

The Capitol Insider for the Week of January 4

Major Events in the Last 2 Weeks

Social Security/Employment/Health Care - Congress approves 2-month extension of payroll tax holiday

On December 23rd Congress approved, and the President signed, a bill ([H.R. 3765](#)) to maintain the 4.2 percent Social Security payroll tax paid by employees – which was reduced from 6.2 percent last year – through the first two months of 2012. The bill also maintains, for two months, expanded unemployment benefits and current payment rates for doctors who see Medicare patients. Without action by Congress, all three provisions would have expired on December 31, 2011. In January, Congress is expected to begin negotiations on how to extend the provisions through the remainder of 2012.

Civil Rights - Department of Justice rejects South Carolina's voter ID law

The United States Department of Justice (DOJ) rejected South Carolina's law requiring voters to provide photo identification in order to cast a vote. DOJ decided that, based on data provided by South Carolina, the law would discriminate against minority voters. Several other states passed voter ID laws in 2011 to fight voter fraud. In its decision, DOJ said that SC failed to include any evidence of voter fraud that was not addressed by current state laws. DOJ is reviewing the voter ID law passed by Texas and the American Civil Liberties Union (ACLU) has filed a lawsuit concerning Wisconsin's law.

Civil Rights - Mississippi in violation of the integration mandate of the Americans with Disabilities Act

The United States Department of Justice (DOJ) issued a [letter of findings](#) to Mississippi in which it found the state, in violation of the integration mandate of the Americans with Disabilities Act (ADA), unnecessarily institutionalizes people with mental illness or developmental disability in public and private facilities. Mississippi operates six large and ten small (10-person) intermediate care facilities for persons with intellectual disabilities (ICFs/ID) for over 1,900 individuals. The state also licenses 689 private ICF/ID beds and spends approximately 68% of its developmental disabilities budget on institutional services. Mississippi has a 1,900-person waiting list for community-based services. DOJ recommended that the state develop community-based services for people who could live in, and who choose to live in, more integrated settings.

Education - Senator Harkin introduces bill to protect students from seclusion and restraint practices

Senator Tom Harkin (D-IA) introduced [S. 2020](#), the Keeping All Students Safe Act, a bill to protect students from ineffective and dangerous seclusion and restraint practices in schools. The bill would prohibit locked and unattended seclusion, mechanical and chemical restraints, and physical restraints that restrict breathing. Physical restraints could only be used in emergency situations and could not be included in a student's individual education program (IEP) or any other behavioral plan. Schools would have to conduct a debriefing with parents and the staff after restraint is used and states would be required to collect and report data on the occurrence of restraint and seclusion. The House passed a similar bill in 2010 that did not get any traction in the Senate. The Arc joined several other advocacy organizations in [support](#) of the bill.

Major Events Ahead

The House is expected to begin the Second Session of the 112th Congress on January 17 while the Senate is expected to be back in session on January 23.