condition that has challenged me my whole life. By the time I was 15, I was already rendered unable to experience many of the things that prepare teenagers for adult life—such as getting a driver’s license or working my first job. I began applying for SSI when I was 18, but was consistently turned down due to falling just short of the threshold for legal blindness, and I was denied legal help due to my young age. I continued applying year after year, especially as I approached my mid-20s and desperately needed my own income. Finally, at age 25—months before I would have aged off my parents’ insurance—I was approved for SSI and medicaid, now that my condition had reached “legally blind” status. Relieved to have finally been approved, I would now learn how very limiting being an SSI recipient is.

Now at age 30—and over 4 years on SSI later—I have this to say: Not only is the application process for SSI excruciatingly difficult (as my highly condensed story above shows), but the \$794/mo (max.) that one may receive is not enough to live on independently, not in any part of this country. I do not live in a costly area, I

receive the full SSI benefit, and am on food stamps and medicaid—yet I can say with all certainty that I couldn't survive on my own with all of these things. I currently live with a roommate and am barely scraping by every month. \$794 will not even cover rent in most cases, much less all additional necessities one needs—especially considering that disabled people frequently need to afford things that able-bodied people do not.

To add insult to injury, I cannot even save more than \$2000 (or have assets equaling more than this amount). My plan, in the case of a financial emergency, is to simply pray one never happens. ABLE accounts may be helpful for some individuals—if legally disabled before the age of 26—but come with their own strict limitations. I barely qualify myself, but hesitate to open one because they're highly controlling in regards to what you're allowed to spend the money on once it's in there. Besides that, I don't currently have money to spare for savings anyway.

The last nail in the coffin is knowing that if nothing changes, not only will I never achieve self-sufficiency in my lifetime, but I will never be able to get married. The SSI marriage rules all but guarantee that most of us will remain unmarried, less we risk losing our benefits. Expecting all disabled individuals to rely on a spouse for each and every financial need is not only very unrealistic, but encourages unhealthy, potentially abusive relationships to happen. It is an all around violation of our rights to marriage equality.

The last thing I would like to mention is that my condition is genetic; I have three young nieces who have poor vision, and at least one of which seems to be heading in the same direction as me. While we obviously hope it never comes to that, I want to know that my niece—and other children with potential disabilities—will have a system she can rely on if she needs to one day. At the rate things are going, however, disabled people like myself have been given little hope for a better future. We are again and again told that our needs are not a priority and that we must wait indefinitely for change, all while the cost of living in the country continues to skyrocket. The system, as it is now, has been failing us since before I was even born, and will force so many of us into homelessness and even death if nothing is done about it soon.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Emily Gensheimer

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LETTER SUBMITTED BY EMMA GRACE

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Emma Grace and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." Although I do not rely on SSI, I can see that the program desperately needs to be updated, and want better for disabled people in my community. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

It's fundamentally un-American to bar an entire category of people from fulfilling the American dream by restricting their access to marriage or healthcare and forcing them to live in poverty if they want to live at all. The way SSI is currently set up is tantamount to eugenics—either disabled people live below the poverty line or they no longer have access to stable income and healthcare, when the importance of stable income and healthcare to keeping disabled people alive is why we created SSI in the first place.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Thank you,

Emma Grace

## LETTER SUBMITTED BY ALAN KYLE GRAHAM

U.S. Senate  
 Committee on Finance  
 Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Kyle Graham and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I and many of my friends with disabilities rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972.

I want to get married to my fiancée, Jill Swyden. We have been engaged for seven years, but I don't want to lose 25% of my Social Security, which is \$187.50 each month, just because I want to marry Jill. If I get married, Jill will lose 50% of her Social Security, which is \$375 each month, and I don't want that to happen. So I want the law to be changed, so that there will be no marriage penalty tax for people with disabilities.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Kyle Graham  
 President  
 Tulsa People First

## LETTER SUBMITTED BY MICHAEL JACOB GRAHAM

U.S. Senate  
 Committee on Finance  
 Subcommittee on Social Security, Pensions, and Family Policy

## POLICY OPTIONS FOR IMPROVING SSI

My name is Michael Graham, I am 23 years old. I currently am on SSI, and I am unemployed. I have been on (SSI) Social Security Income since I was 18 years old.

I volunteer, holding a position as a Board of Directors member with the Arc of King County and also am a member of the Best Buddies Washington State advisory board and a participant of Best Buddies. In 2019, I graduated from the Transition Academy of Redmond. During my time at the Transition Academy, I was involved in Best Buddies to help people like me, make friendships and have friends to hang out with. I love being part of Best Buddies and it's an honor to help because I love giving back to the community and helping people.

I think jobs and the age restriction cap should be lifted. Congress needs to ensure that there are changes to SSI that lifts people out of poverty. From personal experience I understand what it's like to be held back and face setback after setback because of the disability income cap. The earnings limit is extremely low and SSI takes money back from the payment I received (\$794.00 per month). Tell me who can live on \$794.00 a month? I'll tell you . . . *no one* can. I know what it's like to be on SSI and get stuck trying to figure out how to live on that especially in Seattle, Bothell, and Kirkland which are very expensive. A one-bedroom apartment can cost an average of \$1,400. My total monthly cost for rent, utilities (without cable), and food is \$1,396.5 a month and my total income from SSI was \$794.00 but they reduced my benefit to \$241.85 because they say my expenses are being subsidized by my grandmother whom I must live with because I cannot afford to live on my own. This is discrimination and clearly shows SSI is too low and keeps me and many others in poverty.

Congress needs to ensure that there are increases SSI asset limits, income rules, and benefits. Personally, every single month I get deducted more and more money. I made \$794.00 a month and now I only receive \$241.85 a month because SSI says my grandma cannot help me pay for anything and if she does not help me, I would be homeless and have no money, no shelter, and nothing to keep me alive. I need more support and SSI says that I cannot get any financial help or they take back even more. I cannot even "rent a room" from my grandmother because in Washington State apartment complexes require everyone living in the apartment must sign the lease which then makes me responsible for half of the monthly rent, which

is more than SSI gives me every month. Which means that I am being financially supplemented each month and SSI doesn't allow that so then they take away more of the monthly allotment.

Congress needs to ensure that people are allowed to receive financial help from their family without being penalized. As I stated above SSI does not allow any financial assistance from anyone, or you have your monthly payment reduced. My Grandmother pays 99% of everything because I do not receive enough to meet my needs. I will never get out of poverty and never be able to live on my own, if I am not allowed to earn an income that doesn't allow SSI to constantly take back money for working. What they provide is minimal financial assistance that they then pick away at, so they do not have to give me anything.

Thank you for your time.

Michael Jacob Graham

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LETTER SUBMITTED BY STEPHEN GRAMMER

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Stephen Grammer and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes.

I am disabled, and rely on Social Security Income to pay my bills, medication that Medicaid doesn't cover, daily living necessities, rent and public transportation. This helps me to be able to live independently in the community, which is my ADA right to live in the least restrictive environment possible. Some of the drawbacks of SSI include: If you have a job and make over a certain amount, takes a percentage of the earnings. People with disabilities should be able to work without being penalized for the amount they receive from their job.

Also, if a bank account exceeds \$2,000, SSI takes the amount out of your monthly check until you pay it off. This is not right, especially for disabled individuals. Not allowing bank accounts to exceed \$2,000 hinders individuals' ability to save money—which doesn't allow us to prepare for unexpected expenses or emergencies. Even if you have a trust fund, you are still in danger. Another issue is that if citizens live in low-income-based housing, no matter the amount of money we get from Social Security, we still have to put 30 percent of our income toward rent. Therefore, we still are not getting enough money to pay for what we need to survive safely in the community. There should be a set rule for low-income-based rent, so that we can say that people who have to live in Section 8 or public housing do not have to pay for rent, because SSI went up.

Social Security administration needs to make it easier to report income online. Right now, you can either call or go to the office. Sometimes when you call to report income, the employees who answer the phone say they put the information in the computer, and three months later, SSI tries to penalize people for not reporting it, even if they did. If we could do this online and get an email confirmation, this would not only make things easier for the disabled community, but it also clear up any confusion with Social Security about whether or not someone reported their income. A suggestion is to assign everyone a worker, so that we have a regular email contact, in case some people are not able to communicate by phone. This will help clear up confusion, because instead of not knowing who to speak with, we would be able to speak to the same person.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation. I encourage you to support the SSI Restoration Act (S. 2065/H.R. 3824).

Sincerely,

Stephen Grammer

GREATER HARTFORD LEGAL AID  
999 Asylum Ave., 3rd Floor  
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NEW HAVEN LEGAL ASSISTANCE ASSOCIATION  
205 Orange St.  
New Haven, CT 06510

CONNECTICUT LEGAL SERVICES  
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Middletown, CT 06457

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Connecticut Legal Services provides civil legal services to low-income individuals living in Connecticut. We submit the following statement for the record for the Subcommittee hearing on Options for Improving SSI. We urge you to modernize the Supplemental Security Income (SSI) program by incorporating the Supplemental Security Income Restoration Act (S. 2065) in the budget reconciliation now under consideration in the Senate. The income and asset limits for the program, which provides critical income to people with no or limited income who are 65 or older or have disabilities that often render them unable to work, have not been updated since the program was established in 1972. The cost of living has increased five and a half times since then. Thus a program that was intended to raise the standard of living for people at most risk instead confines them to incomes below the poverty level, and an asset limit that strongly discourages planning and foresight.

As of December 2019, there were 66,783 people receiving SSI in Connecticut. Many of our clients number among them. The cost of living in Connecticut can be quite high, particularly in Fairfield, New Haven, and Hartford Counties where the majority of the state's SSI recipients live. Benefits are limited to \$794 per month for an individual or \$1,191 for a couple, well below the current federal poverty level of \$1,073 per month for an individual or \$1,452 for a couple. Connecticut does have a supplement available to recipients of SSI, but this benefit is limited to those with high rents and often is not adjusted for the cost of living. Even with this supplement, those relying on SSI and the state supplement do not receive an income equal to the federal poverty level. The program should be revised to provide a monthly benefit level to at least 100% of the federal poverty level.

The asset limits for the program are very low, \$2,000 for an individual and \$3,000 for a couple, resulting in hardship for our clients who are excluded from the program for each month their assets exceed the amount. The program thus discourages savings, even for essential items such as for a housing security deposit, a reliable car, or a computer and education programs. Thus clients who may receive a modest lump sum settlement are forced to forego their SSI benefits each month until they are able to "spend down" the asset.<sup>1</sup> Increasing the limits to \$10,000 per person (\$20,000 per couple) would allow recipients to accept small legacies, modest lawsuit settlements, or to accumulate modest savings to address life's contingencies without jeopardizing their monthly income. Additionally, indexing all of these amounts (benefit limits, income disregards, and asset limits) to the consumer price index to account for inflation would insure that the program provides consistent value over the years. It should not take 50 years for these amounts to be adjusted to achieve the intended value of the program.

SSI purports to allow recipients additional income from other sources such as Social Security or a pension, but the income allowed—called a disregard—is just \$20, which is so low as to be essentially meaningless. This amount should be increased to \$128 per month, which reflects the increased cost of living since 1972. In order to encourage SSI recipients who can work despite their disability to return to the work force, they are allowed slightly more earned income, but this limit is also very low, just \$65 per month in addition to the initial \$20 disregard, plus half of their earnings. In Connecticut, where the minimum wage is \$13 an hour as of this Au-

<sup>1</sup>Statewide Legal Services, one of our affiliated legal services program in the state, recently had a case where a lawsuit filed on behalf of a low-income family resulted in a modest settlement of \$14,000 that threatens to render the child on SSI ineligible for more than 12 months, at which point the child would have to reapply for SSI.

gust, \$85 equates to just 6.5 hours a month. It is very difficult to find an employer willing to employ anyone for just 6.5 hours each month. Increasing the earned income disregard to \$416 would allow people to work 32 hours per month at minimum wage or a full day's worth of work each week without penalty.

Any modernization should also simplify the treatment of past-due lump sum payments. Lump-sum payments due to children on SSI, under the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, must currently go to a separate dedicated account, which complicates the administrative burden on both the SSA and the recipient's family, and makes it more difficult for the family to access the funds. It would also eliminate the installment payment requirement when past-due SSI benefits exceed three months' worth of benefits, which delays the ability for SSI recipients to access the money owed to them. In some cases, these installment payments are not completed until after the recipient dies. It also extends the period of exclusion of certain payments from countable resources from 9 months to 21 months, allowing recipients to establish a special needs trust or an ABLE account that can be used to address their ongoing needs.

A modernization program should also repeal a number of harsh, and needlessly punitive, aspects of the program such as the marriage penalty, which reduces the effective benefit for a married couple where both members receive SSI to 25% less than the amount two unmarried individual beneficiaries living together would receive. Removing the marriage penalty would have the additional benefit of removing the need for the "holding out" provision that requires the Social Security Administration to determine whether two individuals living together should be treated as married for SSI benefit, which places an administrative burden on the SSA, and as 1992 SSA report found can have "adverse and disturbing effects both with respect to claimants' personal privacy and to the administrative process."<sup>2</sup>

A modernization program should also remove the in-kind maintenance and support provision that reduces the benefit rate if the SSI recipient receives in-kind food and/or shelter, which makes it difficult for a family member to provide shelter to the SSI recipient without adversely affecting the recipient's benefits. The provision can also limit the effectiveness of special needs trusts established to provide for a disabled person's basic needs if that trust is used to provide food or shelter. We also recommend repealing the penalty for transferring a resource for less than fair market value within 36 months of applying for SSI or any time after. The policy assumes that people will give away valuable property for the chance to live on a meager monthly income. It is insulting to recipients and places a heavy administrative burden on the Social Security Administration for very little benefit.

SSI was established with the laudable goal of raising the standard of living for low-income elderly and people with disabilities. However, because the value of the benefits has not changed for fifty years, it woefully fails to live up to that goal. It is well past time to update the program for the twenty-first century, thereby improving the program for the people of Connecticut and the nation.

Sincerely,

Alison M. Weir  
Policy Advocate  
Greater Hartford Legal Aid  
AWeir@ghla.org

Shelley White  
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LETTER SUBMITTED BY MORGANA HARP

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

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<sup>2</sup> Social Security Administration, "SSI Modernization Project: Final Report of the Experts" (1992). Available at <https://www.ssa.gov/policy/docs/ssb/v55n4/v55n4p22.pdf>.

My name is Morgana Harp and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” My mother and several of my friends rely on SSI and the program desperately needs to be updated. My spouse and I have also applied only to be denied multiple times in the last ten years. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

My spouse and I are both unable to work due to our health conditions. Both of us are under 40 and do not have enough work credits, so we have applied for SSI in the past and both have been denied. Our lives would be much easier if we could work, but objectively speaking neither of us can maintain gainful employment. I have never held a job for over 6 months and usually am let go or forced to resign after a month due to my health issues. I have several conditions that, at the time of writing, have no cure. They all progressively get worse over time and it takes all of my time and energy to attend to my medical needs and barely scrape by. Perhaps if it was only one condition that caused my limitations, I’d be gainfully employed, but all together my conditions ensure that any accommodations I require would go beyond “reasonable.” When I realized in 2010 that I was not well enough to work regularly, I applied for SSI. I was young, so I got denied. I have kept trying to work, even when my body has made it clear that I’m pushing past my limitations. I finally reached a breaking point in 2018 and was forced to recognize that if I try to work in my current condition, I risk dying prematurely. As we have waited for a hearing with a judge, we have constantly had to out-run homelessness, moving over 20 times across 4 states and 12 towns to try to keep a roof over our heads. We finally got into public housing in 2018 but still am barely able to afford my bills thanks to the kindness of friends and family, most of whom are in similarly dire financial straits. We are a burden on our loved ones and it has cost us relationships over the years.

My spouse and I got married in 2017 to try to maintain SNAP benefits in Wisconsin. If either of us get SSI we will likely have to get divorced due to the penalties.

My spouse and I have had an average combined income of \$2,000 per year from self employment, which is deep poverty and well below the thresholds set by the state and federal government. We are surviving but we are not thriving, and the longer we stay in this constant state of fighting for survival, both of our conditions deteriorate.

Everyone I know who needs SSI or relies on it is constantly one step away from disaster and the stress impacts our cognitive functioning and often makes our health issues worse. After my last SSI denial, I mused that if I weren’t so sick, it would be easier to turn to a life of crime than keep applying for SSI. That is how desperate this broken system is making the people who need it most.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Morgana Harp

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HOMELESS ADVOCACY PROJECT  
1429 Walnut Street, 15th Floor  
Philadelphia, PA 19102  
215-523-9595  
215-523-9599

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

The Homeless Advocacy Project submits this statement to be made part of the record for the subcommittee hearing “Policy Options for Improving SSI.” As an organization with over 30 years of experience representing homeless individuals and families, we appreciate the Subcommittee’s consideration of this incredibly important topic and are grateful for the opportunity to present testimony on behalf of our organization and the people we represent on SSI matters every day.



### **Homeless Advocacy Project**

By way of background, the Homeless Advocacy Project (HAP) is a free civil legal services program for adults, unaccompanied youth and children experiencing homelessness or at imminent risk of becoming homeless in Philadelphia, Pennsylvania. HAP's clients reside in homeless shelters and abandoned buildings and on the city's streets. They frequently suffer from living conditions that hamper their ability to navigate the myriad systems—including traditional legal services programs—under which they are eligible for supports and services. HAP, therefore, engages with clients in places where people experiencing homelessness eat, sleep, receive mail or access social services.

HAP annually provides free legal assistance to over 3,000 individuals and families. To holistically meet the needs of our clients, HAP provides comprehensive legal assistance in a broad range of areas including: establishing eligibility for benefits programs such as Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF), medical assistance and food stamps (SNAP); establishing eligibility for Veterans Compensation and Pension benefits, and upgrading discharge characterizations; enforcing custody and other family law rights; accessing shelter and other supportive services; replacing or correcting identity documents; and preserving private and subsidized housing eligibility.

Our program is dedicated to eliminating barriers that prevent some of our city's poorest and most disenfranchised individuals from securing housing stability. To that end, HAP is committed to ensuring that our clients access any and all benefits to which they are entitled. For an overwhelming number of our clients that means SSI benefits. Too poor to sustain housing and too psychiatrically and physically impaired to sustain employment, SSI remains the only means by which to secure stability. Yet, with a maximum benefit of \$794 monthly, housing remains elusive even for SSI recipients.

### **HAP's SOAR SSI Application Project**

HAP is approaching the 14th year anniversary of its SOAR Project, which is routinely highlighted as one of the most successful SOAR (SSI/SSDI Outreach, Access and Recovery—Technical Assistance Initiative) projects in the country. Since filing its first SSI disability application utilizing its SOAR protocol, HAP has successfully represented more than 2,750 disabled individuals, either homeless or at risk of homelessness, on their claims for federal SSI disability benefits. Since the project's inception, HAP has maintained a 96% approval on initial applications. Claims filed outside of HAP's SOAR Project are denied a majority of the time and can take more than 2 years from application until administrative hearing decision with a reduced likelihood of success. Not surprisingly, demand for HAP representation via SOAR is great.

Given the struggles, traumatic experiences and fragility of Philadelphia's homeless population, especially since no other income stream is available to them, HAP takes every opportunity to expand the reach of its SOAR Project. HAP has utilized the SOAR protocol to secure benefits for a variety of populations, including, but not limited to:

- Participants in Housing First programs;
- Extended TANF household heads with a history of unsuccessful work attempts;
- The chronic street homeless population with a history of shelter resistance;
- Unaccompanied transition-age youth who have aged out, or are about to age out, of Philadelphia's child welfare dependency and delinquency systems;
- Homeless Veterans who are either ineligible for VA benefits or who are navigating—many with HAP legal representation—the protracted VA benefits process;
- Criminal justice-involved homeless adults;
- Homeless individuals with Axis I Substance Use Disorders, including mothers in treatment programs with their children;
- Disabled children residing with their parents in shelters or rapid rehousing programs;
- Homeless adults and youth receiving behavioral health case management supports.

While always high, demand for representation through HAP's SOAR Project has significantly increased during the current pandemic as SSA field offices remained closed and homeless claimants can no longer walk into an SSA office for assistance.

### **The Improvement of SSI**

HAP sees daily both the urgent need for SSI benefits as well as SSI's inadequacy in meeting the most basic needs of the individuals and families we represent. As noted below, with a maximum monthly benefit amount far below the federal poverty level combined with regulatory limitations that have too long been in place, the SSI program as currently implemented ensures that individuals too disabled to work, disabled children and older Americans with no other income stream remain trapped in unacceptably deep poverty. For HAP's clients, it also means protracted and likely unresolvable housing instability. With the implementation of long overdue changes, this need not be the case.

#### *Raise Benefit Levels Above the Federal Poverty Line*

The 2021 maximum SSI benefit is \$794 per month or \$9,528 annually. This maximum benefit level does not even amount to 75% of the Federal Poverty Level for a household of one in 2021. The message and impact are clear—SSI is designed to keep Americans over 65 years of age as well as disabled adults and youth too disabled to work trapped in a cycle of poverty with no means of escape.

Unless they are among the fortunate few who obtain subsidized housing where rent is based upon 30% of monthly income, SSI recipients are simply unable to maintain any semblance of housing stability. Affordable private housing is nonexistent. Room rentals are few, rarely licensed or habitable, and routinely unreliable, resulting in cycling between rented rooms and homelessness. HAP not uncommonly engages with clients who stay in cheap unsanitary motels in the beginning of the month when their SSI benefits are received only to return to the street when they run out of funds. It is not surprising—although certainly disheartening—that since October 1, 2021, HAP assisted more than 43 chronically homeless persons over 65 years old to obtain verification of their benefits from SSA so that they could, hopefully, obtain one of the pandemic-funded housing vouchers. Of these homeless individuals, 19 were more than 70 years of age.

#### *Increase the SSI Asset/Resource Limit*

Nowhere does the SSI system appear designed to entrap poor older Americans and those individuals too disabled to work within a cycle of housing instability and homelessness, than in its asset restrictions. The \$2,000 countable resource cap for individuals (and \$3,000 for married couples) has not been increased since 1984, evidencing no intention to even feign a reflection of inflation or the realities of today.

The impact of this asset cap is especially punishing when individuals who have long fought for SSI benefits are finally deemed eligible and awarded large retroactive benefit awards. These funds are only exempt from counting toward the asset limit for a 9-month period. Rather than being permitted to save for future emergencies or events with SSI funds they fought to receive and were owed, SSI recipients are required to spend down their benefits below this outdated and arbitrary resource limit.

This is frequently the case with HAP's SOAR matters where HAP successfully advocates for the reopening of prior claims wrongfully denied and retroactive benefit awards may be substantial. It is not uncommon for advocates in these situations to advise case managers to help their clients spend money—purchase clothes, a television and otherwise spend funds they would rather save so as to avoid SSA's recoupment of benefits due to large overpayments.

#### *Eliminate In-Kind Maintenance and Support Rules that Reduce SSI Benefits for People Who Receive Shelter, Meals and Groceries from Family and Friends*

HAP staff is well aware of the negative impact benefit reductions have on the willingness of homeless SSI recipients to leave life on the street. With monthly SSI amounts already too low, unsheltered individuals refuse to accept services if it means a decrease in their monthly benefits. It is just that simple.

SSI recipients who stay with family members or friends typically lose one-third of their monthly benefit (approximately \$264) due to "in-kind" support and maintenance. This disincentivizes older and disabled homeless persons from choosing safer living situations. In fact, HAP is currently struggling with this issue regarding SSI recipients who are staying at COVID Prevention Sites funded by the city's emergency housing agency. These sites are specifically designed to meet a critical emergency need—to safely house older and medically fragile homeless persons during the pandemic. Despite the wide array of services devoted to convincing street homeless persons to come into the prevention sites, SSA has started reducing the benefits of those individuals who do come in by one-third, raising the likelihood that these indi-

viduals will leave these safely distanced temporary housing options and return to the streets.

SSA has been a staunch supporter of, and partner to, HAP's SOAR Project and has spent a good deal of time and effort on reaching vulnerable populations, including those experiencing homelessness, during the pandemic. HAP suggests that SSA understand the inherent inconsistencies in its actions which may well prolong periods of homelessness or increase its frequency.

### Conclusion

HAP is grateful for the Subcommittee's attention and the long overdue consideration of policy options that would significantly improve SSI's impact on our vulnerable communities that these benefits are designed to support. Should you require any additional information, you may reach me directly at 215-523-9595 or mlevy@haplegal.org.

Respectfully yours,

Michele Levy  
Managing Attorney

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LETTER SUBMITTED BY KRISTI L. HUNZIKER

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Kristi Hunziker and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I volunteer in public guardianship, working with adults with developmental disabilities. I did try and work professionally in this field, but due to paltry remuneration available, could not rely on providing guardianship services as my primary source of income. Over time, I've had to take fewer and fewer cases. But my concerns are not the primary reason I am writing. The real motivator is that the system is completely unfair to adults with developmental disabilities. My clients rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes." The clients I've had who are severely disabled, and never be able to be gainfully employed, are consigned to living on less than \$800 a month. Even with other government services, such as SNAP benefits and Medicaid and Medicare, this is a ridiculously low amount of money. Definitely they cannot pay me.

Adults with disabilities have their disabilities for life. They will never go away. Probably the main thing, beyond the tiny amount of benefits they receive, that troubles me is the rule about earned income. Why should an adult with lifelong disabilities be forced to give up their social security and all the benefits that go with that—especially medical—if they want to work? No reason, other than to try and *force* people off of Social Security. This is simply wrong. It is unethical. These people will always have these disabilities. My client who wants to work would love to work full time and earn real money. But he is most definitely intellectually disabled, and never holds down even the best job for more than a year or so. But every time he gets employed, he tries to work too much, and we are constantly afraid he is going to lose his benefits. People don't just lose the social security benefit—they lose their medical, they lose their support through state government for personal care, subsidized housing, and other supports if they need them. Their family loses respite care. None of this should be so. The income limit either needs to go away for these individuals, or at least be much higher.

Another thing that is completely unreasonable is the \$2,000 limit. In 2021, \$2,000 is a lot less than it was in the 1970s! But it is treated as if it's a fortune! Another client for whom I am representative payee, went over income because I didn't understand the rules well, and was trying to transition between banks, and let him go over that limit several months in a row. Since then Social Security Administration has been withholding part of his SSI every month, and will continue to do so for years! How is this right? He has even less than other individuals to live on! If he weren't in a special subsidized housing situation, he would be homeless. And why

should he be forced to pay for my mistake? This also is unreasonable. This resource limit needs to be increased.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Kristi L. Hunziker, CPG  
Washington State #13048

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LETTER SUBMITTED BY CARRISSA M. JOHNSON

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

My name is Carrissa Johnson and I work for the Center for Accessible Living in Murray Kentucky. I'm also a person with a disability and for many years I relied on SSI benefits to survive.

Both myself and my clients find it difficult to live on these benefits. Medicaid in particular is a vital piece to receiving benefits no I am off benefits now I find it difficult to get the services and supports I need without the Medicaid. In addition these benefits are some of the lowest and most difficult to survive with. It's very difficult to want to improve oneself and living situation knowing you could lose Vital supports.

Individuals with disabilities decide to get married and they're both on benefits the benefits automatically decrease. A lot of couples have to choose between there right to do that and survival.

I ask you to revisit some of these policies and ask yourself would you want a family member or a loved one to go through these challenges?

Thank you,

Carrissa M. Johnson, CSW, CNP  
Satellite Office Director

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LETTER SUBMITTED BY JENNIFER JOHNSON, PH.D.

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Senators of the Finance Subcommittee on Social Security,

I implore you to review and update some of the social security restrictions and rules that have been untouched for decades.

- The last time the asset limit was raised was 1985. Two thousand dollars in 1985 was substantially more money than \$2,000 in 2021. The average rent for an apartment in 1985 was \$339, but in 2021 it is \$1,124.
- The marriage penalty should absolutely be eliminated. If my son wants to get married, he absolutely should be able to have that life experience. A reduction in livelihood because he gets married is discriminatory and inequitable. The assumption is that married couples always merge their assets, which is an invalid assumption. Another assumption is that expense would be less for 2 people living together than separately. My son's need for support services always exceeds what he receives in public benefits, and those costs will always increase over time not decrease because he chooses to marry. Most importantly, in his situation, losing Medicaid would be disastrous. He has multiple significant medical conditions that require a great deal of medical services and rehabilitative therapy. Marrying shouldn't leave him destitute with medical bills.
- Earning limits should be increased. The current maximum a person with a disability can earn is \$1,260/month. That amounts to less than half-time work at a minimum wage job. My son has significant physical disabilities that prevent him from doing typical low paying jobs (flipping burgers, bagging groceries); however, he wants to go to college and law school to become a disability rights lawyer and advocate. He can absolutely do work that doesn't require him to use

his hands. But, he would never be able to work in his chosen field with these limits. Disability rights lawyers are forced to work as volunteers because they cannot afford to lose Medicaid for healthcare. Shouldn't we be thrilled that people with disabilities want to do more than sitting around watching TV because of these archaic restrictions? Isn't our government charged with helping its citizenry to achieve life, liberty, and the pursuit of happiness?

- The rules that decrease or cuts benefits when a person with a disability is working is awful. Why would the US not want to champion people with disabilities who are able to work? If my son were able to earn a living, even if it means giving up SSDI, he should not have to lose his insurance coverage, Medicaid. My son has always had primary insurance coverage, but the Medicaid he has has saved us and will save him from being bankrupt from his medical care costs. Why should he not be able to work and live above the poverty level?
- Why should people with disabilities not be able to enjoy help from loved ones? I'm 49 years old and still get some supplemental funds from my mother monthly to help me with my son's care costs. That money or help with equipment not covered by insurance does NOT mean that my son and I are sitting around eating bon bons off silver trays. I drive a 19 year old car with 190,000 miles on it so that I can use whatever dollars we have after rent and groceries on my son's education, therapy, and care. Every dollar we earn is going to his current care or trying to plan for his future care. Why does the U.S. *not* want our citizens with disabilities to rise above the poverty level and be able to live fuller lives? If my son's aunt or cousin wants to give him some money so that he can go to local zoos, should that really deprive him of healthcare?

