November 28, 2017

The Honorable Mitch McConnell
The Honorable Charles Schumer
317 Russell Senate Office Building 322 Hart Senate Office Building
Washington, DC 20510 Washington, DC 20510

Dear Majority Leader McConnell and Minority Leader Schumer:

The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

The CCD Task Force on Financial Security encourages Congress to honor the original intent of the Stephen Beck, Jr. Achieving a Better Life Experience Act of 2014 (ABLE Act) and stand with the individuals with disabilities who are denied the opportunity to achieve a better life experience simply due to the age at which they became disabled. We request that the ABLE Age Adjustment Act (H.R. 1894/S. 817) be passed before, or concurrently with, any legislation that provides for further benefits to those already eligible for the program. The Task Force remains significantly concerned about the movement of any legislation related to the ABLE Act that does not include a meaningful increase to the age requirement within the eligibility criteria of the law. We support both the ABLE to Work Act (H.R. 1896/S. 818) and the ABLE Financial Planning Act (H.R. 1897/S. 816), however we oppose their movement absent the movement of the ABLE Age Adjustment Act.

The ABLE Act, signed into law December of 2014, allows certain individuals with disabilities the opportunity to save resources in a tax advantaged savings account (an ABLE account) for the purposes of covering disability related expenses. The resources saved in an ABLE account are not taken into consideration when determining the individual’s eligibility for federally funded means tested benefits, including Supplemental Security Income (SSI) and Medicaid. The opportunity provided through the ABLE Act to assist in securing more financial stability for individuals with disabilities and their families is profound; however, it is limited to those individuals whose disability had an onset prior to their 26th birthday.

The limitation on eligibility based on age of onset of disability did not exist in the original legislation. Opposition to the revised bill was dropped after an understanding was reached that Congress would act to restore the broader eligibility criteria. This concession resulted in otherwise-eligible individuals with disabilities being prevented from realizing the benefits associated with the ABLE Act, based solely on the
age at which they became disabled. Moreover, many of those individuals who are now prevented from participating in ABLE programs due to the age of onset of their disability had devoted years of advocacy to pass the law.

We appreciate the introduction of the ABLE Age Adjustment Act which would increase the age requirement from 26 to 46 as a first step to eliminating the age restrictions. Enacting this legislation would allow individuals with disabilities the opportunity to participate in ABLE programs, including disabled veterans who experienced their disability as a result of their service after their 26th birthday and many individuals who experience disabilities that occur in a person’s 30s and 40s. We believe passage of the ABLE Age Adjustment Act would benefit current ABLE plans and participants too. In our discussions, ABLE state plan administrators have repeatedly expressed the need for more plan participants.

We are eager to work with you and other Members of Congress in an effort to empower those individuals with disabilities whose needs can be met by restoring the original intent of the ABLE Act with regard to the eligibility criteria.

Sincerely,

CCD Members:
ACCSES
Allies for Independence
American Association of People with Disabilities
American Foundation for the Blind
American Network of Community Options and Resources (ANCOR)
Association of Assistive Technology Act Programs
Autistic Self Advocacy Network
Bazelon Center for Mental Health Law
Center for Public Representation
Disability Rights Education & Defense Fund
Justice in Aging
National Association of Councils on Developmental Disabilities
National Council on Independent Living
National Disability Institute
National Disability Rights Network
National Down Syndrome Congress
National Multiple Sclerosis Society
Paralyzed Veterans of America
Parent to Parent USA
TASH
The Arc of the United States
The Michael J. Fox Foundation for Parkinson’s Research
United Spinal Association

**Friends of CCD:**
Abilcorp
Ability360
Access Living
ADAPT Montana
AIM Independent Living Center
ARISE Center for Independent Living
Autism Women’s Network
BNICEH
Brooklyn Center for Independence of the Disabled
Bronx Independent Living Services
California Foundation for Independent Living Centers
Center for Disability Rights
Dayle McIntosh Center
DC Metro ADAPT
Disability Law Center
Disability Law Center of Alaska
Disability Law Colorado
Disability Rights California
Disability Rights Florida
Disability Rights Nebraska
Disability Rights New Jersey
Disability Rights North Carolina
Disability Rights Oregon
Disability Rights Tennessee
Disability Rights Wisconsin
Georgia ADAPT
Hawaii Disability Rights Center
HIGH IMPACT Mission-based Consulting & Training
Idaho State Independent Living Council
IMPRUVE
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Living Independence Network Corporation
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National Association of Benefits and Work Incentive Specialists
National Black Deaf Advocate
National Coalition for Latinxs with Disabilities
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New York Association on Independent Living
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People’s First
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Resource Center for Independent Living, Inc.
Shepherd Center
The Ability Center of Greater Toledo
The Resource Center for Accessible Living, Inc.
Uniting Disabled Individuals
Vermont Center for Independent Living
West Virginia Statewide Independent Living Council