



Reauthorization of the Rehabilitation Act: Passage of S.1356

What is the Rehabilitation Act?

The Rehabilitation Act of 1973 is a piece of legislation currently contained within a larger bill called the Workforce Investment Act (WIA), and was the first major legislative effort to secure an equal playing field for individuals with disabilities, and prohibits discrimination on the basis of disability. The Rehabilitation Act is the federal legislation that authorizes the formula grant programs of vocational rehabilitation, supported employment, client assistance, and Independent Living.

What is Independent Living?

Independent Living (IL) is the most widely accepted perspective on disability rights in America. The National Council on Independent Living (NCIL) is a national organization responsible for advocating for this philosophy, which emphasizes that people with disabilities are the best experts on their own needs, that they have crucial and valuable perspective to contribute to society, and deserve equal opportunity to decide how to live, work, and take part in their communities.

Independent Living is a nonpartisan priority in both Democratic and Republican Administrations. Congress established the Independent Living Program within the Department of Education, and continues to provide funding for Centers for Independent Living (CILs) and Statewide Independent Living Councils (SILCs), which are congressionally mandated organizations that plan or deliver services and support people with disabilities to live independently. CILs are consumer-controlled, community-based, cross-disability, nonresidential, private, nonprofit agencies that are designed and operated within local communities by individuals with disabilities. There are over 400 federally funded CILs, and 56 SILCs representing every state and congressional district; elected members of Congress must know about their local Centers if they plan on actively supporting their constituents with disabilities.

Why Reauthorize the Rehabilitation Act?

Federal support for CILs and SILCs is primarily established in the Rehabilitation Act, which has not been reauthorized in nearly 15 years, even though Congress requires itself to reauthorize the legislation every 5 years. The most important way right now to help Americans with disabilities live and work more independently is to reauthorize the Rehabilitation Act, including the establishment of an Independent Living Administration (ILA). The ILA would properly support the Independent Living Program that serves CILs and SILCs allowing the program to function more effectively. The ILA Director would be directly responsible to the Administrator for the Administration for Community Living of the Department of Health and Human Services. Reauthorizing the Rehabilitation Act will also make a number of changes that will help CILs and SILCs perform by reducing the bureaucracy that currently stifles their progress, and making more efficient use of taxpayer dollars.

The disability community strongly supports reauthorizing the Rehabilitation Act, and cannot wait another decade for Congress to reauthorize its commitment to Americans with disabilities.

Why an Independent Living Administration (ILA)?

Since the late 1970s, the first 10 federally funded CILs have outgrown their current placement under the Rehabilitation Services Administration (RSA), and today's 417 CILs require more specialization if Congress wants to make good on its commitment to Independent Living, home and community-based services, and freedom for Americans with disabilities. The Independent Living Program's placement within RSA is inappropriate considering its vocational mission. The ILA would operate under the Independent Living Philosophy and would draw upon the decades of expertise developed in IL nationally, providing effective leadership of the program, and facilitating its potential to increase services to consumers and value to taxpayers. It is important to know that:

- » ***Elevating the Independent Living Program will not cost taxpayer money, and will not contribute to the deficit - the ILA is supported by both Republicans and Democrats***
- » CILs save the state and federal governments over a half billion dollars each year
- » An ILA will eliminate the harmful bureaucracy stifling the Independent Living Program under RSA within the Department of Education, and streamlines how people with disabilities can impact policies that affect them
- » An ILA would not require any increase in administrative costs because the existing funding designated for the IL program within RSA will be transferred to the ILA
- » The ILA will create a substantial return in public investment

Why Move IL, and Why Now?

Respected leaders of both parties in Congress agree that RSA is not the right place for Independent Living, which has serious problems administering the program. CILs and SILCs have suffered as a consequence of their placement under RSA resulting in the reduced functionality of a program that, when run efficiently, saves taxpayers hundreds of millions of dollars.

- » RSA has not attempted to adequately improve the Independent Living Program's review tool in over a decade, therefore the program is not able to effectively demonstrate outcomes to Congress
- » RSA has not provided the adequate monitoring and oversight of CILs (2012 OIG Audit)
- » RSA did not randomly select CILs as required by the Rehab Act (2012 OIG Audit)
- » RSA has inconsistently applied components of the Act regarding SILC duties and activities (from state to state as well as changes of interpretation at federal level)
- » Instead of acting as partners, RSA is an outdated paternalist bureaucracy and is inconsistent with the IL philosophy

★ *The solution is to establish an ILA, independent of RSA, better equipped to administer the Independent Living Program with more efficiency, transparency, and cost-effective strategy*

How can we get this done?

Take Action: NCIL wants our members to urge the Senate to pass S. 1356, the bill that reauthorizes WIA and the Rehabilitation Act, without delay. Remind them that this is a bipartisan bill that will improve the lives of people with disabilities by strengthening America's CILs & SILCs.

This August, attend your senators' town hall meetings, call their home offices, and write letters telling them why S. 1356 is important to you and how it will benefit the SILC, CILs, and employment for people with disabilities in your state.