



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

October 3<sup>rd</sup>, 2016

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

The Honorable Harry Reid  
Senate Minority Leader  
522 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senate Majority Leader McConnell and Senate Minority Leader Reid:

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, other members of CCD, and friends of CCD, totaling 82 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 26<sup>th</sup> 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 26<sup>th</sup> 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 (NHLP)

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  
Pennsylvania 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: Members of the Senate