



September 18, 2015

CC:PA:LPD:PR (REG-102837-15)  
Internal Revenue Service  
Room 5203  
Ben Franklin Station  
P.O. Box 7604  
Washington, DC 20044

Re: Guidance Under Section 529A: Qualified ABLE Programs (IRS REG-102837-15)

Dear Sir/Madam:

### Introduction

On June 22, 2015, the Internal Revenue Service published a proposed rule as “Guidance Under Section 529A: Qualified ABLE Programs” (80 FR 35602). To the extent that the rule governs the treatment of ABLE Accounts under certain means-tested federal programs, the National Federation of the Blind submits the following comments for consideration.

### Background

Established in 1940, the National Federation of the Blind is the oldest and largest consumer organization of the blind in the nation with over fifty thousand members participating through affiliates organized in each of the fifty states as well as Washington, DC and Puerto Rico.

The National Federation of the Blind knows that blindness is not the characteristic that defines us or our future. Every day, we raise the expectations of blind people because low expectations create obstacles between blind people and our dreams. Blind people can live the lives they want: blindness is not what holds us back.

Our comments will focus primarily on how the ABLE Act impacts federal means-tested programs, which have been a tremendous detriment to the efforts of blind Americans to pursue financial stability and live the lives they want. Statistics have revealed that blind people have one of the highest unemployment rates in the nation—over seventy percent based on some estimates. Thus, a significant portion of the blind population has been forced to rely on federal means-tested programs (such as SSI) for sustenance.

## Achieving a Better Life Experience (ABLE) Act of 2014

In 2015, the maximum monthly payment for an SSI beneficiary is \$733. Moreover, under SSI rules, an individual can only have \$2000 on deposit. At that point, just one additional dollar in resources would result in the loss of benefits. This is so despite the fact that blind Americans are at a major disadvantage even when competing for unskilled work at entry-level positions.

Because SSI is a means-tested program, blind beneficiaries, who are often forced to rely upon SSI benefits due to lack of opportunity in the workforce, are destined to live below the poverty line with little to no chance to become financially independent. With the passage of the ABLE Act, however, blind Americans receiving SSI benefits will have the opportunity to become financially independent.

Under the ABLE Act, beneficiaries of federal means-tested programs who open an ABLE Account will have the ability to accumulate as much as \$100,000.00 for present and future necessities such as transportation, adaptive technology, education expenses, legal services, burial expenses, as well as other goods and services that will improve the quality of life for the individual wise enough to open an ABLE Account at the financial institution of his or her choice.

### Conclusion

Wherefore, the National Federation of the Blind wholeheartedly supports the proposed rule and would call upon the Internal Revenue Service and the Department of the Treasury to assist the National Federation of the Blind in educating the public about this landmark legislation, which will benefit members of the disability community who are economically disadvantaged.

Sincerely,



Mark A. Riccobono, President  
National Federation of the Blind

MAR/pd