

118TH CONGRESS  
1ST SESSION

# S. RES. 361

Recognizing the importance of the Rehabilitation Act of 1973 on the lives of individuals with disabilities and calling for further action to advance access, opportunity, and equity for individuals with disabilities.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26 (legislative day, SEPTEMBER 22), 2023

Mr. MARKEY (for himself, Mr. SANDERS, Mr. CASEY, Ms. HASSAN, Mr. FETTERMAN, Ms. DUCKWORTH, Ms. WARREN, Mr. MURPHY, Mr. VAN HOLLEN, and Mr. BLUMENTHAL) 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 the Rehabilitation Act of 1973 on the lives of individuals with disabilities and calling for further action to advance access, opportunity, and equity for individuals with disabilities.

Whereas September 26, 2023, marks the 50th anniversary of the passage of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

Whereas, with the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the discrimination faced by individuals with disabilities was recognized as systemic, rather than as an experience of the individual;

Whereas the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) was modeled on anti-discrimination laws on the basis of race and sex;

Whereas the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) recognized individuals with disabilities as a class of people subject to discrimination based on the identity individuals with disabilities share;

Whereas Congress worked in a bipartisan manner to enact legislation to address the civil rights of individuals with disabilities;

Whereas Congress passed the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), which President Richard Nixon signed into law on September 26, 1973;

Whereas, in enacting the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), Congress, for the first time, addressed the civil rights of individuals with disabilities;

Whereas the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) expanded employment opportunities and further advanced independent living for individuals with disabilities through improvements to vocational rehabilitation services;

Whereas section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791)—

(1) prohibits discrimination against individuals with disabilities in Federal employment and has resulted in the Federal Government benefitting from the efforts of the nearly 10 percent of the Federal workforce who have disabilities; and

(2) requires Federal agencies to establish an affirmative action program for the hiring, placement, and advancement of individuals with disabilities;

Whereas section 503 of the Rehabilitation Act of 1973 (29 U.S.C. 793) prohibits Federal contractors from discriminating in employment against individuals with disabilities and requires employers take affirmative actions to recruit, hire, promote, and retain individuals with disabilities;

Whereas title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796 et seq.) established the Independent Living Services and Centers of Independent Living programs to promote the independence, self-determination, equal access, and leadership of individuals with disabilities;

Whereas section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) prohibits discrimination on the basis of disability in all federally assisted programs or activities and laid the foundation for the passage of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

Whereas section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) has impacted access to and equity in healthcare, education, community living, employment opportunities, housing, transportation, electronic information and technology, and all other facets of life for individuals with disabilities;

Whereas, on April 28, 1977, nearly 4 years after the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), disability rights activists secured implementation of the rights established under that Act after leading sit-ins of Federal buildings across the United States;

Whereas section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), an important addition made to the Act in 1986 and expanded in 1998, improves the information

and communications technology of Federal agencies to be accessible to individuals with disabilities;

Whereas 50 years after the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), individuals with disabilities still experience discrimination and barriers that interfere with their full participation in economic and social life in the United States; and

Whereas 50 years after the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Act remains a critical law in advancing access, opportunity, and equity for individuals with disabilities, especially in historically underserved communities, and in meeting the goals of full participation, equal opportunity, independent living, and economic self-sufficiency for individuals with disabilities: Now, therefore, be it

1       *Resolved*, That the Senate—

2               (1) recognizes the importance of access, oppor-  
3               tunity, and equity for individuals with disabilities,  
4               made possible by the enactment of the Rehabilitation  
5               Act of 1973 (29 U.S.C. 701 et seq.);

6               (2) encourages individuals of the United States  
7               to celebrate the advancements made possible by the  
8               enactment of the Rehabilitation Act of 1973 (29  
9               U.S.C. 701 et seq.);

10              (3) pledges to continue to work in a bipartisan  
11              manner to address access and equity barriers that  
12              remain for individuals with disabilities, particularly  
13              multimarginalized individuals, including Black, in-

1       digenous, and other people of color, immigrants,  
2       LGBTQ people, low-income individuals, and people  
3       living in rural and underserved areas;

4               (4) pledges to continue to work with State and  
5       local educational agencies to provide equal access to  
6       a free appropriate public education for all students  
7       with disabilities, including individuals with disabili-  
8       ties with multimarginalized identities;

9               (5) pledges to continue to work with public  
10       health and healthcare delivery systems to address  
11       healthcare disparities and inadequate services for in-  
12       dividuals with disabilities, from preventive care to  
13       home and community-based services;

14              (6) calls on Federal agencies to improve equal  
15       employment opportunities for workers with disabili-  
16       ties in the Federal sector through recruitment, hir-  
17       ing, promotion, and retention initiatives; and

18              (7) calls on the Department of Justice and the  
19       General Services Administration to improve their en-  
20       forcement of, and oversight and compliance with,  
21       section 508 of the Rehabilitation Act of 1973 (29  
22       U.S.C. 794d).

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