



November 15, 2017

Chairman Orrin Hatch
Senate Finance Committee
219 Dirksen Senate Office Building
Washington, DC 20510

Ranking Member Ron Wyden
Senate Finance Committee
221 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Hatch and Ranking Member Wyden:

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.

While we support the movement of all three ABLE improvement bills (ABLE to Work Act - H.R. 1896/S. 818 and ABLE Financial Planning Act - H.R. 1897/S. 816), we are opposed to accomplishing this through the amendment process to the Senate Tax bill as done with amendments #82 and #83. The Task Force is also concerned with the use of offsets for such amendments and the impact those offsets may have on other disability programs.

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 legislation as introduced and was added after mark-up. Opposition to the 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,

Dara Baldwin, Task Force Co-Chair
National Disability Rights Network (NDRN)

Marty Ford, Task Force Co-Chair
The Arc of the United States

Susan Goodman, Task Force Co-Chair
National Down Syndrome Congress

Sarah Meek, Task Force Co-Chair
American Network of Community Options and
Resources (ANCOR)

Chris Rodriguez, Task Force Co-Chair
National Disability Institute (NDI)

Cc: Senate Finance Committee members