



The Honorable Nancy Pelosi  
Speaker  
United States House of Representatives  
1236 Longworth House Office Building  
Washington, DC 20515

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
317 Russell Senate Office Building  
Washington, DC 20510

The Honorable Kevin McCarthy  
Minority Leader  
United States House of Representatives  
2468 Rayburn House Office Building  
Washington, DC 20515

The Honorable Chuck Schumer  
Minority Leader  
United States Senate  
322 Hart Senate Office Building  
Washington, DC 20510

October 5, 2020

Dear Madam Speaker, Minority Leader McCarthy, Majority Leader McConnell, and Minority Leader Schumer:

On September 17, 2020, the United States Commission on Civil Rights (USCCR) published a report titled *Subminimum Wages: Impacts on the Civil Rights of People with Disabilities*. In this report, the first recommendation of the USCCR is that “Congress should repeal Section 14(c) with a planned phase-out period to allow transition among service providers and people with disabilities to alternative service models prioritizing competitive integrated employment.”<sup>1</sup> The National Federation of the Blind, America’s civil rights organization of the blind, agrees wholeheartedly with this recommendation, and we urge Congress to pass the Transformation to Competitive Employment Act (H.R. 873/S. 260).

This call for the elimination of Section 14(c), profound in its affirmation, is the latest of many declarations that the outdated institutionalization of workers with disabilities must cease. In October 2018, the National Council on Disability (NCD) published its own report, *From the New Deal to the Real Deal: Joining the Industries of the Future*, in which recommendation A1 states “NCD renews its call from 6 years ago for a phase-out of the 80-year-old 14(c) program and the concomitant phase-up of the systems changes necessary to allow people with disabilities to move into competitive integrated employment.”<sup>2</sup> The “call from 6 years ago” to which this recommendation refers is from NCD’s August 2012 report, *Subminimum Wage and Supported Employment*, which recommends that “Congress should pass legislation phasing out the 14(c) program.”<sup>3</sup> Furthermore, in September 2016 the Advisory Committee on Increasing Competitive

<sup>1</sup> U.S. Commission on Civil Rights, *Subminimum Wages: Impacts on the Civil Rights of People with Disabilities*, (Washington, DC: 2020), 223. <https://www.usccr.gov/files/2020-09-17-Subminimum-Wages-Report.pdf>.

<sup>2</sup> National Council on Disability, *From the New Deal to the Real Deal: Joining the Industries of the Future*, (Washington, DC: 2018), 100. [https://ncd.gov/sites/default/files/Documents/NCD\\_Deal\\_Report\\_508.pdf](https://ncd.gov/sites/default/files/Documents/NCD_Deal_Report_508.pdf).

<sup>3</sup> National Council on Disability, *Subminimum Wage and Supported Employment*, (Washington, DC: 2012), 19. [https://ncd.gov/sites/default/files/NCD\\_Sub%20Wage\\_508.pdf](https://ncd.gov/sites/default/files/NCD_Sub%20Wage_508.pdf).

Integrated Employment for Individuals with Disabilities released its final report. In this report, one of the advisory committee's recommendations is "Congress should amend Section 14(c) of FLSA to allow for a well-designed, multi-year phase-out of the Section 14(c) Program that results in people with disabilities entering CIE."<sup>4</sup>

As is increasingly evident from these reports, the call to phase out and eliminate the antiquated Section 14(c) Program has steadily grown in volume during the past decade. What started as a movement predominantly comprised of and supported by civil rights organizations of disabled Americans is also supported by an independent federal agency on disability (NCD), a Congressionally authorized committee on disability employment, and now a federally appointed commission on civil rights (USCCR). It is well past the time for us to repeal this antiquated and discriminatory law, and we strongly urge you to support the phase out of Section 14(c) by passing the Transformation to Competitive Employment Act.

Sincerely,



Mark A. Riccobono, President  
National Federation of the Blind

cc: United States House of Representatives  
United States Senate

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<sup>4</sup> Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities, Final Report, (Washington, DC: 2016), 29. [https://www.dol.gov/sites/dolgov/files/odep/topics/pdf/acicieid\\_final\\_report\\_9-8-16.pdf](https://www.dol.gov/sites/dolgov/files/odep/topics/pdf/acicieid_final_report_9-8-16.pdf).