



April 5, 2022

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, DC 20515

Dear Leader Schumer, Speaker Pelosi, Sen. McConnell and Rep. McCarthy:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) Employment and Training Task Force urge you to ensure that any revised reconciliation legislative package include workforce development provisions that enhance employment opportunities for people 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 free from racism, ableism, sexism, and xenophobia, as well as LGBTQ+ based discrimination and religious intolerance.

We acknowledge that the Biden administration has made considerable progress through administrative means to expand workforce protections to those affected by Long-COVID, broaden apprenticeship opportunities for veterans and other people with disabilities, and has taken steps to draw attention to accessibility in virtual workspaces. However, there remain many areas for legislative action that will further disability inclusion in measures to assist families and workers meet the challenge of rising costs and create an economy of opportunity for all Americans.

Competitive Integrated Employment and 14(c) Special Certificate

The previous reconciliation framework included a significant investment to ensure that people with disabilities have meaningful jobs with fair, competitive wages. The House-passed version would establish a \$189 million grant program within the Department of

Labor to be awarded to eligible states to assist employers who were issued special certificates under Section 14(c) of Fair Labor Standards Act in transforming their business and program models to competitive integrated employment. This is a critical support to ensure that there is infrastructure in place to assist with the transition for individuals with disabilities from earning wages through the special certificate to competitive integrated employment. The task force urges that funding for competitive integrated employment be included in any future economic investment package.

Workforce Development and Training for Direct Support Professionals (DSPs)

The direct support professional (DSP) workforce provides essential supports for people with disabilities in their homes and communities, and these workers need to be paid more and provided greater career development opportunities. Funding has been proposed to invest in training, competitive wages, benefits, and other critical support services for DSPs. The previous reconciliation measure proposed \$1 billion for workforce development grants to states for three years through the Department of Labor. This funding would give critical support to a valuable segment of the workforce that currently earns little more than the federal minimum wage. DSPs represent an essential resource for many people with disabilities to be able to live independently in their communities. Enhancements in Home and Community Based Services (HCBS) are likely to fall short of expectations without this complementary investment in the workforce to support those services.

Paid Leave

Under the previous reconciliation bill, paid leave would have been provided to nearly all U.S. workers, including self-employed individuals. Benefits such as paid leave are particularly important to those working in direct support professions to provide critical support to workers with disabilities. We recognize the complexities within public funding streams that must be addressed to ensure an adequate paid leave program is established but remain firmly convinced that this would provide critical support for workers, especially people with disabilities, to take care of themselves and their loved ones.

Tax Measures Must Support Employment of People with Disabilities

We also urge that the Disability Employment Incentive Act (S. 630/H.R. 3765) be included in any tax legislation package that is passed by Congress. Not only does this measure expand tax credit opportunities to employers that hire those on Social Security Disability Insurance – a long overdue addition to the work opportunity tax credit (WOTC) – but it provides additional incentives to retain workers covered by WOTC. Moreover, provisions in this legislation would complement the American Jobs Plan by offering significant enhancements to tax incentives for architectural, transportation and technology barrier elimination.

Federal Contracts and Federally Assisted Contracts Must Include People with Disabilities

Billions of dollars are now flowing to the states under the bipartisan infrastructure American Jobs Plan. The President's 2020 campaign platform contained assurances that those working for government contractors would "reflect the diversity of our country, including people with disabilities." In earlier communications, this task force had urged that the American Jobs Plan provisions directing funds to federal contractors should ensure compliance with Section 503 and VEVRAA. As you know, these laws require companies with certain levels of federal contracts to take affirmative steps to recruit and hire people with disabilities and targeted veterans, including those with disabilities. However, federally assisted construction contracts are not covered by Section 503 and VEVRAA, which means that people with disabilities will be shut out of the many opportunities afforded by this spending. We believe that the original executive order that applies to federally assisted construction contracts should be broadened to include the same requirements for recruitment and hiring of people with disabilities.

Workforce Development Must Explicitly Include People with Disabilities

As of January 2022, all fifty states have submitted recovery plans to the U.S. Treasury in accordance with the American Rescue Plan. According to the Council of State Governments, only four states have outlined plans to devote funds to programs that directly support workers with disabilities. Supported programs include those that provide job training or coaching to students with disabilities, and state Developmental Disability Services agencies that help improve employment outcomes of people with disabilities. [The American Rescue Plan Act: State Recovery Plans Outline Intent to Support Workers with Disabilities – Disability Employment Policy \(csg.org\).](#)

The American Jobs Plan called for investing billions of dollars in workforce development programs that targeted underserved groups and underserved communities that have experienced structural racism and persistent economic inequities. Few provisions in that law, however, specifically identified people with disabilities as a community with barriers to employment in need of attention. Based on the record of the American Rescue Plan, we are concerned that people with disabilities will again be overlooked in the programs funded under the infrastructure law unless support for this significant portion of the workforce is included. It is imperative that the next omnibus package specifically direct states and other funding recipients to outline their plans for including people with disabilities in their employment projects and initiatives.

Without these measures, any economic "investment" package aimed at advancing an economy where everyone can share in the nation's prosperity will leave millions of Americans with disabilities outside the recovery opportunities provided by such legislation, perpetuating the stereotypes that "they are not employable" and relegating them to a life of continued poverty, public benefits dependency, segregation, and higher health care and mental health care costs.

Should your staff have any questions about our recommendations, please feel free to contact the Employment and Training Task Force Co-chairs – Alexandra Bennewith, United Spinal Association, 202 556-2076, abennewith@unitedspinal.org, Julie J. Christensen, PhD, LMSW, Association of People Supporting EmploymentFirst (APSE), 301-279-0060, julie@apse.org; Alicia Epstein, SourceAmerica, (703) 584-3987 aepstein@sourceamerica.org; Phillip Kahn-Pauli, RespectAbility, (202) 517-6272, philipp@respectability.org; Susan Prokop, Paralyzed Veterans of America (PVA), (202) 416-7707, susanp@pva.org; Dahlia Shaewitz, Institute for Educational Leadership (IEL), (202) 822-8405, shaewitzd@iel.org.

Sincerely,

**American Council of the Blind
APSE
Autism Society of America
Autistic Self-Advocacy Network
Center for Public Representation
Council of State Agencies for Vocational Rehabilitation
Easterseals
Institute for Educational Leadership
National Association of Councils on Developmental Disabilities
National Association of State Head Injury Administrators
National Disability Institute
National Disability Rights Network
National Down Syndrome Congress
National Down Syndrome Society
Paralyzed Veterans of America
RespectAbility
SourceAmerica
TASH
The Arc of the United States
The Viscardi Center
United Spinal Association**

CC: Senate HELP Committee, Senate Finance Committee, House Education and Labor Committee, House Ways and Means Committee