

Dear Policy Watchers:

Congress was back to work this week after a short break for the Columbus Day federal holiday and the Senate seems to be ready to get to work on appropriations bills to avoid another continuing resolution.

On Thursday, Senate Majority Leader Mitch McConnell [announced](#) a strategy to begin debate in earnest on fiscal 2020 spending bills starting next week. The strategy is to bring bipartisan domestic funding bills up first and then consider the more thorny Defense and Labor, Health and Human Services and Education (Labor/HHS) appropriations bills. We're watching closely the Labor/HHS bill which is part of the House passed package (HR 2740). Senate Labor, HHS, and Education Appropriations Chairman Roy Blunt, R-Mo., said he's hopeful appropriators can get much of their work done in the coming weeks and avoid another stopgap. The current continuing resolution (PL 116-59) expires Nov. 21.

And in other news...

Mourning the Loss of Rep. Elijah Cummings. The entire Congress was dealt a terrible blow this week when Maryland Congressman Elijah Cummings passed away suddenly. A champion for civil and human rights his whole life, recently Rep. Cummings was one of the leading figures in [demanding](#) that the Administration account for the unconscionable deportation of critically ill children and their families. (See more below.) NACDD honors the memory of Rep. Cummings and is thankful for his advocacy on behalf of marginalized populations, including people with disabilities.

Education Official Stepping Down. The Department of Education [announced this week](#) that this would be the final week for assistant secretary Johnny Collett, the official who has been in charge of the Department of Education's [Office of Special Education and Rehabilitative Services](#) (OSERS) for the past two years. OSERS is responsible for implementing the Vocational Rehabilitation program under the Rehabilitation Act of 1973, as amended by title IV of the [Workforce Innovation and Opportunity Act](#) (WIOA). For over a year, OSERS has hinted it will reopen the regulations for [competitive and integrated employment](#) (CIE). Currently, CIE means that individuals with disabilities must earn the same wage as employees without disabilities who perform the same, or similar work; must work alongside colleagues who do not have disabilities; and must have the same opportunities to advance and receive benefits as other employees. NACDD opposes weakening these CIE regulations. We'll be watching closely to see how Collett's replacement, Nebraska's [Mark Allan Schultz](#), will lead the office forward.

Because you want to do more to protect CIE... NACDD is part of the #WorkWithUs: Coalition to Advance Competitive and Integrated Employment. If you haven't already, please [click here to sign up](#) for #WorkWithUS action alert network to get updates on what you can do to protect real jobs for real wages for people with disabilities.

Initial Victories in Federal Courts Delaying Public Charge Rule! Federal courts in the states of New York, Washington, and California issued preliminary injunctions to stop the public charge rule on October 11. Federal courts in Illinois and Maryland issued injunctions on October 14. These are HUGE victories that prevent (at least for now) the Administration from implementing their discriminatory public charge rule. Importantly, a few of the courts referenced arguments made in our amicus brief that the new public charge rule will prevent people with disabilities from entering this country or becoming legal residents in violation of federal disability law. We'll keep you up to date on these cases as they work through the courts. For more information about this case you can listen to a [recording](#) of our Quarterly Policy Call

that includes case details or follow the most recent news at the Center for Public Representation [website](#).

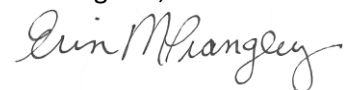
Congressional Committee Will Challenge Recent Deportation of Certain Immigrants with Serious Medical Conditions. Next week, the House Committee on Oversight and Reform [will report](#) on its investigation of the Trump Administration’s decision to end without public comment or notice the immigration program allowing critically ill children and their families to remain in the country to receive often life-saving treatment. Shortly after the news broke, the Department of Homeland Security sent a letter to the committee saying it was resuming “consideration of non-military deferred action requests on a discretionary, case-by-case basis.” However, the agencies refused to answer the committee’s questions or provide requested documents regarding why the Administration sought to deport these children, who was responsible for this decision, and how requests for deferred action will be handled going forward. Ken Cuccinelli, the Acting Director of U.S. Citizenship and Immigration Services (USCIS), and Matthew T. Albence, the Acting Director of U.S. Immigration and Customs Enforcement (ICE), have agreed to testify voluntarily during the October 24 hearing. To read the memo on the hearing click [here](#). (Please note that the date of the hearing has changed from October 11 to October 24.)

Also this week, NACDD joined in writing to U.S. Citizenship and Immigration Services (USCIS) demanding that they immediately accept and adjudicate pending visa requests based on medical deferred action for people who have a serious health condition and follow through on its September 19, 2019 commitment to reinstate the program. You can read the statement [here](#).

NACDD Urges Congressional Action to Reauthorize Money Follows the Person this Year. NACDD joined the Consortium for Citizens with Disabilities (CCD) and the Disability and Aging Collaborative (DAC) to write [a letter to congressional leadership](#) urging them to pass a long-term extension of the Money Follows the Person Program (MFP). The MFP program provides enhanced funding to states to help transition individuals who want to move out of institutional care and back to the community. Short-term extensions passed this Congress will expire soon. We need a long-term extension of five years — the length of time included in the bi-partisan EMPOWER Care Act (S. 548, H.R. 1342) or the version of the Sustaining Excellence in Medicaid Act of 2019 (H.R. 3253) passed by the House in June so states can continue to participate in the MFP program.

Thank you for your continued advocacy.

Best regards,



Erin Prangley
Director, Policy
National Association of Councils on Developmental Disabilities