

**VOLUME 13, ISSUE 3  
JANUARY 14, 2008**

## **MAJOR EVENTS LAST WEEK**

### Social Security

**DPC staff and other advocates met with Social Security Commissioner Michael Astrue regarding concerns about the impact of proposed rule changes on the Social Security system appeals process.** While the public comment period has officially closed, advocates wanted to discuss what are considered the most problematic proposals, including new limits on submission of evidence within 5 days before the administrative law judge hearing or after the hearing. In addition to signing on to the comments of the Consortium for Citizens with Disabilities, the DPC had submitted testimony on behalf of The Arc and United Cerebral Palsy.

### Supreme Court/Voting

**The U.S. Supreme Court heard its first case on voting since Bush v. Gore in 2000.** At issue is a 2005 Indiana state law requiring all in-person voters to provide current, government-issued ID in order to exercise their right to vote. Like the Bush v. Gore case, the Indiana dispute is highly partisan. The Republican-controlled state contends that this preemptive measure will prevent voter fraud which it concedes the state has yet to experience. Civil rights groups are challenging the law as unconstitutional and calling it a thinly veiled effort to discourage and disenfranchise elderly, poor and minority voters who tend to vote for Democrats. Since many people with disabilities may not have a government issued ID, they too would be affected by this decision. The justices could use this case to instruct courts on how to weigh claims of voter fraud versus those of undue burden or disenfranchisement. The Supreme Court is expected to render its decision by June.

### ADA Restoration

**The House Education and Labor Committee postponed a hearing on the ADA Restoration Act that had been scheduled for January 16.** No date has been set to reschedule the hearing. Once it is rescheduled, the hearing will be available to the public via webcast on <http://edworkforce.house.gov/>.

### Employment

DPC staff participated in a meeting of the NISH Public Policy Committee that convened to finalize its position on the definition of severe disability for purposes of the Javits, Wagner-O'Day Act (JWOD). The Congress could work to modernize JWOD this year. The NISH Committee agreed on a broader definition for the term, primarily to assist Community Rehabilitation Programs (CRPs) to comply with heightened federal government productivity and cost requirements while at the same time creating a priority for CRPs to serve those persons with the most severe disabilities.

## MAJOR EVENTS AHEAD

### U. S. Congress

**The Second Session of the 110th Congress officially convenes this week as the House of Representatives returns to work tomorrow.** The Senate will reconvene next week. Not much legislative work is anticipated in January until both parties in both Houses meet in retreat settings later this month to craft agendas, tactics and schedules and the President delivers his State of the Union message on January 28. The economic crisis and economic stimulus packages are expected to dominate the early days of this Session of Congress.

### FY 2008 Appropriations

**There are strong rumors that the White House is considering an Executive Order that would eliminate thousands of earmarks in the FY 2008 Omnibus Appropriations Act.** Funding from the earmarks could be reallocated for tax rebates to tax payers or to such programs as SCHIP or bridge replacement.

### Medicaid

**On Wednesday, the House Energy and Commerce Committee's Health Subcommittee, chaired by Rep. Frank Pallone (D-NJ), will hold a hearing on "Medicaid's Critical Role for Americans with Disabilities."** Celine Fortin, Associate Executive Director of The Arc of New Jersey, will testify. To view the live web cast of hearing, please visit <http://energycommerce.house.gov/membios/schedule.shtml> at 10 a.m. EST on Wednesday, January 16.

### Housing

**On Thursday, under Suspension of the Rules, the House of Representatives is scheduled to vote on the [Hope VI Improvements and Reauthorization Act of 2007 \(H.R. 3524\)](#).** This bill would reauthorize the HOPE VI program for revitalization of severely distressed public housing.  
<http://www.thomas.gov/cgi-bin/bdquery/z?d110:h.r.03524:/>

### Department of Defense/JWOD

**One priority item expected to receive prompt attention by the Congress is the President's veto during the holidays of the Department of Defense reauthorization**

**bill.** This bill contains several provisions related to procurement policies that would affect employment opportunities under the Javits, Wagner-O'Day Act (JWOD) Act.

## Social Security

**The House Ways and Means Subcommittee on Social Security will hold a hearing on Wednesday on Social Security benefits for economically vulnerable beneficiaries.** The Arc and UCP have joined other advocates in submitting testimony on behalf of the CCD Task Forces on Social Security and Employment and Training. CCD witness Terry Moakley, Vice President for Public Affairs, United Spinal Association, will address concerns with the Administration's proposed changes to the Social Security appeals process and ways to improve the disability programs, including increasing the substantial gainful activity level (SGA); eliminating the "cash cliff" for people who work; eliminating the 24-month waiting period for Medicare coverage; and ensuring that people with disabilities can receive benefits again quickly when they are no longer able to work beyond the SGA level. See more information on the hearing at:

<http://waysandmeans.house.gov/hearings.asp?formmode=detail&hearing=603&comm=4>

## **ANNOUNCEMENTS**

### Disability Policy Seminar

**The Seminar, scheduled for March 2-4, is fast approaching.** Hotel reservations at the Seminar site, the Hyatt Regency, are coming in at a fast pace. No rooms are expected to be available at the Hyatt at the discounted group rate within one or two weeks, even though the hotel registration deadline isn't until February 7. Individuals planning to participate in the Seminar should make their hotel reservations as soon as possible. All Seminar information is available at: <http://www.thearc.org/NetCommunity/Page.aspx?&pid=1642&srcid=183> and [http://www.ucp.org/ucp\\_generalsub.cfm/1/8/12477](http://www.ucp.org/ucp_generalsub.cfm/1/8/12477) in addition to the web pages of our Seminar partner organizations – AAIDD, AUCD, & NCADD.

### No Child Left Behind

**Want to know how your state is doing regarding the implementation of the No Child Left Behind Act (NCLB)?** The U. S. Department of Education has created a new website that provides state-by-state progress on NCLB. "Dashboards" present snapshots percentage of students with disabilities and on school progress on graduation rates, math and science achievement and other data. The website can be accessed at <http://www.ed.gov/nclb/accountability/results/progress/index.html>

### Consortium for Citizens with Disabilities (CCD) Annual Meeting

**CCD will hold its annual meeting on Thursday.** Comprised of over 100 national organizations which focus on public policy affecting people with disabilities, CCD will approve its 2008 budget, elect officers and members of the Board of Directors, and establish its 2008 Task Forces for work in key public policy areas. The DPC's Marty Ford chairs the

coalition and members of the DPC staff co-chaired 7 of the Task Forces and 2 of the Ad Hoc Task Forces in 2007. The entire DPC staff will participate in this all day meeting.

### Direct Support Workforce (DSW)

**The DSW Resource Center, with the support of the Department of Health and Human Services and the Department of Labor, will host a National Symposium on Strengthening the Home and Community Based Services (HCBS) Direct Service Workforce on May 8-9, 2008 in Baltimore, MD.** This event will provide a forum for showcasing best practices in home- and community-based direct service workforce development, highlight federal and state workforce initiatives, and disseminate research findings. For more information see <http://www.dswresourcecenter.org/>.

### Capitol Insider

**The next edition of CI will be released on Tuesday, January 22.** The DPC staff will be off on Monday in celebration of Martin Luther King Day.