



Disability
Summit
April 21, 2021

Legislation and Advocacy Voting Rights Voter Suppression

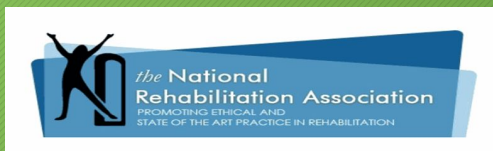
NAMRC and NRA Public Policy Committee

Introductions

Lou Adams, NRA President-Elect
Technical Assistance/Training Mgr.
National Disability Institute
president-elect@nationalrehab.org



Judy Smith, ARS Transition Services Director
Project SEARCH® State Coordinator
Judy.Smith@Arkansas.gov

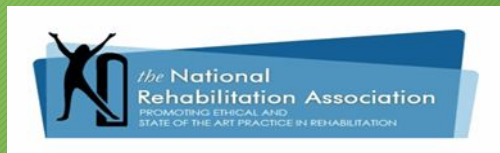


Legislation and Advocacy

Lou Adams

Biden Administration – Approach and Issues

- Ensure full inclusion of people with disabilities in policy development and aggressively enforce the civil rights of people with disabilities.
- Strengthen access to high-quality, affordable health care, including mental health care, and expand access to home and community-based services and long-term services and supports in the most integrated setting appropriate to each person's needs and based on self-determination
- Expand competitive, integrated employment opportunities for people with disabilities.



Social Security

- Replace Social Security's existing minimum benefit to \$15,950
- Index the minimum benefit to the average national wage, which generally grows faster than inflation.
- Enhance benefits by changing the way cost-of-living adjustments (COLAs) are computed.
- A [draft bill](#) known as the HCBS Access Act would require Medicaid to provide home- and community-based services to everyone who is eligible and establish a minimum set of services that states must offer. The bill is also designed to help states create a network of providers and workers to deliver such supports. It should reduce or eliminate waiting times.
- https://www.urban.org/sites/default/files/publication/103028/how-would-joe-biden-reform-social-security-and-supplemental-security-income_0.pdf

American Recovery Plan Act

- Stimulus checks for adult dependents
 - The two previous stimulus payments left out adults who are dependents on others, now disabled adult and living with parents and under their financial support qualified for stimulus checks.
- Additional funding for Home and Community Based Services (HCBS)
- Relief to State and Local Governments
- Did not address sub-minimum wage



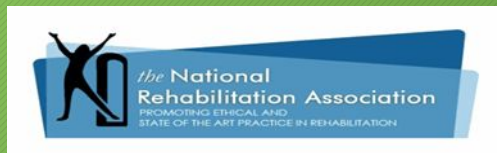
Current Legislation – US House

- **Relaunching America's Workforce Act (H.R.602)** – Offers federal support to individuals with disabilities who have experienced layoffs, suspensions, or reductions in employment opportunities due to the impact of the COVID-19 national emergencies.
- **Raise the Wage Act (H.R.603)** – Ends subminimum wage certificates for workers with disabilities to provide opportunities for workers with disabilities to be competitively employed and participate more fully in their communities. It did not make it into the final American Recovery Act Plan but it is still in the mix.
- **Apprenticeship Access for All Act of 2021 (H.R.683)** – Directs the Secretary of Labor to promote the recruitment and employment of nontraditional apprenticeship populations within the national apprenticeship system—including people with disabilities.
- **STEM Opportunities Act (H.R.204)** – Directs the Director of the Office of Science and Technology Policy to carry out programs and activities to ensure that Federal science agencies and institutions of higher education receiving Federal research and development funding are fully engaging their entire talent pool, and authorizes research into the barriers persons with disabilities face upon entering STEM fields.



Current Legislation – US Senate

- **Raise the Wage Act (S.53)** – Sister legislation to the House Bill - Ends subminimum wage certificates for workers with disabilities to provide opportunities for workers with disabilities to be competitively employed and participate more fully in their communities.
- **UPLIFT Act of 2021 (S.64)** – Amends the Small Business Act to spur entrepreneurial ecosystems in underserved communities, working to empower communities traditionally marginalized by the current workforce.
- **Veterans' Disability Compensation Automatic COLA Act of 2021 (S.189)** – Provides for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities.



