

The Capitol Insider for the Week of November 14

Action Alerts

[We need you to keep standing up for CLASS!](#)

[Let's Get Louder - Tell Congress to Protect Your Services!](#)

Major Events Last Week

Budget/Deficit Reduction - Republicans and Democrats release proposals, inching towards compromise

On November 7, Democratic members of the [Joint Select Committee on Deficit Reduction](#) released a one-page \$2.3 trillion deficit reduction proposal. The plan would cut spending by about \$1 trillion and increase revenues by the same amount. It includes \$400 billion cuts to Medicare and Medicaid. For Medicare, \$250 billion in savings would come from providers and \$100 billion from beneficiaries. For Medicaid, \$13 billion would come from limiting how states tax Medicaid providers in order to increase their federal share of Medicaid and \$5 billion would be saved by changing the reimbursement rate for durable medical equipment. [Take a look at the Democratic proposal.](#)

On the same day, the Committee's Republican members offered a \$1.5 trillion deficit reduction plan, the details of which have not yet been released. It includes \$750 billion in spending cuts and \$500 billion in revenue over 10 years. Notably, in an apparent concession to Democrats, it would raise \$300 billion in taxes from the individual tax code (\$250 billion) and through an overhaul of the corporate tax code (\$50 billion). It provides an additional \$40 billion in tax revenue from changes to the consumer price index used to calculate federal benefits and income tax brackets. Democrats reacted by claiming the tax revenue is not enough, and must be at least \$1 trillion. They also criticized the Republican plan as a large tax cut for the wealthy since it would cut the top individual income tax rate to 28 percent in 2013 (it is currently 35% and will go to 39.6 percent in 2013, when the Bush-era tax cuts would expire).

The Committee has until Nov. 23 to produce a plan that includes at least \$1.2 trillion in deficit reduction. If Congress does not endorse a plan or produce an alternative, automatic sequestration of funding begins in 2013. [Learn more about the deficit reduction efforts.](#)

Social Security - The Arc submits statement supporting Supplemental Security Income benefits for children

On October 27, the House Committee on Ways and Means, Subcommittee on Human Resources held a hearing on Supplemental Security Income (SSI) benefits for children. The hearing looked at trends, program growth, and recipient outcomes in the SSI program for children. The Arc strongly supports SSI benefits for children and was pleased that a family from The Arc of Kentucky, Katie Bentley and her son Will, attended and were asked questions during the hearing. Last week, The Arc submitted a [written statement](#) for the hearing record, urging Congress to support and sustain SSI benefits for children with disabilities.

Americans with Disabilities Act - The Equal Employment Opportunity Commission

The Equal Employment Opportunity Commission (EEOC) settled a lawsuit against Tarsadia Hotels, which operates as Comfort Suites in California, on behalf of a hotel clerk who has autism. The employee asked for a job coach who would have been provided at no cost to the hotel, but the hotel would not allow that assistance and fired the employee. Under the settlement, the hotel will pay the former employee \$125,000 and donate \$7,500 to Partnerships with Industry, a non-profit that provides employment support to people with disabilities. The hotel will revise its policies and procedures and train all of its employees on ADA rights and responsibilities. To read an EEOC press release about the settlement, go to [the EEOC website](#).

Major Events Today

Health Care Reform - Supreme Court agrees to take up the Affordable Care Act

The US Supreme Court agreed to hear appeals of the US Court of Appeals for the 11th Circuit decision that the health care reform law's mandate to purchase health insurance is unconstitutional. The Supreme Court also will consider an appeal of the Circuit Court's rejection of a challenge to the law's expansion of the Medicaid program. The 11th Circuit ruling came in a case that was filed by 26 states. Finally, the court will consider a decision made by the 4th Circuit Court in Richmond that said individuals may not challenge the law's requirement that nearly every American purchase health insurance or face a penalty until the first penalty is due in April 2015. Three federal appellate courts have found the Affordable Care Act constitutional and one has said it is not. The court accepted *Department of Health and Human Services v. Florida* (11-398); *NFIB v. Sebelius* (11-393); and *Florida v. HHS* (11-400). The Supreme Court has not established a hearing date or briefing schedule yet and its ruling is not expected until June.

The Arc strongly supports the Affordable Care Act. [Learn about how it benefits people with disabilities](#). The Arc has participated in *amicus curiae* ("friend of the court") briefs supporting the ACA in several of the cases addressing the constitutionality of the ACA, including the Florida case addressing the individual mandate to purchase health insurance.

