



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

October 3rd, 2016

The Honorable Paul Ryan
Speaker of the House
1233 Longworth House Office Bldg
Washington, DC 20515

The Honorable Nancy Pelosi
House Minority Leader
233 Cannon House Office Bldg
Washington, D.C. 20515

The Honorable Kevin Brady
Chairman, House Ways and Means
301 Cannon House Office Bldg
Washington, DC 20515

The Honorable Sander Levin
Ranking Member, House Ways and Means
1236 Longworth House Office Bldg
Washington, DC 20515

Dear Speaker Ryan, House Minority Leader Pelosi, Chairman Brady, and Ranking Member Levin:

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, along with the 82 undersigned organizations, wish to express significant concern with the movement of any legislation related to the Stephen Beck, Jr. Achieving a Better Life Experience Act of 2014 (ABLE Act) that does not include a meaningful increase to the age requirement within the eligibility criteria of the law. The Task Force cannot support, and will oppose, regardless of merit, movement of any legislation that aims to increase the benefits of currently eligible individuals, while ignoring the needs of individuals with disabilities solely based on the age when that individual first experienced their disability. We support both the ABLE to Work Act (S. 2702/HR 4795) and the ABLE Financial Planning Act (S. 2703/HR 4794), however we oppose their movement absent the movement of the ABLE Age Adjustment Act (S. 2704/HR 4813).

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 Social Security 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 and was added at the end of the ABLE Act's 8 year legislative history with the understanding 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 (S. 2704/HR 4813) 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. While the filing of this legislation is encouraging, we found it disappointing and objectionable that other pieces of ABLE related legislation are moving through the legislative process, while the ABLE Age Adjustment Act sits dormant.

We encourage you to honor the original intent of the 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. Please join us in prioritizing the age initiative before, or concurrently with, passing legislation and providing for further benefits to those already eligible for the program.

While we oppose the movement of any ABLE related legislation that does not include a meaningful increase to the age criteria, 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:

Advance CLASS

American Association on Intellectual and Developmental Disabilities (AAIDD)

American Association of People with Disabilities (AAPD)

American Association on Health and Disability (AAHD)

American Network of Community Options and Resources (ANCOR)

Autism Society

Autistic Self Advocate Network (ASAN)

Bazelon Center for Mental Health Law

Brain Injury Association of America

Christopher & Dana Reeve Foundation

Disability Rights Education & Defense Fund (DREDF)

Goodwill Industries International

Justice in Aging

Lutheran Services in America Disability Network

Madison House Autism Foundation

National Association of State Directors of Developmental Disabilities Services (NASDDDS)

National Association of State Head Injury Administrators (NASHIA)

The National Association of Councils on Developmental Disabilities (NACDD)

National Council on Independent Living (NCIL)
National Disability Institute (NDI)
National Disability Rights Network (NDRN)
National Down Syndrome Congress (NDSC)
National Health Law Program (NHeLP)
National Industries for the Blind (NIB)
National Organization on Disability (NOD)
Paralyzed Veterans of America (PVA)
Parent to Parent USA (P2P USA)
SourceAmerica
Special Needs Alliance
TASH
The Advocacy Institute
The Arc of the United States
United Cerebral Palsy (UCP)
United Spinal Association

Friends of CCD:

Access to Independence of Cortland County, Inc
Access Living
ADAPT
ADAPT Montana
Advocacy Center of Louisiana
Association of Programs for Rural Independent Living (APRIL)
Brazoria County Center for Independent Living
Center for Disability Rights
Disability Power & Pride
Disability Rights Center (DRC)
Disability Rights Iowa
Disability Rights Maryland
Disability Rights Mississippi
Disability Rights Nebraska
Disability Rights New Jersey
Disability Rights Tennessee
Disabled Queers in Action
Independence for the Disabled, NY
Independent Living Center of the Hudson Valley, Inc.
Institute for Disability Access – Texas
National LGBTQ Task Force Action Fund
Liberty Resources, Inc
Little People of America (LPA)
Long Island Center For Independent Living
Michigan Protection & Advocacy Inc.
National Association of the Deaf (NAD)
National Coalition for Mental Health Recovery (NCMHR)

National Council of State Agencies for the Blind
National Federation of the Blind (NFB)
National Organization of Nurses with Disabilities (NOND)
National Rehabilitation Association
New York Association on Independent Living
Not Dead Yet
NYS ADAPT
Oklahoma Disability Law Center
Pennsylvanian ADAPT
Pennsylvania Council on Independent Living (PCIL)
Pennsylvania Statewide Independent Living Council (PA SILC)
Ramp Your Voice
Regional Center for Independent Living
REV UP Texas
Road to Freedom Bus Tour
Rochester ADAPT
Service Center for Independent Life
Shepherd Center
Texas Disability Project
The Arc of Texas
Union for Reform Judaism

cc:

Representative McMorris Rodgers
Representative Crenshaw
Representative Sessions
Representative Van Hollen