



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

**Oppose Cuts to Concurrent SSDI and UI Benefits:
S. 499, H.R. 918, S. 343, and Similar Proposals
Would Hurt SSDI Beneficiaries and Their Families, Discourage Work**

Congress should reject proposals to reduce or eliminate benefits for individuals who concurrently receive Social Security Disability Insurance (SSDI) and Unemployment Insurance (UI):

- **Social Security should not be cut. Cutting extremely modest SSDI benefits for people who also qualify for UI could worsen the financial security of workers with disabilities and their families.**
- **UI should be there for all American workers, including workers with some of the most significant disabilities who receive SSDI – it’s a question of fairness.** SSDI beneficiaries who qualify for UI should not be treated differently from other workers under the UI program.
- **SSDI and UI are earned benefits, paid for by workers and their employers.** Workers who qualify for both should be able to receive the insurance benefits they have earned.
- **Encouraging SSDI beneficiaries to work has long been a cornerstone of bipartisan Congressional policy.** Cutting or eliminating benefits for SSDI beneficiaries who have tried to work but have been laid off through no fault of their own, and qualify for UI, could penalize beneficiaries and discourage attempts to work.
- **Questions exist about how the Social Security Administration would administer such proposals** at a time of serious underfunding of SSA’s administrative budget, particularly within the already-complex SSDI work incentives framework.

Concurrent receipt of SSDI and UI is legal and appropriate

- **SSDI and UI were established for different purposes and largely serve different populations.** UI insures workers against the loss of a job through no fault of their own. SSDI insures workers against a significant disability that prevents substantial work (but not all work). As highlighted in a 2012 Government Accountability Office report, less than one percent of individuals served by SSDI and UI receive concurrent benefits.
- **By law, SSDI beneficiaries are encouraged to work. Receiving UI and SSDI is consistent, legal, and appropriate.** This is the long-standing position of the Social Security Administration and of the courts. Congress has enacted many provisions that encourage SSDI beneficiaries to work, commonly referred to as “work incentives.” One important provision allows people to earn up to “Substantial Gainful Activity”, or \$1,090 per month in 2015, and continue to keep their SSDI

benefits. This allows SSDI beneficiaries to try to work while maintaining SSDI and Medicare if a work attempt fails. SSDI beneficiaries with earnings under \$1,090 per month may qualify for UI if they lose their job through no fault of their own.

- **Like all Americans, SSDI beneficiaries who work seek greater economic security for themselves and their families.** To qualify, SSDI beneficiaries must meet one of the strictest standards in the industrialized world. At the same time, some people with significant disabilities who receive SSDI may be able to work part-time to help them get by, may lose their part-time job and then receive UI. Additionally, the disability and health status of people who receive SSDI benefits can change, and some people who see their situation improve a little may attempt work (such as people attempting to see if they are able to return to full-time work), and may qualify for UI if laid off.

Concurrent SSDI and UI benefits are modest, but vital

- **Concurrent benefits are extremely modest.** GAO estimated that in FY 2010 the average *quarterly* overlapping benefit was only about \$1,100 in SSDI and \$2,200 in UI, for a *quarterly* average of about \$3,300 in total benefits – amounting to an average of ***\$1,100 per month***.
- **Concurrent benefits can be a lifeline to workers who receive them and their families.** Benefits can be essential to helping workers and their families pay for rent, utilities, food, and out-of-pocket medical expenses in the event of job loss or during the often-lengthy SSDI application process.

Congress should reject proposals to cut concurrent SSDI and UI benefits

Proposals during the 114th Congress include:

Social Security Disability Insurance and Unemployment Benefits Double Dip Elimination Act of 2015 (S. 499, introduced by Sen. Orrin Hatch (R-UT); H.R. 918, introduced by Rep. Sam Johnson (R-TX-3), Rep. Paul Ryan (R-WI-1), and 10 original cosponsors).

- A SSDI applicant will be considered to have engaged in Substantial Gainful Activity (SGA) in any month in which the individual is eligible for or has received UI for any part of a week during that month – ***and will therefore be ineligible for SSDI during that month***.
- A SSDI beneficiary will be considered to have completed one Trial Work Period (TWP) month in any month in which the individual is eligible for UI, and to have engaged in SGA after the TWP is exhausted – ***penalizing SSDI beneficiaries who have attempted to work by putting their SSDI benefits at risk of termination and/or suspending benefits***.
- These provisions apply only to people who apply for SSDI on or after January 1, 2016.

Reducing Overlapping Payments Act of 2015 (S. 343, introduced by Sen. Jeff Flake (R-AZ) and Sen. Joe Manchin (D-WV)).

- Reduces SSDI benefits to ***zero*** in any month in which an individual is eligible for UI.