

Chapter 3 – Supplemental Security Income (SSI)

Legislative History

104th CONGRESS

Public Law 104-121, the Contract with America Advancement Act of 1996

Public Law 104-121, the Contract with America Advancement Act of 1996, among other changes, prohibits disability insurance (DI) and Supplemental Security Income (SSI) eligibility to individuals whose drug addiction or alcoholism (DAA) is a contributing factor material to the finding of disability. This provision applies to individuals who file for benefits on or after the date of enactment and to individuals whose claims are finally adjudicated on or after the date of enactment. This provision also applies to current beneficiaries on January 1, 1997. It stipulates that SSA must: (1) notify current DAA beneficiaries of the new provisions within 90 days of enactment; and (2) complete new medical determinations by January 1, 1997 for affected current beneficiaries who request such a determination within 120 days after the date of enactment.

Public Law 104-121 applies representative payee requirements to DI or SSI beneficiaries who have a DAA condition, as determined by the Commissioner, and who are incapable of managing benefits. The Social Security Administration (SSA) would refer these individuals to the appropriate State agency for treatment. The representative payee and referral for treatment provisions would apply to applications filed after the third month following the month of enactment. In addition, the new law retains the \$50 fee that representatives can collect for beneficiaries who have a DAA condition. The legislation also authorized an appropriation of \$50 million for each of fiscal years 1997 and 1998 to carry out activities relating to the treatment of drug and alcohol abuse under the Public Health Service Act.

Public Law 104-121 also authorized additional funds to SSA for fiscal years 1996-2002 for the purpose of conducting continuing disability reviews (CDRs) and Supplemental Security Income CDRs and SSI redeterminations. This new funding level was achieved by increasing the amount of funds available for appropriations under the discretionary spending cap. The Commissioner of Social Security was required to ensure that the funds made available pursuant to this provision are used, to the greatest extent practicable, to maximize the combined savings to the Old Age, Survivors, and Disability Insurance (OASDI), SSI, Medicare, and Medicaid Programs. Moreover, the Commissioner is required to report annually, for fiscal years 1996-2002, to Congress on the amount of money spent on CDRs, the number of reviews conducted by category, the disposition of such reviews by program, and the estimated savings over the short, medium, and long term for the OASDI, SSI, Medicare, and Medicaid Programs from CDRs which result in cessations, and the estimated present value of such savings.

Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996

Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, signed on August 22, 1996, made several major changes in SSI law. These include:

Limited Eligibility of Noncitizens for SSI Benefits – PRWORA prohibits SSI eligibility for all noncitizens except: refugees, asylees, and noncitizens whose deportation has been withheld (limited to their first 5 years of residence); certain active duty Armed Forces personnel, honorably discharged veterans, and their spouses and dependent children; and lawful permanent residents who have worked for 10 years or more. For purposes of the exception based on work, children are credited with all quarters worked by their parents, and married individuals, including widows, are credited with work performed by spouses during their marriage. However, after December 31, 1996, quarters of work during which an individual received Federal public assistance are not countable toward this exception.

Deeming of Sponsors' Incomes and Resources – For purposes of eligibility for sponsored noncitizens admitted under new, legally enforceable affidavits of support, PRWORA deems all of the sponsors' and sponsors' spouses' incomes and resources to the noncitizen until citizenship. However, deeming is not required for lawful permanent residents who have worked for 10 or more years not counting quarters of work after 1996 during which the individual received Federal public assistance, or for children and spouses of workers credited with work performed by them.

Requirements for Affidavits of Support for Sponsorship – Affidavits of support are made legally enforceable against the sponsor until the noncitizen becomes a U.S. citizen. The agency that provides assistance to a noncitizen must request reimbursement from the sponsor for assistance provided.