We should be doing everything we can to encourage people with disabilities to save for their future, to work as much as they are able, and get support from loved ones as needed without fearing that they will lose essential benefits like healthcare. How are we different from "less developed nations" if we are complicit in keeping those with disabilities in poverty, homelessness, and without healthcare?

With sincerity and fierce advocacy for my son and all of his disabled peers,

Dr. Jennifer Johnson

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JUSTICE IN AGING  
1444 I St., NW  
Washington, DC 20005

September 17, 2021

Chairman Sherrod Brown  
Ranking Member Todd Young  
U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Re: September 21, 2021 Subcommittee Hearing on "Policy Options for Improving SSI"

Dear Chairman Brown and Ranking Member Young,

This statement is submitted on behalf of Justice in Aging, an advocacy organization with the mission of improving the lives of low-income older adults. We use the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources. We have decades of experience with Supplemental Security Income (SSI) and Social Security benefits, with a focus on the needs of low-income beneficiaries and populations that have traditionally lacked legal protections such as women, people of color, LGBT individuals, and people with limited English proficiency. Justice in Aging conducts training and advocacy regarding SSI and Social Security benefits, provides technical assistance to attorneys and others from across the country on how to address problems that arise under these programs, engages with the Social Security Administration (SSA) to address issues around agency policies and procedures that affect claimants' or beneficiaries' abilities to access SSI and/or Social Security benefits, and advocates for strong protections to ensure that beneficiaries receive the benefits to which they are entitled promptly and without arbitrary denial or disruption.

We thank you for holding this hearing on policy options for improving SSI, a program that millions of low-income older adults and people with disabilities rely on

to survive. As Congress explained back when it was established in 1972, the program was designed to prevent seniors and people with disabilities from having “to subsist on below-poverty-level incomes.”<sup>1</sup> For the approximately 2.3 million older adults age 65 and up who receive SSI benefits, this program is critical. SSI is the reason they are not living in extreme poverty, and allows them to pay for shelter, food, or other necessities. Women make up more than half of all SSI recipients, but among older adults, women make up over 60% of those receiving SSI. Older adult women who need SSI include widows who have lost a spouse and must now meet their living expenses for the coming years (or decades) with much less income; low-income older women who are divorced or who never married, had low earnings, and did not have the ability to build up their savings for retirement; and women who, because they spent years out of the workforce caring for family members, do not qualify for significant Social Security retirement benefits.

SSI is also a key source of income for older adults of color, who experience poverty rates that are twice those of older white adults.<sup>2</sup> This disparity is rooted in the systemic discrimination that people of color experience over the course of their lifetimes in the form of lower average wages, higher unemployment, and significantly less intergenerational wealth. As a result, SSI, which targets assistance to the lowest-income older adults, is an important program in the fight to advance equity. Older adults of color who do not have access to significant Social Security benefits, individual retirement savings, or familial wealth, rely instead on SSI to keep them out of deep poverty.

Congress created the SSI program to assist those who, due to age or significant disabilities, are unable to meet their basic needs. And while SSI is essential to helping extremely low-income older adults make ends meet, the program has been neglected for so long that it now keeps people in poverty and excludes the very people it was intended to help. The current monthly SSI benefit is only \$794 per month, leaving recipients with income that is less than 75% of the federal poverty level. In addition, some of the program rules haven’t been changed in almost 50 years, so the eligibility requirements do not reflect the true cost of living today.

For example, older adults who receive a small amount of Social Security retirement or survivors benefits make up half of all of those receiving SSI on the basis of age. Despite having some Social Security income, SSA only excludes the first \$20 of those Social Security benefits before their SSI is reduced dollar for dollar. This means that a person with a \$500 Social Security benefit only receives \$314 in SSI as a “supplement” for a total of \$814 per month (or \$794 plus \$20). This \$20 general income disregard is the same \$20 disregard that was established the year the program was created in 1972—that is almost 50 years of neglect, and certainly not a reflection of the cost of living in 2021.

Another SSI provision that has not been changed for decades is the asset limit. Currently, an individual with more than \$2,000 in assets is not eligible to receive any SSI benefits at all. That means that older adults who have tried to save for retirement or emergencies—to replace a broken furnace, for example—must spend their savings down to qualify for the sorely needed monthly income that SSI provides. Purposefully spending money in order to limit savings is not the type of advice that any financial advisor would give to someone trying to make good financial decisions, yet it is exactly what the SSI program is currently forcing people to do if they need to have enough regular income to live.

Other provisions of SSI that we need to address include the marriage penalty and the archaic “in-kind support and maintenance” rules. With regard to marriage, individuals receiving SSI are unfairly penalized if they choose to get married. Rather than receiving the full benefit, the maximum benefit for a married couple who both receive SSI is only 150% of what two single people would receive. In-kind support and maintenance (also known as “ISM”) is another provision that intrudes on the private lives of SSI recipients on the basis of incorrect assumptions about the “character” of low-income families. The ISM rules require SSA staff to dig into the personal lives of SSI recipients and penalize those who receive help with food or shelter from family or friends. For low-income people, including older adults, who are already forced to live below the poverty line even when they receive the maximum

<sup>1</sup>S. Rept. No. 92–1230, Social Security Amendments of 1972, Committee on Finance, U.S. Senate (September 25, 1972), p. 384, available at <https://www.ssa.gov/history/pdf/Downey%20PDFs/Amendments%20to%20the%20Social%20Security%20Act%201969-1972%20Vol.%203.pdf>.

<sup>2</sup>Juliette Cubanski, Wyatt Koma, Anthony Damico, and Tricia Neuman, Kaiser Family Foundation, “How Many Seniors Live in Poverty” (Nov. 2018), available at <https://files.kff.org/attachment/Issue-Brief-How-Many-Seniors-Live-in-Poverty>.

SSI benefit, receiving help with groceries or rent is not a trick to “game” the system, but critical assistance that keeps them housed and fed despite the sub-poverty level benefits they get each month.

SSI is in serious need of modernization, and updates to the program are long overdue. There are some key ways that we can improve the program for older adults. The following are just four examples from the SSI Restoration Act, introduced in the Senate this year, which lays out a comprehensive set of fixes to the program:

1. Increase the benefit level so that people are not left in poverty despite receiving SSI benefits.
2. Update SSI’s income rules so that people can use more of the income they receive from other sources to supplement their SSI. As mentioned above, the \$20 general income disregard has not been changed for almost 50 years.
3. Eliminate the draconian in-kind support and maintenance rules so that people can supplement their SSI benefits with needed support from family and friends who are willing and able to assist them.
4. Raise SSI’s outdated asset limits, which haven’t been changed since 1989.

These fixes are critically important to ensuring that SSI effectively keeps older adults and people with disabilities from living in poverty.

#### **Conclusion**

Thank you for your efforts on behalf of older adults and people with disabilities, and the millions of others who interact with SSA. We stand ready to work with you, other members of Congress, and SSA to improve services to the public.

Sincerely,

Tracey Gronniger

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LETTER SUBMITTED BY CAROLYN BATES KELLY

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Carolyn Bates Kelly and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” My daughter is intellectually disabled and will rely on SSI. The program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

My daughter recently turned 18 years old and became eligible for SSI benefits due to her diagnosis of a rare condition called Smith Lemli Opitz Syndrome which results in her intellectual disability and autism. The process of applying for SSI benefits has been extremely cumbersome and frustrating. And my daughter is one of the lucky ones who has a mom with a law degree to help her.

My daughter has not been fully approved for benefits yet, but if she is, it is likely that she will receive only \$526 per month because our family is counted as providing in kind support. She will never be able to live on her own or hold a job that will pay above-poverty level wages. The current SSI rules are guaranteed to keep her in poverty and dependent on family for the rest of her life.

For these reasons, I ask Congress to include improvements to SSI, including raising the monthly payments, streamlining the application process and removing the penalties for in kind assistance, in the upcoming budget reconciliation legislation.

Sincerely,

Carolyn Bates Kelly

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LETTER SUBMITTED BY KAITLIN A. KERR

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Kaitlin Kerr and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” I rely on Medicaid and both that program and SSI desperately need to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

I am disabled and on government assistance for my healthcare. My partner is my soul mate and up until this past summer and the reform to PA’s Medicaid buy-in program for disabled workers (MAWD-Medical Assistance for Workers with Disabilities) that increased income limits and removed asset limits for disabled workers after one year on the program . . . we would not have been able to get married at all. However, I live in constant fear that, should we marry and my conditions progress further and I then needed traditional Medicaid, we would have to divorce for me to continue receiving life-sustaining health insurance and care.

Getting married, even to another working-class person, would immediately disqualify me from this life-saving help. No other person’s insurance would adequately cover my health needs and costs like the programs I am currently reliant on. Without them, I would lose my health insurance and possibly financial assistance as well.

Many have wondered why my partner and I don’t just do a commitment ceremony or have a “wedding” but not get legally married. That sounds wonderful in theory, but there is legal precedent and a history of people losing benefits simply because they “appear” to be married. Sharing photos of a commitment ceremony or claiming your partner as “husband,” “wife,” or “spouse,” etc. is enough justification for the government to cut off benefits. We now know that if we do these things and “act” as if we are married (the legal term is “holding out”), I could lose my healthcare. For me, and many like me, this is a life-and-death issue. Heartbreakingly, we just can’t risk that. See the [ssa.gov](http://ssa.gov) website if you do not believe it is this extreme.

Most people believe that marriage equality exists for everyone in the United States at this time. After all, the Supreme Court threw out laws banning interracial marriage in 1967. “Marriage is one of the ‘basic civil rights of man,’ fundamental to our very existence and survival,” Chief Justice Earl Warren wrote then. On June 26th of 2015, the Supreme Court ruled that couples of the same sex have a constitutional right to get married. So why can’t disabled individuals get married? We deserve the same civil and human rights.

Also embedded in the foundation of our country’s laws is the belief that disabled people are a burden, which is why we condition the receipt of benefits from programs like Medicare and Medicaid on crushing poverty, and why we keep millions of disabled Americans from marrying. I stand in strong opposition to this draconian withholding of the expression of my love in whatever way I choose, and I refuse to beg for scraps and ask that I be given permission to simply say I am married. While this may be enough for me emotionally, in good conscience, I know that I and other disabled people deserve more. Our love deserves the security of a legally recognized marriage—one that signifies that I am more than a burden; I am a person who loves and is worthy of love: the kind whose expression is granted in full faith and credit to non-disabled Americans in every state of this country.

I must also reinforce the reality that marriage penalties aren’t even of financial benefit to the government, and therefore serve no purpose other than to keep disabled people in forced poverty. The “marriage penalties” themselves are easily avoided, but also easily triggered if people don’t know about them. In a sense, money is only saved by the government when disabled people accidentally trigger benefit reductions. Since most disabled people simply respond to these rules by not marrying, the government “savings” from continued marriage penalties are never fully realized. Recipients get full benefits by not marrying and would get the same full benefits by marrying without penalties, if this were the case. The only government savings lost are from people who have benefits cut after marriage because they didn’t know that it would happen.

I hope that whoever is reading this now shares my opinion that the simplest, most comprehensive solution to marriage penalties and marriage inequality for disabled individuals would be to make marriage irrelevant in all cases and to judge eligibility solely on each individual’s situation. Discouraging disabled people from marrying (or even incentivizing them to divorce) may not be the intent of Social Security rules and Federal assistance program guidelines, but it is certainly the end result.



We must address these injustices, and for these reasons, I beg Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Kaitlin A. Kerr

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LETTER SUBMITTED BY CRISTY LAIER

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” My 30 year old son relies on SSI and the program desperately needs to be improved and updated so that he may live his life to the fullest.

SSI no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.” This must be changed.

**To provide for our son we need to be able to have enough money to get him the help he needs, and to be able to provide for him when we’re gone. Payments need to increase to cover the myriad of costs associated with being completely disabled. And asset limits need to be increased or removed.**

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Cristy Laier  
**for Matthew Laier**

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LETTER SUBMITTED BY JOHN J. LANCELOTTA

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

*Greetings!* People with disabilities (aged, blind, and disabled) need an ability to *save* some modest funding without risking their eligibility for Supplemental Security Income (SSI) under a new, yet pending bill—the SSI Restoration Act proposed in Congress (H.R. 3824/S. 2065).

Because current asset limits are so restrictive under the Federal SSI Program—low income seniors and disabled individuals—recipients are forced to spend down savings they may have before they are eligible for SSI assistance, leaving them with only \$2,000 (or \$3,000 for couples) to help them through any emergencies and everyday situations.

In many cases for example, young adults stricken in their early years are relegated to the SSI Program with actually no savings at all in view of their early start in the working world or our youth through birth defects, acquired diseases or accidents.

Since resource values have *not* been elevated nor indexed since 1989—some cases with its 1972 inception—and innocent Disabled people are being disqualified for mere and meager savings (*i.e.*, \$2,000.00 savings or \$1,500.00 life insurance policies), passage of the SSI Restoration Act—is a necessary start to correct such inequities in our Social Security Law.

Our [young and older] disabled citizens need *help*—not thrown into the maze of a bureaucratic bottleneck that leaves them extraordinarily dependent on limited benefits or No benefits (actual coverage) at all!

For example, a current set of rules that allows a paltry \$1,500 for a Burial Contract with only a threshold of \$2,000 for basic savings or liquid assets. How can any person—particularly a Disabled individual—run a tiny home, or modest apartment

with such limited ability to save or fund those every day and needed expenses? It's really shameful!

Also, in many cases, the basic medical plan (Medicaid) does *not* cover certain doctor visits, medical treatments or pharmaceuticals that are vitally needed for the Disabled person and are quite costly.

Another limitation for example, is on automobile ownership shows where a car (that was gifted or inherited) to the Disabled Young person and someone could actually drive for the Disabled individual (for medical/therapeutic appointments, grocery errands, pharmacy calls, even personal visits), its value is locked in at a \$4,000. This leaves the Disabled person with the challenge of keeping (and maintaining) the low valued automobile or risking elimination from the program for anything over that low threshold amount—quite crude and cruel!

These few realistic scenarios tells us where inflation and cost of living progression takes place annually, costs and values fluctuate much differently about those circumstances.

Additionally, the SSI Beneficiary monthly payment is only \$794.00 or \$9,528.00 annually versus the U.S. Government's Poverty Guideline for 2021 is \$1,073.33 per month or \$12,880 yearly—this should unequivocally be corrected and updated!

Under the so-called, "Marriage Penalty"—which seems to be the unfortunate accurate word—there should be an allowance for the SSI Beneficiary say as to permit the Disabled spouse to hold the combined (couple) benefit already in law of (\$1191.00) as monthly income—meaning anything split (as in community property) of the non-Disabled spouse should and can be designated for that purpose only—this is quite fair and balanced.

These are archaic regulations that *must* be changed and our vulnerable Disabled population needs our support.

The Supplemental Security Income (SSI) program is meant for basic needs such as food, clothing, shelter, and other necessities,

Current law requires poor seniors and disabled individuals to spend down almost all their (paltry) savings before they qualify for SSI, a policy which often further impoverishes them and can make them permanently reliant on the federal government.

The asset limits and savings restrictions faced by many disabled Americans present a difficult choice between work (in such rare cases), living conditions and the loss of benefits. The SSI Restoration Act would ease these restrictions and remove many of the disincentives that keep disabled citizens from greater participation in our economic life.

The legislation is touted to sensibly update the savings and assets which poor seniors and the disabled can retain when qualifying for the SSI Program, which encourages greater savings among recipients and saving taxpayers money in the long term.

It's pointed out that without the legislation, for example, young disabled individuals within current limits can be discourage from taking their first job, since first jobs lead to second and third jobs, this initial hump can make the difference between a lifetime of government assistance and financial independence in such circumstances.

It's believed this would not only reduce hunger and poverty among our most vulnerable seniors and disabled people, but could mean they are less dependent on government assistance over the long-run because they have been allowed to maintain some financial security.

In fact, many individuals and groups feel the bill should be further amended to include . . . a waiver in the law about SSI recipients doing some form of limited, (part-time) "community service" such as serving on municipal/state commissions or panels that would be exempt for say receiving a small stipend for such public service.

Also, when a SSI Beneficiary is over say 50 and has been disabled for ten (10) years or more, less regulation should be leveled at the very ill individual such as annual revaluations and interrogations. A simple form—under penalty—can be mailed to the recipient say every five (5) years to assure their adequate needs for Disability insurance.

Advocates plead—the originally proposed bill in its current form—has tremendous merit as a basis for those unfortunate recipients that are relegated to a non-active

lifestyle due to their physical or mental disabilities and are further plagued with an almost punishment offset to the real meaning of the SSI Program for the Disabled American Citizen.

The SSI Restoration Act would also immediately correct another flaw in this portion of the SSA regulation that provides an equitable inflation adjustment (since this provision is *not* indexed) with assets. This proposal is completely *budget neutral!*

I humbly urge the Congress to immediately support and enact the SSI Restoration Act! Thank You!

Kindest Regards in America—Stay Safe!

Jack Lancellotta

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LEAGUE OF WOMEN VOTERS OF FRANKLIN COUNTY, MA

P.O. Box 483  
Greenfield, MA 01302  
lwvfranklincounty@gmail.com

October 4, 2021

Dear Chairman Brown and Ranking Member Young,

Approximately 8 million people in the U.S. receive a monthly Supplemental Security Income (SSI) benefit from the government. Elders, adults and children with disabilities, all facing extreme poverty, depend on this essential safety net. Thanks to outdated, strict asset limits, they are in danger each month of losing that benefit. We're asking for your support of S. 2065, the Supplemental Security Income Restoration Act of 2021, to correct, finally, the injustice embedded in the Social Security Income program as it currently stands.

SSI is a national needs-based public benefit program established in 1972 to provide assistance to people with limited income and resources who are age 65 or older, blind (any age), or disabled (any age). Funded through general tax revenues, not Social Security, the SSI program provides monthly cash benefits to recipients to meet basic needs for food, shelter, and clothing. In 2021, the SSI program provides a maximum monthly cash benefit of \$794 for an individual and \$1191 for a couple.

The original financial resource limit was \$1,500. In 1974, when the law was first enacted, a median apartment in the United States cost \$200 a month. Someone on SSI could afford the typical first/last and security deposit required to rent a decent apartment and still have enough money to cover other moving expenses. The median cost of one month's rent in 2021 is over \$1200. Failure to adjust the financial resource limit for inflation puts many routine expenses beyond the reach of people struggling to live on SSI. The current financial resource limit of \$2,000 for an individual and \$3,000 for a couple have not been adjusted for inflation since 198—31 years ago. Asset limits that were severe in 1989 are positively draconian in 2021.

SSI is meant to reduce extreme poverty among the elderly and people with disabilities, but its rules are complicated, and it limits eligibility for benefits on the basis of not only income, but the assets of a family, such as savings and other resources. Asset limits are entirely inadequate for our current reality and hamper a family's preparedness for a medical emergency or unanticipated expense. Take, for example, two items that don't count towards a recipient's asset limit: life insurance policies with a combined face value of \$1,500 or less, and burial funds, valued at \$1,500 or less. Not even in the eventuality of their death are SSI recipients allowed to maintain sufficient resources.

The Social Security Administration monitors these resources through periodic audits. In any month that an individual is deemed to have more than \$2,000 in total financial resources, they must pay back the entire SSI income for that month. There are various ways an individual could go over the financial resource limit:

- Saving money to pay for a move;
- Saving money for a medical or disability-related expense that has a high co-pay;
- Delays in processing checks and online bill payments; and
- Intellectual or mental health disabilities that make record keeping tasks more challenging.

Whether the overage is five or five hundred dollars, the penalty is the same—100% loss of SSI income for that month. What’s more, audits can take place a year or more after a recipient has gone over their asset limit. Meanwhile, they are unaware they’ve gone over that limit, which can result in several months of overages and additional penalties. Any one of us would find it onerous to repay this amount of money, and yet somehow SSI recipients, who by definition have special challenges, are expected to manage repayment with even more restricted resources!

S. 2065, the Supplemental Security Income Restoration Act of 2021, would alleviate these and other draconian SSI restrictions. People on SSI could save for life emergencies; they could marry; their family and friends could give them birthday gifts or buy them a sack of groceries to help out without having to worry about the Social Security Administration accusing them of fraud. In short, we could recognize the basic humanity of our most vulnerable citizens.

The SSI Restoration Act isn’t perfect—it doesn’t address how to help people who have outstanding penalties. These need to be forgiven if recipients are ever to get their heads above water, and therefore we urge an amendment to address this before passage of the bill. We do not want a two-tiered SSI system: one for those new recipients of the program with the full benefit of the bill and another for existing recipients who would still struggle to pay off outstanding penalties.

The League of Women Voters of Franklin County, MA strongly supports improving the Supplemental Security Income Program to meet the needs of our most vulnerable family, friends and neighbors. We urge you to pass an amended S. 2065.

**League of Women Voters of Franklin County**

Marie Gauthier, President  
 Nicole Moore, Vice President  
 Marge Michalski, Treasurer  
 Laura Luker, Secretary  
 Jean Cherdak, Director  
 Christine Turner, Director  
 Joannah Whitney, Director

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LEGAL AID JUSTICE CENTER

U.S. Senate  
 Committee on Finance  
 Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Amy Walters, and on behalf of our low-income elderly and disabled clients, many of whom continue to live in poverty, the Legal Aid Justice Center (LAJC) submits this statement for the record for the Subcommittee Hearing: Policy Options for Improving Supplementary Security Income (SSI). We urge Congress to update and strengthen the SSI program in the upcoming reconciliation package.

LAJC is a statewide organization that provides free legal representation to low-income people throughout the Commonwealth of Virginia. We represent and provide advice to dozens of SSI recipients each year, and we have seen firsthand how outdated and problematic the SSI program can be for our clients.

Millions of low-income older adults and people with disabilities rely on the SSI program to survive. Though the program was designed to prevent seniors and people with disabilities from having “to subsist on below-poverty-level incomes,” the current minimal monthly benefit amount and low asset limits keep beneficiaries in exactly this space—living well below the poverty line with no opportunity to do better.

Specifically, several SSI provisions are extremely out of date and require revision. For example, the program’s asset limit is a provision that continues to hurt, rather than help, SSI beneficiaries. Currently, an individual with even a dollar more than \$2,000 in total assets loses access to SSI benefits. We have had clients saving for their own funeral costs deemed ineligible because they managed to save over \$2,000. We have had clients deemed ineligible after receiving a one-time life insurance payment for a relative who passed away, and the clients did not spend the money within a month of receipt. We have had clients deemed ineligible for the non-functioning vehicles kept on their rural property because the client doesn’t have the means to pay for removal of the vehicles. And the list goes on. This low asset limit discour-

ages savings and forces beneficiaries to lack any safety net for car or home repairs, medical emergencies, and so forth. Stated differently, SSI beneficiaries must purposefully spend money to limit savings if they depend on SSI to survive.

The maximum monthly federal benefit in 2021 is \$794 for an individual, which is only three-quarters of the poverty line. Yet, as a ceiling cap for SSI benefits, there is no guarantee that a beneficiary will receive the full \$794. For SSI to advance the very purpose which it is intended, Congress should at the very least increase monthly SSI benefits to match the federal poverty line.

Moreover, the SSI program rules are not “user-friendly” for elderly and disabled individuals, making the program and initial application process exceedingly difficult to navigate. The marriage penalty is illogical, requiring that the maximum benefit for a married couple who both receive SSI is only 150% of what two single people would receive. And the “in-kind support and maintenance” rules are especially problematic—the Social Security Administration (SSA) reduces the monthly benefit amount if the beneficiary lives with relatives or receives other forms of help from them. This provision intrudes on the private lives of SSI recipients on the basis of incorrect assumptions about the “character” of low-income families. It requires SSA staff to dig into the personal lives of SSI recipients, asking about everything from meal preparation to holiday gifts to the number of nights a guest stays in a household. For low-income people, including older adults, who are already forced to live below the poverty line even when they receive the maximum SSI benefit, receiving help with groceries or rent is not an attempt to “trick” the system, but rather is critical assistance that keeps them housed and fed despite the sub-poverty level benefits they get each month.

**Voting in favor of improving SSI will give beneficiaries the chance to live outside of poverty.**

Voting in favor of improving SSI will give beneficiaries the opportunity to live at or above the poverty line. The income disregards will be updated to allow SSI recipients to work modest amounts or marry without being penalized. For example, couples will receive their full SSI benefit, totaling twice the individual rate, rather than a reduced marriage penalty rate. Moreover, low-income seniors and people with disabilities who are unable to work long enough to meet all their basic needs will be able to save up to \$10,000, and couples, up to \$20,000, for emergencies such as car repairs, new roofs, and other unexpected expenses, without losing their entitled benefits. The harsh in-kind support and maintenance penalty will be eliminated so that seniors and people with disabilities won't lose  $\frac{1}{3}$  of their monthly benefits when family members or friends offer up a place to stay or to help with groceries.

These changes have critically important implications for our clients in Virginia and nationally. For these reasons, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Amy Walters, Senior Attorney

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LEGAL SERVICES CENTER OF HARVARD LAW SCHOOL  
CENTRO DE SERVICIOS LEGALES  
122 Boylston Street  
Jamaica Plain, MA 02130-2246  
TEL: (617) 522-3003  
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October 5, 2021

Chairman Sherrod Brown  
Ranking Member Todd Young  
U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Re: September 21, 2021 Subcommittee Hearing on “Policy Options for Improving SSI”

Dear Chairman Brown and Ranking Member Young,

This statement is submitted on behalf of the Safety Net Project, a clinic at the Legal Services Center of Harvard Law School. The Safety Net Project has decades of experience representing low-income individuals in matters before the Social Security Ad-

ministration and more broadly advocating for individuals living in poverty who need access to state and federal safety net programs.

We appreciate the Subcommittee's efforts to explore policy options for improving SSI. SSI is meant to help those who are unable to meet their basic needs due to age or disability. Unfortunately, the long-neglected eligibility standards associated with the program work to exclude many who need help to survive, while disincentivizing recipients from escaping the cycle of poverty.

The current asset limit is a meager \$2,000 for individuals and \$3,000 for couples. This overly restrictive asset cap forces people to spend down even modest savings in order to receive desperately needed SSI benefits. And despite the constantly increasing cost of living, the asset limit has not been adjusted since 1989. Countless times, we have seen how SSI's asset restrictions lead to unjust outcomes for our clients. We share one example of a recent client who has struggled due to the \$2,000 asset limit.

Yvonne\* is a 63-year-old mother of four and grandmother of five. She first became disabled due to chronic symptoms associated with HIV during the height of the AIDS epidemic, shortly after watching her husband die from the same disease. Later, she suffered a stroke and multiple brain aneurysms that affected her cognitive functioning. In 2016, she received a lump-sum payment of retroactive SSI benefits from the Social Security Administration. Shortly after receiving the retroactive award, her landlord falsely accused her of property damage and tried to evict her.

Yvonne tried to find new Section 8 housing, but the Boston Housing Authority refused her on the basis that the improper eviction showed up on a background check. She spent four years working with advocates to address the unjust actions of her landlord and remove the eviction from her record, unable to locate new affordable housing during that entire period. Yvonne knew that once this legal matter was resolved, she would need to move. So she saved up some of her SSI retroactive award in anticipation of all the costs associated with moving—for example first and last month's rent, broker's fees, and a security deposit. Unbeknownst to Yvonne, she was not allowed to save up her retroactive award for longer than nine months. The Social Security Administration now claims that she must pay back over \$20,000—years' worth of SSI benefits she received while over the asset cap. Yvonne has since moved into a new Section 8 apartment. She is now under the \$2,000 asset limit and barely scrapes by each month; she cannot afford to have her monthly benefits reduced to pay back the "overpaid" benefits, and is at risk of becoming homeless if SSA continues to collect. Yvonne is just one example of how SSI's current rules ignore the realities of those living in poverty.

The SSI Restoration Act has proposed many reforms, including increasing the monthly benefit level to 100% of the federal poverty level and increasing the asset limit. We fully support the SSI Restoration Act, which would dramatically improve the SSI program, improve the quality of life of millions of Americans, and incentivize SSI recipients to earn additional income and save up to lift themselves out of poverty.

Respectfully submitted,

Katie Bruck  
Equal Justice Works Fellow

Julie McCormack  
Clinical Instructor and Director  
Safety Net Project

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LETTER SUBMITTED BY IO LELLITY

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is io Lellity and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the

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\*Name changed to protect client privacy.

program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

The maximum benefit level of \$794 is not enough to live on; as things are now, the only housing I’ve been able to find in my area requires me to spend 80% of my income on rent and forgo car ownership. Under these conditions I am unable to save or stop worrying about when money and am easily crippled by even ten dollar emergencies which can force me to go without basic necessities such as soap and toiletries for days or weeks at a time. The stress of this makes my disabling conditions worse and makes it hard to feel any positivity or hope for my future, especially knowing that even if I were to find someone I wanted to spend my life with, I would not be able to enjoy the benefits of marriage without being penalized and potentially losing some or all of my benefits, even if my partner also relied on SSI.

It is very isolating, having rules that prevent me from accepting gifts from friends or family, or crowd funding for medical care not covered by medicaid, and these rules and asset limits only add to the burden of living with my conditions.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
io Lellity

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LETTER SUBMITTED BY HOPE LLOYD

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Hope Lloyd and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” I have many friends and family members who rely on SSI due to their disabilities. The SSI program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and people with disabilities would no longer have to live on below-poverty incomes.”

As I stated I am writing on behalf of friends and family. Kelley and Darrold decided not to marry due to the marriage penalty set by the current SSI regulations. People receiving SSI already live below the poverty line. They had to choose between lowering their income further or to get married. My friend Martha a college graduate who acquired a spinal cord injury can only work a few hours per week and forgo raises because she needs to keep her SSI to maintain her medical coverage. Due to the asset limits, she is also unable to save enough money to purchase a wheelchair accessible van. My youngest son Cameron has applied for SSI due to having an autism spectrum disorder. He needs SSI. Yet being on SSI will mean that we cannot leave him any inheritance when we die. We are not rich and the amount will not be enough for him to live on. Yet he would lose his SSI, his Medicaid Waiver Services and his medical coverage.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Hope Lloyd

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LOS ANGELES LGBT CENTER  
1118 N. McCadden Place  
Los Angeles, CA 90038  
T: 323-993-7400  
F: 323-308-4480  
<https://lalgbtcenter.org/>

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Sherrod Brown  
 Chair  
 Todd Young  
 Ranking Member  
 Subcommittee Hearing: Policy Options for Improving SSI

Dear Chairman Brown and Ranking Member Young:

The Los Angeles LGBT Center submits this statement for the record for the subcommittee hearing: Policy Options for Improving Supplemental Security Income (SSI). Our members rely on SSI to pay for food, rent, and other crucial expenses, and this federal program desperately needs to be updated. Modernizing the program should allow for culturally competent and gender-affirming conditions for all older adults, especially for the LGBT community.

