



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

June 22, 2018

The Honorable Mitch McConnell  
Senate Majority Leader  
317 Russell Senate Office Building  
Washington, DC 20510

The Honorable Chuck Schumer  
Senate Minority Leader  
322 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Paul Ryan  
Speaker of the House  
1233 Longworth House Office Building  
Washington, DC 200515

The Honorable Nancy Pelosi  
House Minority Leader  
233 Cannon House Building  
Washington, DC 20515

Dear Senate Majority Leader McConnell and Senate Minority Leader Schumer and Speaker of the House Ryan and Minority Leader Pelosi:

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 **159** undersigned Ally organizations, urge you to pass the [ABLE Age Adjustment Act \(S. 817/HR 1874\)](#) in the 115<sup>th</sup> Congress. The Achieving a Better Life Experience (ABLE) Age Adjustment Act would amend Section 529A(e) of the Internal Revenue Code to increase the eligibility threshold for ABLE accounts for onset of disability from prior to age 26 to prior to age 46. ABLE accounts are tax-favored accounts that are designed to enable individuals with disabilities to save for and pay for disability-related expenses. First introduced in the 114<sup>th</sup> Congress, the bipartisan ABLE Age Adjustment Act was re-introduced in the 115<sup>th</sup> Congress by Senators Bob Casey (D-PA), Chris Van Hollen (D-MD) and Richard Burr (R-NC), and Representatives Cathy McMorris Rodgers (R-WA), Pete Sessions (R-TX), Tony Cárdenas (D-CA), Chris Smith (R-NJ), and Jim Langevin (D-RI). ***Without passage of this legislation, the nationwide ABLE program faces serious threats to its sustainability.***

The Stephen Beck, Jr. Achieving a Better Life Experience (ABLE) Act (PL 113-295), signed into law in 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 26<sup>th</sup> birthday. Many individuals who could benefit from ABLE accounts are left out since many conditions can and do occur later in life, including multiple sclerosis, Lou Gehrig's disease, or paralysis due to an accident. Additionally, veterans who become disabled as a result of their service after age 26 are currently ineligible for ABLE accounts.

The limitation on eligibility based on age of onset of disability did not exist in the original legislation, but was inserted at the end of the ABLE Act's nearly ten-year legislative history to reduce the bill's score and get it over the finish line. Opposition to the revised bill by many disability groups concluded when Congressional Members promised to restore the broader eligibility criteria as soon as possible. This concession resulted in the exclusion of otherwise-eligible individuals with disabilities 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, devoted years of advocacy to pass the law.

It has been nearly four years since the federal ABLE Act passed and the disability community is waiting for Congress to fulfill its promise to expand eligibility based on age of onset of disability. There are now thirty seven states with ABLE programs that empower individuals with disabilities, either in their own states or nationwide, to achieve and maintain health, independence, and quality of life, yet millions of individuals with disabilities that occurred in their late twenties, thirties, forties, and later in life are unable to take advantage of this important savings tool.

**Moreover, the long-term sustainability, availability, and affordability of ABLE programs to individuals with disabilities are in doubt without this expansion of eligibility.** Recent data from the National Association of State Treasurers (NAST) shows that passage of the ABLE Age Adjustment Act is critical for the sustainability of ABLE programs. According to the NAST Sustainability Report, the "age increase legislation.... will be paramount to achieving ABLE sustainability...."

Enactment of this bill is not only an equity issue to make a significant step toward fulfilling the promise to the disability advocates who fought to pass ABLE for nearly a decade and were left behind by the final bill; it has also become critical to the sustainability of all ABLE programs nationwide. ***Simply put, without increasing the ABLE eligibility criteria for age of disability onset from prior to age 26 to prior to age 46 in order to significantly expand the pool of individuals who can open ABLE accounts, the entire ABLE program nationwide is in jeopardy.***

We look forward to working with all of you to pass the bipartisan ABLE Age Adjustment Act in the 115<sup>th</sup> Congress. Please contact Dara Baldwin, Senior Public Policy Analyst at National Disability Rights Network (NDRN) [dara.baldwin@ndrn.org](mailto:dara.baldwin@ndrn.org) or 202-408-9514 ext. 102 or Heather Sachs, Policy and Advocacy Director at the National Down

Syndrome Congress (NDSC) [heather@ndsccenter.org](mailto:heather@ndsccenter.org) or 301-580-8005 with any questions or concerns.

Sincerely,

**CCD Members:**

American Association of People with Disabilities (AAPD)  
American Association on Health and Disability  
American Foundation for the Blind  
American Network of Community Options & Resources (ANCOR)  
American Therapeutic Recreation Association  
Association of People Supporting Employment First (APSE)  
Association of University Centers on Disabilities  
Autism Society  
Autistic Self Advocacy Network  
Bazelon Center for Mental Health Law  
Brain Injury Association of America  
Center for Public Representation  
Christopher and Dana Reeve Foundation  
Disability Rights Education and Defense Fund (DREDF)  
Easterseals  
Epilepsy Foundation  
Family Voices  
Justice in Aging  
Lutheran Services in America Disability Network  
Madison House Autism Foundation  
National Academy of Elder Law Attorneys  
National Alliance for Caregiving  
National Alliance on Mental Illness  
National Association of Councils on Developmental Disabilities  
National Association of State Directors of Developmental Disabilities Services  
National Association of State Directors of Special Education (NASDSE)  
National Association of State Head Injury Administrators  
National Center for Learning Disabilities  
National Council on Independent Living (NCIL)  
National Disability Institute  
National Disability Rights Network (NDRN)  
National Down Syndrome Congress (NDSC)  
National Multiple Sclerosis Society

