

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

Submitted via "www.regulations.gov"!

Monday, October 18th, 2021

RE: Response To SSA's Agency Information Collection Activities: Proposed Request, 86 FR 46307 (August 18th, 2021), Docket No: SSA-2021-0029

Dear Acting Commissioner Kilolo Kijakazi,

I became permanently disabled due to degenerative disk disease of the spine at the age of 22 in February of 2010. Three back injuries in the span of six years (herniation of L5/S1 in 2006, rupture of L3/L4 in 2008, and rupture of the same already-herniated L5/S1 again in 2010) had caused even the otherwise-healthy disks in my spine to begin decaying at a more rapid rate than normally occurs due to the aging process. It took three appeals of Social Security Administration denials before I could even begin receiving Supplemental Security Income (SSI) disability benefits in 2013. Since then, I have been required to complete the Continuing Disability Review (CDR) Form SSA-454-BK every three years, which is the shortest review period the Social Security Administration is currently legally allowed to enforce. In 2019, I heard through the social media grapevine that my estranged father had taken early retirement the previous year, which a disabled friend told me meant that I could apply to upgrade from my own Supplemental Security Income (SSI) disability benefits to his Retirement, Survivors, And Disability Income (RSDI) disability benefits. Your own employees were supposed to investigate his claim at the time of filing and increase my benefits accordingly immediately, but you at the Social Security Administration routinely force me the beneficiary to do your job for you whenever the issue is giving me more money. Overpayments, cuts, and Continuing Disability Reviews, you manage just fine.

I am writing in response to the Social Security Administration's burden estimate regarding the time it takes to complete the Continuing Disability Review (CDR) Form SSA-454-BK.

I have read many disingenuous self-serving lies in documents from various government agencies beside your own throughout my past eleven years as a permanently disabled person, but your estimate that the Continuing Disability Review (CDR) Form SSA-454-BK takes only one hour for beneficiaries to complete is so thoroughly ridiculous that it crosses over into outright evil. Congratulations! You win at being the worst!

The first time I read your time burden estimate online, I think I felt my soul leave my body for a second there. Seriously...?! One...human...hour?! In...earth...time?! This planet earth where we live, where one hour is composed of sixty minutes, and each minute is composed of sixty seconds, and so on and so forth...?! This earth?!

I have never had the Continuing Disability Review (CDR) Form SSA-454-BK take me less than one week of minimum-eight-hour days to complete, and it only went so fast because the previous time I was subjected to a CDR, I had the forethought to type out every question and every answer and save them in a Microsoft Office Word document file, so that the next time about half of the work (optimistically) would already be done for me -- I would just have to add how my condition had worsened in the previous three years. That one week time frame is also only counting me typing up the additions to my previous answers -- not the time spent wrangling all of my important doctors' updates. Due to chronic pain, I am able to work fewer hours per day, and fewer consecutive days in a row (requiring more mental energy to find my place), each time another Continuing Disability Review period rolls around.

The Continuing Disability Review (CDR) Form SSA-454-BK is 15 pages long with multiple narrative questions about my medical treatment, including many details that I might not always know offhand, without consulting with my current team of treating health care professionals. The Social Security Administration purposefully designed these narrative CDR questions to have significant areas of overlap so that you can accuse beneficiaries like me of lying if we mention one symptom in response to one question, but forget to mention it in response to another. How do I know this? Because a Social Security Administration employee literally told me so during my first application rejection!

It is also worth noting that if I ever only used the space the Social Security Administration provided in the 15-page-long Continuing Disability Review (CDR) Form SSA-454-BK for each answer, not taking multiple pages to elaborate for each response, I would immediately have my benefits canceled for not being "disabled enough"! Which you very well know! Again, how do I know this? Once again, your very own employees told me so.

By any stretch of the imagination, the Social Security Administration is not in the business of actually helping disabled people. Pretending otherwise is an insult to every disabled person who died waiting for their deserved benefits due to the Social Security Administration's purposefully adversarial design. If you actually believe that doing your job does me anything but further harm, you are delusional (at best!) and you should quit your job immediately and then proceed to the nearest Social Security Administration branch office beneficiary waiting room for a massive reality check. Currently the maximum Supplemental Security Income (SSI) disability benefits pay out below the poverty line, while the average Social Security Disability Insurance (SSDI) and Retirement, Survivors, And Disability Income (RSDI) disability benefits barely exceed the Federal Poverty Line (FPL). Working a 40-hour-per-week minimum wage job would pay several thousand dollars more per year. If that is the supposed minimum income required to support one

person in the United States Of America, then why does not one single disability benefits program payout meet that standard?! Beyond which, disabled people have to pay more for out-of-pocket medical expenses that we need in order to function on a daily basis because our health insurance companies, especially the cheap penny-pinching sadists at the Medicare and Medicaid government programs, refuse to cover them. (Check out the hashtag "#CripTax" on [Twitter.Com](https://twitter.com) to read tweets from disabled people doing the math if you do not believe me!) The Social Security Administration's operational directive is to subject disabled people to "death by a thousand paper cuts." You drown us in paperwork until we either give up or die, whichever comes first. Every single U.S. government organization that claims to help disabled people is telling the exact same whopper of a lie -- they are adversarial by design.