Since 1969, the Los Angeles LGBT Center (Center) has cared for, championed, and celebrated LGBT individuals and families in Los Angeles and beyond. Today the Center's over 800 employees provide services for more LGBT people than any other organization in the world. Our Senior Services Program includes Triangle Square and the Ariadne Getty Foundation Senior Housing—L.A.'s only affordable housing developments (202 units) for LGBT seniors. In addition, our large and fast-growing services for older adults help meet many of the life-sustaining needs of LGBT people over the age of 50, including food and case management, while providing a wide array of life- and health-enriching programs and activities that also help end the isolation so many experience. We are also training other providers of services for seniors, including government agencies like the Veterans Administration, and advocating on the behalf of our clients, to help make the world a safer and more welcoming place for all LGBT people.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years. SSI was passed to ensure "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes" and because of decades of neglect, it no longer fulfills this promise.

For older LGBT adults, the challenges are even more profound as we hear new cases every day our community members face in trying to find culturally competent, safe, and affirming locations to just exist and receive equal healthcare. Here are two recent examples:

*Due to increasing health complications, a transman in his late 60s, was no longer able to live independently. Living on a fixed income and public health benefits, the client had difficulty locating a care facility to live. Through the assistance of their medical provider, they were referred to a long-term care facility that accepted their insurance and limited income. The client did not feel comfortable sharing their trans-identity with staff out of fear for their physical safety. Within a few days of moving into the facility, the client struggled with incontinence, requiring the assistance of the care team. While changing and assisting to clean the client, one of the aides became aware of their trans-identity. Over the course of the next few days, the client felt like the staff were coming into their room to look at the client unnecessarily. The client was suspicious that the aide had told others about their trans-identity. During a separate instance when the client needed assistance cleaning, one of the aides took a photo of their exposed body parts without consent, stating it was "proof" that they were a woman.*

*A transwoman in her mid-70s has been living in a nursing home for several years. Having experienced significant sexual and emotional abuse throughout her life related to her trans-identity, this client limits her contact with other residents and staff. She states that she keeps to herself and doesn't talk with others. She reports feelings of isolation and loneliness, depression and anxiety. While using a bathroom in a common area, a male staff member entered the bathroom, cornered her and wouldn't let her leave. She yelled for assistance and pleaded for the staff to leave her alone. The male staff sexually assaulted her, until she outed herself as a transwoman. The staff member back away and let her out of the bathroom. The client, fearful of retaliation or future assault, did not share that the assault occurred to the management or other staff of the facility. After working with a case manager at the Center for several months, she felt comfortable disclosing that the assault had*



*occurred. With the support of her case manager, they reported the incident to authorities and connected her to mental health support for ongoing care.*

It is vital that we modernize these antiquated SSI standards to not only improve financial hardships, but to allow for standards that allow our community members to life in safety and with dignity and not in fear of their existence. For these reasons, the Los Angeles LGBT Center urges Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Terra Russell-Slavin  
Director of Policy and Community Building

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LETTER SUBMITTED BY KRISTA LUCCHESI

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Krista Lucchesi and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." The men and women I serve rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

One day I overheard a gentleman who receives SSI say to his friend "if everything goes ok this month I will have \$1.58 left." And this was only possible because he had received a free bag of groceries. I've told that story to other SSI recipients who have said, "He's lucky! Most months I am in the negative." I'm not sure if you pay attention to every penny you spend, but if not, maybe you can imagine how much stress that would add to your life. Plus, being that close to the edge each month while knowing you can only have a small amount of money saved for whatever life throws at you. And even if you have a family member who could help you out of a jam, that will negatively impact your benefits.

When we have asked our grocery recipients what they cannot afford to purchase because the SSI benefits are limited, they tell us: produce, laundry, cleaning supplies, toilet paper, underwear, a bus ticket to see a friend, a birthday card for their grandchild. All of these items are necessities in their lives that they have to do without because it is too hard to stretch their SSI income. Our country cares about its citizens and wants them to thrive not just because it is good for them but because it is good for all of us.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Krista Lucchesi  
Director, Mercy Brown Bag Program

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LETTER SUBMITTED BY GARY LYNN

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Gary Lynn, and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

My SSI is not enough to afford my daily living expenses like food, clothing, and have access to affordable transportation. I am a college student seeking to earn a Political Science degree. As someone who is a disability rights advocate, I believe disabled

people have a right to earn a livable wage and get married without having their SSI or healthcare benefits being cut or taken away. I am fearful and cautious about working and making too much money for SSI. I would like to work and contribute to the working class while still having SSI benefits as a safety net. I am tired of not being treated fairly and the possibility of punished or penalized for wanting to work and earn my own money as my nondisabled peers.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Gary Lynn

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LETTER SUBMITTED BY JESSICA MCPHAIL

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

I currently live on \$834 a month. I receive before COVID \$89; after COVID aid it is \$234 in SNAP food card. Before the food increase I was limited to \$150 a month for food.

I went to training in San Francisco 2017–2018 through a homeless program as I was homeless (while on SSDI) at the time with no involvement with law or serious drug use. Through the program I was able to gain employment part time never over 20 hours a week and was docked payment of \$43 per month for making over some income amount limit (I had reported the income, but apparently it was not enough) that I was not made aware of 1 year after the fact and I was no longer receiving the income at the time.

I was also denied housing because I was enrolled in a school training program and ended up moving. I am currently trying to find employment for 9 hours a week since pay has gone up to \$15 an hour in the area I now live in (agree the pay raise is much needed for people not on SSI or SSDI) so I do not lose medical coverage.

The reason I need employment is so I can end up saving until I have enough to cover things like new glasses or a wheelchair that Medicare/Medicaid does not cover.

Since I have finally secured housing I am mostly left to sit and eat and watch limited TV. It would be nice to have a hobby or a pet to interact with but the cost is preventive.

The clothing that I have is second hand and sparse. Physical things are limited due to pain and this poor diet has left me with weight gain and more issues with mobility and job acceptance if I do find a place for me to fit in with a 9 hour request schedule. If I do find a job that meets the requirements I will face rent increase and food aid reductions as I now have income.

I am 47 and I feel like I am at the end of my rope. I am not depressed, more perplexed with the situation where I am prohibited from bettering my situation.

Thank you for reaching out to the public for input. I am willing to work, but it is not a workable situation.

Jessica McPhail

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LETTER SUBMITTED BY FIONA MCSWEENEY-GLYNN

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Fiona McSweeney-Glynn and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” My family members, my friends, and my loved ones rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

I've been fighting for my own SSI approval since February of 2020. I have been rejected so many times, I've lost count. My first rejection letter was the most memorable, as SSA specified that I was rejected because I had indicated on my SSI application, which I spent four months painstakingly filling out with the help of my partner, that I was not interested in applying for SSI or SSDI. I eventually gave up and resigned myself to relying on my mother for assistance, or crowdfunding on the Internet. My mother frequently puts her own medical needs on hold to pay for mine. This has caused her own health to decline. My uncle, disabled, dying, and on SSI for over 20 years, has been homeless and on the street for over a year now. There is no justice or pride in a government that actively allows this to happen to people. This current system of keeping disabled people in poverty until they die is eugenics in practice.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Fiona McSweeney-Glynn

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LETTER SUBMITTED BY ZOYA MELKOVA

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Zoya Melkova and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

I am 44 years old. For me it is impossible to think about trying to build a lasting relationship, resulting in marriage. According to SSI rules I must report all changes in my living circumstances no later than 10th of the following month. <https://www.ssa.gov/ssi/text-report-ussi.htm>.

Also according to the "holding out" rule, <https://secure.ssa.gov/poms.nsf/lnx/0500501152>, I would be considered married if I represented myself with someone as a married couple.

For me it is impossible to think about building a lasting relationship with these two rules.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Zoya Melkova

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LETTER SUBMITTED BY IVY MILES

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

The rules, and funding of social security, as you know are stuck in 1972 and are incorporated in title 16 of the Social Security Act. As someone who was born with cerebral palsy 20 years after this, I often feel as if I am being punished for being born in a body that I did not ask for, and needing help managing this.

As people with disabilities age out of our society's system from childhood it often feels that we are cast aside and forgotten. The programs usually only apply to younger children or their parents and/or caregivers and doesn't seem to take into account that we become adults, some of us forced to be completely on our own.

SSI is often a saving grace during our transition period and after as we move forward with our lives past the age of childhood. However, the older I grow, and the more needs I have in an older disabled body it becomes apparent that the 1970s

rules of SSI are horridly outdated. One cannot save or own assets over \$2,000 and even the maximum amount of SSI is hardly enough to pay for medical co-payments or even dental work out of pocket, forcing the person to have to often make tough choices or choose between one necessity over another.

Often, I feel like a criminal, wondering if any act of joy or education that I pursue with my money is scrutinised. There is a constant feeling of being a faker, of feeling undeserving of aid. The idea of saving any amount of money feels preposterous with the asset rules. Sometimes, it feels like a poverty trap, considering any outside money I get or make on my own is taxed after around \$80, taken out of my next month's check.

This pandemic offered a brief window into the lives of people with disabilities on SSI every single day. Often, we are stuck inside, our freedom and rights limited. Except unlike the pandemic there is no mask for permanent disability, no vaccine or fix. I cannot fix my cerebral palsy, cannot solve the PTSD or anxiety. And yet, when we try to make ends or improve things for ourselves there is an intense feeling of being swept under the rug, and having to claw our way back out.

As I and others write to you we desperately hope you hear and see us. We need the rules of SSI to be changed more than you know. Let us be treated for once as human beings.

Ivy Miles

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MOMENTUM

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy  
Dirksen Senate Office Building  
Washington, DC 20510-6200

RE: Hearing on Policy Options for Improving SSI, September 21, 2021

September 28, 2021

Chairman Brown  
U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Ranking Member Young  
U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young,

I appreciate the opportunity to submit comments on the efforts of this committee to review and update the Federal Supplemental Security Income (SSI) program. The SSI program provides a critical safety net for more than 6.7 million Americans with disabilities yet has not been substantially reviewed and updated since it was established in 1972.

As President and CEO of Momentum, a not-for-profit organization dedicated to advancing the independence, productivity, and full citizenship of children and adults with disabilities and medical conditions, I have seen the hardships and stress created by outdated SSI income and asset thresholds for people with disabilities and their families. These thresholds are decades old and no longer reflect the economic realities of people with disabilities that rely on SSI to keep them out of poverty.

Of major concern to people with disabilities and their families is the individual asset limit of \$2,000 for unmarried individuals on the program. This asset limit has not been increased since 1989 even though the cost of living is 2.2 times higher in that period according to the Bureau of Labor Statistics Consumer Price Index.<sup>1</sup> This asset stagnation is heightened for married couples who are allowed joint assets of only \$3,000 or \$500 less per person if they were to remain unmarried.

This unrealistically low asset limit is particularly difficult for people with disabilities who work in the community. As our society at long last moves away from shel-

<sup>1</sup>The CPI Inflation Calculator, <https://www.in2013dollars.com/>.

tered workshops and subminimum wages, the asset limit needs to keep pace with increased earnings potential and increases in the minimum wage. People with disabilities who make minimum wage or more should be allowed and encouraged to save for everyday life emergencies as all responsible citizens are encouraged, and able, to do.

And, when those emergencies do arise people with disabilities are threatened with reduced benefits or loss of eligibility if they accept help from family or friends exceeding \$20. Again, it has been decades since this \$20 threshold has been increased as it has failed to keep pace with rising prices. The result is many people with disabilities cannot afford rent and other necessities that allow them to live safely in their community.

Although the SSI program was created to keep people with disabilities out of poverty, the maximum benefit of \$794 a month is only 75% of the federal poverty line. And again, people with disabilities who marry are penalized as the maximum benefit for married couples is only \$1,191, or \$594 per person.

The federal poverty threshold is established for the average American and household. A recent study found that people with disabilities, on average, need 29% more income than a person or household without a member with a disability to obtain the same standard of living.<sup>2</sup> This exacerbates the gap between what people with disabilities receive under SSI and what is required to live at or above the federal poverty rate.

To allow people with disabilities to live in the community, pursue real community-based employment opportunities, and attend school, including post-secondary options, I strongly encourage this committee to adopt the provisions of S. 2065, the SSI Restoration Act, including:

- Raise and index the maximum assets individuals or couples may have without disqualifying them for SSI to \$10,000 and \$20,000, respectively.
- Update and index SSI's income rules, allowing individuals to earn up to \$399 a month from working, and up to \$123 a month in assistance from other sources without being subject to a benefit reduction. Such sources could include Social Security, veterans' benefits, and pension payments.
- Eliminate benefit reductions that penalize those beneficiaries who receive in-kind help from friends or family, such as groceries or a place to stay.

I urge this committee and Congress to bring the SSI program in line with current economic realities and adopt the provisions of the SSI Restoration Act.

Respectfully submitted,

Lori Anderson  
President and CEO

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NATIONAL ACADEMY OF ELDER LAW ATTORNEYS  
1577 Spring Hill Road, Suite 310  
Vienna, VA 22182

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

The National Academy of Elder Law Attorneys (NAELA) submits this statement for the record for the hearing, Policy Options for Improving SSI. NAELA is a non-profit association that represents nearly 4,500 attorneys who solve legal problems for older adults and people with disabilities. Our members counsel individuals that rely on Supplemental Security Income (SSI) and see the critical role the program plays in allowing people with disabilities to remain independent and out of institutions.

SSI provides just \$794 a month, well below the Federal Poverty Level. This puts far too many people with disabilities at the margins of society. These benefits must be expanded to ensure beneficiaries can remain in the community instead of trapped

<sup>2</sup>Morris ZA, McGarity SV, Goodman N, Zaidi A. The Extra Costs Associated with Living with a Disability in the United States. *Criminal Justice and Behavior*. September 2021:1243–1260. doi:10.1177/00938548211008488.

in an institution or threatened with homelessness for lack of resources to pay for housing, food, and other necessities. Such a low benefit has also increased reliance on other entitlement programs and scarce local resources further restricting independence.

To make matters worse, the rules regarding assets, family support, and outside income remain far too restrictive to ensure adequate economic security. To start, the resource test has been stuck since 1984 at just \$2,000 with no adjustment for inflation. That means when an emergency occurs, SSI beneficiaries may have no funds to fix problems, such as a leaky roof, a broken furnace, or a frozen pipe burst.

The current systems also punishes family caregiving. The In-Kind Support and Maintenance (ISM) rules means that if a family member provides a room in their home to their loved one with a disability, the benefit gets reduced to just \$530 a month. We should encourage, not penalize, families helping one another.

Given the current state of the program, we urged Senators to include improvements listed in S. 2065, Supplemental Security Income Restoration Act of 2021, in the upcoming budget reconciliation package.

Sincerely,

Letha Sgritta McDowell, CELA, CAP  
President

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NATIONAL ASSOCIATION OF BENEFITS AND WORK INCENTIVES SPECIALISTS

October 7, 2021

Ways and Means Committee  
U.S. House of Representatives  
1102 Longworth House Office Bldg.  
Washington, DC 20515

**RE: Supplemental Security Income Restoration Act of 2021, H.R. 3824. S. 2065**

Dear Honorable Committee Members:

The National Association of Benefits and Work Incentives Specialists (NABWIS) is a national organization of 500+ benefits practitioners that assists individuals with disabilities who receive cash benefits from the Social Security Administration (SSA), healthcare (Medicaid and Medicare), as well as other public benefits administered by the states. Our focus is to provide accurate and detailed information concerning SSA work rules and work incentives to allow the individual with a disability to make a well-informed choice to work.

The Supplemental Security Income (SSI) Restoration Act presents the most comprehensive overhaul of the SSI program since its inception almost 50 years ago. Since its inception, SSI has provided cash and, in the vast majority of states, healthcare to those who, because of age, disability, or blindness, would otherwise have nothing. The financial criterion for this program uses calculations established in 1972; the most recent increase in dollar amounts occurred in 1989. This failure to keep pace with growth keeps recipients below the poverty level. Current recipients receive a maximum cash benefit that equates to roughly 73% of the current poverty level, or \$794 monthly. Ultimately, the SSI program fails to assist recipients in meeting their most basic needs of food and shelter.

The SSI program is also severely impacted by any income received by the recipient. Earned, unearned, and "in-kind" income all act to reduce the already low \$794 benefit. While SSA provides significant work incentives to SSI recipients, the dollar amounts of these work incentives are "stuck" in the 1970s. For example, the Earned Income Exclusion (EIE) is \$65 a month. In 1974, \$65 represented a week's pay for the American worker. Today, in 2021, the same \$65 represents under 5.5 hours of work at a \$12 per hour salary. This is simply inadequate to allow an individual with a disability to make the substantial shift to a worker with a disability. The SSI Restoration Act will fix this and other work incentives and eligibility criteria that have become barriers to work.

The SSI Restoration Act will:

- Increase the SSI cash benefit to at least 100% of the Federal Poverty Level of \$1,073.34 per month for a family of one. This increase of \$279.34 will provide

greatly needed financial relief to recipients who depend upon this cash to meet their most basic needs. The Act will also provide for annual adjustments that will keep pace with inflation.

- Eliminate the In-kind Support and Maintenance (ISM) rule from consideration. This archaic and punishing rule creates a situation where any assistance from family members or friends of the recipient, in the form of food or shelter, will reduce already low cash benefits. For example, should a recipient receive a gift card to a grocery store from a friend or family member in the amount of \$100, SSA will respond with a reduction in monthly SSI of \$80. The General Income Exclusion (GIE) is currently set at \$20 per month. We all realize the \$20 is less than a stop at a grocery store to pick up even 2 or 3 items. Twenty dollars will purchase 6.2 gallons of gas at today's prices. SSA's statements from past years have indicated that these punitive ISM rules cost more to administer than they save.
- Increase the resource limits, last revised in 1989, of \$2,000 for an individual and \$3,000 for a married couple and index these levels to keep pace with inflation. The current levels fail to provide any emergency safety net for recipients and leave most unable to prepare for a return to work effort. Half of that amount is almost enough to replace tires on a car needed for work. The act proposes increasing the limits to \$10,000 for an individual and \$20,000 for a married couple. This change will protect recipients and new workers and align more closely with other means-tested public health insurance benefits.
- Update the Earned Income Disregard of \$65 per month and the General Income Exclusion of \$20 per month. The figures have not been increased since the inception of the SSI program in 1972 and are almost meaningless in today's economic reality. A \$65 exclusion of earnings is simply no incentive to begin working.
- Eliminate installment payments and extend the time that is allowed for an SSI recipient to spend retroactive payments. Recipients who currently face a \$2,000 resource limit are allowed a 9- month period to spend any retroactive SSI benefits payments or future cash payments are suspended. Most often, huge retroactive payments result from the years-long application process the applicant must somehow survive. As indicated above, the ISM rule may then be applied to the retroactive payment to reduce the monthly allotment because of food and shelter provided by others. An intolerable situation.

The establishment of installment payments of retroactive benefits sets forth a belief that SSI recipients cannot manage large sums of money. Eliminating installment payments for retroactive benefits will help reduce administrative costs and eliminate the stereotype that people on SSI cannot manage large sums of money. Extending the period allowed to spend the retroactive payment will allow recipients to have more time to decide how to use these, oft times, large payments without being in a rush to spend the money down. These changes would immediately impact some 3.3 million individuals, including 400,000 children. When combined with the increase in resource limits, we will likely see a population in severe need reaching some semblance of stability.

The "Build Back Better" reconciliation bill, geared towards creating jobs, putting more money into the pockets of Americans by cutting costs for healthcare, and improving the quality of life of all citizens with and without disabilities, would build on its potential for success by including the SSI Restoration Act as part of it. People with disabilities have a strong voice and lobby, of which NABWIS is a part. As such, we encourage support for the SSI Restoration Act and its addition to the "Build Back Better" reconciliation bill.

In addition, NABWIS supports two amendments that may be added to the SSI Restoration Act. The Achieving a Better Life Experience (ABLE) Act currently has a requirement that limits these accounts to those who became disabled before age 26. Recent efforts, including a pending bill in this Congress, propose increasing this age limit to 46. There is simply no reason not to make this change for citizens with disabilities living in poverty. We encourage your support and efforts to attach this bill to the Reconciliation bill.

The Work without Worry Act, also pending before Congress, will allow a recipient of Childhood Disability Benefits (CDB), formerly known as DAC, to work, earn and build credits for both disability insurance and retirement without the fear of having to lose the higher benefit provided by a parent's work record. Essentially, the Act will provide the CDB recipient with a choice of which account will provide the high-

er retirement payment, their own or their parent's. This will allow recipients to work without fear of breaking the CDB relationship and suffering a lower benefit upon retirement. We encourage your support and efforts to attach this measure to the Reconciliation Act.

Finally, we propose an amendment to the Act, which involves eliminating the age limit for the Student Earned Income Exclusion (SEIE), which can currently only be utilized by students under the age of 22. The exclusion allows for significant earnings exclusions for students who must work to support their higher education ventures. Removing the age limitation would encourage more adults to seek college education or post-high school licensing programs if SSI and healthcare were not put at risk due to the school year or summer earnings. The United States is experiencing a national workforce shortage. This expansion would support the development of an increasingly skilled workforce sector and create opportunities for businesses and individuals with disabilities.

The 500 plus membership of NABWIS supports each of these initiatives mentioned above. Each has a great deal of potential to increase labor market participation by people with disabilities and allow for opportunities for economic advancement and equitable treatment by assisting the Social Security recipients we serve to move out of poverty and into the workforce. We appreciate your support in what could be life-changing legislation.

On Behalf of the Board of Directors.

Sincerely,

Raymond Cebula  
President, NABWIS

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NATIONAL ASSOCIATION OF DISABILITY REPRESENTATIVES  
1305 W. 11th Street, Suite #222  
Houston, TX 77009

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

On behalf of the membership of the National Association of Disability Representatives (NADR), an organization comprised of more than 700 professionals who assist claimants in applying for disability benefits from the Social Security Administration (SSA), I submit these comments with regard to the need to include long-overdue improvements to Supplement Security Income benefits as part of the budget reconciliation process.

Changes are desperately needed to restore the original intent of the SSI program by updating outdated rules and modernizing financial eligibility rules. Today, more people with disabilities are struggling to pay for housing, food, medicine, and other necessities. SSI is a supplemental program to the Social Security system that provides modest financial assistance for people who are unable to work enough to meet their basic needs. The current program benefits are insufficient to address the needs of those who qualify. Further, the program's rules and requirements are so strict that they keep out many of the people it was created to help.

SSI program rules effectively require recipients to live below the current federal poverty line of \$12,280. This leads to homelessness, hunger, and illness among older adults and persons with disabilities. The average SSI payment in 2021 is just \$586 per month—about \$7,000 per year. The maximum monthly payment is \$794, or just \$9,530 per year. It's time to update the SSI program to better serve our nation's lowest-income seniors and people with disabilities. The budget reconciliation package should include provisions to:

- Increase the minimum benefit to at least the federal poverty level;
- Increase and index resource limits for inflation;
- Eliminate marriage penalties;
- Eliminate rules about "in-kind" support from friends and family;
- Increase the asset limit; and
- Update outdated income disregards.



Most of the SSI eligibility rules have not been updated since the program was signed into law by President Nixon more than 40 years ago. The economy has changed dramatically since then and some of the rules of the program can make people's financial problems even worse. For example, the amount of income a beneficiary is allowed to receive from other sources (such as a pension) without having their benefits reduced is just \$20. In addition, the asset limit for the program—\$2,000—has not been updated since 1989.

No person with a disability should have to choose between food and medicine, become homeless, or live without heat in the winter. And yet, NADR members encounter individuals who have to make these impossible choices every day. We urge Congress to include provisions in the reconciliation package to restore the SSI program as a lifeline for the poorest and most vulnerable Americans.

Sincerely,

Michael D. Wener, ADR  
President

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NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE  
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#### **Statement of Max Richtman, President and CEO**

Chairman Brown and Ranking Member Young, thank you for the opportunity to include this statement in today's hearing record. The National Committee is a grassroots advocacy and educational organization dedicated to preserving and strengthening safety net programs, including Social Security, Medicare, Medicaid and Supplemental Security Income, or SSI. All of these programs are vitally important to the well-being of the most vulnerable members of our society.

The SSI program provides critical income assistance to about 8.3 million very low-income older adults and people with disabilities—including over a million children. The maximum SSI benefit for 2021 is just \$794 per month, an amount that is well below the federal poverty line for seniors. But even this modest benefit is vitally important to those individuals who receive it, helping as it does with the purchase of food, maintenance of housing and other basic needs.

Unfortunately, during the 50-year history of the program, Congress has failed to keep SSI up to date. For that reason, the National Committee supports your legislation, Mr. Chairman, S. 2065, the "Supplemental Security Restoration Act of 2021." We urge you and your Senate colleagues to include S. 2065 in the budget reconciliation agreement that is currently being negotiated. The SSI Restoration Act remedies decades of inattention to this program by including the following provisions to:

- Increase the Federal benefit level so that SSI is more effective in alleviating poverty among seniors and disabled individuals;
- Update and index the resource limits so that they no longer prevent SSI beneficiaries from having even a modest rainy day fund;
- Adjust and index the income disregards, which have remained unchanged since Congress enacted the program in 1972; and
- Eliminate the marriage penalty and the In-Kind Support and Maintenance provisions.

The National Committee to Preserve Social Security and Medicare believes that seniors and disabled individuals should not live in poverty in this country. The economy of the United States is capable of supporting an SSI program that is more robust than today's vitiated program.

The reforms included in the "SSI Restoration Act" are important, long overdue, and are urgently needed to ensure that the 8.3 million beneficiaries who depend on this safety net program can live in dignity.

#### **Conclusion**

In closing, Mr. Chairman, I wish to thank you for your leadership and for using this hearing to focus on the vitally important work of sustaining and improving the SSI

program. SSI needs to be restored so that it is able to continue to support those seniors and disabled beneficiaries who depend on it, both for today and tomorrow. We look forward to working with you and members of the subcommittee to enact these important program improvements.

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NATIONAL COUNCIL ON INDEPENDENT LIVING  
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October 1, 2021

U.S. Senate  
 Committee on Finance  
 Subcommittee on Social Security, Pensions, and Family Policy  
 219 Dirksen Senate Office Building  
 Washington, DC 20510-6200

Re: September 21, 2021 Subcommittee Hearing on “Policy Options for Improving SSI”

Dear Chairman Brown and Ranking Member Young,

On behalf of the National Council on Independent Living (NCIL), we write today to thank you for holding this hearing on policy options for improving the Supplemental Security Income (SSI) program. As a program that millions of low-income disabled people and older adults rely on to survive and meet their basic and immediate needs, NCIL has long advocated for improvements to the program, and we are grateful to see these proposals being seriously considered.

NCIL is the longest-running national cross-disability, grassroots organization run by and for people with disabilities. We represent thousands of people with disabilities and organizations including Centers for Independent Living (CILs), Statewide Independent Living Councils (SILCs), and other organizations that advocate for the human and civil rights of people with disabilities throughout the U.S.

SSI is a critical program that helps many people meet their immediate needs and stay out of extreme poverty. It is a key source of income for 7.8 million disabled people and older adults,<sup>1</sup> including 1.1 million disabled children.<sup>2</sup> It is vital for the 65% of recipients over 65 who are women<sup>3</sup> who, on average, tend to earn lower wages, have fewer assets, live longer, and face higher rates of poverty.<sup>4</sup> And it is a critical source of income for racially marginalized disabled people and older adults, who, because of long-standing systemic inequities are more likely to face lower wages and higher un- and underemployment, and less likely to have pensions or retirement savings.<sup>5</sup>

When Congress created the SSI program in 1972, it was “designed to provide a positive assurance that the Nation’s aged, blind, and disabled people would no longer have to subsist on below-poverty-level incomes.”<sup>6</sup> However, the neglect of the program and the failure to update its rules—some in as much as nearly 50 years—have ensured that goal goes unmet. The current maximum federal SSI benefit of \$794 per month is *approximately 74% of the federal poverty level (FPL) for an individual*. The \$20 general income disregard remains unchanged from when the program was

<sup>1</sup> Social Security Administration (2021). Monthly Statistical Snapshot, August 2021. Washington, DC, available at [https://www.ssa.gov/policy/docs/quickfacts/stat\\_snapshot/](https://www.ssa.gov/policy/docs/quickfacts/stat_snapshot/).

<sup>2</sup> Social Security Administration (2020). Fast Facts and Figures About Social Security, 2020. Washington, DC, available at [https://www.ssa.gov/policy/docs/chartbooks/fast\\_facts/2020/fast\\_facts20.html](https://www.ssa.gov/policy/docs/chartbooks/fast_facts/2020/fast_facts20.html).

<sup>3</sup> *Id.*

<sup>4</sup> Christ, A. and Groninger, T. (2018). *Older woman and poverty*. Washington, DC: Justice in Aging, available at <https://justiceinaging.org/wp-content/uploads/2020/08/Older-Women-and-Poverty.pdf>.

<sup>5</sup> National Academy of Social Insurance. *Social Security and People of Color*, <https://www.nasi.org/education/social-security-and-people-of-color/>.

<sup>6</sup> S. Rept. No. 92-1230, Social Security Amendments of 1972, Committee on Finance, U.S. Senate (September 25, 1972), available at <https://www.ssa.gov/history/pdf/Downey%20PDFs/Amendments%20to%20the%20Social%20Security%20Act%201969-1972%20Vol.%203.pdf>.

established. The \$2,000 asset limit has not been updated since 1989. The SSI program's eligibility requirements, rules, and benefit levels do not reflect today's actual cost of living. A 2013 Social Security Administration study<sup>7</sup> found that nearly half of all beneficiaries live in poverty. Between the program's strict income and asset limits and the rapidly rising cost of the necessities needed to simply survive, recipients continue to be pushed further into poverty as time goes on. This will not change until critical changes are made to the program.

