



**Northeastern Association
of the Blind at Albany**

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August 21, 2017

The Honorable Betsy DeVos
Secretary
United States Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary DeVos:

This letter is intended to respond to the Department's notice seeking comments from the public concerning regulations and policy guidance.

After a careful review of the regulations, I would urge you to amend the regulations pertaining to the implementation of the Workforce Innovation and Opportunity Act (WIOA) which negatively impact people who are blind who seek to maximize their independence and seek gainful employment. The Act was intended to improve our nation's workforce education and employment programs. Unfortunately, the regulations that were enacted are overbearing and have a negative impact on people who are blind. I urge you to revise the WIOA regulations to reinstate the Homemaker Outcome and to relax the definition of Competitive Integrated Employment to include employment at integrated nonprofit organizations that hold AbilityOne and state use contracts.

- Homemaker Exemption – Removal of the Homemaker Outcome.

Prior to WIOA, persons who became blind or visually impaired could qualify for Vocational Rehabilitation (VR) services including independent living training as homemakers. This outcome has been considered a successful closure for the use of federal VR funds for many years. Because persons taking care of their home and children often do so to allow their spouse or family member to work and support the family. This training is critical for keeping families together. Individuals who are blind and need to take care of a home while their partner or other family member works cannot do so without proper VR training. Without the training they cannot do the tasks required of a homemaker and become a liability instead of a contributing member of the family.

I urge you to reinstate the Homemaker Outcome so that this group of blind American's can qualify for VR services and reduce their dependence upon family, caregivers or state funded services.

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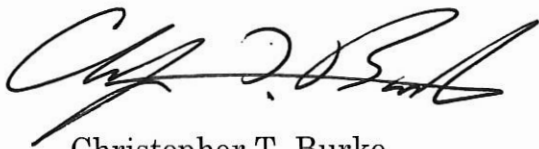
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- The Departments interpretation of “Competitive Integrated Employment”.

As set for in the preamble of the WIOA final rule, job opportunities in an AbilityOne organization, regardless of position, are not deemed to be competitive and integrated. Our agency pays all of our employees the New York State minimum wage or above with full benefits. Every individual in the agency regardless of position, department or seniority gets the same benefits. We operate a fully integrated work place across the board with individuals who are blind or otherwise disabled working side-by-side with individuals who aren't. We treat all of our employees equally with the same opportunities for upward mobility. We do not pay sub-minimum wage or run a sheltered workshop of any kind. Our agency provides in home rehabilitation service in 14 counties in New York State. Our rehabilitation services are similar in nature to services offered by other private and nonprofit rehabilitation agencies and are “typically found in the community”. In addition, our agency partners with local and national textile suppliers in the production of our AbilityOne and state use products, also demonstrating that we operate a business that is “typically found in the community”.

The Department of Education needs to recognize that there are full wage and benefit-eligible positions in agencies like ours and give people with disabilities greater choice and a greater chance at becoming independent. I encourage you to amend the rules that determine “Competitive Integrated Employment” to eliminate any bias against the employer, including those nonprofit organizations that hold AbilityOne or state use contracts. I encourage you to do what is right for individuals who are blind or otherwise disabled and work to create greater opportunities not less.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris T. Burke", with a stylized flourish at the end.

Christopher T. Burke
Executive Director/CEO

CTB:kml