IGNITE! In Brief...

- The Autism Society is meeting with Members of Congress about the reauthorization of the Autism CARES Act and advocating for funding for Kevin and Avonte’s Law
- Public Policy staff was quoted on issue of safety in schools
- The upcoming Autism Society National Conference will feature a policy track to inform advocates of current federal policy initiatives and what to discuss during Hill visits
- Mark your calendars! Autism Society to host Day on the Hill: What to Expect and How to Make Hill Appointments webinar, May 2, to help conference attendees prepare for congressional meetings
- Our policy team monitors federal fiscal policies and provides updates in every issue of IGNITE!
- This and much more below.

Autism-related Policy

Autism CARES Act Reauthorization
The Autism Society has met with Senator Menendez (D-NJ) and Representatives Smith (R-NJ) and Doyle (D-PA) to discuss the reauthorization of the Autism Collaboration, Accountability, Research, Education, and Supports (CARES) Act. The law has helped to expand research at the National Institutes of Health (NIH), increased public awareness and surveillance at the Centers for Disease Control and Prevention (CDC), increase interdisciplinary training of health professionals to diagnose and treat individuals with ASD and develop evidence-based interventions through programs of the Health Resources and Services Administration (HRSA). Due to "sunset" language, this law is set to expire if it is not reauthorized by September 30, 2019. Autism Society staff have met with congressional staff of the law’s champions to discuss the possibility of any changes to the law. Autism Society staff are also meeting with other stakeholders to discuss possible changes and to develop a strategy for the reauthorization. The Public Policy and Advocacy Committee is meeting today to discuss recommendations for the reauthorization. If you have any questions or comments regarding the development of this bill, please contact Kim Musheno at kmusheno@autism-society.org.

Kevin and Avonte's Law
As you now know, Kevin and Avonte’s Law (H.R. 4221/S. 2070) was signed into law on March 23 (see Autism Society’s press release). Autism Society staff are now advocating for appropriations to implement the law. Rep. Chris Smith (R-NJ) sent a letter urging the Appropriations Committee to include $2 million in funding in FY 19 for the Missing Americans Alert Program, to fund competitive, locally based grants to support technology to assist law enforcement in locating missing children with disabilities and seniors with dementia, as well as support education and training for schools, families, and law enforcement, to prevent wandering and put in place protocols for when vulnerable individuals go missing.

Electrical Stimulation Devices (ESD) Ban
Rep. Smith is also drafting legislation to ban electrical stimulation devices. In 2016, the FDA released a proposed rule that would ban the use of electrical stimulation devices that are used to "treat" aggressive or
self-injurious behavior among individuals with disabilities, primarily those with autism. However, to date, no final rule has been issued. There is only one center in the country, the Judge Rotenberg Center in Massachusetts, that still uses this device on individuals with disabilities. The bill would codify the FDA's proposed rule. The Autism Society also recently signed onto a CCD coalition letter (again) urging the FDA to finalize the Rule banning ESDs. (See more background here)

**Police Interaction Briefing**
As part of Autism Awareness and Acceptance month, the Congressional Coalition on Autism Research and Education and Autism Speaks will host a briefing Hill briefing next week on Police Interactions with Individuals with Autism, "Challenges and Opportunities to Improve Law Enforcement Interactions with the Autism Community."

Additionally, if your Members of Congress are not part of the bipartisan autism caucus, please consider reaching out to them to encourage them to join!

**Money Follows the Person (MFP)**
The Autism Society continues to meet Members of Congress, along with its CCD colleagues, to urge passage of the EMPOWER Care Act (S. 2227/HR 5306), a bill to reauthorize the Money Follows the Person program. Since 2005, this program has helped over 75,000 people with disabilities transition back into the community. The Autism Society sent an action alert to its affiliates urging them to contact their members of Congress on this issue.

## Education

**School Safety and Discipline**
In March, the General Accounting Office (GAO) found that Black students, boys, and students with disabilities were disproportionately disciplined (e.g., suspensions and expulsions) in U.S. public schools. The GAO analyzed data gathered from the Department of Education. These disparities were widespread and persisted regardless of the type of disciplinary action, level of school poverty, or type of public school attended. Though they represent about 12 percent of the nation’s public school students, those with disabilities accounted for about a quarter of children referred to law enforcement, arrested for a school-related incident or suspended, according to the GAO report. The disproportionality was most pronounced for boys and black students with disabilities.

The GAO report was published at the same time that the Department of Education announced a proposal to delay Federal regulations developed by the previous Administration designed to address these types of disparities. The Department published a notice of proposed rulemaking (NPRM) in proposing to delay regulations designed to reduce the disproportionate number of children of color and other minorities into special education. With the help of the Autism Society Panel of Professionals, the Autism Society is drafting a response to the NPRM and will be urging affiliates to send in their own comments. Comments are due May 14, 2018. Watch for more details and sample comments soon.

In addition, the Department is deciding whether or not to rescind school discipline guidance that was issued in 2014 under the Obama administration. The guidance package was intended to address discipline disparities affecting minority students and those with disabilities. However, following the Parkland shooting, some have accused the policies for being too lenient and a federal overreach.

U.S. Secretary Betsy DeVos held a White House Summit on School Safety two weeks ago to gather ideas for how to keep students safe. Unfortunately, even though students with disabilities are frequently used as scapegoats in recent mass shootings, no disability organizations were invited to the Summit. Autism Society’s
VP of Public Policy Kim Musheno released the following statement on behalf of the Consortium for Citizens with Disabilities: “It is simply not acceptable for the U.S. Department of Education to intentionally exclude our community and not recognize that issues around school discipline climate and safety have a disparate impact on students with disabilities; and any event focused on school climate must be inclusive of the six million children with disabilities receiving special education in our nation’s schools.” In a subsequent meeting with the Department, Musheno urged officials to reach out to disability organizations in such meetings.

