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September 28, 2005

The Honorable Jim McCrery  
Chair  
Subcommittee on Social Security  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Wally Herger  
Chair  
Subcommittee on Human Resources  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman McCrery and Chairman Herger:

Thank you for holding a joint hearing yesterday on Social Security Commissioner Barnhart's proposed regulations to revise the disability claims process.

Commissioner Barnhart and Deputy Commissioner Gerry sought input from ABA representatives and met with us as she developed the regulations. The ABA very much appreciates all that the Commissioner and the Deputy Commissioner did to seek out and consider input from the ABA and other organizations with views on the subject.

Attached is a letter that ABA President Michael S. Greco submitted to the Commissioner with comments on the proposed regulations. Some of our ABA entities are continuing to consider the impact of the proposed regulations and may prepare additional comments before the comment period expires. If additional comments are sent to the Commissioner, they will be sent to you as well.

As representative of the legal profession in the United States, the ABA strives to promote the rule of law and to ensure the fairness and integrity of our justice system, particularly as it affects those who are least able to advocate for themselves. We have provided decades of stewardship in the legal ethics and professional responsibility arena by adopting professional standards that serve as models for the legal profession, and by issuing opinions on particular questions of professional and judicial conduct. Over the years we also have drawn upon the expertise of our membership to develop a substantial body of recommendations addressing the disability determination process. We have carefully considered the proposed regulations. We look forward to continuing to provide input on the proposal to you and the Commissioner as she works to refine and to implement regulations in this area.

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We respectfully request that my letter and the enclosed letter from our ABA President be made a part of the record of yesterday's hearing.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Evans".

Robert D. Evans

cc: The Honorable Sander Levin  
The Honorable Jim McDermott  
The Honorable Jo Anne Barnhart