While the SSI program provides critical support that helps people meet some of their basic, immediate needs, it is woefully insufficient and desperately in need of modernization to meet its original intent. There are some specific policy proposals we hope to see enacted, all of which are proposed in the recently reintroduced SSI Restoration Act (S. 2065). These include:

- Increase the SSI benefit level. This is one of the most critical steps that can be taken to ensure that the original intent behind the creation of the SSI program—assuring older adults and disabled people do not have to subsist on below-poverty-level incomes—is met. The SSI Restoration Act would raise benefits to 100% of the federal poverty level and index them to inflation.
- Significantly increase the asset limit. The current \$2,000 limit has not been updated since 1989. As a result of these insufficient asset limits, SSI recipients are unable to save for any expected or unexpected costs, leaving them vulnerable in the event of an emergency or accident. Disabled people and older adults who rely on SSI are often, quite literally, one emergency away from losing everything. The SSI Restoration Act would update and index the assets individuals may have up to \$10,000.
- Eliminate marriage penalties. Currently, if two people receiving SSI get married, they will receive less in benefits than they did as two individuals. Further, the \$3,000 asset limit for couples is only 1.5 times what two single people are able to save (\$2,000 each). These penalties make meeting basic needs even more difficult for couples, and make it even more difficult to prepare and save for possible emergencies. The SSI Restoration Act would increase the benefit amount for married couples to double the individual rate, and it would update and index the asset limit for couples to double that of a single person (\$20,000).
- Increase the income limits so people can supplement their SSI benefits with other sources of income *and* are not disincentivized from working. Currently SSI recipients can earn only \$65 per month from work and \$20 per month from other sources before their benefits are reduced. These income rules have not been updated since the program was created in 1972. The SSI Restoration Act would update and index SSI's income rules, allowing individuals to earn up to \$399 per month from working and up to \$123 per month in assistance from other sources (including Social Security, veterans' benefits, and pension payments) without being subject to a benefit reduction.
- Eliminate the in-kind support and maintenance rules. While the in-kind support and maintenance provision frames the receiving of support from family and friends as cheating the system, in reality, receiving such support is often critical for SSI recipients who, again, are receiving below-poverty-level benefits. People must not be penalized for receiving support from family and friends who are able and willing to provide it. The SSI Restoration Act would eliminate this penalty, ensuring that people who receive in-kind help from friends or family—such as groceries or a place to stay—do not have their benefits reduced as a result.

On behalf of the National Council on Independent Living and our membership across the country, we thank you for your efforts to update and improve the SSI program. The changes outlined above would make major improvements to the lives of the 7.8 million disabled people and older adults who rely on SSI benefits. We appreciate the opportunity to submit this statement, and we welcome the opportunity to continue working with your offices as these efforts move forward. If you have any questions or would like to discuss this further, please feel free to contact NCIL's Policy Director, Lindsay Baran, at [lindsay@ncil.org](mailto:lindsay@ncil.org) or 202-207-0334 ext. 1108.

Sincerely,

Reyma McCoy McDeid

<sup>7</sup> Social Security Administration (2013). Characteristics of Noninstitutionalized DI and SSI Program Participants, 2013 Update. Washington, DC. Available at <https://www.ssa.gov/policy/docs/rsnotes/rsn2015-02.html>.

## NATIONAL DOWN SYNDROME CONGRESS

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U.S. Senate  
 Committee on Finance  
 Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

The National Down Syndrome Congress (NDSC) submits this statement for the record for the Subcommittee Hearing: Policy Options for Improving SSI. NDSC is the country's oldest national organization for people with Down syndrome, their families, and the professionals who work with them. We provide information, advocacy and support concerning all aspects of life for individuals with Down syndrome, and work to achieve our vision of a world with equal rights and opportunities for people with Down syndrome. Our members rely on SSI and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years. SSI was passed to ensure "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes" and because of decades of neglect, it no longer fulfills this promise. Many of SSI's archaic rules are harmful to people with disabilities, forcing them to remain impoverished to sustain their much-needed benefits.

We support the following updates to SSI benefits and rules:

1. *Increase the minimum benefit to at least the federal poverty level.* The current maximum SSI benefit is \$794 per month, and the average benefit in March 2021 was only \$586 per month. This is well below the federal poverty level of \$1,073 a month for an individual. Increasing the SSI benefit to the federal poverty level would dramatically reduce poverty and hardship for the 8 million people currently relying on SSI benefits, ensuring that people with disabilities and older adults are better able to meet their basic needs.
2. *Increase and inflation-index resource limits.* The resource or asset limits for SSI have not changed since 1989. Currently, individuals can only have \$2,000 in assets and married couples are only allowed \$3,000. These woefully outdated levels penalize savings and keep recipients from preparing for emergencies or meeting their needs.
3. *Eliminate marriage penalties.* The maximum SSI benefit for a married couple is only 150% of what two single people would receive. People on SSI also risk losing their benefits if they marry someone not on SSI. These marriage penalties should be eliminated so that beneficiaries are not forced to choose between maintaining survival benefits and marrying the person they love.
4. *Eliminate rules about "in-kind support" from friends and family.* SSI's "In-Kind Support and Maintenance" (ISM) rules reduce SSI benefits by up to one third if beneficiaries receive help from loved ones with food and shelter. This drives beneficiaries even deeper into poverty, interferes with people's desires to assist their loved ones, and create tremendous inefficiency when SSA attempts to administer them. Both Democratic- and Republican-appointed SSA Commissioners have proposed elimination of these archaic rules.
5. *Update outdated income disregards.* The income rules for SSI beneficiaries have never been updated since the SSI program was established in 1974. The disregards have been stuck at \$20 (unearned) and \$65 (earned) for nearly 50 years, meaning they have lost virtually all of their value due to inflation. This pushes people with disabilities and the lowest income seniors even deeper into poverty and means that SSA must spend time and money adjusting SSI benefits for relatively small changes in recipients' income. It is long past time to update SSI's income disregards for inflation. This is especially important for the millions of very low-income Social Security beneficiaries who also receive SSI, as Social Security benefits are considered unearned income.

For these reasons, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Heather Sachs, J.D.  
Policy and Advocacy Director  
heather@ndsccenter.org  
301-580-8005

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LETTER SUBMITTED BY SELENA NEESE

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Selena Neese and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.”

I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

To show how this affects me, let us take a recent example. My husband, not even working 40 hours, made 3 paychecks in a month. My SSI was cut off. My medicaid is only still running because of COVID compensations, but I lost access to the subsidiary company who had better benefits than my state runs.

Without Medicaid I will lose my thyroid medications. Not sure if you know this, but Hashimoto’s and Hypothyroidism can kill without medication. I cannot take generics as the body processes it differently. I also have Celiac so may need a different type of synthetic thyroid hormone—liquid or liquid cap—that are also expensive compared to generics.

I also need my thyroid removed, it is dead, swelling and causing difficulty breathing at night. I can no longer control the swelling with diet, it doesn’t matter what I do or don’t eat—what I do or don’t do. So last month was a 3 month paycheck. I can’t get my surgery I need next month (if current circumstances allow) I have to wait until November.

What happens after the end of the year if Medicaid is not extended if your SSI gets cut off? Will I need to go without my thyroid meds? Things I need to live? We barely can make rent and utilities. We live in housing that is based on our income, anything that doesn’t take into account our income status? Too much.

It doesn’t help I have Celiac and food for me is much more expensive than those prepackaged meals everyone in our situation are forced to eat. I’ve been told I cannot apply for food stamps—not my husband, just me (my husband cannot apply as he is a permanent resident)—because it will affect my SSI, so no way to get help there either. They don’t take into account medical conditions.

The little bit of SSI I do get, we need to pay for some items during the month. Without it, we need to put items on credit that we really cannot afford.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Selena Neese

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LETTER SUBMITTED BY MADELEIN MICHELLE OWEN

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Madelein Michelle Owen and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” I rely

on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

I have been receiving SSDI since I was a child. My father passed away when I was seven years old, leaving my mother and I without support. As a result I did not have adequate medical care and my early childhood was exceedingly unstable due to my mother's reliance on men she was involved with. The lack of care, instability, poverty and abuse I endured led me to develop complex post traumatic stress disorder. I was later diagnosed with Bipolar disorder when I was eleven years old. Shortly thereafter my mother was sent to Montana State Women's Prison for check fraud, after she had abandoned me and I was placed in foster care. As a result of the neglect I experienced my behavior was unmanageable for a family setting. I spent much of my youth in residential hospital facilities while my mother served her sentence. During this time we had no contact. In fact, I had very little contact with any of my biological family during my formative years. It made it incredibly difficult to heal from my trauma. My worker with the state had an enormous case load. I only met her once during the time she was responsible for me. I changed placements constantly and although I did my best in school and tried to work, I was not permitted to get my driver's license and faced many other barriers to independence. In spite of all this I graduated high school at 16 with a 3.9 GPA and started at the University of Montana while still in the care of the state.

Due to behavioral difficulties stemming from frustration with the restrictions placed on me as a foster child I was moved to several different placements after my first semester at college. When I aged out I was put on a bus with \$20 and my SSI benefits ended. I was targeted when I returned to the University of Montana due to my lack of support and assaulted violently, at which time I spiraled into a deep depression.

The Interim Assistance Program in Missoula helped me regain access to my benefits a few years later, however they were insufficient and work opportunities in my area were limited. At this time I was offered a job below minimum wage. All of this caused my mental health to decline, and like my mother had done I began to seek male attention in order to have support to survive.

I have since been in many abusive relationships due to not being able to be financially independent. I was recently diagnosed with ADHD, which explains why many of the treatments given to me for Bipolar disorder were not effective. The lack of infrastructure has made seeking adequate treatment difficult. There are a serious lack of providers in Montana that accept Medicare or Medicaid and many treatments are not covered by it. I have struggled to work and be independent, was unable to marry, and lost everything I owned as well as custody of all three of my children in this process.

Few people understand the situation and symptoms of mental illness and the limitations it creates. I was placed with the SDMI waiver in Montana but the program is woefully understaffed and getting access to benefits is a very slow process. Because of how I grew up I lack insight as to many aspects of independent living, this in addition to my neurological disorder and long term effects of the abuse I endured while in the states care and prior make the publicly funded classes inaccessible for me despite my intellectual ability. Many people imply that I'm not disabled and treat me poorly because of this and other symptoms I display which they assume are simply related to having a poor attitude. I am now 34 years old, still do not have my bachelor's despite my early start, and constantly on the brink of homelessness as well as not possessing a driver's license. I have worked almost incessantly for years to recover from my trauma and have almost nothing to show for it due to the lack of support and limitations placed on Social security beneficiaries.

I am asking you as a person who desperately wants to be independent, stable and contribute to the economy to re-evaluate and change this system so that people like myself can break the cycle of poverty and abuse we must perpetuate in order to simply survive.

Thank you.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Madelein Owen

“Attention is the rarest and purest form of generosity.”  
—Simone Weil

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LETTER SUBMITTED BY LOUIS PANICCIOLI

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young

My name is Louis Paniccioli, and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” I rely on SSI, and the program desperately needs to be updated. Many of the rules have not changed since SSI was created in 1972, and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

Louis Paniccioli’s Story

Since I was born, I have been and continue to be a recipient of Social Security Income (SSI) because I am a person with disabilities. Many other people with disabilities, myself included, feel that SSI is a system that keeps us in a vicious cycle of poverty and prevents us from ever achieving the American dream. It forces us to rely on minuscule payments to sustain our lives and the medical expenses of having disabilities. For example, where I live in New York, the SSI monthly limit is \$794 per month; no person, whether they have or do not have disabilities, cannot live off of \$794 a month. To live comfortably in New York, a person must earn at least \$73,000 annually. It is extremely difficult for the average person, regardless of whether they have or don’t have disabilities, to achieve or find a job that pays the median salary of \$73,000 per year so imagine how difficult it must be for a person with a disability to find employment. I want to address the issue of the marriage penalty now firmly. If people with disabilities marry the person they love, we kick off benefits because of joint income after marriage. As people with disabilities, why must we always be forced to choose between our lives and the person we love.

We cannot honestly claim marriage equality until all people with disabilities are guaranteed the right to marry each other without consequence. I want to briefly divulge from Social Security Income to address the issue of the Medicaid Estate Recovery Program (MERP). According to the Medicaid Estate Recovery Program, states are required to seek reimbursements for Medicaid Recipients age 55 or older for Long-Term Care related expenses. This mandatory form of estate recovery effectively defeats the purpose of people trying to build economic sustainability or pass on assets to their next of kin without facing lien that would significantly reduce the support for the next generation or deplete the assets left to next-generation from in its entirety. I strongly urge whoever is in charge of Medicaid Estate Recovery to eliminate real property from recovery and significantly reduce estate recovery, especially if the cost of the Medicaid Beneficiary expenses exceeds \$2.5 million. I would also like to assert further that states and the federal government should significantly reduce Medicaid reimbursement for recipients for Supplemental Needs Trusts whose beneficiary’s lifetime medical expenses exceed \$2 million.

Returning to Social Security Income’s original issue, it is inhumane that SSI forbids people from in-kind support. It is challenging for anyone, including people with disabilities, to sustain themselves economically. Why must we as people with disabilities face penalties reducing our benefits because of receiving assistance from a trusted friend or loving relative who wants to help us out, as would anyone disabled or non-disabled? The disability community should face penalties or reduced benefits for receiving help with everyday necessities like food and shelter but instead be encouraged to gain support from friends and family so that people with disabilities can lead lives worth living filled with joy, independence, and autonomy. Lastly, I want to address the issue of SSI Income Asset limits. Currently, it stands that a recipient of SSI cannot have more than \$2,000 in assets. \$2,000 in assets is not enough to establish economic/financial security and build wealth for that. The United States was founded on the principle that all people are entitled to life, liberty, and the pursuit of happiness. With this draconian asset limit being forced upon us as people with disabilities who are SSI recipients, our quality of life is reduced, our economic liberty significantly restricted, and our pursuit of happiness deliberately undermined. We may be people with disabilities, but first and foremost, we are human

beings. For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Louis Paniccioli

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LETTER SUBMITTED BY MARY PAONE

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Mary Paone and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

Most of the medications for my rare disease have to be imported or compounded. The amount I pay, monthly, right now for medication is enough to make my friends and family with \$50k+ a year salaries balk. There are many more medications that I should be on that would significantly improve my health, if only I could afford them.

Despite having a disease that affects my vision and dental health I haven't been able to afford any dental or vision care since I turned 21, including basic exams. I've accepted the fact that I'm probably going to lose most, if not all of my teeth. Because of my high anaphylaxis risk low income dental care isn't available to me, and even if it was the average installment payment in my area is about \$50. An amount that I cannot pay in order to afford my daily maintenance medications.

Because of the pandemic the cost of my maintenance health care has increased significantly. I have to pay two to three times the cost of prepandemic prices on medications because of supply chain issues. There have been many times where if I had any extra money, I would have been able to buy these medications in bulk at a lower price before the shortages happened.

Due to my disability I pay more than the average person for personal care items. I cannot use or be exposed to scented products without having a severe allergic reaction. I not only pay more for the product itself, but since these products are niche and specialty, I also have to pay shipping since they're not sold at regular stores. This situation is very common among SSI beneficiaries, and disabled people in general pay more for everyday products than the average nondisabled person.

Despite living in HUD housing where I can deduct some of my medical expenses from my rent, my medical expenses far exceed my rent payment. It's as low as it can possibly go and I still cannot afford basics. Every month is a game of what we can make stretch. When I pick something to run out of it's usually grooming supplies like shampoo, soap, or conditioner that I can water down.

I am not well enough to work a full time job. I will never be well enough to work a full time job. But if working part time is no longer turned into a full time job by having to engage in a paper fight with the Social Security Administration, I have a chance at a decent life again. It will be a massive struggle but we deserve the chance.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Mary Paone

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LETTER SUBMITTED BY SHYLA PATERA

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy



My name is Shyla Patera. I am writing this testimony to members of the Senate Finance Committee regarding the SSI Restoration Act. I am a Montanan with a congenital disability of cerebral palsy and glaucoma suspect. At the age of 18 in 1987, I applied for and was approved for SSI. While attending Montana State University and earning my Bachelors of Arts in political science, I had hoped that I would be successfully employed with a Juris Doctor or law degree. After graduation, as often happens though, my life choices changed. I moved to Philadelphia to become a VISTA or Volunteer in Service to America for Liberty Resources Inc., a center for independent living. While serving during the mid-nineties, I learned about disability history and activism as well as community. Most importantly, I met and fell in love with someone. My love Dan and my friends were the reason I stayed in Philadelphia. D was adventurous, smart, humorous, and funny. I felt I could share so much with him. It was during this time that I first heard rumblings about the SSI marriage penalty. I knew I needed Medicaid to keep receiving the self-directed home care that helped me become a working adult and renter even though I was working a series of part time jobs. D needed home health care to thrive with his own disabilities. D passed away in 2000. I stayed in Philadelphia until 2003 to honor his memory and because I had found friends and community that I was a part of. I struggled with finding full time jobs, paying fair market rent as well as SSI over payments because of working Americorps or part time school age child care jobs. I probably should have been SSDI eligible but SSA customer service reps were telling me that I didn't qualify for SSDI funding. States didn't have Medicaid buy-in or Medicaid for Workers with Disabilities until after 1999 The Ticket to Work and Work Incentives Program Act

In 2003, after returning home to Great Falls Montana, I worked as a paraprofessional for the Great Falls Public Schools. In 2005, I accepted a full time position with North Central Independent Living Inc. as an Independent Living Specialist dealing with legislative issues. In 2006, I met and began a relationship with M. M has disabilities of his own but worked enough quarters and earned a Disabled Adult Child benefits from his father's record to qualify for SSDI. At the time, I was on SSI but not receiving active cash payment. He proposed. I accepted. We began to plan for a celebration. At this time, Montana did not have Montana Medicaid for Workers with Disabilities. My increment or spend down to remain eligible for Medicaid was approximately \$2,000 per month. Because I need to stay Medicaid eligible and private insurance doesn't cover Community First Choice or HCBS Waiver services at the same service level and provider rate, M and I had to call off our engagement. This caused a lot of relationship stress not only for us as a couple but our families and friends because to many unfamiliar with the SSI marriage penalty and its implications, it seemed that we as a couple only cared about the financial aspects of couplehood. Once Montana Medicaid for Workers with Disabilities was passed and enacted in 2009, my cost share is between \$67.00–\$135.00 per month based upon earnings. If I can no longer work and need to reapply for benefits, like most I will have to spend down to the SSI base level monthly to become eligible for Medicaid.

It would seem that individual needs for Medicaid and SSI cash when I was cash eligible often have influenced my life choices. These choices make me concerned for the Montanans with disabilities I serve at North Central Independent Living Services, Inc. While I am not writing on behalf my agency nor any specific consumer request at this time, there are some overarching issues that many northcentral Montanans on SSI relay to me as hopefully fixable concerns in my advocacy work that I would like to relay to you as Finance Committee staff and members.

- Marriage penalty issues.
- Why are there inequities between beneficiary programs?
- My income from my benefits not enough to live on?
- I am on Medicare and I would like home health but I need to be Medicaid eligible.
- My younger consumers would like career work opportunities that are financially stable and in competitive integrated settings.

Thank you for consideration of my concerns/testimony.

Shyla Patera

## LETTER SUBMITTED BY YVONNE M. PERRET, M.A., MSW, LCSW-C

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Yvonne M. Perret and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I am a licensed clinical social worker who has spent the last 28 years assisting individuals who are homeless and who have serious mental illness apply for SSI and SSDI. Most, if approved, receive SSI. I go to where people are, do everything for the application, conduct a clinical evaluation, and follow through for as long as needed. The many hundreds of people I have served struggle to access these benefits, partly because of poor medical treatment histories and partly because of social determinants of health impairments that affect their ability to navigate these complex processes. In addition, their mental illnesses in and of themselves impede their ability to complete the process.

The SSI benefits, once finally received, are woefully inadequate, well below the Federal Poverty Level. Given the cost of housing, these benefits often leave a person homeless or at risk of returning to being homeless. For couples, the logic behind not doubling the benefits makes no sense. In addition, the resource limits have not been raised since 1984. If a claimant is \$1 over resources, they are initially denied. This must be changed.

The benefits currently received are not enough to pay for the high cost of housing in most parts of the U.S. A housing stipend in addition to the benefits would be helpful. For people to recover, they need a safe place to live. So, raising the benefit amount, allowing for a much higher amount of resources, eliminating such countable resources as life insurance policies, and raising the amount for deeming for children's SSI is only reasonable.

Though Congress and SSA want people to work or return to work, the SSI work incentives are absurd. After earning \$65 or \$85 in a month, benefits begin to decline. Clearly, if work is emphasized, the work incentives need to make it worthwhile to work. Why not do something such as is done with SSDI? That is more complicated but better for recipients financially.

Many of these individuals receive mental health treatment from licensed clinical social workers, but we are not considered acceptable medical sources. The landscape of care has changed with social workers providing the majority of mental health treatment in the U.S. Few people who are financially poor see M.D.s on a regular basis. It is time to add licensed clinical social workers, who are licensed to diagnose in most states, to the list of acceptable sources.

Thank you for this opportunity. These changes are urgent.

Sincerely,

Yvonne M. Perret, M.A., MSW, LCSW-C

## LETTER SUBMITTED BY ARTHUR PRONIN

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

My name is Arthur Pronin and I live in Houston Texas. I am 41 years of age. When I was in college in 2001 I got food poisoning. And so began a long battle with an illness. The food poisoning paralyzed part of my stomach. And I was left with long-term issues. I never thought I would be someone who would need to be on Medicare and Medicaid and disability but I couldn't pay my bills anymore and had to file for the program.

It took me years and an attorney to finally get on SSI and SSDI benefits. It took a judge to rule on that and award me the benefit. I was told at the time I would get housing funding through the government as well. No such housing has ever been offered in 17 years now on the program. I currently sit at number 4,000 for section 8.

What I have found on SSI and SSDI is how broken the system is and how outrageous it is that Congress has failed to act. It is a poverty trap. I am highly educated I live in the suburbs. I do feel I could at some point do paying work. However every time I try I fall back into the poverty trap. Ticket to Work is not very effective because the resources are so limited. The formula is so complicated it scares you off from trying to work.

In 2014 the Social Security Administration said I went over my bank account limit by \$3. Giving you are only allowed \$2,000 in the bank I was allegedly in a violation. So I had a battle on my hands for over 6 months to try and prevent the government from taking my health care. Finally I appealed and appealed to a judge and he found that the Social Security Administration was an error on the \$3 dollars and not me. Also I had to contact my congressman to help me as well. That is what it took to prevent them shredding my health care and limited assets.

I have met over the years in my work as an activist many high-profile individuals from mayors to members of Congress to even Joe Biden. And in all these years have been unable to get any kind of changes passed. Also when you live in a state like Texas there is nothing else offered if you are on disability. There is no state supplement to help you or anything. Literally it's just what you get from the federal government and that is about all you can expect.

I found out last week I was under a review which can take up to 6 months at minimum. The Social Security Administration will collect all of my medical information from the last year and it will be sent to a doctor who I do not know to tell me if I am disabled or not.

A letter from the Social Security Administration is like a letter from the IRS. The whole system is adversarial it is not one of partnership or hope or help. It simply has to be fixed now and not next year or the next Congress.

If it can happen to me it can happen to anyone. No matter how poor or how rich you are in this country anyone could at some point need SSI or SSDI and the system is a failure. I am asking this Congress again to move forward on reforms on SSI in the reconciliation Bill. Things like lifting the \$2,000 Bank limit. Things like an increase in pay. Things like improving funding for housing. Everyday I wake up to a broken promise from the government simply because I became suddenly ill all those years ago.

I wanted to thank the chairman, Senator Wyden, Senator Brown and the many other Senators on this committee for having this hearing and I hope that something concrete and meaningful will come out of this for immediate help for millions of people like me.

Thank you again.

Art Pronin

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LETTER SUBMITTED BY KERRIE REILLY

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Kerrie Reilly and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." My daughter relies on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

My youngest adult daughter was born with a genetic disorder causing global developmental delays as well as spinal scoliosis, hypotonia, and other physical challenges. She began receiving SSI at age 6, and while the monthly benefit has been a blessing for her, the annual COLA doesn't keep up with the actual basic needs of the cost of living. Please increase the annual COLA to better respond to the needs of the disabled recipients of SSI.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Kerrie Reilly

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LETTER SUBMITTED BY LOUIS RICHTER

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Louis Richter and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." My seriously handicapped son lives in a group home and relies on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972.

I am 91 years old, and way past the time when I could care for my son myself, and he has no one else. I fear that the home will have to compromise the standard of his care, or refuse to keep him, if the public assistance on which he depends does not suffice.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Louis Richter

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LETTER SUBMITTED BY MIRIAM ROCKE

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Miriam Rocke and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

I have a rare genetic condition (Fibrodysplasia Ossificans Progressiva) that is progressive, incurable, untreatable, and horribly crippling: over the 42 years of my life my muscles and tendons have turned to bone, gradually immobilizing me. Currently I can only move a few fingers, my jaw, and facial muscles.

I am unable to work, and rely upon SSI (and SSDI because of my parents' employment) for income. Also, I need paid caregivers for everything from eating and dressing to getting in and out of bed and going to the bathroom. I get approximately 8 hours/day of caregiver time through In-Home Supportive Services, which is tied to SSI eligibility.

The maximum SSI and SSDI that I could get is not enough to pay for my rent, especially if I continue to live in this town which has high cost of living but is also where I grew up and have community support. My parents are able to help me out with rent, but that reduces my SSI because it counts as income (even though I don't touch that). Because of the \$2,000 asset limit, I can't save money, and any gifts from friends also count against me.

Being disabled is expensive, yet the current rules for SSI force people like me to live in poverty and punish us for getting assistance from friends and family. I would love to be a functional member of society but even if I could find a place that would hire me, even sub-minimum-wage income would disqualify me from IHSS as well as SSI/SSDI. I can't get married without affecting my benefits (and those of my partner if they are disabled).

I am able to survive but I could thrive better if the system allowed me to. Being physically immobilized by my own body is hard—being financially immobilized by an outdated set of arbitrary rules is harder.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Miriam Rocke

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LETTER SUBMITTED BY ERIKA RODRIGUEZ

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Hello. I am writing you on behalf of everyone on SSI in support of the SSI Restoration Act.

SSI is a vital program that helps the elderly and disabled. Currently, SSI only pays out a maximum benefit of \$794 a month. This doesn't support the basic needs of a person.

It's a very difficult process to qualify for the SSI program. Once you're on it, it can trap you in poverty with little way out as you can't have more than \$2,000 a time. If you try to work, you can't make more than \$1,310 a month without being cut off the program.

Rent for a one-bedroom apartment could range from \$600 to \$900 alone. So people on SSI have to use other federal programs to help cover the cost of basic needs.

People on SSI feel like they are on the bottom of the totem pole. They are scared to speak up as you are publicly shamed to be on it. They get little support getting into the workforce. And after you start earning \$60 your benefits start getting cut.

You get penalized if you find someone that you love; if you decide to get married your benefits either get reduced or cut all together.

The SSI Restoration Act would help people on SSI be more independent and would help people in the long-term get back into the workforce without needing further assistance.

Thank you for your time.

Sincerely,  
Erika Rodriguez

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LETTER SUBMITTED BY JODEE ROSE

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Jodee Rose and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

I began my adult life as a teacher. I graduated from the University of Florida in 1997, finishing a 5-year degree in three years thanks to college prep classes in high school. Though I graduated with a degree in Fine Arts, I began working immediately as a substitute teacher and then went through state testing and training to teach Math and Science full-time. Symptoms that I had in childhood reemerged full-time in 1999. I remember because it was the weekend of my wedding when it all reached a fever pitch. It didn't let up after that. I found much later that I have a rare disease referred to as MAGIC syndrome, which is a concurrence of Behcet's Disease and Relapsing Polychondritis. I later developed Myalgic Encephalomyelitis (M.E.) in 2016 (previously call Chronic Fatigue Syndrome). MAGIC syndrome means I have systemic vasculitis (inflammation of all of my vascular system manifesting in widespread ulceration and pain) and inflammation of my cartilage to the point that it breaks down and eats itself, for lack of a better description. Behcet's is also known as "the great imitator" as it has the same symptoms of MS, Crohn's disease,

Lupus, Rheumatoid Arthritis, and Fibromyalgia. M.E. makes it so that I'm also constantly drained of energy. Both of my primary diseases are very rare and have no cure.

It took me from the time of my relapse in 1999 until 2014 to finally get a correct diagnosis. I was a substitute teacher from 1998 until 2004, when I was finally hired into a full-time position. I managed 2 school years before I lost my full-time teaching position due to my illness. In 2008 substituting ultimately became too difficult so I applied for SSDI. Though I put 10 years into teaching the children of Florida and Montana, I never earned enough quarters to get SSDI. It wasn't until 2020 that I was finally approved for SSI (after two unsuccessful applications seen through to trial). My repeated denials (in part because of my doctor's lack of record-keeping, as he wrote off my very real symptoms as hypochondria) meant I spent 13 years without an income, while I became mostly bed-bound, so an SSDI work exception could not be made when I was finally approved. During those 13 years, I was relegated to living with an abusive family member who tormented me and escalated abuse until I finally schemed to talk my husband into going back to college to finish his degree in a bid to get us out of the house, taking out exorbitant loans to fund our move, future finances be damned.

Now with his degree in Film and Photography complete, my husband's job is taking care of me full-time. If he works, I face losing my support, both financially and physically. We live in a Section 8 apartment. I am bed-bound. He cleans and cooks and helps me with my daily living tasks. With the cost of our emotional support animal who helps him deal with PTSD from an abusive childhood and helps alert when I aspirate (as happens when my esophageal cartilage is inflamed), the \$794 a month I get from SSI doesn't go very far. We pay rent, utilities, pay for our cat's prescription cat food and insulin (who knew a cat could have insulin-dependent diabetes). All of our food has to be covered by SNAP. I spend my days fighting tooth and nail (when I am not sleeping, or in too much pain to function at all) with various government agencies to make sure that all of our out-of-pocket medical expenses are factored into our benefits so we can still afford to eat and live indoors. Stress makes all of these things worse.