SSI Eligibility Based on Childhood Disability – The comparable severity standard is eliminated and replaced by the standard that a child is considered disabled if he or she has a medically-determinable impairment which results in "marked and severe" functional limitations and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months. The Social Security Administration was directed to eliminate references to maladaptive behavior in the domain of personal/behavioral function in the listing of impairments for children and to discontinue the use of individualized functional assessments in evaluating a child's disability. SSA also was required to redetermine, using the new criteria and by no later than August 22, 1997, the eligibility of recipients who may be affected by the new criteria. Benefits for those recipients who do not meet the new criteria would end on or after the later of July 1, 1997, or the date of the redetermination.

CDRs must be conducted once every 3 years for child recipients with nonpermanent impairments, and not later than 12 months after birth for low birth-weight babies. Representative payees must present evidence to SSA that the recipient is receiving treatment that is medically necessary and available, unless SSA determines that such

treatment would be inappropriate or unnecessary. An eligibility redetermination, using the adult initial eligibility criteria, is required within 1 year after child recipients turn 18.

Funding – PRWORA authorized the appropriation of an additional \$150 million in fiscal year 1997 and \$100 million in fiscal year 1998 for the costs of performing CDRs and redeterminations.

Prisoner Reporting – The law provided for incentive payments to State and local penal institutions that furnish identifying information to SSA which results in suspension of SSI benefits to prisoners.

Modifying the Effective Date of Applications – An individual's application for SSI benefits would be effective on the first day of the month following the date on which the application is filed, or on which the individual first becomes eligible, whichever is later. This change effectively eliminated prorated payments for the month of application, while continuing emergency advance payments and subsequent repayments over several months in certain cases.

Reduction in Cash Benefits Payable to Institutionalized Individuals whose Medical Costs are Covered by Private Insurance – PRWORA limited to not more than \$30 a month, cash benefits payable to children who are in an institution receiving medical care covered by private insurance.

Installment Payments of Large Past Due SSI Payments – A schedule for paying large retroactive SSI benefit amounts at 6 month intervals was established.

Dedicated Savings Accounts – PRWORA required the establishment of a bank account to maintain large retroactive SSI benefits, to be used for education or job skill training, special equipment, medical rehabilitation, or other appropriate items or services related to the impairment of the child.

Public Law 104-208, the Omnibus Consolidated Appropriations Act, 1997

Public Law 104-208, the Omnibus Consolidated Appropriations Act, 1997, included the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which amended Public Law 104-193 with regard to noncitizens' eligibility for SSI benefits. Noncitizen individuals and their children who are battered or abused were added to the list of "qualified aliens." Sponsorship affidavits of support were made legally binding and sponsor to immigrant deeming of income and resources in the SSI Program continued until noncitizens become U.S. citizens or they, their spouses, or parents work 40 quarters in the United States. The law also provided additional exceptions to sponsor to immigrant deeming for indigent noncitizens whose sponsors do not provide them with income sufficient to obtain food and shelter and for battered individuals and their children.

In addition, Public Law 104-208 required several reports to Congress. The Commissioner of Social Security is required to report the aggregate number of Social Security numbers

issued to noncitizens not authorized to work but under which earnings were reported and the extent to which Social Security numbers and Social Security cards are used by noncitizens for fraudulent purposes. These two reports were due no later than 3 months after the end of each fiscal year, and within 1 year after the date of enactment, respectively. The GAO was required to report to Congress and the Department of Justice within 180 days after the date of enactment on the extent to which means tested benefits are being paid to noncitizens acting as representative payees who are not “qualified aliens.”

105th CONGRESS

Public Law 105-18, 1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia

Public Law 105-18 provided a one month extension for noncitizens who were receiving benefits on the date of enactment of Public Law 104-193, August 22, 1996, and who would not continue to be eligible under the noncitizen restrictions in that law by changing the date by which SSI redeterminations of eligibility had to be completed from August 22, 1997 to September 30, 1997.

