



SOCIAL SECURITY

January 12, 2010

The Honorable Joseph R. Biden, Jr.
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

Enclosed for consideration by the Congress is a Social Security Administration bill to extend funding authority for two work incentive provisions. I have also enclosed a more detailed description of the proposal.

The bill would extend funding authority for the Work Incentives Planning and Assistance and the Protection and Advocacy for Beneficiaries of Social Security programs. These programs are integral parts of our employment services and work incentive mission. The appropriation authorizations for these programs expire after fiscal year 2010. In addition, we are asking that the Protection and Advocacy program be expanded to include monitoring of representative payees. This additional resource for monitoring payees would assist us in protecting some of the most vulnerable Social Security beneficiaries.

The Office of Management and Budget has advised that it has no objection to the transmittal of this proposed legislation to the Congress and that enactment would be in accord with the program of the President. We urge the Congress to give the draft bill prompt and favorable consideration.

I am sending an identical letter to the Honorable Nancy Pelosi, Speaker of the House.

Sincerely

A handwritten signature in black ink, appearing to read "M. Astrue".

Michael J. Astrue

Enclosures



SOCIAL SECURITY

January 12, 2010

The Honorable Nancy Pelosi
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Madam Speaker:

Enclosed for consideration by the Congress is a Social Security Administration bill to extend funding authority for two work incentive provisions. I have also enclosed a more detailed description of the proposal.

The bill would extend funding authority for the Work Incentives Planning and Assistance and the Protection and Advocacy for Beneficiaries of Social Security programs. These programs are integral parts of our employment services and work incentive mission. The appropriation authorizations for these programs expire after fiscal year 2010. In addition, we are asking that the Protection and Advocacy program be expanded to include monitoring of representative payees. This additional resource for monitoring payees would assist us in protecting some of the most vulnerable Social Security beneficiaries.

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Michael J. Astrue

Enclosures

A B I L L

To amend the Social Security Act to make various improvements in the disability insurance program and the supplemental security income program and to extend various provisions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.

This Act may be cited as the "Social Security Continuing Provisions Amendments of 2009".

SEC. 2. EXTENSION OF FUNDING AUTHORITY, TRANSFER ALLOCATION OF COSTS, AND AUTHORIZATION OF REPRESENTATIVE PAYEE MONITORING FOR CERTAIN WORK INCENTIVE OUTREACH AND ASSISTANCE PROGRAMS.

(a) Benefits Planning, Assistance, And Outreach—Section 1149 of the Social Security Act (42 U.S.C. 1320b-20) is amended—

(1) in subsection (b) (3) (B) by adding the following clause at the end:

"(iii) Carryover. - Any amounts allotted for payment through a grant, cooperative agreement, or contract awarded under this section for a fiscal year shall remain available for payment to or on behalf of the work incentives outreach program until the end of the succeeding fiscal year.";

(2) in subsection (b)(3)(B)(i) by striking "or more than \$300,000"; and

(3) in subsection (d) by striking "2010" and inserting "2015".

(b) Protection And Advocacy—Section 1150 of the Social Security Act (42 U.S.C. 1320b-21) is amended—

(1) in subsection (b) by adding the following paragraph at the end:

"(3) monitoring of representative payees, with an emphasis on representative payees who are also the beneficiaries' employer(s) and others the Commissioner may wish to review, for compliance with Federal and State laws, rules, and regulations.";

(2) in subsection (b)(1) by striking "; and" and inserting ";;";

(3) in subsection (b)(2) by striking "." and inserting "; and"; and

(4) in subsection (h) by striking "2010" and inserting "2015".

Social Security Continuing Provisions Amendments of 2009

Extension of Funding Authority, Transfer Allocation of Costs, and Authorization of Representative Payee Monitoring for Certain Work Incentive Outreach and Assistance Programs

This bill would extend, for five years, funding authority for the Work Incentives Planning and Assistance (WIPA) and the Protection and Advocacy for Beneficiaries of Social Security (PABSS) programs. It would also authorize employees in PABSS programs receiving grant money to monitor representative payees, particularly those payees who are also the beneficiaries' employers. The national WIPA Program, previously titled the Benefits Planning, Assistance, and Outreach Program, consists of community-based organizations that receive grants from the Social Security Administration to provide disability beneficiaries with free access to work incentives planning and assistance. WIPA has established itself as a strong support for our field offices, a key component of the agency's national demonstration programs, and a critical service program at the State and local level for disability beneficiaries. The PABSS program, previously titled Protection and Advocacy Systems, provides return-to-work supports and advocacy services to disability beneficiaries via State Protection and Advocacy Systems. These services are integral to the agency's return-to-work efforts. The agency anticipates a continuing need and increased demand for WIPA and PABSS services.

Funding of these programs has depended on annual appropriations, and the authorizations of appropriations contained in sections 1149 and 1150 of the Social Security Act expire after fiscal year (FY) 2010. (Sections 1149 and 1150, which were added by the Ticket to Work and Work Incentives Improvement Act of 1999, initially authorized appropriations for the programs for each fiscal year through FY 2004. The Social Security Protection Act of 2004 amended these sections to extend the appropriations authorizations through FY 2009, and the WIPA and PABSS Reauthorization Act of 2009 extended these authorizations for another year.)

This proposal would also remove the fiscal year cap on an entity's WIPA funding and allow entities receiving WIPA funds to carry over unused funds from one fiscal year into the subsequent fiscal year (as recipients with unused fiscal year PABSS funds are currently allowed to do). By increasing financial stability, these changes would help preserve both programs' roles in the agency's return-to-work efforts.

Finally, this provision would strengthen the integrity of the agency's representative payee program by involving PABSS programs in the monitoring process.

The bill would be effective upon enactment.