When we had our COVID stimulus money, my condition was much better. I had clarity and even had the energy to write, working on a novel. Now that that money has run out, the stress of poverty has made my condition worse. My skin is covered in open ulcers. My immune system is attacking my liver. I can't help but be bitter knowing that much of the suffering I experience could be helped by our government. It hurts that we are denied a morally appropriate level of support out of the bizarre notion by some that denying us a comfortable living will somehow motivate us to . . . stop having diseases that disable us? Or more grimly, that some think we would be better off dead. SSI is incredibly difficult to attain. My struggle left me destitute for 13 years. Now, the limits of the program promise to keep me destitute for the rest of my life, if things do not change.

Please know, I would love to work. I miss teaching. I miss having the energy to write novels in four months and paint beautiful portraits. If I could make my own living, I would. But I'm sick, and I will only get worse, and I, like many others, will get no better subjected to the policies by which SSI currently operates.

There was a large uproar during 2020 as stimulus checks we discussed claiming the average person needs \$2,000 to survive in our current world. Disabled people deserve the same consideration as the average person. Though we can no longer financially support our country's economy, our contributions are no less valuable. We are parents, spouses, children, lovers, friends. We should be treated like we matter.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Jodee Rose

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LETTER SUBMITTED BY AHMED SAAFIR

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy  
Dear Chairman Brown and Ranking Member Young:

My name is Ahmed Saafir and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” As the owner and operator of a licensed residential care facility for low-income adults with mental illness who rely on SSI, I know that the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

I have been the owner and operator of Orange Community Care—a licensed “Board and Care,” or residential long-term care facility—for decades and know firsthand about the harmful effects of low SSI rates. I am one of only a few remaining facilities that serve low-income adults with mental illness, who have no other source to pay for supportive living besides SSI. Many others have opted to leave the business because it simply is **not feasible to house, feed, and provide 24/7 support for someone on \$35 per day—the rate currently paid by SSI**, after personal and incidental expenses are accounted for. When facilities close, our communities lose a vital resource and residents have few places to turn to. The cheapest motel room in Los Angeles is much more than \$35 a night—let alone food and care.

Without substantial increases to SSI rates, I have not been able to raise the quality of life for my residents much beyond the minimum licensing requirements. For example, I’d like to increase the number of staff, but I don’t have the money to do so. Given the difficulty of this job, especially during COVID-19, it has become increasingly difficult to recruit caregivers for minimum wages. Another example is facility maintenance—from the interior and exterior to grounds maintenance, this is not simply a matter of upkeep. Administrative, accounting and property tax cost have also increased dramatically. My residents deserve to live in a setting that is healthy, safe, and beautiful.

Finally, at the current rates, my residents are left with only \$138 a month for personal and incidental expenses—about \$4.50 a day, or \$35 a week. That is meant to cover everything from clothing, to haircuts, to feminine products. These are not “incidental” expenses . . . they are fundamental and things that everybody deserves. I’ve seen my residents often go without these because they don’t have enough money for all these very basic essentials.

**For these reasons, I ask Congress to include an increase to SSI in the upcoming budget reconciliation legislation.**

Sincerely,  
Ahmed Saafir

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LETTER SUBMITTED BY STEVE S. SENTI

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

My name is Steve Senti, I am 61 years old and I am on SSI for disability. I worked for 17 years from 1978 to 1995 at a union printing company called International Paper Company in Peoria Illinois. I performed multiple back breaking jobs there that caused me to hurt my back and have back surgery in 1985.

After the back surgery I was off work for 1 year, and I was left with permanent disability in my lower back and right leg. I have PPD and DDD, which is permanent partial disability and degenerative disc disease. I went back to work for the next 9 years, working in pain every day, until I had to quit my job in June of 1995 due to back pain.

And that was the last day I worked a job, I was 35 years old at the time. So I filed for SSDI and they denied me. I do not remember the exact date, but I do remember filing at some point. I believe I filed for SSDI 2 or 3 times from 1996 up to about 6 years ago when I was finally awarded SSI disability in 2015.

I won at the Appeals Council, they said the ALJ judge made a legal error and they awarded me full disability, including back pay back to the date of my 55th birthday, when I was put into the old age category. In total I got almost \$12k settlement, paid in 3 payments over the next 12 months, \$3k for the first two, and \$6k on the final payment.

I was denied SSDI, because they said I had gone 10 years without working so my work credits had expired. But those work credits got me a pension from International Paper of \$123 a month. I filed for it when I turned 55 years old in 2015, and I was approved. Those work credits also got me my social security retirement benefits at age 67, so they did not expire for that.

The reason I did not work at all in those 10 years is because I was living with my Father who had alzheimers and I was taking care of him 24/7. His name was Florian D. Senti and he was a world war two veteran. I could not work because he needed care 24 hours a day 7 days a week.

The 10 years rule should have an exemption for people like me who were taking care of a parent. I was also disabled, and could not work. So it was the fault of social security that I was not awarded SSDI, during the 10 years I could have got it, they just decided I was not disabled, even though I was, and then they denied my SSDI saying I did not work for 10 years, even though I filed for SSDI in the 10 year window.

I feel those work credits should never expire, and I should have been put on SSDI at a rate of \$1,100 a month, but I was over-ruled by the social security administration. Instead they put me on SSI at \$300 a month less than the SSDI would have paid me. I also feel that since I was making \$3k under the poverty line they should have not deducted \$100 of my pension from my SSI payments.

The Social Security Administration deducts \$100 of my \$123 pension every month, so instead of getting \$790.00 a month from them, they only give me \$690.99 a month. I get to keep all my \$123 a month pension, they just take \$100 of it off my SSI payments every month.

This is wrong and unfair, and the rules on that should be changed. I am poor, I make \$9,600 a year on SSI, which is about \$3k under the poverty line, so I should not have that \$100 deducted from my SSI benefits every month, I should be able to keep it all.

I do not want to get rich off the government, I just want to get what I earned, and I want to make enough in cash benefits to not be below the poverty line, which is \$12,880 a year. I would also say the rules should be changed on how they decide our rent amount and our food stamp amount.

Every January we get the COLA raise, this year it was \$11 a month increase for me. Then they raised my rent \$5 a month, starting next month in October, so I lost half my raise just to rent. This year they have not cut my food stamps, so far, but in past years they also cut my food stamps citing my COLA raise.

To me it is crazy to raise a persons rent, who is on SSI making \$3k under the poverty line, and cut their food stamps, every time they get a small COLA raise. It takes away every little gain we made, and puts us farther into poverty, because of inflation that almost always goes up more than our COLA raise.

As long as we are under the poverty line the rent should never be increased, and our food stamps should never be lowered. I get a COLA raise every January, then you take it all away from me in rent increases and food stamp cuts, so I never get ahead, and I am already as poor as you can get, and make the same as someone working for \$5 an hour.

So please increase the SSI payouts, please change the law so a persons work credits never expire, please change the formula that you use to decide our yearly COLA raises, and please stop raising my rent and cutting my food stamps so I never make any gains and lose buying power from inflation.

Thank you,  
Steve S. Senti

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LETTER SUBMITTED BY MARK SLATIN

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Mark Slatin and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the



program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

I am sure you are getting many voluminous stories. As disabled folks, our circumstances are so different, they often sound made up and we spend a lot of energy convincing people, even our families and doctors, of the reality we live through. Because I don’t want them to get lost in the entirety of my story, I am going to focus on the details I want you to hear the most.

When I applied for disability, it took 2 years and I was not allowed to start the process with more than \$2,000, which my disabilities made difficult to earn. If I work during the process, even if that work is not sustainable, it is evidence that I do not need disability. If I don’t work, I will be quickly unhoused, as \$2,000 is a few months rent (or less) in Portland. Being unhoused, I will not be able to reasonably complete the disability process. Getting help from family and friends is a luxury many don’t have and utilizing this privilege both hurts benefits and reduces the likelihood of succeeding. This is an impossible scenario and it forces us to dehumanize ourselves or engage dishonestly or lose hope.

I am in love with an amazing person and we want to entwine our lives in marriage. Once I was able to discharge my student loans through the Total and Permanent Disability Discharge program, I had hope that I could marry without saddling my partner with unfair debt she didn’t earn. Then I remembered that to be married would make them de facto financially responsible for me. That is not a way to start a marriage and that precarity is not a way to keep it going. Our lives are often marked by a not so subtle request that we stay quietly out of sight and we often hear messages about being burdensome or unlovable. The desperation we have to be reduced to in order to barely survive on SSI is dehumanizing and when we try to salvage small joys and celebrate our loves we are chastened. We hear that we may be punished for occasionally going on a hike (as the prior administration threatened) and whether it happens or not, the chilling effect keeps us from striving for happiness. It seems like asking for anything more than survival is threatening to the world around us.

I’m going to end with these two small examples. Thank you for your time. I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Solidarity and Hope,

Mark Slatin

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LETTER SUBMITTED BY CHARLENE SLIMP

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy  
Dear Chairman Brown and Ranking Member Young:

My name is Charlene Slimp and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” My family member and my friends rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

I, personally, am on SSDI (Social Security Disability) and don’t qualify for SSI, but I have friends and family who ARE on SSI. My SSDI award is TWICE the maximum award for SSI and I have to live off of HALF the California poverty level determination. And people on SSI have to live off HALF of what I receive. This is simply impossible to do! I can BARELY afford my living expenses and healthcare expenses but only because California is extremely generous in its additional healthcare assistance. When I was living in Arizona, receiving even less, I simply had to give up on receiving any healthcare at all because I couldn’t afford it. And that is still making twice the SSI award.

Not only do disabled people have additional obstacles in society that make us “disabled” (because accessibility and workers rights would allow a lot of people to actually go back to work) but we also have higher costs of living in terms of healthcare and assistance supports, like wheelchairs, crutches, psychiatry, and more. I have an

emotional support cat (documented) and even though it's entirely illegal, I still have a hard time finding and keeping any housing, and so can never pay the lowest amount of rent available in an area and finding roommates is nigh impossible. Programs designed to help in finding affordable housing almost universally have wait lists (they did in Arizona and California, maybe there's an exception in some other state) that are years or even decades long. But you still have to live somewhere in that time and not everyone has family that can/will help them. It's a nice thought that there are laws out there to protect us, except that utilizing these protections is, in itself, complicated and expensive and we just don't have the money necessary to do anything except barely pay for our survival. And survival is not the same thing as living. Whatever the original intentions of the SSI/SSDI systems, they have created a poverty trap for disabled people that is impossible to escape and nearly impossible to navigate. A system that cannot be navigated by your average able-bodied person (let alone someone with a disability!) because it's so complex, intensive, and time consuming that several of the folks I know that WERE on SSI aren't anymore because they simply couldn't navigate it. That is absolutely shameful. America should be better than this.

Even WORSE are the folks who would love to get married, but because this would be combining their resources, they will lose their SSI. And now there are laws and penalties for "avoiding the marriage penalty" so you have to guard against any kind of love and commitment in your life. You can love, or you can live, but you can't do both.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Charlene Slimp

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SPECIAL NEEDS ALLIANCE

**Statement of Christopher W. Smith and Roxanne J. Chang**

Chairman Brown and Ranking Member Young, and members of the subcommittee, we first congratulate you on holding a hearing to identify ways to increase income and resource limits and other components used to determine Supplemental Security Income (SSI) eligibility and related benefits for individuals with disabilities. We appreciate the opportunity to provide written testimony to this subcommittee to express the gratitude and support of the Special Needs Alliance (SNA) regarding these efforts, as well advise on additional ways that SSI eligibility and related benefits can be improved for persons with disabilities.

We are co-chairs of the Public Policy Committee and Board members of the SNA. The SNA is a national, non-profit organization committed to helping individuals with disabilities, their families, and the professionals who serve them. Its members are attorneys representing the majority of states in the union, and the members regularly assist clients with disabilities and their families with eligibility for public benefit programs, guardianship/conservatorships, planning for disabilities, and special education issues. Many members also have family members who have disabilities. The SNA members contribute significant time to the special needs community and advocate for legislative and regulatory change to improve the quality of life and care for individuals with disabilities.

The SNA is one of approximately one hundred national organizations who are members of the Consortium for Citizens with Disabilities (CCD), working together to advocate for national public policy that promotes self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. Improvements to the existing SSI eligibility requirements has been a public policy priority of the CCD, and hence also of the SNA. As such, the SNA greatly appreciates the work of this subcommittee and its efforts towards passage of bills that consist of various improvements to the SSI benefits program, which will have a meaningful impact on some of the most vulnerable in our society—children and adults with disabilities.

We would like to take the opportunity to voice SNA's support of the Supplemental Security Income Restoration Act of 2021, S.2065 introduced by Senator Brown and cosponsored by twenty other senators. The provisions in this bill will unquestionably improve the quality of life for individuals with disabilities.

As the subcommittee and full Finance Committee consider changes proposed in the SSI Restoration Act and other related legislation, we would like to draw your attention to another issue which is also a major priority of the SNA related to SSI benefits and Social Security Childhood Disability Benefits. The CCD also supports our position on this issue. The Social Security Act as currently drafted results in a fundamentally unfair outcome because it arises from circumstances the individual with disabilities cannot control, which can have a significant impact on access to much-needed care, treatment, and services.

#### **What's the Problem?**

Under Section 1634 of the Social Security Act (42 U.S.C. 1383c(c)), an individual with disabilities must receive Supplemental Security Income (SSI) before receiving Social Security's Childhood Disability Benefits (CDB, formerly known as "DAC" benefits) in order for the CDB income to be disregarded for Medicaid qualification. This creates an unintended trap of making individuals with disabilities whose parents die young, or are older and retire, or who otherwise fail to apply for SSI benefits prior to receiving CDB benefits, subject to a monthly Medicaid spend-down.

Medicaid eligibility for persons with disabilities is commonly linked to eligibility for SSI benefits. Depending on the state, these individuals with disabilities who received CDB benefits before receiving SSI benefits may not be able to qualify for or receive Medicaid benefits, including essential mental health services, simply by being unlucky in their uncontrollable personal life circumstances. These Medicaid covered services are essential to ensuring their health, safety, independence, and meaningful participation in the community.

#### **What Does the Law Say?**

The noble intent of 42 U.S.C. §1383c(c) is to ensure that individuals with disabilities who subsequently lost Supplemental Security Income (SSI) and Medicaid solely because the individual began receiving SSDI payments as a result of changes in a parent's situation (death, disability or retirement), continue to maintain their eligibility for Medicaid benefits without the imposition of a Medicaid deductible solely because of this change in the source of income. However, the law as written has the unintended consequence of imposing a Medicaid spend-down prior to accessing Medicaid benefits and related services simply because their parents die, retire, or become disabled themselves before the child with disabilities can qualify for SSI. There appears to be no intended justification why there are more hurdles to access Medicaid benefits for these individuals.

#### **An Introduction to Michael, a Person with Disabilities**

Michael is a thirty-one (31) year old man from Michigan, born with spastic quadriplegia and cerebral palsy. When Michael was only six (6) years old, his father died from cancer leaving his mother, Marilyn, to raise him on her own. Michael requires complete support due to his severe physical and mental impairments, including full assistance with basic activities like personal hygiene, bathing, and dressing. He relies on the use of a wheelchair, receives nutrition through a feeding tube, and wears adult briefs due to incontinence. Michael is medically fragile and suffers from upper respiratory dysfunction and frequent pneumonia. Although Michael is nonverbal, his mother is able to communicate with him through eye raising and head shaking.

Michael did not become eligible for SSI benefits prior to receiving CDB benefits due to his father's passing when he was a child. As a result, Michael must first expend over half of his CDB monthly benefit (or \$915 from his monthly CDB benefits of \$1,343) in order to access Medicaid and related benefits instead of using CDB benefits for his basic living expenses and other needs.

Unfortunately, Michael is unable to pay this amount each month from his CDB benefits and therefore is unable to access Medicaid benefits, which can assist with obtaining incontinence briefs, formula for his feeding tube, orthotic braces, mobility equipment, and other needs typical of an individual with quadriplegia. Michael is also unable to access other Medicaid programs and mental health services which enables individuals to hire caregivers to assist him with his personal care, along with access to socialization and meaningful activities in the community.

Michael's inability to access such Medicaid benefits and other services also has an unfortunate impact on his mother, who continues to be his primary caregiver. Michael's mother, Marilyn, would like to be able to work outside the home but has found it difficult because Michael cannot be left alone, and she cannot afford to pay caregivers privately which causes the family to suffer financially. Marilyn, age 56, is also concerned about her continuing ability to care for Michael as she ages.

**Requested correction**

Fortunately, a simple amendment to 42 U.S.C. 1383c of the Social Security Act would correct this unfortunate outcome as follows:

*(c) Entitlement to Medicaid Upon Receiving Child's Insurance Benefits Based on Disability*

*Any individual entitled to child's insurance benefits under section 402(d) of this shall be treated for purposes of subchapter XIX as receiving benefits under this subchapter so long as he or she would be eligible for benefits under this subchapter in the absence of such child's insurance benefits.*

On behalf of Michael, the Special Needs Alliance, and the individuals with disabilities and families that we serve, we thank you for the opportunity to provide written testimony for your consideration, and for your continued efforts to improve the lives of individuals with disabilities.

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LETTER SUBMITTED BY JUDITH SMITH

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Senate Finance Committee Subcommittee on SSI:

SSI is in serious need of modernization, and updates to the program are long overdue. There are some key ways that we can improve the program for older adults. The following are just four examples from the SSI Restoration Act, introduced in the Senate this year, which lays out a comprehensive set of fixes to the program:

1. Increase the benefit level so that people are not left in poverty despite receiving SSI benefits.
2. Update SSI's income rules so that people can use more of the income they receive from other sources to supplement their SSI. As mentioned above, the \$20 general income disregard has not been changed for almost 50 years.
3. Eliminate the draconian in-kind support and maintenance rules so that people can supplement their SSI benefits with needed support from family and friends who are willing and able to assist them.
4. Raise SSI's outdated asset limits, which haven't been changed since 1989.

These fixes are critically important to ensuring that SSI effectively keeps older adults and people with disabilities LIKE ME from living in poverty.

Thank you for your efforts on behalf of older adults and people with disabilities, and the millions of others who interact with SSA.

Sincerely,  
Judith Smith

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LETTER SUBMITTED BY WILLIAM SNELL

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Hello, I'm a disabled person that had from 2010 to 2015 SSI. Then in 2015 I transferred into standard social security. As the you may know that the status and funding are stuck in rules from the Social Security Amendments of 1972 and is incorporated in title 16 of the Social Security Act. As I still must follow these rules in this time and age each one of us are in a holding pattern from the implanted rules that are barbaric. That is holding me and others back as cost have inflated. As we aged out of our safe interments and access to supports loaned out to us to live our life.

As I have lived my life with these rules that have restrictions, that have not moved or evolved having restrictions to what we can buy as to live in this age, prices have inflated and the \$500 does not go far. As for adding inflation the \$500 is now \$3,500 for rent and others around the country have soared to new costs. As the rules in

place for rent controlled apartments have skyrocketed from places that are not under section 8 housing rules.

The cost for mobility equipment, mobility modifications, and aids have increased from a low cost to well over the \$500 restrictions. From adding a lift and modified an existing van for hand controls have become expensive from the low cost in 1972 to a 600% price increase for parts and labor to do so. In 1972 the motorized wheelchair cost less then it does now as parts have jumped up in price and the restrictions put in place from manufacturers to bypass the Magnuson and Moss. The ability to repair the mobility equipment is difficult, parts are not interchangeable and will fry the equipment if done so.

Equipment and other costs for daily communication: from 1972, there has been advances in electronics and communication. We have come a long way for people with disabilities that have to suffer to communicate and have come a long way from the simple act of just writing it down on a chalkboard or piece of paper.

As of now as I submit my testimony with my voice to help me spell, the keyboard and touch keyboard have come a long way from the typewriter. We have aged and a lot has changed as we have new assistant technologies, communications, and equipment that is also not covered under Magnuson and Moss. We have become a throwaway society. No one just has a bell telephone anymore but a multimedia communications device in the palm of the hand and attached locations. But the dark side is the subscriptions have skyrocketed from a low cost to an outrageous cost even with low cost programs being offered that are hidden and not well known.

Minimum account balances: in the last couple of years banks and other financial institutions have crusaded to have minimum account balances. As we must be watched by others and restricted, these institutions have set a minimum of \$1,000 or more. The account will be closed as the flip flop nation of the 1972 rules penalizing how much that we can have, is no longer reflective of our current age.

William Snell

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SOCIAL SECURITY WORKS <sup>1</sup>  
815 16th Street, NW, 4th Floor  
Washington, DC 20006

Chairman Brown, Ranking Member Young, and members of the subcommittee, Social Security Works is a nonprofit organization committed to protecting and improving the economic security of disadvantaged and at-risk populations. We submit this statement on behalf of our over 2.2 million supporters, Social Security's current and future beneficiaries, and the current and future recipients of Supplemental Security Income ("SSI").

We applaud Chairman Brown and this subcommittee for shining a spotlight on SSI, an essential but long neglected companion program to Social Security. SSI not only provides a crucial lifeline to those it serves all across the nation; it simultaneously benefits the local businesses in which those Americans reside and spend their limited incomes. The following chart lists the number of SSI recipients and their combined benefits in August 2021 in the states represented by the members of this subcommittee:

State	Total Federal Monthly Payments <sup>a</sup>	Number of SSI Recipients <sup>b</sup>
Colorado	\$42,467,000	70,881
Indiana	\$79,411,000	125,630
Louisiana	\$101,027,000	166,615

<sup>1</sup> Parts of this statement are drawn from a statement ("The Pressing Need to Update, Expand and Simplify SSI") by Social Security Works president, Nancy Altman, who wrote it as a member of the Social Security Advisory Board for inclusion in the Social Security Administration's 2020 Annual Report of the Supplemental Security Income Program (<https://www.ssa.gov/oact/ssir/SSI20/ssi2020.pdf>).

State	Total Federal Monthly Payments <sup>a</sup>	Number of SSI Recipients <sup>b</sup>
Nebraska	\$17,185,000	28,979
New Hampshire	\$10,209,000	17,657
Ohio	\$187,358,000	301,213
Oklahoma	\$58,279,000	95,346
Oregon	\$53,378,000	86,373
Pennsylvania	\$211,501,000	338,618

<sup>a</sup> [https://www.ssa.gov/policy/docs/statcomps/ssi\\_monthly/2021-08/table06.html](https://www.ssa.gov/policy/docs/statcomps/ssi_monthly/2021-08/table06.html).

<sup>b</sup> [https://www.ssa.gov/policy/docs/statcomps/ssi\\_monthly/2021-08/table10.html](https://www.ssa.gov/policy/docs/statcomps/ssi_monthly/2021-08/table10.html).

As important as SSI is, it is in urgent need of updating, expanding and simplifying. Its benefits are inadequately low, its eligibility rules are outdated and fundamentally flawed, and its requirements to maintain benefits are punitive and intrusive. By updating, expanding, and reforming SSI, this Congress has an historic opportunity to not only drastically reduce poverty among seniors and people with disabilities, but also improve their dignity and quality of life.

#### Ending Poverty Among Seniors and People with Disabilities

In creating SSI, Congress recognized that as effective and important as Social Security is in fighting poverty, that is a byproduct of its mission to provide insurance against the loss of wages in the event of old age, disability, and death. To eradicate the poverty experienced by seniors and people with disabilities, Congress understood that there needed to be a companion program with anti-poverty as its focus. In its 1972 Report (<https://www.ssa.gov/history/pdf/Downey%20PDFs/Amendments%20to%20the%20Social%20Security%20Act%201969-1972%20Vol.%203.pdf>) accompanying the legislation creating SSI, this Committee described that anti-poverty goal:

Building on the present social security program, [the Social Security Amendments of 1972] would create a new Federal program administered by the Social Security Administration, designed to provide a positive assurance that the Nation's aged, blind, and disabled people would **no longer have to subsist on below-poverty-level incomes.** (Emphasis added.)

Unfortunately, this vital program, created a half century ago, needs improvement to achieve that anti-poverty goal. Disturbingly, the Census Bureau reports (<https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-people.html>) that 5 million people aged 65 or older and approximately one in four (<https://www.povertyusa.org/facts>) people with a disability have incomes below the federal poverty line.

Poverty among seniors and people with disabilities persists (<https://justiceinaging.org/current-ssi-levels-leave-seniors-out-in-the-cold/>) despite SSI, for a number of reasons. First, SSI's benefits are too low. The maximum monthly payment amount for an individual receiving SSI in 2021 is \$794 or \$9,528 for the year. That is just three-quarters of the federal poverty guideline, which, in 2021 (<https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines/prior-hhs-poverty-guidelines-federal-register-references/2021-poverty-guidelines>), is \$1,073.34 a month (\$12,880 a year) for an individual.<sup>2</sup>

Moreover, the federal poverty line substantially underestimates what is needed to subsist.<sup>3</sup> The Gerontology Institute at the University of Massachusetts has developed an annual Elder Economic Security Standard Index, which is a more refined measure, designed to determine the income needed to meet bare necessities, with

<sup>2</sup>The U.S. Census Bureau calculates annual poverty levels, which are labeled thresholds. The guidelines are a simplified version of the thresholds and, as stated in the text, is \$12,880 for an individual in 2021. Unlike the guidelines, the thresholds differentiate between those younger than age 65 and those age 65 or older. At the time of this writing, the 2021 thresholds have not yet been released. For 2020 (<https://www.census.gov/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html>), when SSI's maximum benefit was \$783 (\$9,396 on an annualized basis), the poverty threshold for those under age 65 was \$13,465, and for those age 65 or older, \$12,413.

<sup>3</sup>Among their many shortcomings, the federal poverty guidelines and thresholds do not take into account expenditures other than food.

the amount differing based on where individuals or couples reside, whether they rent or own their homes, and what, in broad terms, is the status of their health. According to that refined measure, an older individual in good health who rents in Washington, DC needed income of \$2,812 a month ([https://elderindex.org/elder-index?state\\_county%5B%5D=8573&views\\_fields\\_combined\\_on\\_off\\_form=0&fields\\_on\\_off\\_hidden\\_submitted=1&views\\_fields\\_on\\_off\\_form%5Bfield\\_housing\\_renter%5D=field\\_housing\\_renter&views\\_fields\\_on\\_off\\_form\\_1=field\\_health\\_good](https://elderindex.org/elder-index?state_county%5B%5D=8573&views_fields_combined_on_off_form=0&fields_on_off_hidden_submitted=1&views_fields_on_off_form%5Bfield_housing_renter%5D=field_housing_renter&views_fields_on_off_form_1=field_health_good)) in 2020 to be able to afford housing, food, and the other costs associated with the barest of necessities.<sup>4</sup> That is just 28 percent of SSI's very inadequate federal maximum benefit.

Importantly, as low as SSI benefits are in relation to what is needed to meet basic needs, recipients must have virtually no resources or other income even to receive those minimal benefits. Those extremely stringent income and resource limits are in desperate need of updating. They have not been updated in many decades, some since before the program was signed into law a half century ago!

Congress has explained ([https://www.ssab.gov/wp-content/uploads/2021/03/2011\\_SSI\\_Income\\_Resources.pdf](https://www.ssab.gov/wp-content/uploads/2021/03/2011_SSI_Income_Resources.pdf)) that it allows SSI recipients to have some resources in recognition of the need to meet unexpected expenses that could not be covered by current income. The allowable resources are much too restricted, however, to satisfy Congress's intent that they cover the cost of emergencies (<https://lifehacker.com/the-average-cost-of-57-common-home-maintenance-projects-1771094630>). An individual's savings are limited to just \$2,000 and a married couple's to just \$3,000.

Those modest amounts are a cliff: Even one dollar more than those limits means failure to qualify. Once benefits are being paid, one dollar over the resource limit on the first day of any month causes recipients to lose eligibility until their resources again meet those extremely strict limits. Congress increased the limits just once, in 1984, and the amount of the increase was minimal; Congress has not adjusted the limits at all in more than three decades. Consequently, the resource limits have eroded substantially in value.

Like the resource limits, SSI's income limits are also extremely stringent. The first \$20 of income in a month is disregarded. After that, so-called unearned income, including pensions, Social Security benefits, and interest on those meager savings, reduces SSI benefits dollar for dollar. With respect to earned income, the first \$65 in a month is disregarded, as well as whatever amount of the \$20 disregard remains unused after its application against unearned income. After those small exemptions, every single dollar of earnings reduces SSI benefits by 50 cents.

SSI essentially penalizes savings. The resource limit prohibits savings above the exempt amount. Exceeding the limit results not just in the loss of SSI cash benefits but also can result in the loss of Medicaid eligibility, housing assistance, and other benefits. Consequently, prudent recipients have to avoid getting close to the line. Moreover, the effective 100 percent tax on unearned income above \$20 is a further discouragement of savings. Recipients gain no additional income from the interest on the savings, despite forgoing current consumption, and will even cause their benefits to be reduced dollar for dollar after the disregard has been exhausted. Worse, if recipients are not meticulously careful, the interest could cause them accidentally to exceed the resource limits, inadvertently triggering a loss of Medicaid and other assistance.

While not confiscatory like the marginal tax on unearned income, the marginal tax rate of 50 percent on earned income is high, particularly when compared to the federal income tax rates of those at the top of the income scale. In that regard, it is instructive to note that policymakers have argued that increasing the marginal tax rate of those with incomes of over \$250,000 to just 36 percent would be a serious work disincentive. Because of the very low incomes of SSI recipients, the 50 percent rate is unlikely to discourage work, but it does reduce substantially the gain from any work they are able to engage in.

Moreover, SSI is in need of other reforms. As currently structured, SSI penalizes marriage (<https://www.ssa.gov/policy/docs/issuepapers/ip2003-01.html>). As just one of the many ways it penalizes marriage, married couples are allowed to receive maximum benefits that together total just 75 percent of what a non-married couple

<sup>4</sup>The expenses that are included are housing, food, transportation, health costs, and miscellaneous. If the amount specified as needed for health care is deducted for comparison purposes, because SSI recipients qualify for Medicaid, the monthly amount is still \$2,311, three times what SSI provides as a maximum federal benefit.

receives. Not only are the provisions that penalize marriage discriminatory against those who are married, they require the Social Security Administration (“SSA”) to expend scarce resources to determine whether couples that are not legally married under state law nevertheless are subject to the marriage penalty because they are presenting themselves to the community as married.

