

The Big Asks: What We're Taking to Capitol Hill



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Agenda

- What is an "Ask"?
- Supplemental Security Income (SSI) Savings Penalty Elimination Act
- Transformation to Competitive Integrated Employment Act (TCIEA)
- HCBS Access Act
- Save the Department of Education



What is an "Ask"?

- An **Ask** is what we want Congress to do
- It gives your meeting a **clear goal**
- Examples: **support a bill, oppose a bill, increase funding, or move a bill forward**
- We chose issues that **matter to people with Down syndrome**
- Our Asks cover **different ages and stages of life**
- We chose issues where **advocacy can make a difference**
- **Pick 1–2 Asks** that matter most to you
- House and Senate Asks may be different, but **your story stays the same**

SSI and the Savings Penalty

- **SSI (Supplemental Security Income)** provides monthly payments to people with disabilities and older adults with very limited income and savings.
- SSI helps pay for **basic needs** and is an important **pathway to Medicaid** for many people with disabilities.
- But SSI has an outdated savings limit: **\$2,000 for an individual and \$3,000 for a couple.**
- These limits have **not increased since 1989**, making it difficult to **save for emergencies and plan for the future.**

SSI Savings Penalty Elimination Act ([H.R. 2540](#)/[S. 1234](#))

This bipartisan bill would:

- Raise the savings limit to **\$10,000 for an individual**
- Raise it to **\$20,000 for a couple**
- **Index the limits to inflation** so they keep up over time
- Address the **marriage penalty** in SSI's savings rules
- Allow people with disabilities to **save more without losing SSI eligibility**

SSI Savings Penalty Elimination Act: Talking Points

- \$2,000 asset limit (\$3,000 for married couples) has not been updated since 1989
- Lets people save and plan for the future
- Eliminates the SSI marriage penalty in asset limit rules
- Indexes asset limits to inflation
- Promotes independence & financial security
- Strong bipartisan support

THE ASK: Cosponsor the **SSI Savings Penalty Elimination Act.**

Subminimum Wage & Employment

- Federal law still allows some employers with **Section 14(c) certificates** to pay workers with disabilities **less than minimum wage**
- Workers may earn **just a few dollars an hour** and work in **segregated settings**
- **Competitive integrated employment (CIE)** means working alongside people with and without disabilities for **fair wages**
- People with disabilities deserve opportunities for **real jobs, fair pay and career growth**

TCIEA ([H.R. 4771](#)/[S. 2438](#))

This bipartisan bill would:

- **Phase out Section 14(c)** and subminimum wages over 5 years
- Stop issuing **new 14(c) certificates**
- Provide **grants and support** to help states, employers and workers transition
- Help people move to **competitive integrated employment or meaningful day services**

THE ASK: Cosponsor the **Transformation to Competitive Integrated Employment Act (TCIEA)**.

TCIEA: Talking Points

- People with disabilities can and want to work
- Equal work deserves equal pay
- Hiring people with disabilities is good for business
- States are already successfully moving away from 14(c)
 - 16+ states have acted to eliminate subminimum wages
 - Needs to be done on federal level because change needed to federal law
- Employment outcomes have improved in states like New Hampshire
- TCIEA phases out 14(c) over 5 years — not overnight
- Time, grants & technical assistance will support the transition to CIE

What Are HCBS & Why Do They Matter?

Home and Community-Based Services (HCBS) help people with disabilities **live in their homes and communities instead of institutions.**

HCBS can include:

- **Direct support staff** and help with daily activities
- **Job and employment supports**
- **Day and community services**
- **Respite and family supports**

HCBS help people **live at home, work, volunteer and participate in their communities.**

Without HCBS, people may have to rely on unpaid family caregivers or institutional care.

How Do People Get HCBS?

- HCBS are primarily funded through **Medicaid**, a federal-state partnership
- Many HCBS are provided through **Medicaid waivers**, which allow states to offer community services to specific groups
- **Many HCBS are optional** — states can decide what to offer and can limit enrollment
- This can result in **long waiting lists** and different services from state to state

Institutional care is required under Medicaid. Many community-based services are not.

Medicaid Funding Cuts Put HCBS At Risk

- Medicaid is a **federal-state partnership** — both pay for services but the state runs the program
- Federal Medicaid cuts put more pressure on **state budgets, providers and services**
- The 2025 reconciliation law (**H.R. 1**) made major Medicaid changes and significantly reduces future federal Medicaid spending
- States may respond to budget pressure by limiting **services, provider payments or enrollment**
- Because many HCBS are **optional**, they can be particularly vulnerable

Olmstead & Community Living Are Under Threat

- **Olmstead (1999)** protects against unjustified institutionalization and supports receiving services in the **most integrated setting appropriate**
- In 2026, DOJ took a **narrower position on the federal integration mandate**
- On Sept. 23, a federal court struck the **community-integration provisions of the 2024 Section 504 rule nationwide**
- **Olmstead, the ADA and Section 504 remain the law** — but federal protections and enforcement supporting community living have been weakened

The HCBS Access Act ([H.R. 8540](#)/[S. 5321](#))

The bill would:

- Make HCBS a **required Medicaid service**
- Help **end waiting lists**
- Strengthen the **direct care workforce**
- Support **family caregivers**
- Help more people **live in the community**

THE ASK: Cosponsor the **HCBS Access Act**.

