

Congress of the United States
Washington, DC 20515

April 16, 2021

The Honorable Joseph R. Biden
President of the United States
White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Kamala Harris
Vice President of the United States
White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden and Vice President Harris:

In recovering from the pandemic, as your administration has made clear, we have an unprecedented opportunity to expand the American social safety net and lay the foundation for a just, sustainable society. While there is much to applaud in the American Jobs Plan, we especially appreciate your push to invest \$400 billion in expanding access to home and community-based services. This represents an important step towards fulfilling your campaign commitments to eliminate waiting lists for these services for people with disabilities and older adults, fix Medicaid's institutional bias, and raise wages and benefits for care workers. We look forward to working with you to transform our economy to prioritize well-being and care for all people.

Now, as you prepare to build on that vision with the forthcoming American Families Plan, we ask that you devote particular attention to the lowest-income disabled and older Americans, who are all too frequently left behind. In that spirit, we wish to highlight desperately needed improvements to the Supplemental Security Income (SSI) program, many of which were included in the historic commitments you made to the disability and aging communities during your presidential campaign. The list below is not comprehensive, and we would like to offer to work with you on additional improvements, as Congress has a number of pieces of legislation that point the way forward.

Specifically, we urge you to indicate your support for the following SSI program reforms in the American Families Plan:

- **Raise benefit levels above the federal poverty line:** SSI offers a vital income floor for older adults as well as children and adults with disabilities. Approximately eight million Americans receive SSI benefits, most of whom are non-elderly people with disabilities who possess no other source of income. SSI represents a vital lifeline for these Americans, without which they would be unable to meet their fundamental needs. Unfortunately, the federal government has failed to adequately maintain this lifeline. SSI

benefits have long been inadequate, with the federal benefit level standing at only \$794 a month¹ – far below the federal poverty line.²

During your campaign, you called for addressing this crisis, rightfully pointing out that people with disabilities and older adults should never have to live in poverty in America.³ We believe you were correct, and ask you to raise the benefit to at least 100% of the federal poverty line.

- **Increase the SSI asset limit and index it to inflation going forward:** Over the last several decades, SSI has been permitted to degrade, with income and asset restrictions failing to keep pace with both inflation and our country’s evolving approach towards the inclusion of people with disabilities in the workforce. SSI’s asset limit, last updated in 1984, restricts recipients to \$2,000 in countable resources (\$3,000 for married couples).⁴ Because this limit is not indexed to inflation, it grows steadily more draconian each year. Lifting this asset cap is long overdue and is also consistent with your campaign commitments.⁵
- **Update income exclusions and index them to inflation going forward:** SSI recipients are also subject to an aggressive income test, with benefits phasing out at a rate of \$1 for every \$2 in income.⁶ In order to encourage work, in 1962 Congress established an \$85 per month income exclusion in one of SSI’s predecessor programs, Aid to the Blind, permitting recipients to keep their first \$85 a month in earnings without benefits being phased out.⁷ Shamefully, the modern day SSI program maintains the same income exclusion a half-century later.⁸ Had the original exclusion been indexed to inflation and carried forward into SSI, it would be worth \$745 a month today.
- **Eliminate the marriage penalty and in-kind maintenance and support rules that reduce benefits for those who receive shelter, meals, and groceries from family or friends:** During the campaign, you called for eliminating SSI’s marriage penalty as well

¹ Social Security Administration. SSI Federal Payment Amounts.

<https://www.ssa.gov/oact/cola/SSlamts.html>

² U.S. Department of Health & Human Services. HHS Poverty Guidelines for 2021.

<https://aspe.hhs.gov/poverty-guidelines>

³ Biden-Harris Campaign. “THE BIDEN PLAN FOR FULL PARTICIPATION AND EQUALITY FOR PEOPLE WITH DISABILITIES.” <https://joebiden.com/disabilities/>

⁴ Social Security Administration Office of Policy. Trends in the Social Security and Supplemental Security Income Disability Programs. https://www.ssa.gov/policy/docs/chartbooks/disability_trends/sect05.html

⁵ Biden-Harris Campaign. “THE BIDEN PLAN FOR FULL PARTICIPATION AND EQUALITY FOR PEOPLE WITH DISABILITIES.” <https://joebiden.com/disabilities/>

⁶ Social Security Administration. Exempt Amounts Under the Earnings Test.

<https://www.ssa.gov/oact/cola/rtea.html>

⁷ Public Law 87-543

⁸ Social Security Administration. Understanding Supplemental Security Income.