National Organization of Social Security Claimants' Representatives  
(NOSSCR)  
National Respite Coalition  
Paralyzed Veterans of America  
SourceAmerica  
Special Needs Alliance  
TASH  
The Arc of the United States  
The Jewish Federations of North America  
United Spinal Association

**Allies of CCD:**

National

#CripTheVote  
ADAPT  
Allies for Independence  
Council for Learning Disabilities  
Self Advocates Becoming Empowered (SABE)

Alabama

Lakeshore Foundation

Alaska

Disability Law Center of Alaska

Arizona

Ability360  
The Arc of Arizona

Arkansas

Association of Programs for Rural Independent Living  
Disability Rights Arkansas, Inc.

California

Abilicorp  
California Down Syndrome Advocacy Coalition  
Club 21 Learning and Resource Center  
Kern Down Syndrome Network  
Kern Down Syndrome Network  
Disability Rights California  
Little People of America  
Down Syndrome Connection of the Bay Area

## Colorado

The Arc of Colorado  
Disability Law Colorado

## Connecticut

Down Syndrome Association of Connecticut

## Delaware

Disabilities Law Program of CLASI  
The Arc of Delaware

## District of Columbia

DC Metro ADAPT

## Florida

The Arc of Florida  
Disability Rights Florida  
Down Syndrome Association of Jacksonville

## Georgia

Multiple Choices CIL  
People First of Georgia  
Disability Action Center of GA, Inc dba disABILITY LINK  
Shepherd Center  
The Arc Georgia

## Hawaii

Hawaii Disability Rights Center

## Idaho

DisAbility Rights Idaho

## Illinois

Illinois-Iowa Center for Independent Living  
The National Association for Down Syndrome  
Association of Assistive Technology Act Programs  
Jewish Federation of Metropolitan Chicago  
National Organization of Nurses with Disabilities (NOND)  
Progress Center for Independent Living  
The Arc of Illinois

## Iowa

Disability Rights Iowa  
Northwest Iowa Down Syndrome Society

## Kansas

Big Tent Coalition of Kansas  
Disability Rights Center of Kansas  
Kansas Developmental Disabilities Coalition  
Down Syndrome Guild of Greater Kansas City

## Kentucky

Down Syndrome of Louisville  
The Arc of Kentucky  
Kent Protection and Advocacy

## Maine

Maine Down Syndrome Network

## Maryland

Maryland Down Syndrome Advocacy Coalition  
National Federation of the Blind  
The Arc Maryland  
Down Syndrome Connection of Anne Arundel County  
Down Syndrome Network of Montgomery County

## Massachusetts

Down Syndrome Autism Connection  
FRAXA Research Foundation

## Michigan

Michigan Protection & Advocacy Service, Inc.

## Minnesota

The Arc Minnesota

## Mississippi

Disability Rights Mississippi  
MS APSE

## Montana

ADAPT Montana  
Summit Independent Living

## North Carolina

Disability Rights NC

## Nebraska

Ollie Webb Center, Inc.  
Autistic Women & Nonbinary Network  
Disability Rights Nebraska  
NE Statewide Independent Living Council  
Brain Injury Alliance of Nebraska

## Nevada

Nevada Disability Advocacy and Law Center

## New Hampshire

Disability Rights Center - NH

## New Jersey

KIIDS - Knowledge & Information about Down Syndrome  
The Arc of New Jersey

## New York

Capital Region ADAPT  
Not Dead Yet  
Regional Center for Independent Living - Rochester  
Rochester ADAPT  
The Center for Disability Rights

## New Mexico

The Arc of New Mexico

## North Dakota

Protection & Advocacy Project of ND

## Ohio

Jewish Federation of Cleveland  
The Ability Center of Greater Toledo  
The Arc of Ohio

## Oregon

Jewish Federation of Greater Portland  
NW Disability Support  
Oregon Council on Developmental Disabilities  
The Arc Oregon

## Pennsylvania

Disability Options Network  
Disability Rights Pennsylvania

Pennsylvania Assistive Technology Foundation  
Pennsylvania Down Syndrome Advocacy Coalition  
Bucks County Down Syndrome Interest Group

## South Carolina

Protection and Advocacy for People with Disabilities, Inc.  
The Arc of South Carolina

## Tennessee

TARP, INC CIL  
Disability Rights Tennessee

## Texas

Down Syndrome Association of Central Texas  
Houston HIV Cross-Network Community Advisory Board  
Texas Down Syndrome Advocacy Coalition  
The Arc of Texas

## Utah

Disability Law Center

## Vermont

Disability Rights Vermont  
Vermont Center for Independent Living  
Vermont Coalition for Disability Rights  
Vermont Statewide Independent Living Council (SILC)

## Virginia

National Rehabilitation Association  
Down Syndrome Association of Northern Virginia

## Washington

The Arc of Washington State  
Autism Empowerment

## West Virginia

Disability Rights of West Virginia  
West Virginia Center for Excellence in Disabilities  
Northern West Virginia Center for Independent Living



Wisconsin  
Disability Rights Wisconsin  
Wisconsin Upside Down

cc: All House Members  
All Senate Members