

January 14, 2021

The Honorable Senator Anna Caballero  
State Capitol, Room 5052  
Sacramento, CA 95814

RE: SJR 8 (Caballero): (Social Security Disability Insurance: Disabled Adult Child Benefit) – SUPPORT

Dear Senator Caballero:

Disability Rights Education & Defense Fund (DREDF), based in Berkeley, California, is a nonprofit law and policy center dedicated to protecting and advancing the civil rights of people with disabilities. DREDF writes to support SJR 8, a resolution that calls on the federal government to remove barriers to marriage for people with disabilities who receive Disabled Adult Child (DAC) benefits under Title II of the Social Security Act.

DAC beneficiaries are adults who have become disabled prior to the age of 22 and who, due to such disability, cannot engage in substantial gainful employment. DAC benefits are a critical lifeline. In addition to modest stipends, DAC recipients are eligible for Medicare and often Medicaid. Medicaid provides coverage of personal attendant care and other disability-related services that are unavailable through private insurance. Access to health care is important for everyone, but it can be a matter of life and death for people with significant disabilities.

Under current law, people who receive DAC lose their benefits if they marry. There are narrow statutory exceptions, such as marrying another DAC recipient, marrying someone receiving Social Security Disability Insurance (SSDI) benefits, or marrying someone receiving Social Security retirement benefits. This rule prevents marriages between many people, particularly younger couples and disabled people with non-disabled partners, who wish to build lives together.

All people, regardless of their disability status or need for medical care, should have the freedom to marry. For this reason, DREDF supports SJR 8 and urges its passage.

Sincerely,

A. Elaine Lewis