



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

July 16, 2015

United States Senate
Washington, D.C. 20510

Dear Senator:

As Co-Chairs of the Consortium for Citizens with Disabilities (CCD) Social Security Task Force, we write to express the Task Force's strong opposition to enacting legislation that cuts Social Security, including Social Security Disability Insurance (SSDI), or Supplemental Security Income (SSI) to offset the costs of unrelated programs in the surface transportation reauthorization bill.

Any changes to our nation's Social Security system should be carefully considered as part of discussions about how to strengthen Social Security for the American people, including individuals with disabilities. Cuts to Social Security should not be considered as offsets for unrelated programs. Although a strong and accessible highway system is critical to people with disabilities, we strongly oppose proposals to partially offset the costs of reauthorizing surface transportation legislation by eliminating or reducing Social Security, SSDI, or SSI benefits. We urge the U.S. Senate to reject any such proposals.

We understand that at least two Social Security policy changes are currently being considered as offsets for legislation to extend highway transportation funding.

One measure would eliminate or reduce concurrent SSDI benefits for individuals who attempt to work – as encouraged by law – but lose their job through no fault of their own and qualify for Unemployment Insurance (UI). This proposal has long been opposed by members of CCD, most recently in a letter by 75 national organizations including members of CCD, the Coalition on Human Needs, and the Strengthen Social Security Coalition (<http://www.c-c-d.org/fichiers/CCD-Letter-DI-UI-03-17-15FINAL.pdf>).

The SSDI and UI programs were established for different purposes and largely serve different populations. Receiving UI and SSDI concurrently is legal and appropriate. This has been the long-standing position of the Social Security Administration and of the courts. Individuals qualify for SSDI because they have significant disabilities that prevent work at or above Social Security's Substantial Gainful Activity level (earnings of \$1,090 per month, in 2015). At the same time, the Social Security Act encourages SSDI beneficiaries to attempt to work, and those who have done so at a low level of earnings but have lost their job through no fault of their own may qualify for UI. As highlighted in a 2012 Government Accountability Office report, less than one percent of individuals

served by SSDI and UI receive concurrent benefits, and the average concurrent benefit in fiscal year 2010 totaled only about \$1,100 per month.

These extremely modest benefits can be a lifeline to workers with disabilities who receive them, and their families. We are deeply concerned by any prospect of worsening the economic security of workers with disabilities and their families. In addition, proposed cuts to concurrent benefits single out SSDI beneficiaries with disabilities, treating them differently from other workers under the UI program, and have the potential to create new disincentives to work for SSDI beneficiaries.

A second measure would bar payment of Social Security or SSI benefits to individuals with outstanding warrants for their arrest. The Social Security Act already prohibits payments to individuals fleeing from law enforcement to avoid prosecution or imprisonment, and the people who would be affected by the CUFF Act are, in fact, neither fugitives nor felons. Almost none of the individuals who would be affected by this provision are actual fugitives from justice and most of the warrants in question are many years old and involve minor infractions. Moreover, the Social Security Administration (SSA) attempted to administer a similar provision for a number of years, with catastrophic effect for many vulnerable people with disabilities and seniors, employing procedures that did not withstand judicial scrutiny. If Congress adopts this provision, it would return SSA to a policy that was overly broad and led to much unintended harm to seniors and people with disabilities who have not been convicted of any crime but who rely on Social Security and SSI.

In closing, we reiterate that although a strong and accessible highway system is critical to people with disabilities, any cuts to Social Security or SSI would harm beneficiaries and should not be considered as offsets for unrelated programs. We urge the U.S. Senate to reject any proposals to partially offset the costs of reauthorizing surface transportation legislation by eliminating or reducing Social Security, SSDI, or SSI benefits.

Sincerely,

CCD Social Security Task Force Co-Chairs:

Kate Lang, Justice in Aging
Jeanne Morin, National Association of Disability Representatives
Web Phillips, National Committee to Preserve Social Security and Medicare
T.J. Sutcliffe, The Arc of the United States
Ethel Zelenske, National Organization of Social Security Claimants'
Representatives

CCD is a coalition of over 100 national consumer, advocacy, provider, and professional organizations working together with and on behalf of the 57 million children and adults with disabilities and their families living in the United States. The CCD Social Security Task Force focuses on disability policy issues in the Title II disability programs and the Title XVI Supplemental Security Income (SSI) program.