Public Law 105-33, the Balanced Budget Act of 1997

Public Law 105-33, the Balanced Budget Act of 1997, made several major changes in SSI. These include:

SSI Eligibility for Aliens Receiving SSI on August 22, 1996 and Certain Disabled Legal Aliens – Public Law 105-33 provided that, despite restrictions in the 1996 welfare reform law, noncitizens lawfully residing in the United States who were receiving SSI on August 22, 1996, remain eligible for SSI. In addition, noncitizens lawfully residing in the United States on August 22, 1996, are eligible for SSI if they become disabled in the future. The law also provided that members of Native American Indian tribes who are noncitizens are not affected by the SSI restrictions in Public Law 104-193. In addition, individuals who received SSI prior to January 1, 1979, continue to be eligible for benefits if the Commissioner of Social Security lacks clear and convincing evidence that such individuals are noncitizens ineligible for benefits.

Extension of Eligibility Period for Refugees and Certain Other Qualified Aliens from 5 to 7 Years for SSI and Medicaid; Status of Cuban/Haitian Entrants and Certain Amerasians – Public Law 105-33 extended from 5 years to 7 years the initial eligibility period for SSI and Medicaid for refugees, asylees, and noncitizens who have had their deportations withheld. In addition, Cuban and Haitian entrants and Amerasian immigrants are added to the categories of noncitizens who are considered “qualified aliens.” These groups are eligible for SSI for their initial 7 years, and are exempt from the 5 year eligibility ban on noncitizens entering the United States after August 22, 1996.

Exceptions for Certain Indians from Noncitizen Limitations on Eligibility for Supplemental Security Income and Medicaid Benefits – Public Law 105-33 exempted noncitizen members of federally recognized Indian tribes or noncitizen Native Americans from the SSI and Medicaid restrictions in the 1996 act.

Exemption from Noncitizen Restrictions on SSI Program Participation by Certain Recipients Eligible on the Basis of Very Old Applications – Public Law 105-33 exempted certain individuals who have been on SSI rolls since before January 1, 1979, from the noncitizen restrictions in the 1996 act.

Derivative Eligibility for Noncitizens for Medicaid and Food Stamp Benefits – Public Law 105-33 provided that noncitizens who were otherwise ineligible for Medicaid under the 1996 act may be eligible for Medicaid if they receive SSI benefits and if the State's Medicaid plan provides Medicaid eligibility for SSI recipients. The legislation also clarified that noncitizens who are otherwise ineligible under the 1996 act for food stamps would not be made eligible for food stamps because they receive SSI benefits.

Fees for Federal Administration of State Supplementary Payments – Public Law 105-33 increased fees for SSA's administering State supplementary payments, with added collections available for SSA administrative purposes.

Timing of Delivery of October 1, 2000, SSI Benefit Payments – In order to meet budget targets, Public Law 105-33 provided that the October 2000 SSI check be paid on October 2, which is a Monday, rather than on the last Friday in September.

Medicaid Coverage for Certain Workers and Children – Public Law 105-33 gave the States the option of permitting individuals who had been receiving SSI disability benefits, but are working, to buy into Medicaid if their family income is less than 250 percent of poverty. In addition, States were required to continue Medicaid coverage for children who were receiving SSI disability benefits as of August 22, 1996, but whose eligibility would end because they do not meet the new, more strict SSI childhood disability eligibility criteria established under PWWORA.

Technical Amendments to the 1996 Welfare Reform Law – The legislation made a number of technical clarifications with regard to the disabled children's redetermination and continuing disability review requirements. Technical changes also clarified the meaning of the term "final adjudication" with regard to SSI disability cases based on drug addiction or alcoholism and expanded the applicability of provisions in Public Law 104-121 that required treatment referrals and authorization of fees for organizations serving as representative payees for SSI beneficiaries who have a DAA condition.