Questions

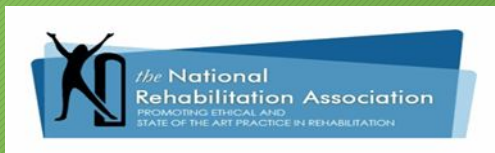


Voting Rights and Voter Suppression

Judy Smith

Voting Rights

- **14th Amendment – Ratified 1868:** No state shall make or enforce any law which shall abridge privileges or immunities of the citizens of the United State; nor shall any state deprive any person of life, liberty, or property without due process of law
- **15th Amendment – Ratified 1870:** prohibits states from denying a male citizen from the right to vote
- **Voting Rights Act – Signed into law by LBJ May 26, 1965:** aimed to overcome legal barriers at the state & local levels that prevented African Americans from exercising their right to vote under the 15th Amendment
- **H.R.1 – “The For the People Act of 2019:** Creates automatic Voter Registration, Restores Voting Rights of the Formerly incarcerated, Expands Early Voting, Modernizes U.S Voting Systems.
- **H.R.4 – “The John Lewis Voting Rights Advancement Act of 2019”:** Broadens the Scope of the Courts



Voting Rights Continued

- **H.R.1** – Broadens cases in which the U.S. Attorney General may send federal observers to jurisdictions the courts have deemed necessary
- **H.R.1 – Restores Federal Preclearance:** Reinstates the federal pre-clearance requirement for new election procedures in certain states by creating a new formula that satisfies the Shelby v. Holder decision
- **19th Amendment Ratified August 18, 1920:** Black and White women stood alongside one another more equal than ever before. But equality depended on where you were in a nation divided by Jim Crow
- **26th Amendment:** Ratified in 1971 – set a uniform voting age of 18 in all Elections
- **Reconstruction period of 1865 to 1877:** Federal Laws provided civil rights protections in the U.S. South for freemen, African Americans who had formerly been slaves & the minority who had been free before the war

Voter Suppression

Examples of Jim Crow Laws:

- Poll Taxes - \$25 to \$50
- Literacy and Comprehension Tests
- Residency and Record-Keeping Requirements
- All white primary elections
- Aggressive voter purges
- Former prisoner – often based on trumped up charges for Blacks
- Barred from court testimony
- Grandfather Clauses temporarily permitted some white people to vote but gave no relief to most black people

Voter Suppression Continued

Over 361 bills introduced/passed to restrict voting:

- ✓ Prohibit use of out-of-state driver's license (potential impact on college students)
- ✓ Eliminate Same-Day registration
- ✓ Prohibits & criminalizes giving food or water to voters waiting hours to vote
- ✓ Impose stricter voter ID Requirements
- ✓ Enable more aggressive voter roll purges
- ✓ Georgia removed Secretary of State as chair of the Election Board, expanding Legislative Oversight over elections*
- ✓ Require medical documentation to prove disabilities*
- ✓ Prohibit states from sending instructions for mail-in ballots
- ✓ Removal of outdoor drop boxes & reduction of polling places

Police Reform

George Floyd Justice and Policing Act – H.R. 7120

- ❖ **Criminal Intent Standard:** Lowers the criminal intent standard from willful to knowing or reckless – to convict law enforcement officer for misconduct in a federal prosecution
- ❖ **Qualified Immunity:** Limits qualified immunity as a defense to liability in a civil action against law enforcement officer or a state correctional officer
- ❖ **Department of Justice:** Authorizes the Department of Justice to issue subpoenas in investigations of police departments for a pattern of practice of discrimination
- ❖ **Creates a national registry:** The National Police Misconduct Registry – to complete the data on complaints and records of police misconduct
- ❖ **New Requirements:** Establishes new requirements for law enforcement officers and agencies, including on implicit bias and racial profiling, and to wear body cameras.

Questions



Participant Feedback

- What other legislative issues do you find of interest?
- Does your state have pending legislation affecting individuals with disabilities?
- Is your state taking actions that will suppress voting?
- What advocacy issue are important to you?
- Other thoughts?

