



April 1, 2020

The Honorable Steven T. Mnuchin  
US Department of the Treasury  
1500 Pennsylvania Avenue, NW  
Washington, DC 20220

The Honorable Andrew Saul  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235

Dear Secretary Mnuchin and Commissioner Saul:

On behalf of the Medicare Rights Center (Medicare Rights), I am writing today to urge you to immediately clarify that 2019 Social Security beneficiaries do not have to file a federal tax return to receive the economic stimulus payment created by the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P. L. 116-136).

The Medicare Rights Center is a national, nonprofit organization that works to ensure access to affordable health care for older adults and people with disabilities through counseling and advocacy, educational programs, and public policy initiatives. Our organization provides services and resources to nearly three million people with Medicare, family caregivers, and health care professionals each year.

Based on this experience, we know that Social Security beneficiaries often face significant barriers to building and maintaining their health and economic security. And that for many, their situations are being worsened by the current COVID-19 crisis. Therefore, we are extremely concerned that recent Internal Revenue Service (IRS) guidance may prevent these individuals from automatically receiving economic relief under the CARES Act—as intended by Congress.

The legislation is clear that these payments should be issued without imposing additional burdens on low-income Social Security beneficiaries, such as requiring them to file an otherwise unnecessary tax return. In fact, it explicitly creates a workaround. According to the bill, to advance rebate payments to eligible Social Security beneficiaries who did not file a tax return for 2018 or 2019, the IRS may rely on information these individuals have already provided to the Social Security Administration via “Form SSA-1099, Social Security Benefit Statement.”<sup>1</sup>

Congress has plainly articulated that such an operationalization is its intent. As stated by the Senate Committee on Finance, “The bill also provides IRS with additional tools to locate and provide rebates to low-income seniors who normally do not file a tax return by allowing them to base a rebate on Form SSA-1099, Social Security Benefit Statement.”<sup>2</sup> The Congressional Research Service also notes that for

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<sup>1</sup> P.L. 116-136, § 2201.

<sup>2</sup> U.S. Committee on Finance, “CARES Act: Recovery Check FAQ” (March 26, 2020) available at: <https://www.finance.senate.gov/chairemans-news/cares-act-recovery-check-faq> and “Grassley Releases Phase 3 Coronavirus Legislation” (March 25, 2020) available at: [https://www.finance.senate.gov/imo/media/doc/CARES%20Act%20Section-by-Section%20\(Tax,%20Unemployment%20Insurance\).pdf](https://www.finance.senate.gov/imo/media/doc/CARES%20Act%20Section-by-Section%20(Tax,%20Unemployment%20Insurance).pdf).

low-income Social Security beneficiaries, “the intent of the CARES Act is that the information from their 2019 Form SSA-1099 is to be used to advance the recovery rebate.”<sup>3</sup>

However, the IRS appears to be considering a different—and more difficult—approach. A recent IRS press release troublingly indicates that “People who typically do not file a tax return will need to file a simple tax return to receive an economic impact payment.”<sup>4</sup> This interpretation of the CARES Act not only conflicts with congressional intent, but also creates additional obstacles to financial relief for those who are among the most in need.

For many Social Security beneficiaries, filing a “simple tax return” would likely be a daunting task under any circumstances. The COVID-19 emergency only exacerbates those challenges. Older adults and people with disabilities are uniquely at risk of infection, serious illness, and even death from the virus.<sup>5</sup> Compliance with public health guidelines requires these and all Americans to change their routines, avoid crowds, and stay at home. As a result, those who would be impacted by this new IRS-mandated filing requirement would be unable to obtain in-person filing assistance that might otherwise be available. Filing a “simple tax return” would be anything but.

While we recognize that implementation of the CARES Act may present logistical difficulties for your agencies, we caution against shifting those responsibilities onto low-income older adults and people with disabilities. Instead, we strongly urge you to move forward in a way that will ensure eligible Social Security beneficiaries automatically receive their economic stimulus payments without delay, and without having to file a tax return.

Thank you for your time and consideration.

Sincerely,



Fred Riccardi  
President  
Medicare Rights Center

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<sup>3</sup> Congressional Research Service, “COVID-19 and Direct Payments to Individuals: Will Social Security and Supplemental Security Income Beneficiaries Receive the Recovery Rebate in the CARES Act?” (Updated April 1, 2020) available at: <https://crsreports.congress.gov/product/pdf/IN/IN11290>.

<sup>4</sup> Internal Revenue Service, “Economic impact payments: What you need to know” (March 30, 2020) available at: <https://www.irs.gov/newsroom/economic-impact-payments-what-you-need-to-know>.

<sup>5</sup> Centers for Disease Control, “If You Are at Higher Risk” (last accessed April 1, 2020) available at: <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html>.