June 22, 2022

Bethany Lilly
Senior Director of Public Policy
The Arc
1825 K Street NW, Suite 1200
Washington, DC 20006

Dear Ms. Lilly,

Thank you for your letter, dated April 26, 2022, to the U.S. Department of Health and Human Services (HHS) Secretary Becerra, on behalf of Consortium for Constituents with Disabilities (CCD), urging HHS to issue updated regulations on Section 504 of the Rehabilitation Act. Your letter was forwarded to the HHS Office for Civil Rights (OCR) for reply.

As you are aware, OCR enforces civil rights laws and regulations which prohibit discrimination on the basis of race, color, national origin, age, sex, disability, and exercise of conscience and religion in programs, services and activities administered by state and local government entities, and recipients of federal financial assistance (FFA). Specifically, Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act (ADA), and Section 1557 of the Affordable Care Act (Section 1557) prohibit covered entities from discriminating on the basis of race, color, national origin (including limited English proficiency (LEP)), and disability. OCR is leading the rulemaking process to revise the Section 504 regulations that prohibit discrimination on the basis of disability. OCR plans to publish a Notice of Proposed Rulemaking (NPRM) for Section 504 in 2022.

OCR appreciates your letter as well as feedback provided by CCD members during our February 2022 listening sessions regarding the Section 504 regulations. We recognize that the concerns and recommendations shared come from the collective expertise and experience of the disability advocacy community and we appreciate your input. OCR is considering how to best address these critical areas.

Thank you for highlighting important issues in preventing discrimination against people with disabilities. We welcome your public comment on the NPRM when it is published.

Sincerely,

Lisa J. Pino