Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

WASHINGTON STATE DEPARTMENT OF SOCIAL AND HEALTH SERVICES ET AL. *v.* GUARDIANSHIP ESTATE OF KEFFELER ET AL.

CERTIORARI TO THE SUPREME COURT OF WASHINGTON

No. 01–1420. Argued December 3, 2002—Decided February 25, 2003

Although Old-Age, Survivors, and Disability Insurance (OASDI) benefits under Title II of the Social Security Act, 42 U. S. C. §401 *et seq.*, and Supplemental Security Income (SSI) benefits under Title XVI, §1381 *et seq.*, are generally paid directly to the beneficiary, the Social Security Administration may distribute them to another individual or entity as the beneficiary's "'representative payee,'" §§405(j)(1)(A), 1383(a)(2)(A)(i)(I). Regulations provide, *inter alia*, that social service agencies and custodial institutions may serve as representative payees, but follow a parent, legal guardian, or relative in the order of preference for appointment to that position. *E.g.,* 20 CFR §§404.2021(b)(7), 416.621(b)(7). Such a payee may expend funds "only for the use and benefit of the beneficiary," in a way the payee determines "to be in the [beneficiary's] best interests." §§404.2035(a), 416.635(a). Payments made for "current maintenance" are "for the use and benefit of the beneficiary," and "current maintenance" includes "cost[s] incurred in obtaining food, shelter, clothing, medical care, and personal comfort items," §§404.2040(a), 416.640(a). A representative payee "may not be required to use benefit payments to satisfy a [beneficiary's] debt" that arose before the period the benefit payments are certified to cover, but a payee may discharge such a debt if the beneficiary's "current and reasonably foreseeable needs" are met and it is in the beneficiary's interest to do so, §§404.2040(d), 416.640(d).

Washington State, through petitioner Department of Social and Health Services (Department), provides foster care to certain children removed from their parents' custody, and it also receives and manages Social Security benefits as representative payee for many of

those children. Pursuant to its regulation requiring that public benefits for a child, including SSI or OASDI benefits, be used on behalf of the child to help pay for the child's foster care costs, the Department generally credits the Social Security benefits it receives to a special account for the beneficiary child, and debits the account to pay foster care providers. Respondents, who include such beneficiary children, filed this class action in state court, alleging, among other things, that the Department's use of their OASDI or SSI benefits to reimburse itself for the foster care costs violated 42 U. S. C. §§407(a) and 1383(d)(1). Section 407(a), the Act's "anti-attachment" provision, protects Title II benefits from "execution, levy, attachment, garnishment, or other legal process." Section 1383(d)(1) applies §407(a) to Title XVI. In granting respondents summary judgment, the trial court enjoined the Department from continuing to charge its foster care costs against Social Security benefits, ordered restitution of previous reimbursement transfers, and awarded attorney's fees. The State Court of Appeals certified the case to the Washington Supreme Court, which ultimately affirmed the trial court's holding that the Department's practices violated the antiattachment provisions.

Held: The State's use of respondents' Social Security benefits to reimburse itself does not violate 42 U. S. C. §407(a). Pp. 8–19.

(a) Neither the Department's effort to become a representative payee, nor its use of respondents' Social Security benefits when it acts in that capacity, amounts to employing an "execution, levy, attachment, garnishment, or other legal process" under §407(a). Because the Department's activities do not involve any of the specified formal procedures, the case boils down to whether those activities are "other legal process." The statute uses that term restrictively, for under the established interpretative canons of *noscitur a sociis* and *ejusdem generis*, where general words follow specific words in a statutory enumeration, the general words are construed to embrace only objects similar to those enumerated by the specific words. *E.g., Circuit City Stores, Inc.* v. *Adams,* 532 U. S. 105, 114–115. Thus, "other legal process" should be understood to be process much like the processes of execution, levy, attachment, and garnishment, and at a minimum, would seem to require utilization of some judicial or quasi-judicial mechanism, though not necessarily an elaborate one, by which control over property passes from one person to another in order to discharge or secure discharge of an allegedly existing or anticipated liability. This conclusion is confirmed by the definition of "legal process" in the Social Security Administration's Program Operations Manual System (POMS). On this restrictive understanding, it is apparent that the Department's activities do not involve "legal process." Whereas the object of the specifically named

processes is to discharge, or secure discharge of, some enforceable obligation, the State has no enforceable claim against its foster children. And while execution, levy, attachment, and garnishment typically involve the exercise of some sort of judicial or quasi-judicial authority to gain control over another's property, the Department's reimbursement scheme operates on funds already in the Department's possession and control, held on terms that allow the reimbursement. Additionally, although the State uses a reimbursement method of accounting, there is no question that the funds were spent for items of "current maintenance" within the meaning of the regulations. That the State is dealing with the funds consistently with the regulations is confirmed by the POMS. The Government has gone even further to support this as a reasonable interpretation, text aside, owing to significant advantages of the reimbursement method in providing accurate documentation and allowing for easy monitoring of representative payees in administering Social Security. *Philpott* v. *Essex County Welfare Bd.,* 409 U. S. 413, and *Bennett* v. *Arkansas,* 485 U. S. 395 *(per curiam)*, distinguished. Pp. 8–15.

(b) The Court rejects the view that this construction of §407(a), allowing a state agency to reimburse itself for foster care costs, is antithetical to the child's best interests. Respondents' premise that promoting those interests requires maximizing resources from left-over benefit income ignores the settled administrative law principle that an open-ended and potentially vague term is highly susceptible to administrative interpretation subject to judicial deference. See *Chevron U. S. A. Inc.* v. *Natural Resources Defense Council, Inc.,* 467 U. S. 837, 842–843. Under her statutory authority, the Commissioner has read the beneficiary's "interest" in light of the Act's basic objectives: to provide a minimum level of income to children who would not otherwise have sufficient resources, see, *e.g., Sullivan* v. *Zebley,* 493 U. S. 521, 524, and to provide workers and their families the income required for ordinary and necessary living expenses, see, *e.g., Califano* v. *Jobst,* 434 U. S. 47, 50. The Commissioner, that is, has decided that a representative payee serves the beneficiary's interest by seeing that basic needs are met, not by maximizing a trust fund attributable to fortuitously overlapping state and federal grants. This judgment not only is obviously within reasonable bounds, but is confirmed by the demonstrably antithetical character of respondents' position to the best interest of many foster care children. If respondents prevailed, many foster children would lose SSI benefits altogether, since eligibility for such benefits is lost if a child's resources creep above a certain minimal level, currently $2,000. *E.g.,* 20 CFR §416.1205(c). In addition, respondents' argument forgets that public institutions like the Department are last in line for appointment as representative

payees. If respondents had their way, public offices might well not be there to serve as payees even as the last resort, because many States would be discouraged from accepting appointment as representative payees by the administrative costs of acting in that capacity. With a smaller total pool of money for their potential use, the chances of having funds for genuine needs beyond immediate support would obviously shrink to the children's loss. Pp. 16–19.

145 Wash. 2d 1, 32 P. 3d 267, reversed and remanded.

SOUTER, J., delivered the opinion for a unanimous Court.