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March 26, 2025

The Honorable Lori M. Chavez-DeRemer
Secretary
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Secretary Chavez-DeRemer:

On behalf of the Committee on Education and Workforce (Committee), we write to express our deep concerns regarding the Department of Labor's (DOL) proposed rule titled "Employment of Workers with Disabilities Under Section 14(c) of the *Fair Labor Standards Act*."¹ Published in the final weeks of the Biden-Harris administration, the proposed rule would have far-reaching consequences, disrupting vital employment opportunities for individuals with intellectual and developmental disabilities and harming their families who depend on these programs. As President Trump begins his second administration and you begin your tenure as Secretary of Labor, we strongly urge DOL to protect the employment options that many Americans rely on by withdrawing the proposed rule.

For decades, Section 14(c) of the *Fair Labor Standards Act* has empowered individuals with disabilities by allowing the creation of meaningful job opportunities suited to each individual's unique abilities. Through commensurate wage employment, these workers can earn a paycheck, contribute to their communities, and experience the dignity of work in environments designed to support their success. We have heard from many families and advocates across the nation about the importance of these jobs and how removing 14(c) certificates would force thousands out of employment altogether.

The proposed rule would end employment opportunities for those with the most significant intellectual and developmental disabilities by eliminating employers' access to 14(c) certificates. Rather than eliminating critical opportunities, federal policy should focus on expanding workforce participation for individuals with disabilities, ensuring a range of employment options that accommodate their diverse needs. If the Biden-Harris proposed rule were finalized as written, it would devastate established employers, particularly community rehabilitation

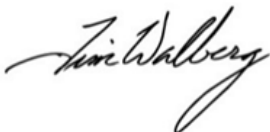
¹ 89 Fed. Reg. 96,466 (proposed Dec. 4, 2024).

providers, and leave many individuals with no alternative but to stay home or enter day programs that lack the same level of engagement, purpose, and social interaction which employment offers.

On January 17, 2025, the Committee wrote to then-Acting Secretary of Labor Julie Su expressing our serious concerns about the proposed rule, but the Biden-Harris DOL continued with its rulemaking.² With DOL under new leadership, we encourage you to fully abandon these misguided efforts and prioritize policies that truly expand opportunities for individuals with disabilities.

Thank you for your attention to this pressing matter.

Sincerely,



Tim Walberg
Chairman



Glenn Grothman
Member of Congress



Virginia Foxx
Member of Congress



Glenn Thompson
Member of Congress



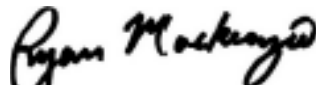
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Ryan Mackenzie
Member of Congress

² Letter from Chairman Walberg et al. to Julie A. Su, Acting Sec'y of Lab. (January 17, 2025), https://edworkforce.house.gov/uploadedfiles/14c_rule_comment_letter_1.17.25.pdf.