<https://www.ssa.gov/ssi/text-income-ussi.htm>

as the "in-kind support and maintenance" provision⁹, which reduces beneficiaries' benefits by one-third if they accept food and shelter from family or friends.¹⁰ Presently, these punitive rules keep SSI recipients from marrying who they love – and require recipients to report borrowing food from a roommate, for example, or a parent treating them to dinner. They are complex to administer and even more complex for beneficiaries to navigate and should be eliminated.

These reforms are not only consistent with the imperatives of disability and economic equality. They would also advance racial justice. Nearly 1 in 4 Black and Hispanic Americans receiving Social Security Disability Insurance (SSDI) benefits also receive SSI payments, due to the low level of their disability insurance awards.¹¹ By strengthening the SSI program, you will be taking strong and necessary steps to alleviate poverty that disproportionately impacts disabled people of color.

People with disabilities and older adults receiving SSI represent some of the most marginalized members of our society. History will not forgive us if we fail to address their needs in the recovery effort. We ask you to prioritize these essential SSI reforms in the American Families Plan and stand ready to work with you to make them a reality.

Sincerely,

/s/ Jamaal Bowman, Ed.D.
Member of Congress

/s/ Sherrod Brown
United States Senator

/s/ Raúl M. Grijalva
Member of Congress

/s/ Bernard Sanders
United States Senator

/s/ Katie Porter
Member of Congress

/s/ Elizabeth Warren
United States Senator

/s/ Peter A. DeFazio
Member of Congress

/s/ Ron Wyden
United States Senator

/s/ Danny K. Davis
Member of Congress

/s/ Chris Van Hollen
United States Senator

⁹ Biden-Harris Campaign. "THE BIDEN PLAN FOR FULL PARTICIPATION AND EQUALITY FOR PEOPLE WITH DISABILITIES." <https://joebiden.com/disabilities/>

¹⁰ Social Security Administration. Understanding Supplemental Security Income. <https://www.ssa.gov/ssi/text-income-ussi.htm>

¹¹ Social Security Administration. "Hispanics Receiving Social Security Disability Insurance Benefits." <https://www.ssa.gov/news/press/factsheets/ss-customer/hispanics-dib.pdf>; Social Security Administration. "African Americans Receiving Social Security Disability Insurance Benefits." <https://www.ssa.gov/news/press/factsheets/ss-customer/aa-dib.pdf>

/s/ Bill Pascrell, Jr.
Member of Congress

/s/ John B. Larson
Member of Congress

/s/ Eleanor Holmes Norton
Member of Congress

/s/ Gwen Moore
Member of Congress

/s/ Ro Khanna
Member of Congress

/s/ Ayanna Pressley
Member of Congress

/s/ Chellie Pingree
Member of Congress

/s/ Nikema Williams
Member of Congress

/s/ Jan Schakowsky
Member of Congress

/s/ Bobby L. Rush
Member of Congress

/s/ Barbara Lee
Member of Congress

/s/ Mary Gay Scanlon
Member of Congress

/s/ Mondaire Jones
Member of Congress

/s/ Mark Pocan

/s/ Tammy Duckworth
United States Senator

/s/ Cory A. Booker
United States Senator

/s/ Richard J. Durbin
United States Senator

/s/ Richard Blumenthal
United States Senator

/s/ Alex Padilla
United States Senator

/s/ Tina Smith
United States Senator

/s/ Tammy Baldwin
United States Senator

/s/ Edward J. Markey
United States Senator

/s/ Mazie Hirono
United States Senator

/s/ Patrick J. Leahy
United States Senator

/s/ Patty Murray
United States Senator

/s/ Christopher S. Murphy
United States Senator

/s/ Reverend Raphael Warnock
United States Senator

/s/ Pramila Jayapal

Member of Congress

Member of Congress

/s/ Rashida Tlaib
Member of Congress

/s/ Ilhan Omar
Member of Congress

/s/ Jesús G. “Chuy” García
Member of Congress

/s/ Rosa L. DeLauro
Member of Congress

/s/ Bonnie Watson Coleman
Member of Congress

/s/ Lucille Roybal-Allard
Member of Congress

/s/ Jamie Raskin
Member of Congress

/s/ Marie Newman
Member of Congress

/s/ Peter Welch
Member of Congress

/s/ Dwight Evans
Member of Congress

/s/ Karen Bass
Member of Congress

/s/ Lisa Blunt Rochester
Member of Congress

/s/ Adriano Espaillat
Member of Congress

Cc: Andrew Saul, Commissioner of the Social Security Administration