It was very clear that the Social Security Administration's three denials prior to my benefits award decision were not based on the factual merits of my case, but rather upon my relatively young age of 22 at the time of the disabling injury. Again, how do I know? Because multiple different Social Security Administration employees told me! And not just them: countless friends, family members, neighbors, medical professionals, and even random strangers on the street. (Back before the COVID-19 coronavirus pandemic, when I was safely able to leave my home more than once per month, I mean!) If I had one dollar for every time someone told me I was "too young to be disabled," I would have more money than the Social Security Administration gives me in a year. I used to be 5 feet 11 inches tall; Now I am 5 feet 9 inches tall. I am literally two full inches shorter now than I was at the time of my first back injury, so of course all the muscle attachments to my spine are out of alignment causing chronic pain, and spinal disk tissue does not ever grow back once it is lost. Doctors have told me throughout my 20's and 30's that if they did not already know my age before reviewing the imaging, by looking at MRIs of my spine alone, they would place my age in the 70's or 80's. The disk herniation at L5/S1 causing the bulk of my chronic pain issues is not a surgical candidate, and the six different surgeons I consulted told me that it never will be due to my anatomy. They would literally need to invent new surgical techniques in order to fix it! But even if a surgeon did magically invent a way to fix my L5/S1 disk tomorrow, it would not be a solution anyway because the multiple back injuries had already set off "cascade failure" (more rapid decay in previously-healthy disks than the traditional aging process, as though they also sustained an injury) all the way back in 2010. The Social Security Administration would need to invent a time machine in order for such medical progress to matter to my case.

Beyond the endless medical data, the single most relevant fact is right there in the name: degenerative disk disease. The word "degenerative" literally means "to worsen over time." I am never going to get better. The best I can hope for is to stay this same level of disabled for as long as possible. But after reviewing all those facts for over ten years now, the Social Security Administration maintains that the facts of my case indicate that I should be forced to complete the Continuing Disability Review (CDR) Form SSA-454-BK every three years, which is the shortest review period the Social Security Administration is currently legally allowed to enforce. Why is the Social Security Administration ignoring the facts of my case? Because Social Security Administration data says that back injuries are of the type of medical conditions most frequently

faked. Yet fraud accounts for only 1% of the Social Security Administration's benefits budget, and by your own admission most of the "overpayments" were your own administrative errors, not intentional fraud by beneficiaries. (SOURCE: "<https://www.reuters.com/article/us-column-miller-socialmedia-idUSKCN1RA12R>") You can pretend you are simply trying to prevent fraud all you want; But you and I and everyone employed by the Social Security Administration knows this entire process of Continuing Disability Reviews is designed to kick people off their benefits programs. Otherwise, you simply would not conduct CDRs, you would leave people in peace once they had been awarded disability benefits of any kind.

Fundamentally, Social Security does not exist to truly serve disabled Americans -- your purpose is to keep just enough of us from dying in the streets that the rest of our capitalist country is not significantly inconvenienced.

If the Continuing Disability Review (CDR) Form SSA-454-BK was actually designed to be completed in only one hour, it would basically be:

"Question 1. Has your disabling condition(s) improved since you completed your most recent previous Continuing Disability Review (CDR) Form SSA-454-BK? Check boxes for "YES" or "NO" below.

If no, congratulations! Your portion of this CDR is complete.

If yes, please explain, in as much detail as you can, (a) what your improvements are, and (b) why you believe you still qualify as disabled enough to need to continue receiving your previous disability benefits award.

Question 2. Please fill out the following HIPAA release forms so we can request records from your doctors to confirm that you are still undergoing treatment for your disabling condition(s)."

The end! That's literally it!

I would love to end my testimony by saying: "I hope you at the Social Security Administration will take steps to simplify the Continuing Disability Review (CDR) Form SSA-454-BK in order reduce the burden it places on people with disabilities and their family, friends, and service providers." But you and I both know that you will never do anything that significantly helps disabled people. Miles of reforms are needed, so you will maybe give an inch if we really successfully leverage our political power. For now, the best I can hope for is that you and the Social Security Administration decide to reverse track on this particular bit nakedly self-serving

scumbaggery in the form of estimating that the Continuing Disability Review (CDR) Form SSA-454-BK only takes beneficiaries one hour to complete, and revise your estimated time burden to be something within a day's walking distance of the truth, instead of floating off in outer space where time stops having the same meaning as down here on earth.

Thank you for the opportunity to comment on this form. If your due karmic justice from the universe from all the harms you have actively chosen to perpetrate against disabled people does not find you in this life, I pray it finds you in the next.