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December 21, 2007

The Honorable Michael J. Astrue
Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235-7703

Dear Commissioner Astrue,

I am writing on behalf of myself and many of my constituents to express my concern regarding proposed regulations published in the Federal Register on October 29, 2007.

I understand that these proposed regulations are intended to speed processing time in an effort to address the current backlog of unprocessed hearing requests. I share your concern regarding the need to address this substantial and growing backlog. However, I am concerned that the regulations would effectively restrict appeal rights for persons applying for Social Security and Supplemental Security Income (SSI).

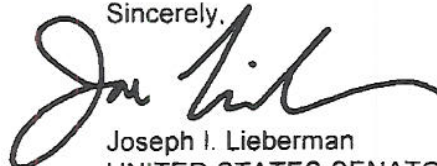
In my view, the current backlog is primarily a result of underfunding of administrative expenses of the agency. I have consistently joined my colleagues in the Senate in an effort to secure more funds for the Social Security Administration (SSA) to address this underfunding. Indeed, the Continuing Appropriations bill passed by Congress increases SSA funding by about \$363 million. This funding should enable the SSA to begin to reduce the enormous waiting times for many benefit applicants, and to help reverse cuts in services to the public in SSA field offices.

The proposed regulations, while attempting to speed processing time, would ultimately deny benefits to deserving individuals because of procedural roadblocks. These restrictive procedures would be particularly harmful to disabled individuals and individuals without representation. Specifically, the regulations would impose undue restrictions on the submission of evidence to the administrative law judge, on judicial and administrative review, and on reopening prior applications.

Congress and the SSA have long recognized that a certain degree of flexibility is necessary in the review process. The proposed rulemaking moves towards a more complex and legalistic process which assumes that a claimant has legal representation at all stages. This assumption is unrealistic and unfair and will result in the denial of benefits to many who need and deserve this support.

Thank you for your attention to this matter.

Sincerely,



Joseph I. Lieberman
UNITED STATES SENATOR

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