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WAYS AND MEANS  
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Congress of the United States  
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April 30, 2020

The Honorable Steven Mnuchin  
Secretary  
Department of the Treasury  
1500 Pennsylvania Ave, NW  
Washington, DC 20220

The Honorable Andrew M. Saul  
Commissioner  
Social Security Administration  
1500 Woodlawn Drive  
Baltimore, MD 21241

Dear Secretary Mnuchin and Commissioner Saul,

I write to express my concerns about the arbitrary deadlines set by the Internal Revenue Service (IRS) for Social Security and Supplemental Security Income (SSI) beneficiaries who do not file tax returns to register on the IRS's non-filer portal to receive the Economic Impact Payment (EIP) for any qualified dependent. While I understand the motivation to disburse these payments as quickly as possible especially to the vulnerable populations served by these programs the Social Security Administration (SSA) administers, these arbitrary deadlines are not required in statute and have been imposed with short notice and little public education or awareness. As a result, many eligible individuals may miss the opportunity to receive the full amount of payments to which they are entitled.<sup>1</sup>

While the deadline for Social Security and Railroad Retirement Board (RRB) beneficiaries expired on April 22, 2020, the deadline for SSI beneficiaries is fast approaching. I urge you to provide more time for SSI recipients with dependents to submit the requisite information by

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<sup>1</sup> See Center on Budget and Policy Priorities (CBPP), *IRS Deadlines Threaten Stimulus Payments for 1 Million Dependents*, April 21, 2020, available at: <https://www.cbpp.org/blog/irs-deadlines-threaten-stimulus-payments-for-1-million-dependents> (CBPP estimates that the EIP for as many as 1 million dependents may have been at risk if their parents or guardians did not register by the April 22, 2020 deadline).

postponing the May 5, 2020 deadline and to provide another opportunity for all Social Security, RRB and SSI beneficiaries who miss either deadline to be able to submit to the IRS the relevant information to get this critical payment this year.

The EIP is a key part of the federal government's attempt to help all families affected by the unprecedented economic downturn our nation is now experiencing. These payments are vital to those who rely on SSA programs, often as the sole or a major source of income. These individuals include some of the most vulnerable. It is critical that we ensure that they get the full payments to which they are entitled under the law as soon as possible. Those who miss the unreasonable deadlines will only receive their EIP for dependents next year, and only if they file a full tax return for 2020 – even if they don't otherwise need to file a return. Unfortunately, I am concerned about the process for helping those with dependents get their full payments and that it may lead to many vulnerable Americans missing out on funds they need now, because of impossible deadlines and inadequate outreach from your agencies. We simply must do better.

As you know, while the IRS' online non-filer portal was announced on April 10, 2020, the April 22, 2020 deadline for Social Security and RRB beneficiaries to register online to receive the additional payments for dependents was announced only two days earlier, on April 20, 2020. The May 5, 2020 deadline for SSI recipients to register online was announced on April 24, 2020, a modest improvement over the first rushed deadline.

I am grateful for the work your agencies have done to ensure that most SSA and certain other beneficiaries who do not file taxes are able to receive these payments automatically without having to file a tax return or jump through burdensome bureaucratic loopholes. Creating additional obstacles on these populations by requiring them to file a tax return to receive these payments was a serious concern for me and my colleagues on the Ways and Means Committee. I have very pleased that this hardship was addressed, However, the imposition and hasty introduction of these arbitrary deadlines appears to do nothing but place another burden on these individuals while causing many to lose out on payments for which they are eligible and need now.

My concerns over the upcoming May 5<sup>th</sup> deadline and the recently passed April 22<sup>nd</sup> deadline is heightened when I considered that that many of those impacted have limited or no internet access. In a recent letter to Commissioner Saul, the Social Security Advisory Board (SSAB) (created by Congress as a bipartisan, independent federal government agency to advise the President, the Congress, and the Commissioner of Social Security on matters of policy and administration related to Social Security and SSI) expressed this same concern about the real world impact of these rushed deadlines. The SSAB wrote that “many of the people receiving Social Security and SSI benefits will have trouble learning about and complying with the IRS filing requirements due to their limited access to computers and the internet” and further raised concerns about “accessibility issues with the IRS portal.” It also noted that “required social distancing and closure of libraries and field offices,” where assistance could otherwise be obtained, make filing even more difficult for these populations.

Additionally, the first deadline came and went before the IRS had even created a Spanish language version of its non-filer portal and that website just went live just one week before the next deadline. This seems inconsistent if the intent is to ensure that these individuals have complete and accurate information about how to access their full EIP. Unfortunately, it looks like the haste to disburse these funds is eclipsing the efforts to provide proper outreach and information through as many avenues as possible so that affected individuals can have adequate time to act on this information.

Additionally, I am concerned that for the April 22<sup>nd</sup> deadline, recipients were given less than forty-eight hours to comply with the filing requirement. I am concerned that many of them did not even know about deadline or requirement 48 hours later, much less acted in time. I would like you to provide data on how many eligible SSA recipients actually provided information in that 48-hour window. And I join others in urging you both to make an additional accommodation this year for beneficiaries who do not provide dependent information prior to either deadline. There is nothing in the statute that bars you from doing so. And to the extent this creates additional work on your part, it is a consequence of your own unreasonable actions that created such short turnaround periods.

Furthermore, since there is no requirement in statute for these deadlines, I ask you to please provide an explanation for why these specific dates were chosen, whether the agency considered the difficulty beneficiaries would face in attempting to meet those deadline, and what efforts were or are being undertaken to make beneficiaries aware, either through the SSA or IRS of the next deadline? Lastly, please provide me with a description of any alternative options, other than an online forum, that were considered for SSA beneficiaries who may have limited or no internet access, to provide this information?

I appreciate your timely response to these questions and again strongly encourage you to provide flexibility to beneficiaries who do not provide their dependent information prior to either the April 22, 2020 or Mary 5, 2020 date, as appropriate, so that they receive payment for their dependents this year.

Sincerely,

A handwritten signature in black ink that reads "Gwen Moore". The signature is written in a cursive, flowing style with a large initial "G" and "M".

Gwen Moore  
MEMBER OF CONGRESS

