

119TH CONGRESS
1ST SESSION

S. RES. _____

Recognizing the importance of independent living and economic self-sufficiency for individuals with disabilities made possible by the Americans with Disabilities Act of 1990 and calling for further action to strengthen and expand health care for individuals with disabilities to work and live in the community.

IN THE SENATE OF THE UNITED STATES

Ms. DUCKWORTH (for herself, Mr. REED, Mr. VAN HOLLEN, Ms. WARREN, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. COONS, Mr. HICKENLOOPER, Mr. PADILLA, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Ms. CANTWELL, Mr. BLUMENTHAL, Ms. HIRONO, Mr. KAINE, Mr. KELLY, Mrs. MURRAY, Mr. SANDERS, Mr. WARNOCK, Mr. KING, Mr. WELCH, Mr. BOOKER, Ms. BLUNT ROCHESTER, Mr. DURBIN, and Mr. GALLEG0) submitted the following resolution; which was referred to the Committee on

RESOLUTION

Recognizing the importance of independent living and economic self-sufficiency for individuals with disabilities made possible by the Americans with Disabilities Act of 1990 and calling for further action to strengthen and expand health care for individuals with disabilities to work and live in the community.

Whereas, in enacting the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), Congress recognized that “historically, society has tended to isolate and seg-

regate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem”;

Whereas the Americans with Disabilities Act of 1990 recognizes the rights of individuals with disabilities to fully participate in their communities through independent living, equality of opportunity, and economic self-sufficiency;

Whereas, 35 years after the enactment of the Americans with Disabilities Act of 1990 and 26 years after the decision of the Supreme Court of the United States in *Olmstead v. L.C.*, 527 U.S. 581 (1999), many individuals with disabilities continue to live in segregated institutional settings because of an institutional bias in the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (referred to in this preamble as “Medicaid”) and a lack of resources for community support services;

Whereas, 35 years after the enactment of the Americans with Disabilities Act of 1990—

(1) more than one-third of individuals with disabilities rely on Medicaid for health insurance;

(2) Medicaid makes it possible for individuals with disabilities to live in their own homes rather than in institutions;

(3) children with disabilities access school-based health services through Medicaid; and

(4) Medicaid is an essential support for individuals with disabilities to obtain and maintain work;

Whereas the continuation of segregated institutional settings has hindered the inclusion of individuals with disabilities

in communities, schools, and workplaces, undermining the promise of the Americans with Disabilities Act of 1990;

Whereas individuals with disabilities, especially those of color, have been disparately impacted by the lingering effects of the COVID–19 pandemic, and the number of individuals with disabilities has increased due to Long COVID;

Whereas individuals with disabilities are at a greater risk of loss of life, loss of independence, or violation of civil rights than the general population during the increasing number of natural disasters in the United States and the response to and recovery from such disasters;

Whereas individuals of color with disabilities experience disproportionately greater barriers to high quality and accessible healthcare, education, housing, and competitive integrated employment opportunities, infringing on the right of individuals to fully participate in their communities under the Americans with Disabilities Act of 1990;

Whereas the Americans with Disabilities Act of 1990 represents the floor, not the ceiling, of efforts needed to dismantle barriers to full participation, equal opportunity, independent living, and economic self-sufficiency for individuals with disabilities; and

Whereas fulfilling the promise of the Americans with Disabilities Act of 1990 requires individuals, families, communities, and government to work together to guarantee that individuals with disabilities have the opportunity to thrive in their communities throughout their lives: Now, therefore, be it

1 *Resolved*, That the Senate—

1 (1) recognizes the importance of independent
2 living, equal opportunity, full participation, and eco-
3 nomic self-sufficiency for individuals with disabilities
4 made possible by the enactment of the Americans
5 with Disabilities Act of 1990 (42 U.S.C. 12101 et
6 seq.);

7 (2) encourages the people of the United States
8 to celebrate the advancement of inclusion and equal-
9 ity of opportunity made possible by the enactment of
10 the Americans with Disabilities Act of 1990;

11 (3) pledges to continue to work on a bipartisan
12 basis to identify and address the remaining barriers
13 that undermine the national goals of equality of op-
14 portunity, independent living, economic self-suffi-
15 ciency, and full participation for individuals with dis-
16 abilities, including by focusing on individuals with
17 disabilities who remain segregated in institutions;

18 (4) pledges to work with States to improve
19 funding for and access to home and community-
20 based services for individuals with disabilities, with
21 a focus on increasing access to employment;

22 (5) admonishes against recent cuts, and any fu-
23 ture cuts, to the Medicaid program under title XIX
24 of the Social Security Act (42 U.S.C. 1396 et seq.),
25 including the establishment of burdensome work-re-

1 porting requirements and other barriers, which puts
2 the health of individuals with disabilities at risk and
3 hinders the progress made since the enactment of
4 the Americans with Disabilities Act of 1990;

5 (6) calls on the Department of Labor to develop
6 policies and practices, and to provide technical as-
7 sistance, to increase the number and quality of com-
8 petitive integrated employment opportunities for in-
9 dividuals with disabilities that enable such individ-
10 uals to become economically self-sufficient;

11 (7) calls on the Federal Communications Com-
12 mission to provide information, resources, and tech-
13 nical assistance to enable individuals with disabilities
14 to have full and equitable access to communications
15 and telecommunications services and technologies;

16 (8) calls on the Department of Health and
17 Human Services to fully staff and support the Ad-
18 ministration for Community Living and to champion
19 independent living by providing information, re-
20 sources, and technical assistance related to home-
21 and community-based services;

22 (9) calls on the Department of Housing and
23 Urban Development to provide accessible and inclu-
24 sive homes and communities that increase the op-

1 tions available for accessible, inclusive, and equitable
2 housing for individuals with disabilities;

3 (10) calls on the Department of Transportation
4 to create accessible transit and airports and increase
5 the hiring, promotion, and retention of individuals
6 with disabilities in the transportation workforce; and

7 (11) calls on the Federal Emergency Manage-
8 ment Agency to continue to implement a whole com-
9 munity approach and to increase inclusivity and ac-
10 cessibility in emergency preparedness.