Technical corrections also were made that clarified when the reporting incentives involving prisoners apply and that allow SSA to charge a fee as a condition of processing requests for information by law enforcement authorities regarding SSI recipients who are fugitive felons and probation or parole violators. Clarifications were made concerning SSI dedicated savings account funds and terminology relating to medical treatment

facilities and the applicability of the \$30 SSI payment limit were updated. Noncitizens technical correction provisions included adding battered parents to the definition of “qualified alien” and the exemptions from sponsor to immigrant deeming, clarifying that veterans’ widows may be eligible for benefits, and authorizing SSA to disclose noncitizens’ quarters of coverage information to other governmental agencies for the purpose of carrying out the noncitizen restriction provisions.

Public Law 105-306, Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998

Public Law 105-306, the Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998, provided continuing eligibility for SSI for nonqualified aliens who were receiving benefits on August 22, 1996.

106th CONGRESS

Public Law 106-169, the Foster Care Independence Act of 1999

Public Law 106-169, the Foster Care Independence Act of 1999, contained numerous provisions related to SSI fraud reduction and overpayment recovery. These provisions are summarized below.

Overpayments and Debt Collection – The law amended the Social Security Act to make representative payees liable for the repayment of Social Security benefit checks distributed after the recipient's death. SSA will monitor these repayments using representative payees' Social Security numbers. Beginning on December 14, 2000, SSA is authorized to recover up to 50 percent of lump sum SSI benefit payments made to individuals or eligible spouses who are themselves liable for the repayment of SSI benefits. The law also authorized SSA to intercept Federal and State payments owed to individuals, use debt collection agencies, and other techniques to collect overpayments.

Treatment of Assets – Public Law 106-169 changed the way assets held in trusts were treated when determining SSI Program eligibility and benefit amounts. Assets and income in irrevocable trusts may not be revoked or used by an individual for personal support and maintenance. These trusts, previously exempt from SSI resource limit calculations, are counted toward the resource limit for program eligibility and used to determine benefit amounts. All trusts established after January 1, 2000, regardless of the purpose of the trust, degree of trustee discretion, or restrictions on distribution, are affected by the law. However, the new law allowed the Commissioner of Social Security to waive the consideration of a trust if doing so would create an undue hardship for an individual. The criteria for undue hardship is determined by the Commissioner.

Disposal of Resources – The law also imposed new rules regarding resources disposed of at less than fair market value. Individuals or their spouses who dispose of resources at less than fair market value are ineligible for SSI benefits from the "look back" date, the date the individual applied for benefits or, if later, the date the individual disposed of

resources for less than fair market value, for a length of time calculated by SSA. The ineligibility period is determined by dividing the total value of the disposed resources by the maximum monthly benefit and the maximum applicable State supplementary payment. This ineligibility period may not exceed 36 months. Similar restrictions on the treatment of assets and the disposal of resources were already in effect for the Medicaid Program before enactment of Public Law 106-169.

Certain resources are exempt from this provision: resources transferred to a trust, if the trust is considered a resource available to the individual; the transfer of a home to family members under certain conditions; the transfer of resources to a spouse for the spouse's sole benefit; or the transfer of resources to an individual's blind or disabled child under age 65. Furthermore, a resource may be exempt if an individual proves to the Commissioner that he intended to dispose of the resource at fair market value; or that the resource was transferred for reasons other than to qualify for the SSI Program; or if the Commissioner determines that denial of eligibility would cause an undue hardship.

Penalties for False or Misleading Statements – The law contained provisions authorizing SSA to establish a new administrative process to determine whether individuals have fraudulently claimed benefits in cases considered too small to prosecute in court. The law provided for increasing penalties of 6, 12, and 24 months of ineligibility depending on the nature of the case. However, the imposition of these penalties does impact an individual's receipt of other assistance. The penalty procedure applies only to false and misleading statements made after the date of the law's enactment, December 14, 1999. The Commissioner was required to develop regulations detailing the administrative process for imposing the penalties within 6 months of enactment.