In addition to penalizing marriage, SSI, as currently structured, discourages friends, neighbors, and family from assisting those on SSI. Under current law, groceries and other assistance that recipients receive from their families and friends count as in-kind income. SSI recipients who receive groceries and other assistance must report that fact to the government. By reducing benefits to offset this support, the so-called income support and maintenance (“ISM”) provisions implicitly discourage this help.

Moreover, to enforce the ISM provisions, SSA must make detailed and intrusive inquiries into the lives of recipients, who may be required to describe in great detail how their households function and to furnish documentation. Landlords, housemates, and family members may be interrogated, as well. Once the information is collected, the in-kind transfers must be converted to dollar amounts, requiring an extremely complicated set of calculations. Then, benefits are adjusted, another complicated task.

As a matter of morality, implicitly discouraging families and friends from helping those who are less fortunate, as these provisions do, is wrong. As a policy matter, the ISM provisions are extremely time-consuming to administer and frequently result in improper payments.

The ISM provisions are just one example of the many aspects of SSI that must be repealed to make SSI more efficient and cost effective, as well as more even-handed and uniform in its coverage and administration. Fundamentally, the change will also make the program more humane. Other provisions that should be repealed for the same reasons include dedicated accounts and the penalty on assets deemed to be transferred for less than fair market value.

All of these improvements, in addition to making SSI less burdensome and more humane for recipients, will simplify and streamline its administration. That will dramatically reduce administrative costs, as well as the time spent by hard working civil servants. SSI accounts for just five percent of the benefits SSA administers; Social Security accounts for 95 percent. There are more than eight and a half times more Social Security beneficiaries than there are SSI recipients. Nevertheless, SSA spends almost as much to administer SSI as it does to administer Social Security. In fiscal year 2022, the agency is appropriately seeking (<https://www.ssa.gov/budget/FY22Files/FY22-JEAC.pdf>) authority from Congress to spend \$6.24 billion to administer Social Security and eighty percent of that amount—\$4.97 billion—to administer SSI.

Repealing the various complicated rules will save administrative costs which can be used to offset some of the cost of increasing benefits and updating the income and asset limits. In addition, Congress should correct the arbitrary, discriminatory coverage of SSI. Currently, SSI benefits are available to those residing in one of the fifty states, the District of Columbia, and the Northern Mariana Islands, but not to Americans residing in Puerto Rico, the U.S. Virgin Islands, Guam, and American Samoa. SSI should be available to Americans in those territories, as well. In addition, Congress should extend coverage to otherwise qualifying immigrants, refugees, and asylum seekers.

### **The Build Back Better Reconciliation Legislation Should Include SSI Improvements**

President Joe Biden ran on a platform (<https://joebiden.com/disabilities/>) of updating and improving SSI. He proposed the following improvements, the rationale for which is explained above:

- Increase the maximum federal SSI benefit to “at least 100% of the federal poverty level”;
- Increase the assets limits and automatically index them so that they don’t erode;
- Update the income disregards and automatically index them so that they don’t erode;
- Repeal the in-kind maintenance and support provisions (“ISM”), which penalizes acts of charity; and
- Repeal the various marriage penalties.



These improvements are all contained in Chairman Brown’s SSI Restoration Act of 2021 (<https://www.brown.senate.gov/newsroom/press/release/social-security-program-update>), co-sponsored by 40 percent of Senate Democrats (<https://www.congress.gov/bill/117th-congress/senate-bill/2065/cosponsors?q=%7b%22search%22%3A%5b%22s.+2065%22%5d%7d&s=5&r=1&overview=closed&pageSort=alpha>) and enthusiastically endorsed by numerous organizations including Social Security Works. In addition, the legislation has other important improvements that will simplify administration, including those described above.

There is overwhelming support for the SSI updates in Congress. There are 19 cosponsors (<https://www.congress.gov/bill/117th-congress/senate-bill/2065/cosponsors?r=9&s=7>) of Senator Brown’s SSI Restoration Act in the Senate and 48 cosponsors (<https://www.congress.gov/bill/117th-congress/house-bill/3824/cosponsors?s=1&r=5&overview=closed#tabs>) of Representative Grijalva’s companion legislation in the House of Representatives. Moreover, polling reveals ([https://production-tcf.imgix.net/app/uploads/2021/05/27090206/21.5\\_IPAGER\\_SSI\\_v1.pdf](https://production-tcf.imgix.net/app/uploads/2021/05/27090206/21.5_IPAGER_SSI_v1.pdf)) that there is overwhelming support among the American people. The overwhelming support is bipartisan, with even large percentages of Republicans strongly supporting improvements identified in polling as those President Biden champions.

Social Security Works urges, in the strongest possible terms, Congress to include these reforms in the Build Back Better reconciliation package. Cost concerns, for the most part, are not an issue with respect to the SSI improvements. Most of the improvements contained in the SSI Restoration Act cost ([https://www.ssa.gov/OACT/solvency/SSIRestorationAct\\_20210716.pdf](https://www.ssa.gov/OACT/solvency/SSIRestorationAct_20210716.pdf)) less than \$100 million a year—essentially a rounding error in the physical and human infrastructure packages. Indeed, many of those reforms cost just half that amount—\$50 million a year or less.

The four that are more expensive are still relatively inexpensive in the context of such comprehensive, historic legislation. Three of the four most expensive proposals cost just \$800 million, \$3.1 billion, \$6 billion a year, respectively. The most expensive—increasing the maximum federal SSI benefit to the poverty line—costs only \$35 billion a year. That is a small price to pay for finally accomplishing the goal set out by this Committee a half century ago: **“that the Nation’s aged, blind, and disabled people . . . no longer have to subsist on below-poverty-level incomes.”**

Congress should also pass the Supplemental Security Income Equality Act (<https://www.congress.gov/bill/117th-congress/house-bill/537?r=3>) which extends SSI to those residing in the U.S. Virgin Islands, Guam and Puerto Rico. Though the issue is currently before the Supreme Court with respect to Puerto Rico, Congress should not wait. Enacting the legislation provides immediate certainty and avoids further expensive, time-consuming litigation.

As an overarching matter, these reforms should be done in the name of racial justice. People of color who have been discriminated against disproportionately benefit from SSI. Increasing its benefits, reducing the penalties on saving, work, and marriage, along with the other important reforms, in addition to all the other reasons for enactment, should be done as a matter of racial equity.

All of these important improvements should be enacted together with the other crucial changes being considered, reforms that will greatly improve the lives of seniors, those with disabilities, and, indirectly, their families and loved ones, so disproportionately hurt by the current pandemic. Those reforms include expanding Medicare, lowering prescription drug prices, investing in Home and Community-Based Services, and enacting paid family and medical leave. These policies all work together and will provide a foundation of economic security for millions of families across America.

These, together with the other important improvements contained in the reconciliation bill, will allow today’s policymakers to say, as President Franklin Roosevelt said (<https://www.ssa.gov/history/fdrstmts.html>) when he signed Social Security into law:

“If the Senate and the House of Representatives in this long and arduous session had done nothing more than pass this Bill, the session would be regarded as historic for all time.”

## SOURCEAMERICA AND NATIONAL COUNCIL OF SOURCEAMERICA EMPLOYERS

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The Honorable Richard Neal  
Chairman  
U.S. House  
Committee on Ways and Means  
1102 Longworth House Office Building  
Washington, DC 20515

The Honorable Ron Wyden  
Chairman  
U.S. Senate  
Committee on Finance  
219 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Wyden and Chairman Neal:

SourceAmerica® and the National Council of SourceAmerica Employers (NCSE) write to express our strong support for including long-overdue improvements to the Supplemental Security Income (SSI) program in the Budget Reconciliation package that is currently being drafted.

Established in 1974, SourceAmerica's mission is to create and increase employment opportunities for people with disabilities. As a leading job creator within the disability community, and an AbilityOne-authorized<sup>1</sup> enterprise, SourceAmerica connects government and corporate customers to a national network of nonprofit agencies (NPAs) that hire people with disabilities.

NCSE represents a national network of nearly 400 NPAs that participate in the AbilityOne® Program. These NPAs provide training and employment opportunities for more than 75,000 people with disabilities through the SourceAmerica and AbilityOne network.

The SSI program provides supplemental income to individuals with limited income and who are blind or have disabilities to help meet their basic needs. In most states, additional benefits such as Medicaid and food and housing assistance are tied to SSI eligibility. That is, when recipients are no longer eligible for SSI, they also lose access to other critical assistance. The risk of losing these vital benefits creates an unintended disincentive to work or earn higher wages. For decades, the labor force participation rate of people with disabilities has remained roughly 40 percentage points lower than that of people without disabilities. According to a recent Bureau of Labor Statistics employment report, only 35.2% of all working age people with disabilities are employed or looking for work. In contrast, the labor force participation rate for people without disabilities is 77.6%.

The fear of losing SSI benefits is one of the reasons why people with disabilities are not a part of today's workforce. We strongly support the inclusion of the SSI Restoration Act of 2021 (H.R. 3824/S. 2065) in the Reconciliation package. The SSI Restoration Act of 2021 would enhance the SSI program with the following reforms:

*1. Increase the minimum benefit to at least the federal poverty level.* The current maximum SSI benefit is \$794 per month, and the average benefit in March 2021 was only \$586 per month. This is 26% below the federal poverty level of \$1,073 per month for an individual. Increasing the SSI benefit to the federal poverty level would dramatically reduce poverty and hardship for the 8 million people currently relying on SSI benefits, ensuring that people with disabilities and older adults are better able to meet their basic needs.

*2. Increase and inflation-index resource limits.* The resource or asset limits for SSI have not changed since 1989. Currently, individuals can only have \$2,000 in assets and married couples are only allowed \$3,000. These woefully outdated levels penalize savings and keep recipients from preparing for emergencies or meeting their needs. Individuals who want to work often have to make a difficult choice of not working, or working only a few hours per week, in order to avoid losing their assets.

*3. Eliminate marriage penalties.* The maximum SSI benefit for a married couple is only 150% of what two single people would receive. People on SSI also risk losing their benefits if they marry someone not on SSI. These marriage penalties should be eliminated so that beneficiaries are not forced to choose between maintaining survival benefits and marrying the person they love.

*4. Eliminate rules about "in-kind support" from friends and family.* SSI's "In-Kind Support and Maintenance" (ISM) rules reduce SSI benefits by up to one third if beneficiaries receive help with food and shelter from loved ones. This drives bene-

<sup>1</sup><https://www.abilityone.gov/>.

ficiaries even deeper into poverty, interferes with people's desires to assist their loved ones, and creates tremendous inefficiency when Social Security Administration attempts to administer them.

5. *Update outdated unearned and earned income disregards.* The income rules for SSI beneficiaries have not been updated since the SSI program was established in 1974. The income disregards have been stuck at \$20 (unearned) and \$65 (earned) for nearly 50 years, meaning they have lost virtually all their value due to inflation. This pushes people with disabilities and the lowest income seniors even deeper into poverty and means that the SSA must spend time and money adjusting SSI benefits for relatively small changes in recipients' income. It is long past time to update SSI's income disregards for inflation. This is especially important for the millions of very low-income Social Security beneficiaries who also receive SSI, as Social Security benefits are considered unearned income.

These important and long-overdue reforms are urgently needed to ensure that the 8 million people who currently rely on SSI benefits—as well as COVID-19 long-haulers who will turn to SSI for critical income support in the months and years ahead—are able to live in dignity. We are eager to work with you to make these long-overdue improvements a reality through the Budget Reconciliation package. If you have any questions or need additional information, please do not hesitate to contact SourceAmerica Vice President of Government Affairs Stacy Palmer Barton at [spalmerbarton@sourceamerica.org](mailto:spalmerbarton@sourceamerica.org).

Sincerely,

Richard Belden  
Interim President and CEO  
SourceAmerica

Charlotte Hammond  
President  
National Council of SourceAmerica Employers

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SOURCEAMERICA AND NATIONAL COUNCIL OF SOURCEAMERICA EMPLOYERS  
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September 15, 2021

The Honorable Charles E. Schumer  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

Dear Madam Speaker and Majority Leader Schumer,

The undersigned nonprofit agencies (NPAs) join SourceAmerica and the National Council of SourceAmerica Employers (NCSE) in expressing our support for including improvements to the Supplemental Security Income (SSI) program in the Budget Reconciliation package.

Established in 1974, SourceAmerica's mission is to create and increase employment opportunities for people with disabilities. As a leading job creator within the disability community, and an AbilityOne-authorized enterprise, SourceAmerica connects government and corporate customers to a national network of nonprofit agencies (NPAs) that hire people with disabilities.

NCSE represents a national network of nearly 400 NPAs that participate in the AbilityOne® Program. These NPAs provide training and employment opportunities for more than 75,000 people with disabilities through the SourceAmerica and AbilityOne network.

The SSI program provides supplemental income to individuals with limited income and who are blind or have disabilities to help meet their basic needs. In most states, additional benefits such as Medicaid and food and housing assistance are tied to SSI eligibility. That is, when recipients are no longer eligible for SSI, they also lose access to other critical assistance. For many of our dedicated employees the risk of losing SSI eligibility or other benefits creates a disincentive to work and thwarts opportunities to earn higher wages. As the federal government and states work to

raise the minimum wage, we fear that the dignity of earning a livable wage will be further out of reach for people with disabilities.

The Supplemental Security Income Restoration Act of 2021 (S. 2065 and H.R. 3824) has been introduced in the Senate by Senator Sherrod Brown and in the House by Representative Raul Grijalva. This legislation makes important updates to the SSI program and addresses the program's burdensome asset limitations. Many individuals with disabilities who choose employment are forced to work fewer hours to maintain their eligibility for SSI. Countless others make the unfortunate choice to not work at all because of the program's onerous compliance requirements.

The legislation would address this critical issue and make other important improvements to the program including:

- Increasing the maximum monthly SSI benefit to 100% of the federal poverty level;
- Increasing the amount of assets SSI recipients can have and remain eligible for the monthly benefit from the current \$2,000 up to \$10,000 for individuals, and from \$3,000 up to \$20,000 for couples; and
- Eliminate benefit reductions that penalize beneficiaries who receive in-kind help from friends or family, such as groceries and housing.

Including the SSI Restoration Act, or other provisions from S. 2065 and H.R. 3824, in the upcoming budget package would be a major step toward ensuring that individuals with disabilities can participate in meaningful work without jeopardizing their much-needed benefits.

We strongly urge the House and Senate to include this impactful legislation, or germane provisions in the final Budget Reconciliation Package. If you have any questions or need additional information, please do not hesitate to contact Source America Vice President of Government Affairs Stacy Palmer Barton at [spalmerbarton@sourceamerica.org](mailto:spalmerbarton@sourceamerica.org).

Sincerely,

Richard Salem  
Director of the Board  
Able Force Inc.

Rebecca Sanford  
President and CEO  
Adelante

Michael McMahan  
Executive Director

Alpha Productions Technologies

Aturo Santos  
CEO

Arc Imperial Valley

Howard W. Ganter  
CEO  
Arc Jefferson-St. Lawrence

David R. Kyle  
SrVP/Chief Compliance Officer  
Bakersfield ARC, Inc.

Tammy Bellofatto  
Executive Director  
Bayaud Enterprises, Inc.

Brad Saathoff  
CEO  
Black Hills Works/BH Services, Inc.

Larry Gluth  
President and CEO  
Bobby Dodd Institute

Amar Patel  
President and CEO  
Brevard Achievement Center

Steven D. Coons  
President  
Fedcap Rehabilitation Services, Inc.

Dennis Monday  
President  
Friendship Industries, Inc.

Lori Kain  
Director of Community and Government  
Relations  
GCE

Joe Cunningham  
Director, Contract Operations and  
Business Development  
Goodwill Industrial Services Corp.

David Tinkis  
President and CEO  
Goodwill Industries of North Louisiana

Scott Parry  
Vice President, Facility Services  
Goodwill of North Georgia

Tara Sandle  
Director of Contracts  
Goodwill Specialty Services, Inc.

Steve H. Perdue  
Advocacy Director  
Grand Traverse Industries

Tim Becker  
Chief Operating Officer  
Hope Network Services Corp.

Timothy Giarusso  
President and CEO  
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Charlotte Hammond President and CEO Challenge Unlimited Inc.	Laura Espinosa Managing Director ICAN Resources
Andrew Esterer Executive Vice President Challenge Unlimited Inc.	John Connolly President and CEO InspiriTec, Inc.
Charles Ramey Project Manager GSA-Page-Woodson Challenge Unlimited Inc.	Steven Credle Human Resources Manager Job Options, Inc.
Deb Snyder Vice President of Operations Challenge Unlimited Inc.	Karen Corken Vice President and Chief Operating Officer Joy Faith Knapp Children's Center
Daryl Odum Project Manager Challenge Unlimited Inc.	Michael Carney President Knox County Development
Randy Baker Project Manager Challenge Unlimited Inc.	Rona Fukumoto President and CEO Lanakila Pacific
Anthony DiVittorio President and CEO Clearbrook	Susan Lautenbacher CEO Lark Enterprises
Kristy Chambers CEO Columbus Community Center	Steve Watkins CEO Lifescape
Mychal Fearncombe Executive Director Community Enterprises of St. Clair County	Nancy Albin Vice President Los Angels Habilitation House
Duane Turnbull Director of Cottonwood Industries Cottonwood Incorporated	Larysa Kautz CEO Melwood
McKayla Matlack President and CEO Development Workshop Inc.	Marv Hannon CFO Minnesota Diversified Industries
Joseph Diaz Chief Operating Officer Didlake	Sandy Bryant Chief Executive Officer Mount Rogers Community Services
Darone Dancy VP of Workforce Operations Eastern Carolina Vocational Center, Inc.	Carolyn Dankowski Chief Manufacturing Officer Mount Rogers Community Services
Stephen Achilles CEO Exceed Enterprises	Allen Connely CEO Mozaic
Ashley Burke Vice President of Clinical and Business Operations Mozaic	Jo Sinha President and CEO Peckham, Inc.
Keegan Ovens Director of Services Mozaic	Vanessa Ferguson Senior Vice President of Workforce Development PSCI
Jennifer Goodman Director of Clinical and Business Services Mozaic	Karen Gustina Executive Vice President of Operations and Day Services Sasi Inc.
Charles Mathis Executive Director MQC Enterprises, Inc.	Cindy Sterling Executive Director Service Source Opportunity Center, Inc.

Tim Hatfield President and CEO New Horizons Rehabilitation Services, Inc.	Michele McKenna Executive Director and CEO New Leaf, Inc.
Robert Hutt President and CEO North Bay Industries	Brent Mikulski President and CEO Services to Enhance Potential
Debera Taylor CEO NW Works, Inc.	Bruce Patterson CEO ServiceSource
Bob Brown President and CEO Opportunity Village	Brian Behler President and CEO Skills'kin
Chris Flynn President and CEO Pacific Coast Community Services	Marie Campanoli VP of Government Affairs Skookum
Reginald Hughes Executive Director Palmetto Goodwill Services	John Walker President and CEO SOAR365
Patricia Walker Chief Financial Officer Pathfinder, Inc.	Phyllis Barrett Board Member SourceAmerica
Dean Emerson CEO SVRC Industries	Cheryl Sanders Director Rehabilitation Services Southeastern Kentucky Rehabilitation Services
Karen Johnston Executive Director Tasks Unlimited	Leo Miller Executive Director Southeastern Kentucky Rehabilitation Services
Teresa Downs Vice President, Business Development and Marketing The Kennedy Center, Inc.	Patrick Gartside Executive Director Work Now Hawaii
Rick Sebastian President and CEO The Kennedy Center, Inc.	David Toogood President and CEO Work Services Corporation
Jon Gold CEO Tradewinds Services, Inc.	Mileasha Rizan Vice President of Human Services Work Services Corporation
Leca Chapman Board Member Transylvania Vocational Services, Inc.	Melissa Marvel President and CEO Zoom Group
Jay Burrell Vice President and COO Tri Industries NFP	Kasia Grzelkowski President and CEO VersAbility Resources
Jason Telander CEO VTC Enterprises	Kearney Waites Director WCARC Programs Warren County Arc, Inc./MIDD—West
Dan Murray Executive Director Warren, Washington and Albany Counties ARC	James Cassetta President and CEO WORK Inc.

## SPAN PARENT ADVOCACY NETWORK AND FAMILY VOICES NEW JERSEY

35 Halsey St.  
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<https://spanadvocacy.org/>

September 21, 2021

Dear Chairman Brown and Ranking Member Young:

Thank you for the opportunity to comment to the subcommittee on “Policy Options for Improving SSI.” The SPAN Parent Advocacy Network (SPAN) is New Jersey’s one-stop for families of children birth to 26 across systems; our special priorities are children and families at greatest risk due to poverty, disability and special healthcare needs, discrimination based on race, ethnicity, immigrant or language status, gender identity, or other special circumstances. Family Voices–NJ is the New Jersey affiliate for Family Voices, dedicated to supporting the family voice in children’s healthcare. SPAN also serves as the Parent-to-Parent USA affiliate for NJ; the NJ Parent Training and Information Center and Family to Family Health Information Center; and the state organization of the National Federation of Families for Children’s Mental Health. Our comments today are based on our extensive experience providing support to families.

SPAN Parent Advocacy Network and Family Voices NJ @ SPAN submits this statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” SPAN and FVNJ provide information on how to apply for SSI, and the appeals process. In our state, Medicaid and SSI are linked so if an individual is eligible for one, they get the other. Maintaining eligibility is essential, as many services are also linked to Medicaid/SSI such as services for children with autism and adult services for individuals with developmental disabilities. Our members rely on SSI to pay for food, rent, utilities, clothing and other necessary expenses and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is less than \$800/month, only 3/4 fourths of the Federal Poverty Level. There is also a penalty for marriage in that those on SSI who are married receive even less. Anyone on SSI is not permitted to have more than \$2,000 in total assets. In addition, help from family/friends, amount of earnings, or other income people can have before they lose benefits have not been updated for almost 50 years. SSI was passed to ensure “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes” and it no longer fulfills this promise.

Children and adults have difficulty maintaining eligibility for SSI and must live below the poverty level. It helps that once a child reaches age 18 that family income is no longer deemed, but the adult with disabilities now must maintain assets far below the FPL, and this just perpetuates the cycle of poverty.

Thank you again for the opportunity to comment on the policy options for improving SSI. We urge Congress to include improvements to SSI in the upcoming budget reconciliation legislation. Your attention to this matter is greatly appreciated. Thank you for your time and consideration.

Sincerely,

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Lauren Agoratus, M.A.-parent  
NJ Coordinator—Family Voices @ SPAN  
[familyvoices@spanadvocacy.org](mailto:familyvoices@spanadvocacy.org)

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LETTER SUBMITTED BY ALIN STEGLINSKI

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Alin Steglinski and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” I rely on SSI and the program is badly obsolete. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

I receive a total of \$751 from SSA each month, of which a maximum allowable is \$651 according to the office. This is not even a weeks wages flipping burgers at McDonalds. The forced poverty that SSA puts people with disabilities through is why everyone is on Medicaid and everyone is on food stamps and never will get off. Ticket to work program may as well be a scam, finding a job with a disability is next to impossible. Ticket to work is more like here's a lottery ticket one in a million chance you get a job. Marriage/domestic partnership penalties are an encroachment upon free will of people to create families. Taking in help from family members and arranging large purchases/saving money for the future is complex and even takes avoidance of certain reporting requirements.

Two thousand dollars is not even 1 months mortgage, utilities and food for an average house yet it is the hard resource limit for a Medicare / Medicaid recipient. This absurd cap on assets creates a manic spend thrift state within SSA recipients because of a complete inability to save money or invest it without being forced to conceal funds.

The SSA trust fund is estimated to run to depletion levels in the next decade.

For these reasons, I urgently signal Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

For starters, calculating SS benefits should be based on an average American households income. An average blue collar single man makes up to \$2,500 a month

Nobody should be receiving less than \$2,400 a month to secure housing, food, base level expenses and pursuit of enjoyment as shown in the constitution.

Sincerely,

Alin Steglinski

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LETTER SUBMITTED BY KATERA STILLWELL

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Katera Stillwell and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." Many of my friends rely on SSI, and I was recently approved as well. The program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

I have been waiting for 6 years to be approved for SSI, and in that time I have had to be very careful about how much money I have. I have had to go without most of the things that I need for treating the conditions that disable me.

I am still waiting to begin receiving monthly SSI payments, but I know that when I do I will still have to go without treatments that could help me. If I were to purchase all of the medications and other recurring treatments that my doctors recommend for me, it'd be just over \$230 every month.

When I receive my backpay I will need to purchase a lot of one-time items. The first thing will be a wheelchair so that I can get out to my medical appointments and other places, without risking further injury to my body. The powerchair that meets my needs is \$4,000, and that's without the accessories I'll also need (like a backpack holder, a rear-view mirror, a mount to hold my phone, a mount for an umbrella). Those accessories will cost another \$1,100. I also need a special bed (\$3,500), ring splints for my hands (\$2,000, conservatively), other joint braces (\$2,000), compression clothing (\$1,000), kitchen items that will make preparing food easier/possible on my own (\$2,000), body care items (\$1,500), a living room chair that won't exacerbate my symptoms (almost \$650), and other miscellaneous items that will support my health or treat symptoms (\$2,300). This totals to \$20,050 just to get the one-time essentials that will support my health. None of these items are for fun, entertainment, or luxury.

I will need to hire people to help me do things that I can't do myself: assemble the furniture I'll be buying (\$15/hour), help me move into an ADA apartment when I get to the top of a wait-list (\$45/hour), help me figure out what documents I should



keep paper copies of and help me create that file box (\$15/hour). If I can't get into a caregiving program that offers the amount of hours I need, I will have to hire people to do the tasks that my caregiver doesn't have time for (\$15/hour).

I have allergic responses to wheat, corn, and tomatoes, which can cause anything from long-term organ damage (which can prevent my body being able to digest food effectively), to hives, to anaphylaxis. I cannot eat most of the things found in a grocery store. I would greatly benefit from using the Meals on Wheels program, but at \$7.39 per meal, I won't have it in my budget. Which means I will need to continue to use my limited caregiving hours to have someone prepare food from scratch for me. This takes time away from having other tasks done. I currently have to forego regular bathing in order to have food that won't damage my body.

Even if I get into a subsidized apartment (I am on a handful of wait-lists, but these can take years to get to the top and get accessible housing), that will still be a third of my SSI money that goes to rent. I'll be left with only \$550 a month to buy all the normal items of life (toilet paper, phone service, electricity, Internet, renter's insurance, bus pass, etc). After those items are purchased, there will not be enough left over to ensure I can access treatment for my medical conditions.

All of the specific dollar amounts I have mentioned are for items that are directly for treating or preventing symptoms of my chronic illnesses. I have not included things like entertainment or hobby purchases, because there will be next to no money left over for those things. I will continue to have to barter or beg for the items that make my life something more than just tolerable.

It is incredibly expensive to be chronically ill, and the current maximum monthly payout for SSI is insufficient to provide for necessary care.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Katera Stillwell

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LETTER SUBMITTED BY DIANE SULLIVAN

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

To whom it may concern:

I am a qualified physically challenged adult, living in Arizona. It is extremely difficult for me to afford to purchase food, pay for wheelchair accessible housing, or medications, because the benefits of SSI are NOT sufficient to meet my needs.

I am penalized when friends try to help me.

Asset limits won't allow me to save money.

The SSI Restoration Act (S. 2065/H.R. 3824) introduced this year, will significantly improve the SSI benefits program. Please vote in favor of this Act. It's not a solution, but will be a significant improvement, for me.

Thank you.  
Diane Sullivan

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SUNRISE MOVEMENT PDX

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

Sunrise Movement PDX submits this statement for the record for the subcommittee hearing "Policy Options for Improving SSI." As climate justice activists, we see how disability and economic justice issues intersect. 8 million people, including almost 90,000 Oregonians as of 2019, rely on SSI to pay for food, rent, and other crucial expenses and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years. SSI was passed to ensure “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes” and because of decades of neglect, it no longer fulfills this promise.

Disabled people are on the frontlines of the climate crisis. How exactly are people living below the poverty line supposed to afford to get out of harm’s way during climate disasters? Evacuating requires financial flexibility and access to reliable and affordable transportation. Staying safe during hazardous air quality conditions requires access to air purifiers, high quality masks, and home improvements to keep the smoke and other pollutants out. During heat waves and ice storms, disabled people are already at higher risk of not getting the medical care they need and increased risk of having medical emergencies as a result of conditions. A limited income means limited options for accessing heaters, fans, air conditioners, generators, and cooling and warming shelters. Already forced to live under the poverty line on an average day, the impacts of SSI being outdated are exacerbated by the worsening climate crisis. Improving SSI will save lives and must happen as soon as possible.

Additionally, as it stands, disabled people cannot run for office without risking losing their income. We believe a better world is possible, and a better world must allow disabled people a seat at the table and a voice in shaping our present and future. SSI recipients should not have higher barriers to elected office.

For these reasons, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Sunrise Movement PDX

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SUPPORTIVE HOUSING PROVIDERS ASSOCIATION

#6 Lawrence Square  
Springfield, Illinois 62704  
(217) 321-2476 x2  
<https://www.shpa-il.org/>  
d.esposito@shpa-il.org

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

The Supportive Housing Providers Association submits this statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” The Supportive Housing Providers Association is a statewide association of supportive housing agencies providing critical services to adults and youth who are formerly homeless and/or at risk of homelessness, individuals with an intellectual or physical disability, children and adults with mental illness, and veterans with PTSD and fighting substance abuse. Our members rely on SSI to pay for food, rent, and other crucial expenses and the program desperately needs to be updated.

SSI benefits and rules have not been updated for decades. The maximum benefit is \$794 a month, only three fourths of the Federal Poverty Level. People on SSI who are married receive even less and people are not allowed to save more than \$2,000 without losing their benefits. Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years. SSI was passed to ensure “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes” and because of decades of neglect, it no longer fulfills this promise.

