



February 18, 2022

Senator Chuck Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

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

Representative Nancy Pelosi
Speaker
U.S. House
Washington, DC 20515

Representative Kevin McCarthy
Minority Leader
U.S. House
Washington, DC 20515

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Pelosi and Minority Leader McCarthy:

The undersigned organizations write to reiterate our strong support for dedicated Medicaid Home and Community-Based Services (HCBS) funding and grant funding for states to assist employers using 14(c) certificates to transform their business model to a competitive integrated employment model which are both included in the Build Back Better legislation. Our organizations represent thousands of people with disabilities and their families from across the country, and a top priority for our organizations is advancing opportunities for people with disabilities to work in competitive, integrated employment -- jobs where they work alongside co-workers without disabilities and are paid comparable wages to their co-workers instead of sub-minimum wages. We urge Congress to continue its work on these provisions and ensure they are enacted into law.

Founded in 2007, the Collaboration to Promote Self-Determination (CPSD) is a national advocacy coalition of organizations representing people with intellectual, developmental, and other disabilities and their families, disability service agencies and individuals who have come together to bring about a significant modernization of the federal adult system of services and supports for persons with disabilities. The mission of CPSD is to push for major systemic reform of the nation's disability laws and programs to advance economic security, enhance integrated community participation, and increase opportunities for people with disabilities so that they can lead self-determined lives. To that end, CPSD advocates for comprehensive, innovative public policy reform that prioritizes: access to health and long-term services and supports that people need to work; ensuring quality transition services from school to adult life through modernized education policies and practices; leading efforts to eliminate

Section 14(c) of the Fair Labor Standards Act (FLSA) and building the capacity of service systems that lead to competitive, integrated employment (CIE) and economic advancement.

HCBS funding is critical for people with disabilities who need support to work, live independently, and be a part of their communities. Currently, HCBS funding is woefully inadequate to meet the current need with hundreds of thousands of people on waiting lists to obtain these services. Not only do these services contribute to keeping people with disabilities in their communities and out of institutions, but HCBS funding can be used for employment supports. On a February 8, 2022 Senate Health, Education, Labor and Pensions (HELP) Committee titled "[Lessons Learned from COVID-19: Highlighting Innovations, Maximizing Inclusive Practices and Overcoming Barriers to Employment for People with Disabilities](#)" the need to expand access to and improve HCBS funding for employment supports specifically was raised. We wholeheartedly agree with this priority raised by the Senate HELP committee and urge Congress to use this momentum to provide additional dedicated HCBS funding which will expand employment opportunities for people with disabilities.

A major priority of CPSD is to reduce the use of sub-minimum wage payments under the 14(c) program with the end goal of eliminating this provision from the FLSA entirely. The transformation grants as included in the Build Back Better package will give states critical support to transform employer's business models away from segregated and sub-minimum wage settings to CIE. This is critically important as 14(c) employment settings do nothing more than perpetuate a life of poverty and dependency for people with disabilities. Additionally, these settings are also incompatible with both the Americans with Disabilities Act (ADA), which establishes economic self-sufficiency for people with disabilities as a goal, and the Workforce Innovation and Opportunity Act (WIOA) of 2014 which prioritizes CIE. The need to eliminate wage discrimination was also highlighted in the February 8 Senate HELP hearing mentioned above. Again, we urge Congress to build off this momentum and enact these transformation grants into law so that people with disabilities can have the opportunity to move out of discriminatory employment settings and into CIE.

We appreciate Congress' work on advancing employment opportunities for people with the most significant disabilities up to this point. Both the dedicated HCBS funding and transformation grants will help workers with disabilities achieve CIE and thus we urge Congress to ensure these provisions become law. If you have any questions, please contact Cyrus Huncharek at cyrus.huncharek@ndrn.org.

Sincerely,

Allies for Independence
Applied Self Direction
Association of People Supporting Employment First
Association of Programs for Rural Independent Living (APRIL)
Association of University Centers on Disabilities (AUCD)

Autism Society
Autistic Self Advocacy Network
Center for Public Representation
Community Options
Marc Gold & Associates
National Association of State Directors of Developmental Disabilities Services (NASDDDS)
National Alliance for Direct Support Professionals
National Center for Learning Disabilities
National Disability Institute
National Disability Rights Network (NDRN)
National Down Syndrome Congress
Williams Syndrome Association

CPSD Advisory Council Members

David M. Mank, Ph.D. Professor Emeritus. Indiana University Former Chair, Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities

Madeleine C. Will Former Assistant Secretary, Office of Special Education & Rehabilitation Services, U.S. Department of Education, Reagan Administration Former Chairperson, President's Committee for People with Intellectual Disabilities Founder, Collaboration to Promote Self-Determination

Michael Yudin Former Assistant Secretary for the Office of Special Education and Rehabilitative Services, Obama Administration

Stephanie Smith Lee Co-Chair, Inclusive Higher Education Committee Director, Office of Special Education Programs, US Department of Education, for the George W. Bush Administration

William. E. Kiernan, PhD Founding Dean and Professor, School for Global Inclusion and Social Development, U. Mass Boston (retired) Past President, AUCD and AAIDD