Health care providers and attorneys convicted of fraud or administratively fined for fraud involving SSI eligibility determinations were barred from participating in the SSI Program for at least 5 years. SSA will provide individuals with reasonable notice and opportunity for a hearing and judicial review. SSA is required to notify the State agencies that employ such individuals and the State licensing agencies that license or certify them. Attorneys and health care providers are required to inform SSA of any past violations or convictions. The Commissioner or Inspector General of Social Security may waive the exclusion from involvement with the SSI Program for an individual who is the only provider of services to a community and may terminate exclusions on a case by case basis.

Information Sharing Requirements – There were a number of provisions regarding information sharing between Federal and State agencies in the new law. SSA was authorized to obtain financial records for SSI recipients to ensure that they meet SSI's resource restrictions and remain eligible for benefits.

States were required to provide the Commissioner with information for determining individuals' eligibility for Social Security and SSI benefit programs. State prisons were also required to provide inmate information to Federal and Federally assisted benefit

programs in the Act. SSA was required to share its prisoner database with other Federal agencies and departments.

The law directed SSA to conduct computer matches with Medicare and Medicaid data maintained by the Department of Health and Human Services on individuals who are residents of public institutions. Data obtained from these matches may be used as a substitute for a physician's certification that an individual's stay in an institution will be less than 3 months. The Commissioner and the Secretary of Health and Human Services will mutually determine the terms of the data matching.

Reporting Requirements – The law required the Commissioner to include an itemized account of the amount of funds required to support efforts to combat fraud by applicants and beneficiaries in the SSA annual budget.

Benefits for Filipino Veterans – The law established the “Special Benefits for Certain World War II Veterans” program which provided a reduced benefit equal to 75 percent of the Federal SSI benefit rate to any World War II veteran who, after receiving benefits, moved out of the United States. This provision primarily affected veterans of Filipino military units that served alongside American forces during World War II.

Public Law 106-170, the Ticket to Work and Work Incentives Improvement Act of 1999

Public Law 106-170, the Ticket to Work and Work Incentives Improvement Act of 1999, expanded Medicaid coverage and provided work incentives for disabled beneficiaries of SSI. The law also created a "ticket to work" system whose purpose is to expand the numbers and types of providers that SSI beneficiaries may choose to assist them in receiving employment and vocational rehabilitation services. In addition, the law has several other provisions:

Greater Accessibility to Vocational Rehabilitation Providers – Individuals on the SSI rolls were given access to a broader pool of vocational rehabilitation providers. SSI recipients are provided with “tickets” that they can use as vouchers to obtain employment services, case management, vocational rehabilitation, and support services from the providers of their choice, including State vocational rehabilitation agencies. This program was implemented on a gradual basis within 1 year of its enactment at test sites and within 4 years in every State.

The law also authorized the Commissioner to make grants of up to \$7 million each year for fiscal years 2000-2004 to protection and advocacy organizations providing information and advice about obtaining vocational rehabilitation and employment services. The Secretary of Health and Human Services was authorized to award grants to States to design, establish, and operate infrastructures providing items and services to support working individuals with disabilities, and to conduct outreach campaigns to publicize the new benefits under the legislation.

Creation of Employment Networks –The Act required that employment networks consist of a single public or private provider or an association of providers combined into a single entity which assumes responsibility for the coordination and delivery of services. Employment networks, which must be experienced in providing relevant employment and support services to individuals with disabilities, will work with beneficiaries to develop employment plans and employment goals. The employment networks are responsible for providing periodic performance reports to beneficiaries holding tickets and periodic quality assurance reviews. The Commissioner must establish mechanisms for resolving disputes between employment networks and beneficiaries. State vocational rehabilitation agencies and employment networks must enter into agreements with individuals referred by an employment network to a State vocational rehabilitation agency for services.

Limitations on Continuing Disability Reviews (CDRs) for Ticket to Work Participants – The law prohibited the Commissioner from initiating a CDR for a beneficiary participating in the Ticket to Work and Self Sufficiency Program. Further, if beneficiaries do not succeed at their work effort, the law provided for the reinstatement of SSI benefits without requiring re application.

