



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

Secretary Cardona  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Re: Docket ID ED-2021-OPE-0077, Negotiated Rulemaking Committee; Negotiator  
Nominations and Schedule of Committee Meetings

Dear Secretary Cardona,

The undersigned co-chairs of the Consortium for Citizens with Disabilities (CCD) write to nominate Bethany Lilly, co-chair of the CCD Financial Security and Poverty Task Force and CCD Social Security Task Force to serve as the representative of individuals with disabilities or groups representing them constituency on the Affordability and Student Loans Committee. Ms. Lilly, a person with a disability, works as the Senior Director of Income Policy at The Arc of the United States, but would be representing the CCD Financial Security and Poverty and Social Security Task Forces for purposes of the negotiated rule making.

We were also glad to see the Department included “individuals with disabilities or groups representing them” as a constituency that has interests that are significantly affected by this negotiated rule making. Millions of people with disabilities have student loans and are impacted by not only the Total and Permanent Disability (TPD) discharge program, but all student loan issues. The focus on the TPD program in negotiated rulemaking, however, requires a disability advocate with expertise in Social Security, Supplemental Security Income, and other benefit programs to ensure that the new rules are inclusive.

Ms. Lilly has worked extensively on the topic of student loan discharges for borrowers with a total and permanent disability under 34 CFR 674.61, 682.402(c), and 685.213 as evidenced by her white paper with John Whitelaw on the issue<sup>1</sup> and letters from the CCD Task Forces which she co-chairs on the subject.<sup>2</sup> In particular, we believe that Ms. Lilly’s expertise and experience in the operations of the Social Security Administration and programs that agency administers will be particularly crucial for the Committee. We are including with this nomination letter the white paper and Task Force letters Ms. Lilly has authored on this subject.

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<sup>1</sup> <https://protectborrowers.org/wp-content/uploads/2021/02/Delivering-on-Debt-Relief-Final.pdf#page=94>

<sup>2</sup> [http://c-c-d.org/fichiers/Final\\_TPD\\_Letter\\_4-5-21.pdf](http://c-c-d.org/fichiers/Final_TPD_Letter_4-5-21.pdf); [http://c-c-d.org/fichiers/TPD-Neg-Reg-Written-Comments\\_6-29-21.pdf](http://c-c-d.org/fichiers/TPD-Neg-Reg-Written-Comments_6-29-21.pdf).

Her contact information is as follows:

Bethany Lilly

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1825 K Street NW, Suite 1200

Washington, DC 20006

We also wish to nominate John Whitelaw, the Advocacy Director at Community Legal Aid Society, Inc., Wilmington, DE, as the alternate negotiator. His decades of representing low-income people with disabilities and his experience with assisting Social Security beneficiaries obtain student loan discharges for borrowers with a total and permanent disability give him the expertise and experience to assist the Committee in its work. He is also a co-author on the white paper with Ms. Lilly.

His contact information is as follows:

John Whitelaw

Advocacy Director, Community Legal Aid Society, Inc.

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Wilmington, DE 19801

Finally, we wish to thank the Department for announcing on August 19, 2021, desperately needed steps to automate the current system. We had urged these changes in prior letters and we strongly support these improvements. We were also delighted to see the Department's announcement in support of eliminating the monitoring period. We also believe this is an important and necessary change to the current system. We look forward to discussing these changes and other important improvements in the negotiated rulemaking.

Sincerely,

**Financial Security and Poverty Task Force Co-Chairs**

Cyrus Huncharek, National Disability Rights Network

Heather Sachs, National Down Syndrome Congress

Bethany Lilly, The Arc of the United States

**Social Security Task Force Co-Chairs**

Stacy Cloyd, National Organization of Social Security Claimants' Representatives

Tracey Gronniger, Justice in Aging

Bethany Lilly, the Arc of the United States

Jeanne Morin, National Association of Disability Representatives