Chronic homelessness in Illinois has increased drastically. One in five Illinoisians experiencing homelessness are chronically homeless, which means they are experiencing long term homelessness while living with a disabling condition. These Illinoisans are often unable to find affordable housing on the SSI benefits, lengthening their homelessness, and exacerbating their health issues. Their experience is the testament that SSI must change.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

David Esposito  
Executive Director

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LETTER SUBMITTED BY JAN THOMAS

U.S. Senate  
Committee on Finance,  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My 29-year-old daughter lives with my husband and me. She has multiple disabling conditions: autism, a learning disability, and schizoaffective disorder. She has few if any options to live outside of our home because her SSI income will not be nearly enough to assist with any housing costs. She is unable to work to support herself. My husband and I are aging, and we face the prospect of our daughter struggling to secure any housing given her extremely low SSI income.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Jan Thomas

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LETTER SUBMITTED BY MELISSA M. THOMAS

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Melissa Thomas and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

I have been on SSI for over a decade. I'm in my mid 40s and feel trapped in a system that is set up to keep people with disabilities in poverty. I was married to another SSI recipient for almost 9 years, and finally divorced because of the marriage penalty that caused our income to decrease, when in fact it costs more to live as two than one. Everything is more expensive, travel, co-pays, food, personal items, more electric, water, etc. are being used. We lived every day on the edge of not knowing where we would end up next. He was mentally and physically disabled to a point he needed a legal guardian and in home services. No one that is disabled should have to worry about basic needs to survive.

I would try to work what I was able to with the Department of Vocational Rehabilitation, but every time I did, I would not gain any money. I would have to pay more for my rent because of being on housing and having to report income, more for transportation, more for food because they adjust on your income. I never got ahead because of all the rules in place and felt like I was getting nowhere.

It got so bad I was concerned how we would eat so I signed up for school knowing I would never graduate so I could get financial aid that would not be counted against us so I could buy food and clothing and other basic needs. It was the only loophole I could find in the system, and knowing that it will not last forever, I must hope that people in congress do what is right for the disabled people in the country by updating SSI so people can survive. I was only up to 12 hrs. of work a week. But paying a dollar to every 2 I made, while being penalized for trying to better my life was spirit breaking. It caused more depression. People don't choose to be disabled and it's not a life of luxury but being able to have your basic needs met without having to stress daily about hoops you must jump through to get by isn't mentally healthy. The fact that I was in a position to be able to make my husband

at the time lose all his benefits, his in-home healthcare etc. was insanity to me. I don't think anyone should have that much power to ruin anyone's life. Also, I was his wife, and could have made income by taking care of him from the IRIS program but because of the penalties, we both would have lost everything including his in-home healthcare. The system is set up to keep us down. It is no wonder that so many disabled people end up in jail. They are drove off an edge of having to chose between things, that they shouldn't have to.

So much needs to change. The fact that 2 disabled people are punished by marriage is complete discrimination. I also am upset that disabled people are forced not to marry just a regular American without disabilities that has a job. Why should I become someone's liability? Why should I feel like someone's liability because I can't keep a job? Why should my benefits of healthcare go away, why would my small contribution to the family be taken away because he has a job? Why am a burden? None of this is fair. I do hope that now is the time to make the necessary changes needed to ensure disabled people are being lifted out of poverty, not kept in it. That there are goals that can be reached without barriers standing in their way. That the system is helping the disabled not killing them.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Melissa Thomas

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THRESHOLDS  
4101 N. Ravenswood Ave.  
Chicago, IL 60613

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

Thresholds submits this statement for the record for the subcommittee hearing "Policy Options for Improving SSI."

Thresholds is one of the largest organizations in Illinois fighting to transform the lives of people living with serious mental illnesses through services and advocacy. We provide outreach, community mental health supports, housing, employment, psychiatric care, primary care, substance use treatment, and more to thousands of individuals across the Chicago metropolitan region and collar counties. *The vast majority of Thresholds' clients rely on SSI as their sole income to cover rent, food, utilities, clothing, transportation, and other basic necessities.*

Sub-poverty SSI benefit levels make life extremely difficult for our clients who struggle to manage significant mental health symptoms. Without an adequate income to stay in their homes and communities, clients regularly cycle in and out of homelessness, costly and harmful institutions, such as hospitals and prisons, and are forced to live in poverty. **Low benefit levels and harmful SSI restrictions prevent thousands of Thresholds' clients from thriving on their journey to recovery.**

SSI benefits and rules have not been updated for decades. In Illinois the maximum benefit is \$794 a month, only three quarters of the Federal Poverty Level. Individuals are not permitted to save more than \$2,000 without losing their benefits, preventing them from saving for a crisis or an unexpected event. *This is less than 2 months of fair market rent in Cook County, Illinois.* **Increasing asset limits would increase stability for our clients and ultimately support their pathway to recovery.**

The amount of earnings a person can make before they lose SSI benefits have not been updated for almost 50 years—a person can only earn up to \$85 before they begin losing benefits—this is less than one day of work making minimum wage in the city of Chicago. This prevents people on SSI who can and want to work from being able to. **Eliminating the earned income restriction would mean that Thresholds' clients with serious mental illnesses would have the opportunity to find meaningful work opportunities that bring a sense of purpose, hope, and independence without the risk of losing the safety net SSI was intended to provide.**

Financial support from family and friends to help make ends meet can result in a reduction in SSI benefits. In essence, individuals who are severely disabled and need SSI to support their basic living expenses are forced to stay in poverty—they cannot save, they cannot work, and they cannot receive help from loved ones without risking their sole income source. Antiquated income and asset limits should be updated to account for decades of inflation.

SSI was passed to ensure “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.” SSI no longer fulfills this promise because of decades of neglect. The SSI safety net is critical for our clients whose serious mental health symptoms make stable long-term employment more difficult. For these reasons, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Heather O’Donnell  
Senior Vice President  
Public Policy and Advocacy

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LETTER SUBMITTED BY DESTINY TORO

United States Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Destiny Toro, and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI.” I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.”

January of this year, I was finally approved for SSI after appealing and waiting for 18 months. I receive the maximum benefit amount, \$794. The house I live in, which meets my particular health and function needs, costs me \$675 per month which is roughly 85% of my income. That leaves me with \$119 per month for other bills, groceries not covered by SNAP, copays, loan payments, and other medical needs that are not covered by insurance.

I have a rare disease and multiple comorbidities and most doctors are not knowledgeable about these conditions, so I have to seek multiple types of speciality care. Some of the specialists I need are not covered by Medicaid. Some of them take Medicare, which I also have, but I can’t afford to pay the 20% of appointments, expensive testing, and treatments that falls on me. This means I ration my speciality care and go without treatments.

I currently can’t send my personal care attendant to the store with my SNAP card (per agency rules) and can only send them with cash; cash that I don’t have. This means I ration my food.

Per SSI rules, I can’t receive financial help from my community to make up for this outdated income without *further reducing* my income.

This also means that I can’t *save money* for specialist doctors appointments, treatments, moving to another house if my landlord raises my rent in a few months, repairs to my wheelchair, or even any normal life things/emergencies that happen to everyone. Not only am I not able to save on this income/rent ratio, but per SSI rules, I can’t save more than \$2,000 if I *did* have a better income/rent ratio.

At 33 years old, I can’t get married, can’t lean on my community, can’t receive treatments that could potentially lead to my functioning without a personal attendant or doing some kind of work at my own pace. SSI allows me to pay for my housing and since Texas has tied my Medicaid to approval of and actively receiving SSI allows me to have some health care. But because SSI hasn’t been updated in so many decades, if I make one wrong turn in the extremely restrictive and complicated program that is SSI, even accidentally, I could lose my housing and lose my health care.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely  
Destiny Toro

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LETTER SUBMITTED BY RICHARD R. TROXELL

Chairman Sherrod Brown  
Ranking Member Todd Young  
U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy  
Dirksen Senate Office Building  
Washington, DC 20510-0220

Dear Chairman Brown and Ranking Member Young:

This statement is submitted on behalf of the oldest action homeless organization in Texas 1989, House the Homeless, Inc., where as Founder and Executive Director since 1989, I oversaw Legal Aid for the Homeless where the core function was to apply for and secure disability benefits (SSI) for people experiencing homelessness and The National Coalition for the Homeless BOD since 1997 and presently on the CORE Team functioning to devise, develop, and enhance Livable Incomes for those who can work (emphasis on the federal minimum wage) and for those who cannot work (emphasis on SSI).

The goal is to ensure that the funds received by each individual are sufficient to ensure that each person is able to afford basic food, clothing, telephone, transportation, with particular emphasis on securing shelter in the form of rental housing in the general housing market.

For disabled, single housewives and disabled single adults this program is essential. Additionally, all people who are homeless and disabled are potentially SSI recipients, people of color make up 61% of all people experiencing homelessness (of which 42% are African American and Hispanics make up 13% of the homeless population) Note: The current basic SSI check is \$794/month. The single most expensive item in the budget of every American is *housing*.

However, if you look at the cost of housing in this nation, it is immediately evident that that cost of housing varies by region or even by zip code and rises far above that check. We have a thousand plus economies but only one-size check to cover that incredible range of housing costs. Therefore, it is imperative that in order to afford basic rental housing, the SSI needs to be indexed to the local cost of housing wherever that housing is located throughout the U.S. In this manner, we can end economic homelessness for those who cannot work (SSI recipients).

We do this in the same way that we fix the Federal Minimum Wage for those who can work . . . we index the wage (SSI check) to the local cost of housing by using the HUD Fair Market Rents, FMR, (reviewed every year).

See <http://www.universallivingwage.org/wagecalculator.html>.  
See <http://www.universallivingwage.org/myths-facts.html>.

Benefits:

- Houses all SSI recipients;
- Reduces major stress for all SSI recipients;
- Displays respect for our disabled citizens; and
- Stabilizes this portion of the economy.

In 2010, House the Homeless conducted one of its annual surveys in Austin, Texas. This Health Survey of over 600 people, revealed that over 47% of those surveyed (all homeless) were so disabled that they could not work. One of the thousands of SSI applicants that Legal Aid for the Homeless helped apply for SSI benefits stumped me with his symptoms. Once a master plumber and a building engineer, he could no longer do either job. He was befuddled and he could not tell me the cause of his original injury. We went over it and over it. No auto accident, no electrocution, no huffing glue, not a boxer, never played ball, never got knocked out, no near drowning etc. It was only after a third interview that I traced it back to playing high school football where he never got knocked out or went to the hospital in an ambulance. But in his younger days (now 45) he would get his bell rung or see stars, "shake it off" and go back in without the required rest that each incident requires. He suffered from Chronic Traumatic Encephalopathy, CTE. He had a traumatic

brain injury with a major complication maybe 20 years later. After high school he went on to have Substantial Gainful Activity, SGA, twice, after having the initial injury that can only be definitively diagnosed with brain slices post mortem.

For the first and only time I know of, the SS Administration paid benefits in such a case.

In 2016, after pondering the situation, I ran another health survey and found 47% of a large almost 600 people in Austin's homeless population said they were *too disabled to work*. I also listed all 28 symptoms of TBI—80% of the people said they had one or more of the symptoms. These symptoms are severe medical conditions ranging from wild aggressive anger, alcoholism, to Parkinson's disease, major depression, bipolar disorder, etc.

Further research led me to a doctor, who said he had developed a protocol that in 98% of the cases he sees from 50%–100% reduction in symptoms. Imagine if we stop just one of these symptoms! Benefits: (1) people's lives would be turned around; (2) tax dollar savings would sky rocket; (3) we would find a *medical reason* along with economic causes for homelessness in our nation.

- So, let's have a complete medical review of the SSI system every 10 years.

Additionally, our organizations supports the statements presented by Justice in Aging for basically the same reasons as they provided:

- Increase the benefit level so that people are not left in poverty despite receiving SSI benefits.
- Update SSI income rules so that people can use more of the income they receive from other sources to supplement their SSI.
- Eliminate the in-kind support and maintenance rules so that people can supplement their SSI benefits with needed support from family and friends who are willing to assist them.
- Raise SSI's outdated asset limits by a minimum of \$10,000-\$15,000. (The amounts are our suggestions).
- Create a general review process that occurs every five years.

Coming soon is my book on ending and preventing homelessness, *Short Stories in a Long Journey: What it Takes to End and Prevent Homelessness*.

Thank you for the opportunity to raise these concerns. Please realize that not only our organizations are prepared to participate in developing these ideas but realize that SSI recipients are willing to help conduct the general review process as well.

Richard R. Troxell

Author: *Looking Up at the Bottom Line and Livable Incomes: Real Solutions that Stimulate the Economy*, [http://www.amazon.com/Livable-Incomes-Solutions-Stimulate-stability-ebook/dp/B0018EA8J8/ref=sp-atf\\_title\\_1\\_2?s=books&ie=UTF8&qid=1391995227&sr=1-2&keywords=Richard+Troxell](http://www.amazon.com/Livable-Incomes-Solutions-Stimulate-stability-ebook/dp/B0018EA8J8/ref=sp-atf_title_1_2?s=books&ie=UTF8&qid=1391995227&sr=1-2&keywords=Richard+Troxell)

<https://housethehomeless.org/>

[www.UniversalLivingWage.org](http://www.UniversalLivingWage.org)

(512) 796-4366

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LETTER SUBMITTED BY HEATHER K. TURNAGE

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Heather K. Turnage and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI."

My friend Louis relies on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

Louis has catatonic schizophrenia. He is about to have a hearing for SSI. Which means he was denied *twice*. He had SSI for years. Then became homeless again and wound up in prison. He has to reapply after prison.

Why? Believe it or not, prison did not make his catatonic schizophrenia better. It did give him PTSD, though.

I'm not sure how a mentally ill person would get SSI without help. Getting health records from multiple states from years ago is difficult enough for me, I can't imagine him getting it taken care of without assistance.

Sure some people with schizophrenia can work. They are rare exceptions. I don't think any boss would keep him around if he started talking to customers about how people are after him or started asking very inappropriate questions. And it *would* happen. Every job has stressors, and guess what causes relapse in schizophrenia? Stress!

Also, his illness and his medications make him sleep at least 12 hours a day. At *least*. How can anyone support themselves with a sleep schedule like that?

Automatic first time denial needs to *stop*. It's inhuman and it's *un-American*. There are much better places for the government to save money. Make the law fair. Make it make sense.

If I wasn't able to give him a temporary home he would probably be dead by now.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Heather K. Turnage

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TZEDEK DC

A Center at the University of the District of Columbia David A. Clarke School of Law  
4340 Connecticut Avenue, NW, Suite 319  
Washington, DC 20008  
(202) 274-7386  
<https://www.tzedekdc.org/>

October 5, 2021

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

**RE: Written Testimony by Tzedek DC Submitted Regarding the September 21, 2021, Hearing**

Dear Chairman Brown and Ranking Member Young,

On behalf of Tzedek DC, we submit this statement for the record for the subcommittee hearing "Policy Options for Improving SSI."

**About Tzedek DC**

Tzedek DC is an independent, public-interest center headquartered at the University of the District of Columbia David A. Clarke School of Law. Inspired by the ancient Hebrew teaching "*Tzedek tzedek, tzedek tirdof*," or "*Justice, justice, you shall pursue*," Tzedek DC's mission is to safeguard the financial health and legal rights of DC residents with lower incomes facing debt-related problems.

Tzedek DC is well-positioned to comment on policies that would improve SSI. Tzedek DC offers direct legal services at no cost to DC residents with low- to moderate-income struggling with debt and other consumer-related legal issues. One area of our work entails representation of Supplemental Security Income (SSI) recipients in overpayment cases. Our clients rely on benefits, like SSI, for living expenses, including for food, rent, and necessities. Those clients disproportionately experience debt—merely because they cannot afford basic expenses. Additionally, Tzedek DC houses a project specifically focused on the disabled community and the unique challenges they face when experiencing debt and consumer problems. Our Disabilities Community Project has a particular interest in ensuring reform to SSI programs and benefits. Finally, Tzedek DC employs several attorneys with substantial experience handling Social Security cases.



## Overview

In this testimony, Tzedek DC makes five central recommendations. Congress should:

1. Increase the statutory SSI monthly maximum benefit to 100 percent of federal poverty guidelines to help fill the gap that people with lower incomes experience in meeting their basic needs.
2. Reform asset limits to both:
  - a. Expand beyond \$2,000 for individuals because \$2,000 is too low a limit to allow claimants to save for an emergency or other critical necessities.
  - b. Exclude the assets of a spouse to expand the asset limit for married couples beyond \$3,000, so that disabled people are not forced to decide whether to marry their partners or continue to receive needed benefits.
3. Amend substantial gainful activity, income, and other work incentive requirements, because government should encourage people to live their lives in ways that are meaningful to them without risk of losing their benefits, particularly if they are unsure of whether work will be something that can continue based on their disability.
4. Engage in oversight to ensure the Social Security Act's purpose is not being frustrated by the Social Security Administration's execution of its statutory mandate. The current rules lead to consistent issues with overpayments that disabled people cannot afford to repay and lead to particular problems for claimants who have a disability that impacts cognition.
5. Ensure the SSA's budget provides the agency sufficient resources to carry out its important statutory mission.

### 1. The SSI Maximum Should be Increased

Reform to the rules that govern SSI is needed. Congress has not updated the SSI benefits rules for decades.

The current maximum benefit one can receive monthly from SSI is only three fourths of Federal Poverty Guidelines—currently \$794 for an individual claimant. Couples on SSI who are married receive a maximum of \$1,191, which is even less per person. The minimal cash benefits are not enough to afford basic living expenses, leaving recipients engrossed in debt, including, but not limited to, credit card debt, automobile debt, medical debt, and event student loan debt. Census data from 2017 shows that 31 percent of SSI households have credit card debt, 25 percent have medical debt, 20 percent have vehicle debt, 19 percent have home debt, and 14 percent have student loan debt. The cycle of debt is one that is difficult to escape once in the cycle. Debt begins to negatively affect one's credit score and credit history, which then makes it difficult, if not impossible, to take out additional lines of credit. Debt also makes it difficult to find housing and employment.

The COVID-19 pandemic has only exacerbated these concerns, particularly for the disabled community, and disproportionately, disabled people of color. We have counseled clients on Social Security who are attempting to find cheaper, safer, or more accessible housing but who could not do so because of their negative credit history and past debt. CoStar data showed that, in 2019, the median monthly rent in the District of Columbia was \$1,512.<sup>1</sup> That was two years ago. According to a D.C. Policy Center report, fewer than 800 units were available in the District of Columbia for those who needed to pay less than \$750 per month on rent.<sup>2</sup> Increasing the maximum benefit is crucial to ensuring that SSI recipients can afford basic necessities. This benefit should, at a minimum, be equivalent to 100% of Federal Poverty Guidelines and adjust to keep up with inflation, as stipulated in the Supplemental Security Income Restoration Act of 2021.

<sup>1</sup>Yesim Sayin Taylor, *Appraising the District's Rentals—Rental Housing Affordability*, D.C. Policy Center (April 1, 2020), <https://www.dcpolicycenter.org/publications/appraising-the-districts-rentals-chapter-iii/>.

<sup>2</sup>*Id.*

## 2. The SSI Asset Limits Should be Reformed

Another persistent barrier for our clients is the asset limit to maintain eligibility for SSI benefits. The current asset limit has not been increased since 1984.<sup>3</sup> Recipients are not allowed to save or obtain more than \$2,000 without losing their benefits. This asset limit often makes it impossible for our clients to save for emergencies, and further perpetuates the cycle of poverty and debt for our clients.

In an area with expensive rents like the District of Columbia, we have encountered clients who cannot save a security deposit to move into an apartment because the security deposit amount is over \$2,000, the asset limit for SSI, which in turn keeps them from using a housing subsidy that will pay their rent. For married couples, the asset limit is even steeper, such that marriage constitutes a penalty. A \$3,000 limit on assets is simply not enough for a married couple in 2021.

While the Supplemental Security Income Restoration Act of 2021 does provide for an asset limit increase up to \$10,000 for individuals and \$20,000 for married couples, attempting to eliminate the marriage penalty, simply eliminating the asset limit would be the better policy solution. Requirements for obtaining SSI are already very stringent. These benefits are not provided to just anyone. Recipients must meet specific requirements pertaining to disability, substantial gainful activity, and other criteria. The difficulty of obtaining the benefits makes the likelihood of those that do not need the benefits seeking them very low, especially since the benefits are such a minimal amount of money. Worrying about the margins of individuals who might theoretically game the system at the expense of those who legitimately require benefits and are being excluded from accessing them is unsound public policy. Additionally, while the proposed increase in asset limits as a means of addressing the marriage penalty is certainly an improvement over current policy, it still forces disabled people and SSI recipients to either choose not to marry or to ensure that they are marrying an individual who is extremely poor. SSI recipients, particularly disabled people, still rely on SSI, even if they are married to someone with assets above \$10,000 in their own right. Disabled people have many additional expenses, often referred to as the “Crip tax,” that they rely on benefits like SSI to help pay. These expenses include medical equipment, mobility devices, making homes more accessible, additional transportation needs, and other costs. Not considering the income or assets of a spouse would be most equitable and better facilitates marriage equality for disabled beneficiaries.

### *ABLE Accounts Are Insufficient to Address Asset Limit Problems*

ABLE accounts, unfortunately, also do not address concerns related to the asset limit. ABLE accounts are intended to ensure that disabled individuals can save funds that do not count toward the asset limits for benefits such as SSI. ABLE Accounts are only available to individuals with disabilities with an age of onset of disability prior to 26 years old. This requirement severely limits who can access these accounts, even if they were, in practice, helpful for all SSI recipients to counteract draconian asset limits. ABLE Accounts also do not address the prohibition on substantial gainful activity. Many states also have required minimum contributions and maintenance fees, all of which are barriers for any SSI recipient to actually start saving with an ABLE account if they wanted to save for their future. For all these reasons, ABLE accounts are most helpful only for those who have saved monies from previous work experience or for those who have family or friends who can contribute resources. For most disabled people, ABLE accounts are not an adequate fix.

## 3. The Substantial Gainful Activity, Income, and Other Work Incentive Requirements Should Be Reformed

Work is currently disincentivized for SSI recipients, and it should not be. For anyone who is able to work, it is difficult to do so without meeting the threshold for substantial gainful activity. For SSI recipients, there is not even so much as a trial work period. Additionally, those who do work, even for minimal wages, lose some portion of their benefits. Finally, many individuals with low incomes work as hourly workers whose incomes vary each month, leading to consistent overpayments by the Social Security Administration that are detrimental to financial health and well-being, regardless of how diligent beneficiaries are in reporting. When the Social Security Administration overpays beneficiaries, at a later point, the Social Security Administration may send notices of overpayment. The beneficiary would be required to repay the Social Security Administration. This requirement can be damaging

<sup>3</sup>*Trends in the Social Security and Supplemental Security Income Disability Programs*, Social Security Administration Office Policy (August 2006), [https://www.ssa.gov/policy/docs/chartbooks/disability\\_trends/sect05.html](https://www.ssa.gov/policy/docs/chartbooks/disability_trends/sect05.html).

since SSI recipients already receive so little in benefits and may be unable to save for these types of situations.

These restrictions further the cycle of poverty and debt for our clients. The Supplemental Security Income Restoration Act of 2021 would allow for beneficiaries to earn up to \$416 a month without penalty for their work. This is a helpful change. However, \$416 per month is not enough to live on in the District of Columbia, or in most metropolitan areas of the country. To live in the District while paying for basic needs, one must make at least 250% to 300% of the Federal Poverty Guidelines. That would require approximately \$1,610 to \$2,146.66 per month, amounts that are least triple the \$416 proposed maximum for no penalty. More flexibility to allow SSI recipients, who are able, to work, including an equivalent trial work period and increasing the threshold for substantial gainful activity, would be beneficial. Blind SSI recipients, by contrast, are not even subject to substantial gainful activity requirements in applying for benefits. These limitations solely apply to disabled individuals who are not blind, which creates disparities and inequity even among the disabled community. Additionally, not considering substantial gainful activity in future disability reviews is critical for incentivizing work. Often, disabled recipients are punished for working in future reviews and lose their benefits.

*Rules About Unearned Income and In-Kind Support Are Overbroad*

Rules about help from family and friends and the amount of earnings or other income people can have before they lose benefits have not been updated for almost 50 years.<sup>4</sup> Gifts from friends or family, in-kind support of food or shelter, grants from nonprofit organizations, busking and panhandling, and other occasional resource generating activities trigger a reduction in cash benefits, and can lead to overpayments. We have clients who have had to forgo philanthropic gifts from nonprofit organizations because these gifts which would marginally and temporarily address an unmet need would put them over asset or result in an overpayment. Government policy should not force people to make that choice.

**4. Further Oversight Is Needed to Ensure Improvement of the SSA's Handling of Individual Matters**

Tzedek DC's clients' experiences at the agency level highlight the need for additional oversight by this Committee and increased care by the SSA. Many of our clients have their SSI benefits offset due to existing overpayments, meaning they are unable to access benefits to which they might otherwise be entitled. However, the individuals struggle to navigate the vast policies, forms, and requirements aimed at addressing overpayments, and receive little assistance from Social Security representatives when requesting help. Many of our clients approach Tzedek DC in confusion and frustration because of the process they have endured with the Social Security Administration. These clients already typically receive little income, and to owe anything additional to the Social Security Administration when, in some cases, our clients are not at fault and diligently reported their earnings, is damaging. Our clients also often receive conflicting or no information from Social Security Administration representatives about reporting requirements. We also regularly encounter clients who have disabilities that affect cognitive function, acted in good faith, and were genuinely unable to understand the bureaucracy, slew of required forms, confusing and contradictory instructions in letters and from representatives, and requirements that led to an overpayment.

For clients navigating the current system for disputing overpayments, it is also stressful. There are several different forms and options, including waivers and reconsiderations. Clients often do not understand the purpose of these forms or what they must demonstrate. Simplifying these documents, explaining what must be proved, creating more uniform policies, clearly and correctly informing recipients of these policies, and adjusting internal policies to ensure that benefit recipients are not prejudiced because of a lack of experience or a lack of understanding of the process is crucial.

In overpayment cases, the Social Security Administration often changes values owed and provides information about balances without providing a breakdown of how the balance was reached. The Administration routinely provides contradicting mailings, or mailings containing errors about overpayments and what is allegedly due to the Social Security Administration. This practice is confusing even to lawyers who are Authorized Representatives practicing within the SSA on behalf of claimants.

<sup>4</sup> Richard M. Ball, *Social Security Amendments of 1972: Summary and Legislative History*, Social Security (March 1973), <https://www.ssa.gov/history/1972amend.html>.

The Social Security Administration, as a practice, should include specific calculations in all overpayment notices to ensure that benefit recipients have a fair opportunity to respond using all available information. There should also be a system in place for quality assurance to prevent consistently conflicting or erroneous mailings. Continuing to send out mailings without regard for the consequence or confusion it may cause, and with little explanation of why the change is being effected, is unhelpful for clients and legal representatives alike. Without understanding all the facts, our clients continue to face barriers to accessing their benefits and continue to have to make payments to the Social Security Administration. These offsets often come out of their already less than Federal Poverty level limited SSI benefits.

Even though these claims are non-adversarial, without support from SSA agents, clients often feel that SSA is trying to find ways to bar them from the benefits they are entitled to under the Act. Clients receive little to no assistance in navigating next steps or achieving a resolution with the Social Security office.

In one illustrative case, Tzedek DC represented a disabled client with delayed thought processing who had attempted to understand what occurred after an overpayment. An SSA agent made one attempt to call the disabled claimant back. When the claimant was unable to answer the one call, the SSA proceeded to offset her benefits, noting the single instance in which they called to try to explain the issue to the claimant and that she did not answer. Ensuring that SSA staff members understand that service, not recoupment, is the priority and assist benefit recipients who call is key to ensuring that claimants obtain the minimum financial support they require to meet their basic needs as the Social Security Act intended.

#### **5. The SSA's Budget Should Be Re-examined by Congress**

Increasing the Social Security Administration budget may be one way to improve the process for SSI recipients. It could ensure benefit recipients get the support they need so they can continue to access their benefits. President Biden's proposed budget would be a step in the right direction. The proposed budget would also include funding for outreach to individuals who would be eligible for SSI benefits. However, the SSA cannot simply focus on clearing the enormous backlog without truly working with claimants to ensure that those eligible for SSI received the much-needed material support required to meet their basic needs.

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SSI was passed to ensure "that the nation's aged, blind, and disabled people would no longer have to subsist on below-poverty incomes."<sup>5</sup> Because of decades of neglect, this critical federal program no longer fulfills this promise.

Tzedek DC urges this subcommittee to consider the above-described recommendations regarding maximum benefits, asset limits, work incentives, income limitations, Social Security transparency and simplification, and the Social Security Administration budget. For the aforementioned reasons, we ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Thank you for considering our views.

Sincerely,

Ariel Levinson-Waldman  
Founding President and Director-Counsel  
On behalf of Tzedek DC staff

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<sup>5</sup> Amendments to the Social Security Act 1969–1972: Reports, Bills, Debates, and Acts 384, <https://www.ssa.gov/history/pdf/Downey%20PDFs/Amendments%20to%20the%20Social%20Security%20Act%201969-1972%20Vol.%203.pdf>.

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<https://unitedspinal.org/>

Dear Chairman Brown:

The United Spinal Association thanks you for holding a timely hearing on options to improve the Supplemental Security Income (SSI) program.

Since being founded by paralyzed veterans in 1946, United Spinal Association has been dedicated to advancing the independence and quality of life of individuals living with spinal cord injuries and disorders (SCI/D) such as multiple sclerosis, amyotrophic lateral sclerosis (ALS), and spina bifida. There are over two million individuals throughout the country with SCI/D. United Spinal has more than 58,000 members, 49 chapters, close to 200 support groups and over 100 rehabilitation hospital members and hospital partners nationwide. We also work collaboratively with 14 distinguished Spinal Cord Injury Model System Centers that support innovative projects and research in the field of SCI. United Spinal Association is also a VA-recognized veterans service organization (VSO) serving veterans with disabilities of all kinds.

We open our comments with a well-deserved salute to you, Mr. Chairman, for crystallizing today's sad state of the SSI program in your thoughtful opening statement. As you know, people with disabilities, through no fault of their own, experience exponentially more barriers to an independent life as a result of antiquated public policies that do not keep pace with an ever-changing world economy and technologies.

SSI is a federal income support program designed to help elderly or disabled people who have limited income and resources meet their basic needs. It is a lifeline to many, but many of its provisions related to eligibility have not been updated in several decades, which has meant that SSI recipients have needed to endure extreme poverty in order to keep their benefits. For example, the amount of earned income an SSI recipient is allowed to bring in each month without seeing a reduction in their SSI benefits is currently \$65—a figure that hasn't been adjusted, for inflation or otherwise, since 1972. SSI's asset limits, which are currently \$2,000 for an individual and \$3,000 for a married couple, haven't been updated since 1989.