Medicaid Expansion – Under Public Law 106-170, States can cover persons with disabilities at higher income and resource levels than otherwise permitted (i.e., over 250 percent of the Federal poverty level and over \$2,000, respectively), and whose medical conditions would not otherwise permit them to be covered. States can require these individuals to "buy into" Medicaid coverage by paying premiums or other cost sharing charges on a sliding-fee scale based on income, as established by the State.

Demonstration Projects and Studies – The law extended Social Security demonstration projects relating to disabled beneficiaries and establishes a new demonstration project to test phasing-out disability benefits for earnings above a certain level of income. Further, the GAO was required to study the effects of the substantial gainful activity level on recipients who return to work, and report on whether disregarding certain income for calculating benefits is appropriate.

Other – The law permitted the Commissioner to withhold an assessment charge of 6.3 percent of the attorney's fees for the purpose of recovering costs to SSA of withholding and payment of attorneys fees. SSA was authorized to penalize States that are late in paying administrative fees to SSA.

Public Law 106-386, the Victims of Trafficking and Violence Protection Act of 2000

Public Law 106-386, the Victims of Trafficking and Violence Protection Act of 2000, provided that noncitizens who are victims of “severe forms of trafficking in persons in the United States” shall be treated as refugees for purpose of SSI and be eligible for SSI benefits for the first 7 years they are in the United States.

Public Law 106-395, the Child Citizenship Act of 2000

Public Law 106-395, the Child Citizenship Act of 2000, provided that certain blind and disabled children may become citizens of the United States earlier than previously permitted. This citizenship status would provide these children eligibility for SSI benefits.

Public Law 106-245, the Radiation Exposure Compensation Act Amendments of 2000

Public Law 106-245, the Radiation Exposure Compensation Act Amendments of 2000, excluded as countable income for SSI purposes the compensation received under this statute.

107th CONGRESS

Public Law 107-73, the Economic Growth and Tax Reconciliation Act of 2001

Public Law 107-73, the Economic Growth and Tax Reconciliation Act of 2001, was signed into law on June 7, 2001. The law increased child tax credit amounts gradually from \$500 for each child to \$1,000 in 2010 and expanded the child tax credit by making it refundable for low-income workers. Previously, the child tax credit was refundable in very limited situations. The credit is excluded from income or resources in determining eligibility for means-tested programs, including SSI, and is also excluded as part of resources in the month of receipt and the following month.

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2002

Public Law 107-116 provided that \$7 million of the funds appropriated for the Supplemental Security Income Program are to be used for outreach efforts under section 1144 of the Social Security Act to identify individuals who may be eligible for Medicare cost sharing under the Medicaid program.

108th CONGRESS

Public Law 108-203, the Social Security Protection Act of 2003

Public Law 108-203 included the following provisions related to the SSI Program:

Rules Regarding Representative Payees – The Act gave SSA limited authority to reissue benefits misused by representative payees. The law also gave SSA greater authority to monitor the activities of representative payees and requires that organizational payees forfeit any fees collected in association with their misuse of benefits. Public Law 108-203 disqualified fugitives and persons with certain criminal convictions from serving as payees and makes representative payees liable for the benefits they misuse. The law also required and funded a study to be conducted by the SSA on how representative payments are managed by payees.

Rules Regarding Attorneys – Public Law 108-203 placed a cap on the assessments charged by SSA to attorneys representing Social Security and SSI claimants. The law also extended, for five years, the past-due benefits fee system used by attorneys to charge Social Security and SSI claimants for services. Public Law 108-203 mandated that SSA design and conduct a demonstration project extending the attorney fee withholding system to non-attorney representatives and required the GAO to study the processes used to pay representatives.

Amendments to the Ticket to Work Program – Public Law 108-203 expanded the work incentive outreach program to include 1619(b) recipients and reauthorized until 2009 the Benefits, Planning, Assistance, and Outreach (BPAO) and protections and advocacy programs.

