



COALITION ON HUMAN NEEDS

1825 K Street, NW · Suite 411 · Washington, DC 20006 · 202.223.2532 · Fax 202.223.2538 · www.chn.org

April 17, 2023

Acting Commissioner Kilolo Kijakazi
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235-6401

Submitted via www.regulations.gov

Re: Omitting Food from In-Kind Support and Maintenance Calculations, Docket No. SSA-2021-0014

Dear Acting Commissioner Kijakazi:

On behalf of the Coalition on Human Needs, we appreciate the opportunity to submit comments in support of SSA's proposal to omit food from the In-kind and Support Maintenance (ISM) calculations for determination of benefit levels under Supplemental Security Income (SSI).

The Coalition on Human Needs (CHN) is an alliance of national organizations representing human service providers, people of faith, policy experts, labor, civil rights, and other advocacy organizations concerned with protecting and improving federal policies and benefits that assist people with low incomes. Through its more than 40 year history, CHN has recognized that people with disabilities are disproportionately poor, and that they and older people who are poor enough to qualify for SSI are especially vulnerable because income from work is not likely, minimal, or not possible.

CHN has over the years focused on the inequity and inefficiency of burdensome procedural requirements for people attempting to get assistance through various federal benefits programs. CHN has, for example, provided [comments](#) opposing burdensome documentation requirements in the Medicaid program, citing evidence that monthly reporting requirements resulted in people who were actually eligible losing benefits. In the case of SSI, the complexity of documenting contributions of food from family or friends may deter some people from applying or maintaining eligibility who badly need SSI benefits. In addition, the administrative burdens on SSA staff to monitor in-kind food contributions diverts staff resources away from timely eligibility determinations. In SSA's request for comments, you note that about 9 percent of the SSI caseload has benefits reduced because of the ISM requirement for food contributions. But every beneficiary must provide documentation because of this requirement, which is punishingly burdensome for all, and a tremendous waste of resources for SSA.

Reducing benefits because of food contributions from family or friends is wrong-headed in every respect: (1) the inadequacy of SSI benefits means that beneficiaries frequently cannot cover their basic needs with the amount they receive from SSI; (2) it undermines vital social relationships that come from joining in family meals or the ongoing social contacts of relatives or friends visiting the SSI beneficiary to bring food; (3) it is inequitable in that SNAP or other public benefits do not similarly reduce SSI benefits;

while government nutrition benefits are needed and should be fully available, there is no sensible public purpose in discouraging families from assisting their own relatives; and (4) it is administratively burdensome both for beneficiaries and for SSA, wasting staff resources that are urgently needed to better serve poor people with disabilities or aging.

CHN supports the proposed rule primarily because even maximum SSI benefits are extremely low, and reducing them still further because of contributions of food from family or friends is inhumane. The current maximum benefit for an individual is \$914 per month, or \$10,968 per year. The official poverty guidelines for 2023 is \$14,580 for an individual; SSI maximum benefits are only about three-quarters of the poverty line. The reduction of benefits because of contributions of food by friends or family is typically one-third of the maximum benefit, or a maximum benefit of \$609.34 (only about half the federal poverty line). The average benefit is far less than the maximum; in 2021 the average was \$464.07 for the aged and \$604.53 for people with disabilities. In fact even the maximum benefit is barely enough to live on, with very little left over after paying rent or utilities bills. People with disabilities and the aging have health problems that will be worsened by an inadequate diet. Reducing SSI benefits dollar for dollar because family or friends donate food (only exempting \$20 in some instances) makes it inevitable that the SSI beneficiary will struggle both to manage rent costs and to maintain a minimally healthy diet.

It is clear that individuals with disabilities or aging benefit from maintaining social relationships with family and friends. The last thing that government policy should do is undermine those relationships by having a family meal or food brought to the SSI beneficiary's home result in a dollar for dollar reduction in cash benefits. Not only does the food provided reduce the cash income of their relative or friend; those providing food also must help to document the value for SSA, which adds inconvenience.

As the summary in the request for comments notes, it is inequitable to treat resources for food coming from government (such as SNAP) more favorably than contributions from family or friends. We strongly support that SNAP benefits do not reduce SSI benefits; neither should private contributions. With SSI benefits below the poverty guidelines, public and private contributions alike are needed to sustain health and minimal economic stability. Further, SSDI beneficiaries are not subject to an ISM calculation; neither should SSI beneficiaries living in poverty.

We also underscore the complexity of counting food contributions. This is exacerbated by the volatility of food prices. When food prices change, the SSI beneficiary must contact SSA with an adjustment of the amount. This volatility increases the likelihood of underpayments or overpayments, which are complicated both for the individual and SSA, and can lead to individuals owing money from an already inadequate income. SSA spends more resources on SSI administration than it does on SSDI, despite the fact that SSDI serves more people. This is wasteful. Staff should be deployed to reduce the wait times for new applicants and to process appeals.

Omitting food from In-kind and Support Maintenance calculations is an important but modest first step. We strongly support further changes to the ISM rules, such as other in-kind help related to shelter. If an SSI beneficiary sleeps on someone's couch, the value of that has to be estimated and reported, also resulting in a dollar for dollar loss of SSI benefits. Similar to the calculations around private food contributions, this makes no sense and is administratively burdensome.

CHN supports two other regulatory proposals also expected to streamline the ISM calculation: RINS 0960-A181 (Expand the Definition of Public Assistance (PA) Household) and 0960-A182 (Expand the Second Circuit (Connecticut, New York, Vermont), Seventh Circuit (Illinois, Indiana, Wisconsin), and Texas Rental Subsidy Policy Nationwide).

SSA's proposal to eliminate food from ISM calculations should be one of a comprehensive effort to reduce complexity and increase available resources for poor people with disabilities and the aging. The Coalition on Human Needs supports SSA's efforts to move in this direction, and encourages further steps as quickly as possible.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deborah Weinstein", with a long, sweeping flourish extending to the right.

Deborah Weinstein
Executive Director