

118TH CONGRESS  
1ST SESSION

# S. RES. 312

Recognizing the importance of independent living for individuals with disabilities made possible by the Americans with Disabilities Act of 1990 and calling for further action to strengthen home and community living for individuals with disabilities.

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## IN THE SENATE OF THE UNITED STATES

JULY 26, 2023

Mr. CASEY (for himself, Mr. MERKLEY, Mr. BROWN, Mr. MURPHY, Ms. HASSAN, Mr. DURBIN, Ms. STABENOW, Mr. WHITEHOUSE, Mr. WARNOCK, Mr. WYDEN, Mr. BLUMENTHAL, Ms. DUCKWORTH, Ms. CANTWELL, Mr. HICKENLOOPER, Mr. MARKEY, Mr. WELCH, Mr. BOOKER, Ms. BALDWIN, Mr. REED, Mr. MENENDEZ, Mr. BENNET, Ms. SMITH, Mr. FETTERMAN, Mr. PADILLA, Mr. LUJÁN, Mr. SANDERS, Mr. VAN HOLLEN, Ms. WARREN, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. KAINE, Mr. KING, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions

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## RESOLUTION

Recognizing the importance of independent living for individuals with disabilities made possible by the Americans with Disabilities Act of 1990 and calling for further action to strengthen home and community living for individuals with disabilities.

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 segregate individuals with disabilities, and, despite some im-

provements, 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, 33 years after the date of the enactment of the Americans with Disabilities Act of 1990 and 24 years after the date of 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 a lack of support services in their communities;

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 living in institutional and long-term care settings have endured disproportionate rates of infection and death during the COVID-19 pandemic;

Whereas individuals of color with disabilities have been disparately affected by the COVID-19 pandemic;

Whereas individuals of color with disabilities experience disproportionately greater barriers to high quality and accessible healthcare, education, and competitive integrated employment opportunities, infringing on their right to

fully participate in their communities under the Americans with Disabilities Act of 1990;

Whereas, 33 years after the date of the enactment of the Americans with Disabilities Act of 1990—

(1) women with disabilities continue to regularly face barriers to reproductive healthcare, including inaccessible and inequitable services;

(2) individuals with disabilities continue to face high rates of unemployment and barriers to accessible workplaces;

(3) nearly a quarter of the population of individuals with disabilities live below the poverty line;

(4) some telecommunication, electronic, and information technologies continue to be developed without the goal of making those technologies fully accessible for all individuals of the United States; and

(5) many businesses, public and private organizations, transportation systems, and services remain inaccessible to many individuals with disabilities;

Whereas the Americans with Disabilities Act of 1990 represents the floor, and not the ceiling, of efforts needed to dismantle barriers to full participation, equal opportunity, independent living, and economic self-sufficiency; 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 and in their lives: Now, therefore, be it

1       *Resolved*, That the Senate—

1           (1) recognizes the importance of independent  
2 living for individuals with disabilities made possible  
3 by the enactment of the Americans with Disabilities  
4 Act of 1990 (42 U.S.C. 12101 et seq.);

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

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

16           (4) pledges to work with States to improve ac-  
17 cess to home- and community-based services for in-  
18 dividuals with disabilities;

19           (5) calls on the Department of Labor to develop  
20 policies and practices and provide technical assist-  
21 ance that enable individuals with disabilities to be-  
22 come economically self-sufficient;

23           (6) calls on the Federal Communications Com-  
24 mission to provide information, resources, and tech-  
25 nical assistance to enable individuals with disabilities

1 to have full and equitable access to communications  
2 and telecommunications services and technologies;

3 (7) calls on the Department of Health and  
4 Human Services to provide information, resources,  
5 and technical assistance related to home- and com-  
6 munity-based services and to enable individuals with  
7 disabilities to live independently;

8 (8) calls on the Department of Housing and  
9 Urban Development to provide accessible and inclu-  
10 sive homes and communities that increase the op-  
11 tions available for accessible, inclusive, and equitable  
12 housing for individuals with disabilities; and

13 (9) calls on the Department of Transportation  
14 to create accessible transit and airports and increase  
15 the hiring, promotion, and retention of individuals  
16 with disabilities in the transportation workforce.

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