



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

## **Rights Task Force Annual Report for 2018**

### **I. Our top three legislative/administrative issues:**

#### **A. Opposing and Derailing the ADA Education and Reform Act (H.R. 620)**

The task force led efforts to oppose ADA notification legislation. In February 2018, the legislation passed the House by a vote of 225-192. Senator Tammy Duckworth (D-IL) subsequently rallied opposition in the Senate through circulation of a Dear Colleague letter that garnered signatures from 43 Senators pledging to oppose efforts to move the legislation. Any subsequent efforts to move the legislation faced stiff opposition.

In opposing the legislation, the task force arranged and participated in congressional briefings, conducted numerous meetings with congressional offices in both chambers, worked closely with key offices, educated and rallied stakeholders and grassroots, coordinated strategy with the broader civil rights and progressive community and with the Ridge Policy Group, wrote letters of opposition (<http://www.c-c-d.org/fichiers/CCD-Senate-ADA-Notification-Letter.pdf>), developed and distributed lobbying materials—including talking points, a myth truth document (<http://www.c-c-d.org/fichiers/Myths-and-Truths-About-the-ADA-Education-and-ReformAct-updated-2-12-18.pdf>), a memo on addressing unethical attorney actions in ADA cases (<http://www.c-c-d.org/fichiers/Memo-on-Attorney-Regulation-updated-March-9-2018.pdf>), and developed a grassroots toolkit.

We also worked with prominent leaders, including Governor Ridge, Senator Duckworth, and Tony Coelho, to help them draft op-ed pieces that were published.

#### **B. Preserving Rights Concerning Service Animals**

The task force worked to coordinate efforts among the employment, housing, and transportation task forces to respond to various agency efforts to address service animal access. Efforts are underway at the Departments of Housing and Urban Development (HUD) and Transportation (DOT) and the Equal Employment Opportunity Commission (EEOC) that could result in decreasing access for service animals and emotional support animals.

We worked with the transportation and employment task forces on developing documents to be used for advocacy with DOT and EEOC, and together with the Housing Task Force, we collaborated with others (including the National Fair Housing Alliance) on a letter to HUD.

The task force also met with EEOC and HUD officials regarding actions that they were considering, and submitted comments to DOT in response to their advance notice of proposed rulemaking on amending their Air Carrier Access Act service animal rules: <http://www.c-c-d.org/fichiers/CCD-Rights-Transportation-Service-Animal-Comments-070918.pdf>.

### **C. Opposing Changes to the “Public Charge” Rule**

The task force drafted comments for CCD opposing Homeland Security’s proposed regulatory change that would greatly expand the grounds for determining individuals seeking entry to the US or seeking a green card as likely to become a “public charge.” The proposed rule would allow negative consideration of a slew of public benefits widely used by people with disabilities, and would also make significant health conditions or disabilities more likely to result in a public charge determination. The task force coordinated with the LTSS task force and others that put together grassroots materials, coordinated with the Protecting Immigrant Families coalition and the ACLU, and participated in a national call-in day.

The task force also worked with LTSS and CCD leadership on an alert from CCD to ensure widespread responses to the proposed rulemaking: <http://www.c-c-d.org/fichiers/CCD-alert-on-public-charge-10-30-18.pdf>, and on a CCD public statement: <http://www.c-c-d.org/fichiers/CCD-Public-Charge-statement.pdf>.

## **II. Additional Activities**

**A. Letters to Congress or executive branch agencies on other topics:** The task force sent 13 letters to Congress or federal agencies on a variety of topics. These are available on the Rights webpage. Samples are below.

1. Letter in support of Disability Integration Act: [http://www.c-c-d.org/fichiers/CCD-Letter-of-Support-for-Disability-Integration-Act-\(DIA\)-May2018.pdf](http://www.c-c-d.org/fichiers/CCD-Letter-of-Support-for-Disability-Integration-Act-(DIA)-May2018.pdf).
2. Letter in support of Air Carrier Access Amendments Act (jointly with Transportation): <http://www.c-c-d.org/fichiers/CCD-Transportation-Rights-Support-letter-for-ACAA-2018-House.pdf>.
3. Letter in response to House Judiciary Committee hearing on “Examining Class Action Suits Against Intermediate Care Facilities for People with Intellectual Disabilities:” <http://www.c-c-d.org/fichiers/Co-chairs-letter-re-IDD-class-action-hearing.pdf>.

**B. Regulatory Comments:** The task force filed five sets of comments on regulatory actions. These are available on the Rights webpage and two samples are below.

1. Comments on HHS proposed rule on Protecting Statutory Conscience Rights in Health Care: <http://www.c-c-d.org/fichiers/Religious-Refusal-Draft-Comments-3-27-18-final.pdf>.
2. Advance Notice of Proposed Rulemaking: Reconsideration of HUD's Implementation of the Fair Housing Act Disparate Impact (jointly with Housing): <http://www.c-c-d.org/fichiers/Disparate-Impact-Rule-ANPRM-comments-8-20-18.pdf>.

**C. Public Statements and Memos:**

1. CCD Statement on family separation and children with disabilities: <http://www.c-c-d.org/fichiers/Statement-re-Family-Separation.pdf>
2. Background memo detailing Brett Kavanaugh's record on disability rights issues: <http://www.c-c-d.org/fichiers/Kavanaugh-memo-CCD-Rights.pdf>

**D. Congressional Meetings:** Had numerous meetings with congressional offices on topics including ADA notification, proposals to change rules for class action lawsuits brought by residents of institutions for people with intellectual and developmental disabilities, proposals to weaken the Fair Housing Act to address issues with sober homes, proposals to expand competitive integrated employment opportunities, proposals to address workplace harassment and improve worker protections, proposals to include disability rights concerns in procedures to address campus sexual assault; and other issues. Also fielded many inquiries from Hill staff on assorted issues.

**E. Administrative Agency Meetings:** Met with John Gore, Acting Director of DOJ Civil Rights Division, concerning disability community priorities; met with DOL OFCCP re enforcement of Section 503 and other issues; met with HUD staff re assistance animal issues.

**Meeting time:** 3<sup>rd</sup> Tuesday of the month from 12:30-2:00.

**Link to taskforce homepage:** [http://www.c-c-d.org/rubriques.php?rub=taskforce.php&id\\_task=11](http://www.c-c-d.org/rubriques.php?rub=taskforce.php&id_task=11)

**Chairs/Co-Chairs name(s) and contact information:** Heather Ansley (PVA), [heathera@pva.org](mailto:heathera@pva.org); Dara Baldwin (NDRN), [dara.baldwin@ndrn.org](mailto:dara.baldwin@ndrn.org); Samantha Crane (ASAN), [scrane@autisticadvocacy.org](mailto:scrane@autisticadvocacy.org); Jennifer Mathis (BCMHL), [jenniferm@bazelon.org](mailto:jenniferm@bazelon.org); Mark Richert (NDI), [4justice@concentric.net](mailto:4justice@concentric.net)