



July 22, 2013

The Honorable Kirsten Gillibrand  
478 Russell Senate Building  
Washington, D.C. 20510

Dear Senator Gillibrand:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) wish to commend you for being an original cosponsor of the "Disabled Military Child Protection Act" (S. 1076) and working with Senator Hagan to include the bill in the National Defense Authorization Act markup package. CCD is a coalition of national disability rights, advocacy, consumer, and provider organizations.

As you know, the Disabled Military Child Protection Act will erase an inequity under current law between military families and non-military families and allow military families to address the long-term care needs of their minor or adult children with disabilities. Unlike many citizens, military retirees are not permitted to transfer their survivor benefits into a special needs trust for the benefit of their disabled child. Currently, military retirees must leave their Survivor Benefit Plan benefits directly to the disabled child. This places the disabled child in jeopardy of losing important government benefits for long-term care, such as Medicaid and Supplemental Security Income.

This bill will allow military retirees, upon their death, to leave their Survivor Benefit Plan benefits to a special needs trust for their disabled child. This is critically important to preventing these children with disabilities from losing access to government benefits that are central to their survival and independence in their homes and communities. Your legislation will allow military families to plan for the expensive and complicated long-term care needs of their children with disabilities.

We truly appreciate your understanding of this issue and your dedication to improving the lives of military families. As you know, your efforts led to this bill's language being included in the Senate Armed Services Committee final markup package of the National Defense Authorization Act (S. 1197). Your work is greatly appreciated and we look forward to providing support for this bill throughout the legislative process.

We applaud your efforts to assist military families and children with disabilities. If the CCD Veterans and Military Families Task Force can assist you in advancing this legislation, please do not hesitate to call upon us. If you have any questions, please

contact Brian Lindberg of the National Academy of Elder Law Attorneys at [brian@consumers.org](mailto:brian@consumers.org) or (202) 789-3606 or Jason Miko, Special Needs Alliance at [jmiko@russellpublic.com](mailto:jmiko@russellpublic.com) or 520-232-9840.

Sincerely,

American Association on Health and Disability  
American Music Therapy Association  
American Network of Community Options and Resources.  
Association of University Centers on Disabilities  
Autism National Committee  
Daniel Jordan Fiddle Foundation  
Easter Seals  
Health and Disability Advocates  
Lutheran Services in America Disability Network  
National Alliance on Mental Illness  
National Association of Councils on Developmental Disabilities  
National Association of State Directors of Developmental Disabilities Services  
National Committee to Preserve Social Security and Medicare  
National Down Syndrome Congress  
National Multiple Sclerosis Society  
National Organization on Disability  
Paralyzed Veterans of America  
TASH  
The Advocacy Institute  
The Arc of the United States  
The National Academy of Elder Law Attorneys  
The Special Needs Alliance  
VetsFirst, a program of United Spinal Association