Major Events Ahead

ABLE Act to be Unveiled and Introduced

On Tuesday, November 15, The Arc will join Rep. Ander Crenshaw (R-FL), Sen. Robert Casey (D-PA), Rep. Cathy McMorris Rodgers (R-WA), and other organizations in outlining the Achieving a Better Life Experience Act of 2011 (ABLE Act) at a press conference on the grounds of the U.S. Capitol. The ABLE Act would allow for tax advantaged savings accounts for individuals with disabilities for certain expenses, like education, housing, and transportation. The bill would help individuals with disabilities maintain their health, independence, and quality of life. The Arc's CEO, Peter V. Berns, will speak along with representatives of the National Down Syndrome Society, Autism Speaks, and other disability organizations.

FY 2012 Appropriations - "Minibus" appropriations bill goes to House floor

With negotiations between the House and the Senate on a first bundle of appropriations measures nearing completion, the House has scheduled floor consideration and debate for

November 17. This first combined spending bill funds the Departments of Transportation, Housing and Urban Development (HUD), and several other agencies. The Senate-passed version of the bill provides level funding of \$150 million for the [Section 811 Housing for People with Disabilities program](#), while the House version funds the program at the President's Request level of \$196 million. Lawmakers want to clear the first minibus this week, because it is expected to include stopgap language to keep the government operating through mid-December (the current continuing resolution is due to expire Nov. 18). Meanwhile the Senate is poised to move forward with a second minibus appropriations bill this week. However, House aides to both parties have said Congress may end up clearing Fiscal Year 2012 spending bills in two packages – the first minibus, which combines Transportation-HUD with Agriculture with Commerce-Justice-Science and, and a second that combines the nine remaining bills.

Budget/Deficit Reduction - Balanced Budget Amendment to be voted on by the House this week

Adhering to the Budget Control Act's requirement that the House and Senate vote on a balanced budget amendment to the Constitution by the end of the year, both chambers are moving forward with very different versions. The House will vote this week on a balanced budget amendment ([H J Res 2](#)), sponsored by Representative Robert Goodlatte (R-VA), which would simply require that federal outlays not exceed federal receipts. The version most likely to come to the floor of the Democrat-controlled Senate would prohibit Congress from providing income tax breaks for millionaires except in a time of surpluses while protecting Social Security from any spending cuts imposed by the amendment. Any balanced budget amendment bill would require a two-thirds majority in the House and Senate and ratification by three-fourths of the states. The Arc strongly opposes a balanced budget amendment which would harm the overall economy and people with disabilities in particular. Our position is supported by many economists. Learn more at [the CBPP website](#).

Americans with Disabilities Act - Accessible Transportation Hearing Scheduled

The Senate Health, Education, Labor and Pensions Committee is holding a hearing entitled "The Americans with Disabilities Act and Accessible Transportation: Challenges and Opportunities." The hearing will be on Thursday, November 17th. For updated information check the [committee website](#).

Announcements

The Arc Is Strengthening Its Advocacy Network

The Arc is actively seeking new organizations to join us as affiliated chapters to strengthen our national grassroots advocacy network. Although we're a national organization with an active 60-year history of advocating for people with I/DD, our true strength is found within our network of more than 700 chapters across the country. We want to join forces with organizations who are on the front lines serving and supporting people with I/DD and their families to grow our network and offer resources and support to those working on the grassroots level. If you are a part of one of those groups or know someone who is, we invite you to find out more about becoming an affiliated chapter at www.thearc.org/become-a-chapter or contact Dee Dee Eberle, Director of Chapter Organizing and Advocacy, at Eberle@thearc.org today.

The Autistic Self Advocacy Network

The Autistic Self Advocacy Network is investigating employers' use of personality tests to screen job applicants as part of applications for employment and the broader hiring process. These tests may unfairly screen out qualified Autistic applicants and those with other hidden disabilities through the use of subjective questions unrelated to job performance.

If you live in the United States and have recently been turned down for a job that used personality tests as part of the application process, please contact Samantha Crane at samanthac@bazelon.org and Melody Latimer at mlatimer@autisticadvocacy.org. Please include the name of the employer, the approximate date on which you applied for the job, and any additional information you feel may be relevant.

Down Syndrome Research

Bills have been introduced in both the Senate and the House that would provide an additional \$6 million to the National Institutes of Health (NIH) for increased research into Down Syndrome. NIH would be required to create six centers of excellence for Down Syndrome research and maintain a research plan. The Senate bills ([S 1840](#) and [S 1841](#)) have been introduced by Senators Sherrod Brown (D-OH) and Susan Collins (R-ME). In the House, Representative Cathy McMorris Rodgers (R-WA) introduced similar bills ([HR 2695](#) and [HR 2696](#)) last summer.

Technology

The US Department of Commerce released a [report](#) indicating that households that had individuals with disabilities continue to lag behind households without individuals with disabilities in high-speed internet access. A major reason for the divide is socioeconomic. Internet access is critical to obtaining employment and accessing post-secondary education.