HCBS Access Act: Talking Points

- Promotes independence and self-sufficiency
- Costs less than institutional care
- Helps people work and contribute to their communities
- Prevents unnecessary institutionalization
- Reduces pressure on family caregivers
- Addresses years-long HCBS waiting lists
- Strengthens the direct support workforce
- Helps people live, work, and thrive in their communities

Protecting the Education of Students with Disabilities and Stopping ED Dismantling

- What does the US Department of Education do?
- What does the Department not do?
- Key offices for students with disabilities.
- Why keeping the Department is essential for students with disabilities
- Why moving special education to HHS would harm students, cause chaos, and make problems for states and districts
- What Congress can do.

The U.S Department of Education

What It Does:



- Protects students' civil rights
- Oversees special education implementation by states
- Distributes federal education funding
- Provides guidance, technical assistance, and accountability for states
- Expands access to higher education

What It Does NOT Do:



- Set curriculum or decide teaching materials
- Control how states train and certify teachers
- Develop or approve IEPs

Key U.S. Department of Education Offices for Students with Disabilities

Office of Special Education and Rehabilitative Services (OSERS)

Office of Special Education Programs (OSEP)

- Enforce IDEA
- Oversees billions in special education funding
- Ensure states actually provide legally required services to students with disabilities

Rehabilitation Services Administration (RSA)

- Runs federal vocational rehabilitation programs that help SwD transition from school to jobs and adult life

Office of Elementary & Secondary Education (OESE)

- Manages Title I and other K-12 funding streams that directly support low-income students with disabilities in public schools

Office for Civil Rights (OCR)

- Investigates discrimination complaints and forces schools to fix violations when students with disabilities are denied equal access or illegally excluded

Office of Postsecondary Education (OPE)

- Oversees college access, disability accommodations, and federal aid programs that allow SwD to attend and succeed in higher education)

Office of Special Education Programs (OSEP)

What OSEP does

OSEP helps make sure IDEA works for students with disabilities

- Makes sure states follow IDEA, the federal special education law.
- Sends special education funds to states.
- Reviews state reports each year.
- Tells each state if it met IDEA requirements or needs help.
- Requires action when a state has repeated or serious problems.
- Checks state fix-it plans and helps states solve problems.

Administration Attempting to Dismantle ED

- The Department of Education cut over 40 percent of jobs.
- It also canceled almost \$2 Billion in contracts and grants.
- These cuts will make it harder for the Department to do its work, including checking programs and enforcing laws.
- The Department made agreements to move programs to other federal agencies
 - Some education programs have moved to Labor, and others to Health and Human Services
 - Civil rights has moved to Justice

Moving OSEP to HHS: A Crisis for Students with Disabilities

Buried in Bureaucracy

- The rights of students with disabilities would be buried in a vast bureaucracy where larger programs would take priority

Education and Civil Rights Law

- IDEA is fundamentally an education and civil rights law, not a medical program. It must remain in a department dedicated to education and educational equity.

Disrupted Collaboration

- Closing ED and scattering its offices across multiple agencies will disrupt critical collaboration among offices within ED, including OSEP, OESE, OCR, OPE, RSA, and IES

Weakened Accountability

- Moving OSEP will lead to loss of institutional knowledge, reduced funding for critical programs, and make it easier for states to ignore their responsibilities under IDEA.

Congressional Action on Dismantling

House: A House Committee voted to approve 10 bills to make it legal to move some education programs to other agencies. Special education and civil rights were not part of those bills. A bipartisan bill, H.R. 10232 was introduced in the House, to keep some education programs at ED, including special education, vocational education, elementary and secondary education, postsecondary and Indian education.

Senate: Bipartisan bill S. 5046 passed the Senate Committee. It is the same as the House bill H.R. 10232.

The Office for Civil Rights was not part of these bills and also needs to stay at ED

Policy Summit Ask: Support Bill to Stop Dismantling ([S. 5046](#)/[H.R. 10232](#))

What the Bill Would Do:

- **Keep key education programs within the Department of Education.** The bills prohibit transferring the functions of the Office of Special Education and Rehabilitative Services (OSERS), as well as key elementary/secondary, postsecondary, and Indian education offices to other federal agencies.
- **Protect federal expertise and accountability for the Individuals with Disabilities Education Act (IDEA).** Special education programs would remain within the agency Congress charged with overseeing education rather than being shifted to agencies such as the Department of Health & Human Services(HHS).
- **Ensure transparency and congressional oversight** by requiring reporting on interagency agreements and preventing major transfers of education functions without congressional authorization.

The Ask: Please cosponsor and support S. 5046/H.R. 10232 to keep special education and other critical education programs within the Department of Education and preserve strong federal oversight of IDEA.

Talking Points for Hill Meetings

- **Students with disabilities need strong federal oversight of IDEA.** Moving special education functions out of the Department of Education risks fragmenting expertise, accountability, and enforcement.
- **Special education is education – not a health or human-services program.** Students with disabilities are students first, and IDEA should remain integrated with the federal government's broader education work.
- **This will create more bureaucracy, not less.** States, schools, educators, and families should not have to deal with multiple federal agencies to implement IDEA and obtain guidance, technical assistance, monitoring, and oversight.
- **These bills are bipartisan in both the Senate and House,** and the Senate bill has already advanced out of the Senate HELP Committee.