

October 6, 2023

Office of Management and Budget, Attn: Desk Officer for SSA  
Social Security Administration, OLCA, Attn: Reports Clearance Director  
3253 Altmeyer, 6401 Security Blvd.  
Baltimore, MD 21235

*Submitted via Regulations.gov*

RE: Social Security Income Simplification Process Phase I (iSSI) [Docket No: SSA-2023-0030]

Dear Director Sipple:

These comments are submitted on behalf of the National Organization of Social Security Claimants' Representatives (NOSSCR), a specialized bar association for attorneys and advocates who represent Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) claimants throughout the adjudication process and in federal court.

**I. Universality of the iSSI application**

While we applaud SSA's move to modernize and streamline the SSI filing process, we are concerned about access for many of the most vulnerable Americans. As written, only adults aged 18-64 who are not married, don't have children, and haven't applied for or received SSI benefits in the past will be able to apply using the iSSI application. These restrictions exclude large portions of the population who could certainly benefit from this simplified application process. While we understand that the agency must start somewhere, we request that the plan include clear details regarding the expected rollout of the simplified iSSI application for all.

**II. Processing and Universality**

We seek clarity regarding the processing mechanism for those applicants who do not qualify for the iSSI application, or who are unable to access the iSSI application. Will priority be given to the iSSI applicants, thereby causing further delays for many of the most vulnerable applicants who do not have access? What if information is missing from the iSSI application – will that application then revert to the longform paper filing? And where in the queue will these applications fall? How will resources be allocated for processing SSI claims that cannot be completed through the iSSI process?

And if this streamlined application is available electronically, why can the paper application process not simultaneously be streamlined to alleviate the "unnecessary burden" for all applicants?

### III. Will the iSSI application require a *mySocialSecurity*<sup>1</sup> account?

Currently, in order to establish and access a *mySocialSecurity* account, individuals must provide a mailing address that can be verified. This is frequently impossible to accomplish for individuals who are housing insecure, transient or experiencing homelessness, or who suffer from mental health disorders that impede stable living situations.

While many of these individuals could certainly benefit from an online filing option at a shelter, library, or other public space, they cannot do so if a verifiable mailing address is required to begin the process. As such, we strongly encourage SSA to ensure that this new iSSI process is divorced from the *mySocialSecurity* account, so that access to iSSI can be guaranteed for all, regardless of housing status.

### IV. Representatives

The proposed information collection changes indicate that they “will allow applicants filing for themselves and third-party assistors (*i.e.*, respondents acting on behalf of claimants) to use the new iSSI process.” We request clarity on how this will function for claimants’ representatives.

Many applicants for SSI need representation to navigate the application process. Evidence shows that SSI applicants are approved at a higher rate when they are represented.<sup>2</sup> The Federal Regulations are very clear regarding who is qualified to be a representative,<sup>3</sup> and these representatives are held to a high standard.<sup>4</sup>

The Proposed Request indicates that “iClaim does not allow a third party to electronically sign on behalf of the applicant.” Rather, the agency proposes to mail a hard copy of the application to the claimant to sign with a pen and return via mail. In the alternative, the agency indicates that a claimant “wait for an SSA employee to call them to give verbal attestation in lieu of a wet signature.” Both options are frustratingly time-consuming and unnecessary.

If the agency has already validated a representative, and that representative is verifying that they are truthfully completing an application with a claimant on the claimant’s behalf, why require additional costly steps such as a wet signature? As noted above, many claimants who apply for SSI do not have stable mailing addresses. While they may be able to validly complete the application with their representative on the phone, they may be unable to complete the additional and unnecessary step of receiving and returning the application by mail. While a phone call from SSA may seem like a good alternative, many people who apply for SSI likewise do not have consistent telephone service, and even more rarely answer calls from unknown numbers. For years, SSA has been warning Americans not to respond to callers saying they work at SSA—to protect against scammers. What happens if the claimant misses the call? The current wait time for a phone call back to SSA’s main phone line is 37.7 minutes.<sup>5</sup> Why add such a cumbersome burden on the agency’s staff and the vulnerable applicants when the third-party assistors’ validation is enough?

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<sup>1</sup> Social Security’s online portal for individual account access, [mySocialSecurity FAQ](#), [mySocialSecurity website](#)

<sup>2</sup> SSAB, “Filing for Social Security Disability Benefits: What Impact Does Professional Representation Have on the Process at the Initial Level” (September 2012), at figure 7, <https://www.ssab.gov/research/filing-for-social-security-disability-benefits-what-impact-does-professional-representation-have-on-the-process-at-the-initial-level/>

<sup>3</sup> [https://www.ssa.gov/OP\\_Home/cfr20/404/404-1705.htm](https://www.ssa.gov/OP_Home/cfr20/404/404-1705.htm)

<sup>4</sup> [https://www.ssa.gov/representation/conduct\\_standards.htm](https://www.ssa.gov/representation/conduct_standards.htm)

<sup>5</sup> <https://www.ssa.gov/open/data/800-number-average-speed-to-answer.html>

## **V. Attestation**

Even if the agency is unwilling to accept a representative's attestation on behalf of the claimant, the agency should recognize other forms of valid attestation from the claimant.

The recent surprise announcement that signed and faxed applications will no longer be accepted as valid is frustratingly regressive. If the agency would accept electronically signed or signed and faxed applications, without the need for subsequent development and attestation, this would significantly reduce the burden on both agency staff and vulnerable claimants and their representatives.

The September 19, 2023, SSA OEA "Update and Clarification: Faxed Applications" noted that the agency would no longer accept faxed application "given the risk that bad actors could use faxed applications to commit fraud." However, the agency has provided absolutely no evidence that fraud has increased with signed and faxed applications versus signed and mailed or verbally attested to applications.

Until there is a working electronic process in place that provides simplified access to all applicants, we strongly encourage SSA to reconsider their decision to terminate a point of access (signed and faxed applications) that was successfully used by the most vulnerable claimants.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to be 'David Camp', with a stylized, cursive-like script.

David Camp  
NOSSCR Interim CEO