Along with you, Mr. Chairman, United Spinal supports the SSI Restoration Act (H.R. 4280/S. 2753), which would increase SSI's asset limits to \$10,000 for an individual and \$20,000 for a married couple, while removing financial penalties that prevent many couples from marrying. It would also increase the amount of income an SSI recipient can earn each month to \$399 without penalties. It is long past time these rules were updated to allow people with disabilities keep their SSI benefits without being forced into extreme poverty.

Our organizational position is further articulated in a letter we signed, along with numerous other organizations, as members of the Consortium for Citizens with Disabilities (CCD) to congressional leadership which can be reviewed at: [http://www.c-c-d.org/fichiers/CCD-SSI-Letter\\_7-26-21.pdf](http://www.c-c-d.org/fichiers/CCD-SSI-Letter_7-26-21.pdf).

We thank every member of the Subcommittee for their leadership in reforming this vital program.

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LETTER SUBMITTED BY WILLARD F. WATKINS, JR.

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Willard F. Watkins, Jr. and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972.

I have been in love with the same woman for 31 years, yet we have never married each other, despite the fact that we have always wanted to do so. It has boiled down to us being married, or her losing her SSI, Medicaid, and her spot on the Home and Community Based Services Waiver.

Try to deal with Social Security when they misinterpret my job title as the two of us being married. I had to go to the Social Security office with a copy of the Oklahoma Administrative Code to correct the situation. Wearing rings, only to have case managers pose a problem with us doing so. Going to church after church, and when we tried to get involved, we were told no because we aren't married.

She was hospitalized in 2013, and I couldn't make vital healthcare decisions for her, as the hospital put preference for her family over me, once again because we weren't married. She was hospitalized again in 2018, and the State of Oklahoma made a decision to place her into medically frail placement without any input from her or me.

Her guardianship was legally removed by the state, and given to her sister. I was never given consideration to act as her guardian, as the state favored biological family. I wasn't called to testify at the guardianship hearing, despite the fact that I could have been called as a witness and should have been. I tried to save our home, but couldn't.

Despite the fact that I saved her life in 2018, I was fired from my job. I now live in a house that really isn't mine, and she lives in a house that isn't hers and she never chose to live there. I suffer from depression, anxiety disorder, and post-traumatic stress disorder in the aftermath of the events of 2018.

With the advent of the COVID pandemic, we are further isolated from each other. I firmly believe that we both would have been treated much better had we been married, but I had to choose between us being married and her having what she needed to survive on a daily basis.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Willard F. Watkins, Jr.  
Tulsa People First Member

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LETTER SUBMITTED BY CAROLYN D. WEMBER

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Carolyn Wember and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." My disabled adult daughter relies on SSI, and the program desperately needs to be updated. Many of

the rules have not been changed since SSI was passed in 1972 and it no longer ensures “that the nation’s aged, blind, and disabled people would no longer have to live on below-poverty incomes.” In particular, I am writing to request that Congress update the SSI rules that create disincentives for people with disabilities to obtain and retain employment.

My daughter is 31 years old and has severe physical disabilities. She has been receiving SSI since she turned 18. She needs to maintain her SSI eligibility in order to retain Medicaid coverage. Like many adults with severe disabilities, she depends on Medicaid for the long-term care services that she requires in order to continue living independently at home in her community.

In April 2020, my daughter was lucky enough to obtain a part-time job, despite her severe physical limitations. She works from home approximately 16 hours per week, for \$15.40/hour. (That translates to slightly less than \$13,000 per year in wages, if she works for 52 weeks with no time off.) Under the current SSI income rules, as soon as my daughter makes more than \$65 a month—the Social Security Administration (SSA) reduces her SSI cash benefits, with a \$1 reduction in SSI for every \$2 in earnings. As a result, even with my daughter’s meager, part-time earnings—her SSI cash benefit is reduced by almost \$500 every month that she works. Perhaps a \$65 earned-income disregard was a meaningful amount half a century ago. But 50 years later, it just feels like SSI recipients are being punished for working.

To add insult to injury: when my daughter received a small, year-end bonus at the end of 2020, she ended up in “overpayment” status with SSA. This led to an incomprehensible barrage of conflicting notices from SSA, which are seemingly incapable of resolution (particularly with the SSA field offices still closed). My daughter has tried to get help straightening things out from a “WIPA” advisor for the “Ticket to Work” program; however, after waiting months for a call-back from a WIPA counselor—it seems that the WIPA counselor has now been waiting for months to receive information about my daughter that she requested from SSA. I have spent hours of my own time trying to help my daughter resolve these issues with SSA. She would never be able to resolve this mess without my help. I honestly don’t need this kind of aggravation, and my life would have been easier if my daughter had never become employed—which is a sad state of affairs!

Finally, to make matters even worse: Almost one year ago, I filed early for my own Social Security Retirement benefits, for the sole reason of being able to submit an application for “Child Disability Benefits” (CDB) for my daughter, based on my own work record. I chose to forego a larger retirement benefit for myself, in the hope that my daughter would benefit from an increased monthly Social Security payment based on MY work history. It has been almost a full year since we filed the CDB application for my daughter and we have still not received a decision from SSA. Apparently, nothing is functioning properly within the Social Security Administration these days.

For all these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,

Carolyn D. Wember

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LETTER SUBMITTED BY JOANNAH L. WHITNEY

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy  
October 3, 2021

Dear Chairman Brown and Ranking Member Young,

Thank you for accepting my testimony on SSI and the way it has been neglected for over 3 decades. The witnesses who spoke on September 21st made several important points. However, there was one aspect of SSI that no one addressed. While the spokesperson for SSA emphasized the point that “SSI is a program of last resort,” he did not elaborate on the brutal way that people on SSI are punished, if they go over the \$2,000 financial resource limit by any amount.

First, let us be clear that the evaluation process to get on SSI is lengthy and rigorous. It is implausible that there are many people on the program who do not meet

the medical criteria that establish significant disability. Although the way the government talks about people on SSI gives the impression that people who could work scam their way on to the program and, no doubt, it is always possible to find some, it is more likely that “fraud and abuse” actually refers to people who go over the financial resource limits—by any amount and for any length of time.

The more accurate truth is that people struggle on this program, always. When someone is facing a significant life expense, they try to save the maximum allowed to cover the cost of a move, or a wheelchair ramp, or modifications required to make a bathroom safe. These are not nefarious things for someone on SSI to do. They are normal, and necessary, and set at 21st century prices.

My disability is caused by Secondary Progressive Multiple Sclerosis. When the Social Security Administration reviewed my medical records, they determined that I met the criteria for a significant disability in August 2010. However, I was not eligible for SSDI because I had not accrued enough quarters in the Social Security system. That was because I sometimes worked in the private sector and, more often, had public sector jobs that did not pay into Social Security.

It took from the summer of 2010 until the end of 2011 to deplete my savings. I applied for SSI in December 2011, and was admitted to the program beginning in January of 2012. I received my first check in March, as a lump sum payment, including the back payment of \$1450.80 for January and February. I was told that this back payment would not count toward the financial resource limit until December 1, 2012.

I had my first eligibility review in the summer of 2014. In the review, the SSA employee first tried to penalize me because my first, lump sum payment put me over the \$2,000 resource limit. I showed him the copy of the letter from SSA saying it would not be counted as part of my financial resources until December of that year. He grimaced and said, “Oh, right.”

He then went on to review the remaining months. He determined that, because I had received a small payment of a couple of hundred dollars that had been put into the Massachusetts State retirement system, when I taught an adjunct class for one semester at the University of Massachusetts/Amherst, I was “over resourced” on January 1, 2014. (I had become eligible for a Housing Choice, Section 8 voucher in 2013, and had saved as much money as I thought was allowed, so that I could move to more stable housing. It took me a long time to find a viable apartment because I need an apartment that could be made wheelchair accessible. This significantly limits my options.)

He then began to look at my financial records for February 2014 and determined that I was over resourced for that month too. I was shocked and said, “If you are taking back all of the SSI payment for January, you should subtract that from my resources before calculating the amount I had in February!” He laughed at me and said, “That’s not how we do it.”

When I received the results of the review, I was penalized for June and July, 2012, even though the lump sum payment wasn’t supposed to count. The SSA employee counted it anyway. He found that I had a total of \$2003.11 in June and \$2258.99 in July. Therefore, I would have to return the SSI payments for both of those months.

He also determined that I was ineligible from January through March and also June of 2014. Because I was trying to save for a move, and because I had not yet learned about the money in the State retirement account, I was \$639.81 over the resource limit in January. In February, I had \$460.21 too much. In March, I was \$602.02 over and in June, I had \$698.57 too much.

The year I was trying to move, I did not fully understand all of my own financial circumstance. Becoming disabled was a chaotic transition. I also did not fully understand that SSA would penalize me, over and over again, for the same \$600. If they subtracted the penalty for January, I would not have been over the resource limit any of the other months.

In October, 2015, I received a letter following another eligibility review. This time, they determined that I was ineligible from August 2013 through May 2014. At the time, they were adding another \$4992 in penalties to my outstanding penalties the previous review.

In August, 2013, I had \$237.29 too much. In September, I was over by \$318.28. In October, I was over by \$98.16. I had \$74.15 over in November, and had \$327.14 too



much in December. In April, 2014, I was \$241.72 over the limit and in May, I had \$280.22 too much.

Between the eligibility reviews in 2014 and 2015, the SSA determined that I had no need of an income from August 2013 until June 2014. All because I became eligible for a Housing Choice, Section 8 voucher and was trying desperately to find adequately accessible housing.

In February of 2019, I received a summary of another review. SSA determined that, on December 1, 2018, I had \$129.03 too much money. That penalty really stung. In November, I attended a Greenfield City Council meeting to speak in support of building a new Library. The incline of the ramp to get into the meeting room was very steep and my wheelchair tipped over, when I was leaving the meeting. I was taken to the emergency room. Fortunately, nothing was broken. However, the muscles in my back and shoulders were badly bruised. As a result, I wasn't able to go about my normal routine—grocery shopping and such. I am glad the Council approved the library project, and I am proud of the role I played in that effort. I just wish I had not been injured and lost one month's income, as a consequence.

Last year, when I heard that people would receive stimulus checks, to mitigate the economic impact of COVID, I was terrified that the funds would put me over the resource limit, yet again. I called Congressman McGovern's office to ask what impact these checks would have on people on SSI. The aide I spoke with looked into it, and told me that I would have until the end of 2021 to spend down that money. It would not be counted toward my financial resources until then.

I had another SSI eligibility review on July 13, 2021. In that review, I learned that I was supposed to have spent the first stimulus check within 12 months of receiving it. The building where I live was sold earlier this year and the new owners want me to move. I was saving the stimulus money to cover moving expenses. Not only are my housing options limited, the same way they were the last time I moved, now we are in an affordable housing crisis, in the middle of a pandemic. Because my apartment search has gone on for over a year, and because I did not know that the first check would be counted sooner than the later stimulus payments, I will be penalized over \$1400 for having that first \$1200 too long.

In order to avoid on further penalties, I spent that \$1200 on various things, none of which were particularly urgent. I would have rather kept it in reserve to cover the cost of moving. As it is, we are now at the beginning of October. I still haven't found an apartment and there are only a couple of months left before I must spend the last two stimulus checks. If I can't find an affordable apartment by December, I will have to spend the money on something else, or return it to the government. At that point, I have no idea how I will be able to cover the cost of moving.

In the testimony given during the September 21st hearing on how to improve SSI, no one spoke about the penalty system. It is, in fact, the most broken part of the program. As I have been speaking up about my own experience on SSI, I have heard from many others who share my fear of the government. The way SSI has been neglected for so many years, combined with the way SSA maximizes financial damages, when people make a mistake, is simply cruel.

Seniors and people with disabilities who rely on SSI to survive deserve better. Some of us might be able to return to some level of work, but even there, for all of the talk about ways to support people who might want to try to work, not a word was said about the discrimination we face in the work place. There are two sides to this coin. It is just as important to look at the social and architectural barriers that marginalize people with disabilities as it is to discuss how we could be encouraged to seek work.

Being willing to work won't be sufficient if employers are unwilling to hire us; if the health insurance available through work is too costly to use, leaving us unable to manage the health consequences of our disability; if places of employment are not accessible; if the way the workday is organized presumes everyone is able to work to as if they were able-bodied; if work accommodations are viewed as a kind of scam, rather than a way to level the playing field, then all of the desire to work in the world will not help people get off SSI.

Absent from the September 21st hearing was any information about people on SSI. What are the root causes that lead someone to fall into this punitive program "of last resort"? What are the demographic patterns: how many men; how many women; what are the racial patterns; how many people were born with significant disabilities; how many people acquired their disability later in life? Among working-age

people, why weren't they eligible for SSDI? What impact do stagnant wages have on low-wage workers who become disabled—for example, the low-wage, essential workers who caught COVID and now have long term medical impairments?

What impact does interrupted work histories have on SSI recipients, such as single parents whose work history is impacted by the time they spend caring for their children? What about people whose work history has been impacted by larger economic events, like the Great Recession, or the work disruption cause by the COVID pandemic? How have these larger, social events impacted people's ability to earn enough money, and Social Security quarters, to be able to rely on SSDI if they become disabled? If we want to understand how to develop better policies, to improve SSI, shouldn't we understand who and why people are on SSI in the first place?

If you aren't looking at why people with disabilities are marginalized, we will continue to be caught between the proverbial rock and a hard place: lack of living-wage job opportunities, with viable health insurance, on the one hand, and employers who will only consider hiring people with disabilities who are able to "pass" as almost able-bodied, on the other.

Perhaps it is finally time to look directly at the people who are on SSI, not to blame and shame, but to understand why the way we organize employment in the United States fails to meet the basic needs of the more than 8 million people on the Supplemental Security Insurance program.

Thank you for taking my testimony. There is plenty of room for improving SSI, and the need for improvement is urgent. As you consider different options, I hope you will remember that people with disabilities are not the enemy. Disability is not a scam. Perhaps it is time to retire phrases like, "SSI is a program of last resort" and consider more respectful ways to talk about us and our place in American society.

Sincerely,

Joannah L. Whitney

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LETTER SUBMITTED BY TURLACH WILKS

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Tasks My Service Dog Sally Storm Performs:

- Rouses me when I am hyper-focused or have hypersomnia 4–6 times a day so that I am able to eat, refill my hydration, do my PT, and bring her out so we can get some fresh air.
- Alerts not only to door knocks, water kettles, alarms, sirens, alerts, and notifications, but also gives me a general situational awareness of my surroundings that I am bereft of when I have to leave her behind. To not have it at home would leave me very, very anxious. I know when I am safe (or not) because Sally tells me.
- Sally retrieves and returns items to me by name, when given the command. Dropped or "searched" items. List grows.
- When I am having a panic attack or starting to get upset, Sally immediately comes and either gets in my lap or lays down beside my leg, depending on my pain level (and where I'm sitting), and provides pressure to chest or leg while nudging my hand to encourage me to pet her.

This helps me slow down, breath easier, and be better able to focus. Sally uses this skill several times a day, since my TBI makes it difficult to think clearly sometimes.

- Does a circuit around the apartment several times a day, checking to see if I'm in fugue. Nudges my leg until I respond if I am.
- Goes paws-up to assist me in reaching her leash, or anything she may be carrying. On command and spontaneous.
- Wakes for fire alarm. Wakes me for fire alarm. Is relentless. (Water kettle/stove alerts are 70% of this level.)
- In group settings, will indicate who is speaking, if she is on my lap.

- Reminds me to eat. She gets my attention then goes to her food bowl, and sits. She repeats this until I eat. She goes waggy and eats her food. At least once daily.
- She reminds me to move to the bed if I fall asleep on the couch. She will nudge me until I wake up and try to get me to move. Several times a week.

I am on SSI, I am multiply disabled. I am late deaf from a moderate TBI in 2010, I have the genetic connective tissue disorder Vascular Ehlers Danlos Syndrome, fibromyalgia, autism, thyroid disorder, asthma, migraines, PTSD, and many of the expected co-morbidities. I'm allergic to penicillin, Trovan, latex (and many related fruits and vegetables), sulfas, nickel, fragrance, shellfish, and dairy protein. I'm gluten "sensitive," which means I can't touch it. I'm walking disabled, had a left ulnar nerve displacement (left hand nerve damage), and have lifelong glove and stocking neuropathy, and daily joint subluxations. The TBI left me with short term memory disorder, cognitive disfunction, expressive aphasia, severe tinnitus, inability to reach former memories, a new way of forming memories . . . I try very hard every day. I stay within my very small budget.

I was homeless for a long time both before and after I was on SSI. I got a housing voucher through BRAP (I've been on the Section 8 waiting list for years). At first it was 50% of my income, to "teach us budgeting." During COVID, it dropped to 40% (my portion went up \$10 this month, next month another \$2, no one will say why except that the rent was raised; my income didn't change . . .). I pay my electricity, phone, insurance, all out of pocket. I also cover my pain medication.

Sally Storm is my 3rd fully trained service dog. If my Section 18 case manager cannot get my service dog's insurance approved, I will have to surrender her. We both know this is the likely case, and a plan has been made. I have packed Sally's things.

I cannot afford the vet bills that even a healthy dog needs to keep her on her maintenance medications (vaccinations, heart worm, flea, tick, etc.). Southern Maine has no vets that I've found who will do free or reduced price well visits. There is one charity vet, but they are completely booked and not taking new clients. An emergency vet visit took this year's vet visit and more from me; my usual vet urged me to wait a week to look at what even they said sounded like a potential fracture; I go there because it's two blocks away, I have no working vehicle.

I cannot afford the vet bills for the dog who gives me a reason to get up in the morning and makes it possible for me to function in the way I've learned to since my moderate TBI. I cannot afford to keep safe the service dog who has kept me safe for 5 years. This is not acceptable. I will do what is right for my service dog, even if it is not what is right for me.

I do not know what I will do without a service dog. I have no one to help me.

If I lived even at poverty level, I could afford vet visits. I could afford to fix my vehicle, if it still can be at this point. I could breathe easier. I might even be able to afford remedial training so that Sally could do public access again, and I would be less anxious in public and when shopping (when my tinnitus makes me very confused).

Even though her home skills are amazing, Sally needs remedial training for public access. Another dog, who was off-leash, ran up behind us and attacked her. I picked her up with her search-and-rescue vest, but the large breed knocked me down to get at Sally. My neighbors saw and pulled the dog off, but Sally still has physical scars 3 years later; the dog's owner refused to take any responsibility. Sally is now leash reactive. I cannot afford the training, I cannot get help to get the training (due to SSI's rules), Section 18 (Medicaid TBI specialty) won't approve the training.

My cupboards are nearly empty. I just ate a lunch of black beans and bell pepper cooked in pork lard, with stale tortilla chips (never waste food). I have plenty of rice, I'll be okay for another week or so with vegetables, but for protein I'm down to my last egg. I'm effectively housebound with my car needing a new braking system (it's only been moved for plowing for 2 years), so I'm dependent on others for bringing me to get groceries, especially with my dietary needs. I do have SNAP, but using it is an issue. There are no caregivers rated for my level in my area, which apparently means it's better for liability to leave me without anybody. The Medicaid rideshare is for doctor's appointments or workfare only, they don't consider getting food essential.

You can get a ride to spend hours doing benchwork for piece rate, because your form is marked for "socialization," not employment, but not to get groceries, as a disabled

person on SSI! They don't want to "mess up your benefits," after all. They'll keep your monthly check well under the \$80 confusion limit, don't worry. Goodwill will "take care" of you, for a profit!

I want to live in my apartment without fear of being institutionalized. I want to be able to keep my service dog who I love and who helps me so very much. I want the freedom of a car in Maine, I'm very isolated. I'd like to be able to get more than an ounce of medical marijuana a month for my pain; see if I could function more normally on 2-3oz/month, maybe.

I want to be able to live without every day being about pain and fear.

Please modernized SSI. We're being forced to make terrible choices. It's easier to choose between Sally and I eating than having to give her up.

Turlach Wilks

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LETTER SUBMITTED BY BARBARA B. WILSON, LCSW, EDPNA

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

My name is Barbara B Wilson and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI."

I have experienced providing mental health services to adults who have Serious Mental Illness since the late 1960s. Although I have provided services to other populations including:

Women's Maximum Security.

Inpatient state hospital units (adults with acute illness; older adults with serious neurological conditions; children; pre-adolescents).

Community based programs (transitioning from state hospitals to board and care facilities for adults both with Serious Mental Illness and for adults with Intellectual Disabilities); designing community programs for adults, older adults, adolescents and children with mental illness and/or intellectual disabilities.

Currently I have founded a grass-roots not-for-profit organization to help families who have been affected by a loved one's Serious Mental Illness. Often our families are very confused by the entire process of applying for SSI. Once approved, their loved one often are unable to locate any housing that will accept their rate of pay. The rules of SSI preclude the family supplementing the rate so that they can move away from the family home. Yet, from a clinical perspective, it is not only desirable but even essential for that son or daughter to relocate since our community has very limited community based programs to help them improve their functioning.

**Additional issues:**

The \$2,000 limit is obsolete and prevents clients from being able to accumulate the necessary funds to move out into independent apartments. Currently housing vouchers are rare and are most likely to be given to a person who is both psychotic and homeless. That person is actually a poor risk for maintaining an apartment and would be more appropriately placed in a Licensed Board and Care for stabilization. In that way the person could have daily supervision. Meals and Medications are provided.

Unfortunately we are experiencing the continual closure of these facilities due to the abysmally low rate of reimbursement. Even with a state supplement, these facilities receive slightly less than \$36.00 per diem.

Yet they provide: 3 meals daily plus 2 snacks; shared room occupancy—2 per room; housekeeping; laundry; and 24-hour supervision medication management.

So we are losing these facilities county-wide and state-wide. Yet the cost of even one trip to the Emergency Room or the cost of even one arrest (plus jail time/court time) far exceeds the cost of paying these facilities a reasonable rate of reimbursement.

On the other hand, residents in a Licensed Board and Care facility are routinely denied access to Housing Vouchers since they are not Homeless. Yet, they would be a more stable resident to receive a voucher provided they have proper supports in place.

The lived reality for many people receiving SSI and who do not reside in Board and Care homes is a precarious one at best. If they refuse medications, many clinics will close their cases. Eventually Social Security will call them in for a review of their case to determine whether or not they are still disabled. The threat of termination of their SSI often triggers more psychosis. They are unlikely to be hospitalized since during COVID, almost no one gets admitted to the hospital or jails. Instead the family members are terrorized, afraid to go to sleep because their loved one is awake all night.

**Elderly parents deserve to be safe from their adult children who may be in a psychotic episode.**

It is my hope that the revision of SSI rules include: changes in monthly rates to recipients; changes in the total assets allowed; and changes in the amounts paid to representatives. (We provide representation to claimants who have Serious Mental Illness and who, without significant hands-on support, would not be able to complete the application process or the hearing process. There is almost always a significant gap between the \$6,000 maximum payment versus the actual staff time incurred to service the claimants during the total process.)

Revision of the return to work rules. Most claimants are highly invested in wanting to be a paid employee while most employers are reluctant to provide the necessary accommodations that chronic mental illness requires. There needs to be greater incentives to employers as well.

Administrative Law Judges need to be immune from political pressure to Deny claimants in order to maintain their own employment.

Having hearings via Internet is spotty at best and assumes that all claimants have access to working Internet.

Thank you for having this hearing.

Barbara Wilson

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LETTER SUBMITTED BY CASSIE WILSON

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Cassie Wilson and I am writing to submit a statement for the record for the subcommittee hearing "Policy Options for Improving SSI." I rely on SSI and the program desperately needs to be updated. Many of the rules have not been changed since SSI was passed in 1972 and it no longer ensures "that the nation's aged, blind, and disabled people would no longer have to live on below-poverty incomes."

As someone with a permanent disability, I decided to apply for SSI in 2018 after repeatedly trying and failing to get a job because of the inaccessibility of employment. I got approved in January 2019 which was a pleasant surprise because many people are denied on their first application.

Beginning to receive SSI was life-changing, at first. I had never experienced having a steady and reliable income. I had no idea that just a couple years later I'd realize I was trapped into government sanctioned poverty that sometimes hurts more than it helps due to out of date restrictions.

SSI recipients are only allowed an additional income of \$85 per month before our benefit starts being reduced. I didn't know this last fall when I was offered a job for the first time in my life. I thought there was no way that earning \$465 per month in addition to my \$529.34 benefit, a total income that would still be below the federal poverty line, would be an issue. Unfortunately, that wasn't the case. As a result of the income limitations, I work just five hours a month earning \$75. I have yet to find a job that meets my needs and gives me the confidence to go off of SSI because I'm so scared that once I lose it I won't be able to get it back if I need it.

It's not just earned income that counts against SSI recipients, it's also the \$20 your friend puts in your birthday card and the bag of groceries your family offers to buy you. The latter, in-kind income, really starts to add up in terms of penalties. I live

with my parents and they buy the groceries, so that's why I receive \$529.34 instead of \$794 as if that extra \$264.66 is enough for both food and shelter.

States are allowed to provide a supplement to SSI, but almost none have opted to do so in a way that is widely accessible and available to all SSI recipients. The ones that do provide this supplement often have tight restrictions around which SSI recipients are allowed the extra help and their programs are often just as outdated as the federal program.

Additionally, I'm not allowed to have more than \$2000 in assets or I'll immediately become ineligible for SSI. The exception is that I can save money in an ABLE savings account which is a special program that states have to opt into. Fortunately Oregon is one of those states, but it takes \$35 in annual fees and I'm restricted on what eligible expenses I'm allowed to spend my savings on. If I were to be allowed to just keep my savings in my bank account I wouldn't be losing money while trying to save for the future.

Somehow, that's still not all that's wrong with this program. SSI is keeping disabled people from marriage equality. When computing your benefit, the Social Security Administration (SSA) counts your spouse's income against you through what's called "deemed income." Additionally, if two people on SSI get married they would receive just \$1,191 which is \$397 less than if both people got to keep their full individual income. Combined assets for couples max out at just \$3,000.

The marriage penalty makes it really easy for couples, including two people living together in a serious relationship that aren't legally married, to become ineligible. This can be life threatening, especially if they lose eligibility for Medicaid along with their SSI and can't afford medical care.

It also puts disabled people in potentially dangerous situations where we're forced to become financially dependent on our partner and could easily become a victim of financial abuse or become trapped and unable to afford to leave if the relationship turns sour.

The flaws of SSI can also take effect in many unobvious ways. For example, I live in a rural area and have no choice but to get around by driving. The cost to get a lift put into our van (\$6,500) to make it fully accessible to me, is greater than my total annual income on SSI (\$6352.08). If family or friends wanted to chip in to help me pay for large expenses like this, I would be penalized for receiving the help and risk my overall income.

The intersecting issues don't start and end with transportation, though. Rent alone is more than people receive on SSI and we don't have enough affordable housing. Affording a college tuition or student loans as a young person on SSI becomes impossible if your parents' income makes you ineligible for financial aid even when they can't support you. It forced me to delay my studies until FAFSA sees me as financially independent at age 24. And how exactly are people living below the poverty line supposed to afford to get out of harm's way during climate disasters?

Additionally, while beginning to explore the idea of running for office, I found out that doing so would threaten my eligibility for SSI due to the numerous ways the Social Security Administration can decide if you "still have a qualifying disability." I am permanently disabled and nothing is going to change that, but if the SSA determines I have the ability to work, even if I don't have a job, then I can lose my income because I'm no longer disabled according to them. Campaigning is something that could show the ability to work, and therefore cause me to lose SSI before the election even rolls around.

This denies disabled people access to positions of power that could allow us to improve the system based on our lived experiences within it. Whether or not to improve SSI is a decision currently sitting in the hands of mostly non-disabled people. One in four people are disabled, yet for SSI recipients our path to elected office means risking our already limited income which leads to dramatic under representation.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation. We can't build back better while leaving millions of disabled people in poverty.

Sincerely,

Cassie Wilson

## LETTER SUBMITTED BY LEONA BELLE ZARRABI

U.S. Senate  
Committee on Finance  
Subcommittee on Social Security, Pensions, and Family Policy

Dear Chairman Brown and Ranking Member Young:

My name is Leona and I am writing to submit a statement for the record for the subcommittee hearing “Policy Options for Improving SSI” in my personal capacity and in the capacity of Representative Payee. Eugenie Van Miller, my late mom, relied on SSI due to schizophrenia. I was her Representative Payee from 2011 until her death in 2018.

SSI urgently needs to cover an equitable amount of rent for RCFEs and ARFs in California. RCFEs and ARFs are closing all over California due to low payment rates set by SSI.<sup>1</sup>

My mom, Eugenie, resided in a RCFE that accepted SSI patients from 2012–2017 where she shared a tiny room with another female patient. Its closing in 2017 was the beginning of her decline.

From September of 2017 until her death in May 2018, my mom did not receive the level of care required because neither she nor I could afford to privately pay for a licensed RCFE/ARF that had medication management. As a result, she had to live in a room and board that did not provide medication management and did not have trained professionals. I am certain that my mom’s health would not have declined as dramatically as it did if she had received proper care in a RCFE.

The SSI system failed my mom at the end of her life due to the minimal amount set by SSI for RCFEs in California. The SSI payment amount should be increased for living in a RCFE setting. Perhaps long term, dual insurance (Medi/Medi) individuals with serious mental illness could receive RCFE and ARF services in the same format as individuals with developmental disabilities in California receive services—through the use of a Medicare waiver—but Medicare waivers take time. At a minimum, and with urgency, the SSI payment amount should be increased for living in a RCFE in order to avoid any more closures and casualties—like my mom.

For these reasons, I ask Congress to include improvements to SSI in the upcoming budget reconciliation legislation.

Sincerely,  
Leona Belle Zarrabi

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<sup>1</sup><https://www.dhcs.ca.gov/services/MH/Documents/Legislation-Committee/2018-ARF-Final.pdf>. Please note the report excludes San Francisco, Alameda, Contra Costa and Los Angeles Counties, yet identifies a worrisome trend. The Steinberg Institute met with California Assemblyman Bloom on April 11, 2019 where Alameda and Contra Costa Counties reported 5,468 ARF/RCFE beds lost in the prior 5 years.