Treatment of Infrequent Income – Public Law 108-203 created an SSI income exclusion for infrequent income of up to \$60 of unearned and \$30 of earned income per month. *Treatment of Underpayments as Resources* – Public Law 108-203 extended from six to nine months, the time during which money received because of an underpayment cannot be considered a resource.

Student Earned Income Exclusion – The law set at 22 the maximum age for eligibility for the student earned income exclusion.

Nonrecurring Income – Public Law 108-203 established that non-recurring income would be considered income in the month in which it is paid.

Children Born to Military Parents Overseas – The law removed the restriction on paying SSI benefits to children who were either born to military parents overseas or who become blind or disabled while living overseas with military parents.

Education-Related Income and Resources – Public Law 108-203 excluded gifts provided for tuition or other education-related fees from income under the SSI Program. The law also excluded as resources for 9 months any grants, scholarships, or education-related gifts received.

Military Pay – Public Law 108-203 provided that any military pay is treated as income only in the month in which it is earned.

109th CONGRESS

Public Law 109-171, the Deficit Reduction Act of 2005

Public Law 109-171, the Deficit Reduction Act of 2005, made two changes to the SSI Program. First, the law provided that SSA review SSI disability and blindness determinations made by State agencies according to the following schedule:

- 20 percent of all favorable determinations made in FY2006;

- 40 percent of all favorable determinations made in FY2007;
- 50 percent of all favorable determinations made after FY2007.

Second, the law provided that any retroactive SSI benefits that equal more than 3 times, rather than 12 times as previously provided, the maximum monthly Federal benefit must be paid in up to 3 installments at 6 month intervals.

110th CONGRESS

Public Law 110-161, Consolidated Appropriations Act, 2008

Public Law 110-161 provided SSA an additional \$168 million in administrative funding above the President's budget request for the agency with the understanding that much of this additional funding would be used to address the backlog in the processing of Social Security and SSI determinations, hearings, and appeals.

Public Law 110-245, Heroes Earnings Assistance and Relief Tax Act of 2008

Public Law 110-245, included changes to the SSI program to treat cash remuneration paid to a member of the uniformed services as earned income and certain housing payments to such members as in-kind support and maintenance for SSI program purposes. The law additionally excluded state annuity payments to blind, disabled, or aged veterans for purposes of SSI benefit determinations and excluded any cash or in-kind benefit paid to an AmeriCorps participant from SSI income eligibility and benefit determinations.

Public Law 110-328, SSI Extension for Elderly and Disabled Refugees Act

Public Law 110-328 extended, through FY2011, SSI eligibility of certain aliens (refugees, asylees, and elderly noncitizens with pending naturalization applications) and victims of trafficking in persons, including such aliens and victims whose SSI benefits ceased in prior fiscal years.

111th CONGRESS

Public Law 111-5, American Recovery and Reinvestment Act of 2009

Public Law 111-5 provided a one-time payment of \$500 to each eligible individual age 18 or over who, during the three-month period immediately preceding enactment of the law, was entitled to Social Security benefits, railroad retirement benefits, or veterans disability benefits.

Public Law 111-115, No Social Security Benefits for Prisoners Act of 2009

Public Law 111-115 prohibits retroactive payments to individuals during periods for which individuals are prisoners, fugitive felons, or probation or parole violators.

Public Law 111-142, Social Security Disability Applicants' Access to Professional Representation Act of 2010

Public Law 111-142 provided for a permanent extension of attorney fee withholding procedures to qualified non-attorney claimant representatives.

Public Law 111-255, Improving Access to Clinical Trials Act of 2009

Public Law 111-255 authorized SSA to exclude from income for SSI eligibility purposes any compensation in the amount of the first \$2,000 per year received by an individual for participation in clinical trials involving research and testing of treatments for rare diseases or conditions.