



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

April 3, 2020

The Honorable Steven T. Mnuchin
Secretary of the Treasury
US Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

The Honorable Andrew Saul
Commissioner of Social Security
US Social Security Administration
1500 Woodlawn Drive
Baltimore, MD 21241

The Honorable Robert Wilkie
Secretary of Veterans Affairs
US Department of Veterans Affairs
810 Vermont Avenue NW
Washington, DC 20571

Dear Secretary Mnuchin, Commissioner Saul, and Secretary Wilkie:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) and allied organizations write in response to the recently passed Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law Number 116-136.

CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. We are particularly concerned about how people who rely on Supplemental Security Income (SSI), Social Security Title II benefits (Social Security), and Veterans (VA) Disability Compensation and Veterans Pension benefits will receive the Recovery Rebates provided by this law.

Many of the people our organizations represent receive SSI, Social Security, or VA Disability Compensation and Veterans Pension benefits and consequently will be impacted by decisions about how Recovery Rebates will be issued. As part of the CARES Act, eligible persons will receive a cash payment of up to \$1,200 (\$2,400 for those married filing jointly) called a Recovery Rebate. The CARES Act instructs the Treasury to issue Recovery Rebates based on a person's 2018 or 2019 income tax filing. If a person has not filed taxes in either year, the legislation allows the use of a person's Form SSA-1099 or Form RRB-1099.

We appreciate recent statements from the Internal Revenue Service that suggest that Social Security beneficiaries will receive their payments automatically based on the SSA-1099 form. Since Congress included a reference to the SSA-1099 form, it is clearly Congressional intent that those forms be utilized, along with other data that SSA and Treasury already possess, to issue Recovery Rebates automatically. We would urge the Social Security Administration (SSA) and the IRS to comply with Congressional intent as quickly as possible.

However, people receiving SSI or VA Disability Compensation and Veterans Pension benefits do not receive a SSA-1099 or similar form because their benefits are not taxable. These individuals will not be automatically issued a rebate. Like Social Security and Railroad Retirement beneficiaries, they need additional action by Treasury, SSA, and the VA, to ensure that they will not need to file tax returns to access their Recovery Rebates. Forcing millions of low-income senior citizens and people with disabilities, many of them veterans, to file tax returns when they are not otherwise required to do so will delay access to their Recovery Rebates and place a huge burden on the providers of disability and low-income tax preparation services. Given previous failures to reach this population in 2008 when tax filing was required, it is crucial that the IRS, SSA, and VA not repeat the mistakes of the past.

As Former IRS Taxpayer Advocate Nina Olson said, when testifying about how hard it was to reach Social Security, SSI, and VA Disability Compensation and Veterans Pension beneficiaries in 2008, “there are major challenges to achieving a significant participation rate,” including lack of internet access, physical and electronic accessibility issues, and legally required reasonable accommodations and assistance for people with disabilities in understanding the tax filing process.¹ In fact, in 2008, 17 percent of eligible individuals did not file tax returns and did not claim their stimulus checks.² We want everyone to have access to their Recovery Rebate and we urge you to create a workable and simple system to distribute the rebates without requiring individuals on SSI or VA Disability Compensation or Veterans Pension benefits to file tax returns. Otherwise, millions of people may not receive the recovery rebate to which they have a legal right, and will be unable to use it to meet important needs and stimulate the local and national economies.

To remedy this problem and to comply with Congressional intent regarding Social Security beneficiaries, the applicable federal agencies should share data from the VA and SSA with Treasury. This would allow Recovery Rebates to be issued for SSI, Social Security, and all VA beneficiaries without the need for such recipients to file tax returns, something they would otherwise not do. This would not be a significant lift for the pertinent federal agencies. For many years, SSA and the VA's Veterans Benefit Administration (VBA) have had a computer matching program whereby the VA shares compensation and pension payment data with SSA for various purposes related to SSI, Special Veterans Benefit recipients, and Medicare outreach.

Thank you for your consideration of this important issue for SSI, VA Disability Compensation, and Veterans Pension beneficiaries. The United States is currently in an unprecedented time and we must all work together to accommodate all persons. We stand ready to work with you to find a workable solution for this vital issue and would like to schedule a time to talk in the near future. Please contact Bethany Lilly (lilly@thearc.org) and Stacy Cloyd (stacy.cloyd@nosscr.org) to arrange for further discussion of this important topic.

Sincerely,

2-1-1 HUMBOLDT INFORMATION AND RESOURCE CENTER

Access Living
Access to Independence, Inc.
Addiction Connections Resource
Advocacy and Training Center
AdvocacyDenver
Advocates for Basic Legal Equality
African American Health Alliance
AIDS Action Baltimore
AIDS Connecticut, Inc.
AIDS Foundation of Chicago
Alabama Disabilities Advocacy Program
Alliance for Retired Americans
ALS Association
American Association on Health and Disability
American Council of the Blind
American Dance Therapy Association
American Diabetes Association
American Music Therapy Association
American Network of Community Options & Resources (ANCOR)
AMSUS (Association of Military Surgeons of the United States)
APLA Health
Asian Law Alliance
Association for Community Living in Boulder & Broomfield Counties
Association of Assistive Technology Act Program
Association of People Supporting Employment First
Atlanta Legal Aid Society
AUCD
Autism Society of America
Autistic Self Advocacy Network
Autistic Women & Nonbinary Network
Benefits Law Center
Big Tent Coalition of Kansas
Burlington Police Dept
CA Food Policy Advocates
California Alliance for Retired Americans
California Association of Food Banks
California Food Policy Advocate
Center for Civil Justice
Center for Independent Living of North Central (CILNCP)
Center for Law and Social Policy (CLASP)
Center for Medicare Advocacy
Center for Public Representation
Charlotte Center for Legal Advocacy
Chicago Coalition for the Homeless
Chief Warrant & Warrant Officer Assoc., U.S. Coast Guard
Christopher & Dana Reeve Foundation
Church World Service
Coalition on Human Needs
Colorado Organizations and Individuals Responding to HIV/AIDS
CommunicationFIRST