In related news, on March 8, Senators Bob Casey (D-PA) and Maggie Hassan (D-NH) introduced a bill (S. 2530) to address sexual assault of people with disabilities on university campuses. The Safe Equitable Campus Resources and Education (SECuRE) Act. We’re also pleased to report that Rep. Debbie Dingell plans to introduce a House companion bill. The Autism Society indicated support for this bill.

Office of Civil Rights (OCR)
The U.S. Department of Education, Office for Civil Rights (OCR) has unveiled a newly-revamped Case Processing Manual. The Manual governs how OCR investigates and resolves discrimination complaints going forward. Utilizing complaints from parents, OCR has served as an efficient, non-litigious law enforcement agency, protecting the rights of students with autism and other vulnerable populations. OCR is responsible for ensuring equal access to education and enforcement of our civil rights laws, such as Title II of the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964 and Sections 504 and 508 of the Rehabilitation Act of 1973 concerning individual or systemic claims of discrimination. The changes to the Manual are consistent with OCR priorities to engage in narrower investigations that focus on the individual complaint allegations as compared to larger systemic issues, more flexibility in case resolutions, and a stricter adherence to the letter of the law. Disability advocates are concerned that this change will allow OCR to dismiss any complaints brought forward by parents and individuals and eliminate the appeals process for families.

Budget and Appropriations

The Congressional Budget Office (CBO) recently issued its annual deficit projections, predicting the federal budget deficit will rise to $804 billion this year and $1 trillion in 2019. CBO reports that this is largely due to the new Tax Cuts and Jobs Act of 2017 and the $1.3 trillion omnibus spending package approved last month.

President Trump reacted to the news by requesting to make rescissions (retroactive cuts) to the funding bill that was just signed into law for the current fiscal year 2018 that began last November. The budget director is reportedly preparing a proposal to cut $30 to $60 billion dollars from the $1.3 trillion dollar spending bill. Given that the budget deal was very difficult to negotiate and its signing avoided a government shutdown, a package of retroactive cuts are not likely to gain enough support for passage but the Autism Society is monitoring these developments closely.

Meanwhile, the Autism Society has been meeting with appropriations staff in the House and Senate to discuss funding levels for the coming year - Fiscal Year 2019. Some staff already expect another difficult year for negotiating appropriations bills given that it is an election year.

On April 12, the House failed to get the two-thirds vote needed to pass a constitutional balanced budget amendment (BBA). The vote was 233-184. Despite not passing in the House, Senate Majority Leader Mitch McConnell (R-KY) reportedly wants to take up a balanced budget amendment in the Senate. There is also concern about balanced budget efforts at the state level. Twenty-eight states have active resolutions. This is only six short of the 34 needed to call a Constitutional Convention to pass a balanced budget amendment. Supporters of a Constitutional Convention to pass an amendment plan to target Maine, Virginia, Kentucky,
Minnesota, Montana, Idaho, and Washington state.

**Food Stamps**
On April 12, House Agriculture Committee Chairman Michael Conaway released the draft bill (H.R. 2), the "Agriculture and Nutrition Act of 2018", that includes deep cuts to the Supplemental Nutrition Assistance Program (SNAP). The Conaway proposal would establish a single work standard for adults ages 18 to 59, requiring any adult in that age range to hold at least a part-time job within a month of receiving benefits or enroll in 20 hours a week of workforce training to receive assistance. Preliminary Congressional Budget Office estimates suggest the requirements would cut SNAP participation by as many as 1 million people over the next 10 years.

**Immigration Policy**
According to the Kaiser Family Foundation, a leaked draft version of a proposed rule by the Trump Administration would make changes to “public charge” policies that govern how the use of public benefits may affect individuals’ immigration status. This fact sheet provides an overview of the proposed changes and their implications for health and health coverage of legal immigrant families and their predominantly U.S.-born citizen children.

The proposed changes would likely lead to decreased participation in Medicaid, CHIP, Marketplace coverage, and other programs among immigrant families, including their citizen children. Despite broad efforts to assure the immigrant community that Medicaid and CHIP could not be used in public charge determinations under current policy, many eligible lawfully present immigrants did not enroll themselves or their children because they feared it could negatively affect their status.

So far, the proposed rule has not been released. The Autism Society and other advocates are monitoring the Federal Register daily and will inform the network if it is published.

For more information, see the entire KKF issue brief.

**Autism Society National Conference and Exposition**
Registration is now open for the 50th Annual Autism Society National Conference and Exposition, July 10 - 12, 2018, in Washington, D.C. -- home to the Autism Society's inaugural convening of individuals and families impacted by autism. This year's conference features innovative educational sessions, one-of-a-kind networking opportunities, great guest speakers, and a wealth of information on how the Autism Society’s Quality of Life goals can help shape the future of autism.

At our national conference, attendees will also engage with Congressional insiders and policy experts to gain insight on impacting change on Capitol Hill and at home. The event culminates with a Day on the Hill, where autism advocates from across the country meet with Congressional leaders and staff to discuss issues of critical importance to the autism community. See the schedule at a glance and register today!

On Wednesday, May 2, at 3:00 p.m. EST, the Autism Society is hosting a webinar to prepare attendees for Capitol Hill. Vice President of Public Policy Kim Musheno will present: Day on the Hill: What to Expect and How to Make Hill Appointments. Sign up for the webinar here.