

September 9th, 2024

Senate Health, Education, Labor & Pensions (HELP) Committee  
428 Dirksen Senate Office Building  
Washington, DC 20510-6300

Dear Chair Sanders, Ranking Member Cassidy, and all Members of the Senate HELP Committee,

The Collaboration to Promote Self-Determination (CPSD) writes today to urge the Committee to include S.533, the Transformation to Competitive Integrated Employment Act (TCIEA), into the larger workforce markup package and ensure TCIEA's passage this congressional session.

Founded in 2007, the Collaboration to Promote Self-Determination is a national advocacy coalition of organizations representing people with intellectual, developmental, and other disabilities and their families, disability service agencies, and other individuals with experience and expertise. The mission of CPSD is to push for major systemic reform of the nation's disability laws and programs to advance economic security, enhance integrated community participation, and increase opportunities for people with disabilities so that they can lead self-determined lives.

TCIEA, S.533 and H.R.1263, was introduced in late February of 2023 by Senators Bob Casey (D-PA) and Steve Daines (R-MT), along with Representatives Cathy McMorris Rodgers (R-WA) and Bobby Scott (D-VA). This bipartisan, bicameral legislation will provide states and businesses with the grants and technical assistance necessary to advance disabled employees' opportunities for equal access to competitive integrated employment (CIE). Competitive integrated employment is more effective than the alternatives, both in cost and outcome.<sup>1,2,3,4</sup> TCIEA also sunsets Section 14(c) of the Fair Labor Standards Act (FLSA), which is a discriminatory provision that authorizes employers with 14(c) certificates to pay disabled workers less than minimum wage in segregated settings. TCIEA gradually ends 14(c) over five years in the Senate bill and four years in the House Bill, but it does not force certificate holders to shut down their businesses. TCIEA provides a framework states can use to support disabled individuals whose employers do not choose to transition their practices. TCIEA helps 14(c) employees find and retain CIE, which may occur at their current place of employment following a program model transformation, or in another CIE setting. Former certificate holders can

---

<sup>1</sup> Competitive integrated employment (CIE) is defined in the The Workforce Innovation and Opportunity Act (WIOA). 34 CFR 361.5(c)(9) [https://www.ecfr.gov/current/title-34/part-361/section-361.5#p-361.5\(c\)\(9\)](https://www.ecfr.gov/current/title-34/part-361/section-361.5#p-361.5(c)(9))

<sup>2</sup> Taylor, J. P., Avellone, L., Wehman, P., & Brooke, V. (2023). The efficacy of competitive integrated employment versus segregated employment for persons with disabilities: A systematic review. *Journal of Vocational Rehabilitation*, 58(1), 63–78. <https://doi.org/10.3233/jvr-221225>

<sup>3</sup> National Council on Disability (NCD). (2012). *Report on Subminimum Wage and Supported Employment*. <https://www.ncd.gov/report/national-council-on-disability-report-on-subminimum-wage-and-supported-employment/>

<sup>4</sup> Cimera, R. (2008). The cost-trends of supported employment versus sheltered employment. *Journal of Vocational Rehabilitation*, 28(1), 15–20. [https://www.researchgate.net/profile/Robert-Cimera/publication/230853211\\_The\\_cost-trends\\_of\\_supported\\_employment\\_versus\\_sheltered\\_employment/links/0f317531a1daed13b6000000/The-cost-trends-of-supported-employment-versus-sheltered-employment.pdf](https://www.researchgate.net/profile/Robert-Cimera/publication/230853211_The_cost-trends_of_supported_employment_versus_sheltered_employment/links/0f317531a1daed13b6000000/The-cost-trends-of-supported-employment-versus-sheltered-employment.pdf)

continue to provide goods and services, employ people with disabilities, secure Medicaid funding for job coaching and other support that their workers need, and make use of TCIEA's grants and technical assistance.

We thank you for your commitment to helping states and businesses increase disabled people's participation in the workforce and financial independence. We are available to answer any questions you may have.

Should you have questions, or if you would like to learn more about CPSD, please feel free to contact Stephanie Flynt McEben, Public Policy Analyst at the National Disability Rights Network (NDRN) at [Stephanie.McEben@ndrn.org](mailto:Stephanie.McEben@ndrn.org), or Nina Stoller, Policy Coordinator at the Autistic Self-Advocacy Network (ASAN) at [nstoller@autisticadvocacy.org](mailto:nstoller@autisticadvocacy.org).

Sincerely,

Allies for Independence

Applied Self Direction

Association of People Supporting Employment First (APSE)

Association of Programs for Rural Independent Living (APRIL)

Association of University Centers on Disabilities (AUCD)

Autism Society of America

Autistic Self Advocacy Network (ASAN)

CareSource

Center for Public Representation

Community Options

Marc Gold & Associates (MG&A)

Microsoft

National Disability Rights Network (NDRN)

National Alliance for Direct Support Professionals

National Association of State Directors of Developmental Disabilities Services (NASDDDS)

National Center for Learning Disabilities (NCLD)

National Disability Institute (NDI)

National Down Syndrome Congress (NDSC)

TASH

Williams Syndrome Association