Communities Actively Living Independent & Free
Community Health Law Project
COMMUNITY LEGAL AID SOCIETY, INC., DELAWARE
Community Legal Services of Philadelphia
Council of State Administrators of Vocational Rehabilitation
Disability Law Center of Alaska
Disability Law Colorado
Disability Rights Arkansas
Disability Rights California
Disability Rights Center - NH
Disability Rights Center of Kansas
Disability Rights Education & Defense Fund
Disability Rights Education & Defense Fund
Disability Rights Florida
Disability Rights Louisiana
Disability Rights Maine
Disability Rights Nebraska
Disability Rights New Jersey
Disability Rights North Carolina
Disability Rights Oregon
Disability Rights Tennessee
Disability Rights Vermont
Easterseals
Empire Justice Center
Epilepsy Foundation
Equality California
Equality North Carolina
Family Equality
Federation of Protestant Welfare Agencies (FPWA)
Fleet Reserve Association
Food for People, the Food Bank for Humboldt County
GLBTQ Legal Advocates & Defenders
HIVenas Abiertas
Homeless Advocacy Project
Homeless Persons Representation Project
Housing and Economic Rights Advocates
Housing First Community Coalition
Indiana Disability Rights
Inner City Law Center
Jewish Family Service LA
Jewish War Veterans
Justice in Aging
Kentucky Equal Justice Center
Lakeshore Foundation
Law Foundation of Silicon Valley
Legal Aid at Work
Legal Aid Justice Center
Legal Aid Society of the District of Columbia
Legal Council for Health Justice
Legal Services of Northern Virginia
Lutheran Towers
Maryland State Bar Association Military and Veterans' Affairs Section
Massachusetts Disability Law Center

Medicare Rights Center
Metropolitan Interfaith Council on Affordable Housing (MICAH)
Military Chaplains Association of the United States of America
Military Order of the Purple Heart
Muslim Caucus Education Collective
National Academy of Elder Law Attorneys
National Adult Day Services Association (NADSA)
National Alliance on Mental Illness
National Asian Pacific Center on Aging (NAPCA)
National Association of Councils on Developmental Disabilities
National Association of Disability Representatives
National Association of Social Workers (NASW) California Chapter
National Center for Lesbian Rights
National Coalition for the Homeless
National Committee to Preserve Social Security and Medicare
National Council on Independent living
National Disability Rights Network
National Down Syndrome Congress
National Health Care for the Homeless Council
National Law Center on Homelessness & Poverty
National Multiple Sclerosis Society
National Organization of Social Security Claimants' Representatives
National Organization of Veterans' Advocates
National Partnership for Women & Families
National Women's Law Center
National Working Positive Coalition
ND Protection & Advocacy Project
Network of Jewish Human Service Agencies
New Mexico Center on Law and Poverty
New York Legal Assistance Group
North Country Independent Living
Northwest Immigrant Rights Project
Paralyzed Veterans of America
Pisgah Legal Services
PolicyWorks, Inc.
Positive Iowans Taking Charge
PRC
Project HOME
RespectAbility
RESULTS
Rosie's Place
Sacramento Homeless Organizing Committee
Safe Ground Sacramento
San Antonio Catholic Worker House
School of Jai
Senior Services America, Inc.
Shriver Center on Poverty Law
Silver State Equality--Nevada
Sister Jose Women's Center
Social Security Works
SOME, Inc. (So Others Might Eat)
Southern Poverty Law Center
Special Needs Alliance

Special Needs Alliance
TASH
Tennessee Justice Center
The Arc of the Central Mountains
The Arc Maryland
The Arc Michigan
The Arc New York
The Arc of Adams County (Colorado)
The Arc of Anchorage
The Arc of Arizona
THE ARC OF AURORA
The arc of Colorado
The Arc of Illinois
The Arc of Iowa
The Arc of Larimer County (Colorado)
The Arc of Louisiana
The Arc of Massachusetts
The Arc of New Mexico
The Arc of Weld County
The Arc Oregon
The Arc Pikes Peak Region
The Arc Tennessee
The Arc Wisconsin
The Elder Law and Disability Rights Section Council of the Maryland State Bar Association
The Independence Fund
The Jewish Federations of North America
The Leadership Conference on Civil and Human Rights
The Redwood Empire Food Bank
The Well Project
TREA: The Enlisted Association
Treatment Action Group
Tzedek DC
United Spinal Association
UNITED STATES INTERNATIONAL COUNCIL ON DISABILITIES
United States People living with HIV Caucus
US International Council on Disabilities
VCIL
Vermont Legal Aid, Inc.
VetsFirst
Virginia Poverty Law Center
Washington Legal Clinic for the Homeless
We All Rise
Whitman-Walker Health
Women's Institute for a Secure Retirement (WISER)

¹ <https://www.govinfo.gov/content/pkg/CHRG-110hrg50038/pdf/CHRG-110hrg50038.pdf>

² https://www.hamiltonproject.org/assets/files/Sahm_web_20190506.pdf