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Subseries:

OA/ID Number: 20309

FolderID:

Folder Title:

S. 1809 Developmental Disabilities Assistance and Bill of Rights Act of 2000, 10/30/2000

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THE PRESIDENT HAS SEEN

10-30-00

THE WHITE HOUSE
WASHINGTON

October 30, 2000



MR. PRESIDENT:

Attached for your signature is S. 1809, which would reauthorize and modify the Developmental Disabilities Assistance and Bill of Rights Act (the Act).

Background. Under the Act, HHS provides grants to States for programs for individuals with developmental disabilities (e.g., mental retardation, cerebral palsy, pediatric AIDS).

S. 1809. This bill would authorize appropriations of approximately \$155M for FY01, and modify existing programs by, among other things, requiring States and universities to report to HHS on the performance of their programs; requiring States to provide more information when applying for grants; and creating new grant programs to fund support services for families with developmentally disabled children.

The bill has received all necessary clearances, and passed the House by voice vote and the Senate by unanimous consent.
Your last day for action is tomorrow.

Lisel Loy 
Adam Rosman 

PHOTOCOPY
WJC HANDWRITING

STATEMENT BY THE PRESIDENT

Today, I am pleased to sign into law S. 1809, the "Developmental Disabilities Assistance and Bill of Rights Act of 2000." This legislation reauthorizes programs that support people with developmental disabilities and helps them achieve their maximum potential through increased self-determination, independence, productivity, and integration in all facets of life. The Act also adds important new authority to provide services and activities for families of individuals with developmental disabilities and the dedicated workers who assist them.

Since 1963, the Developmental Disabilities Assistance and Bill of Rights Act has made a crucial difference in the lives and futures of individuals with developmental disabilities and their families. Through this Act, Federal funds support the development and operation of State Councils, Protection and Advocacy Systems, University Centers (formerly known as university affiliated programs), and projects of national significance. This crucial investment has provided the structure to assist people with developmental disabilities to pursue meaningful and productive lives. These programs have made community living possible for individuals across our Nation with significant disabilities. The Act has led to further Federal legislation in support of all people with disabilities. Therefore, it is only fitting that I am signing this legislation in the same year as the 25th anniversary of the Individuals with Disabilities Education Act and the 10th anniversary of the Americans with Disabilities Act.

When the Developmental Disabilities Assistance and Bill of Rights Act was first conceived by President Kennedy, Eunice Kennedy Shriver, and Dr. Robert Cooke, the primary emphasis was on the advancement of scientific understanding, professional education, and ensuring access to, and safety of, institutional facilities. Later changes, as conceived by Dr. Elizabeth Boggs,

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The programs carried out through this Act improve and expand opportunities for individuals with developmental disabilities and their families. My Administration is committed to working with Indian Tribes on a government-to-government basis to address issues of shared concern, and I encourage the next Administration and Congress to explore ways for this legislation to provide appropriate roles for Indian Tribes and Native Americans pursuant to this legislation.

Investments in the freedom and the future of Americans with significant, lifelong disabilities are important investments in the well-being of our Nation. For these reasons, I am pleased to sign the "Developmental Disabilities Assistance and Bill of Rights Act of 2000."

William S. Clinton

THE WHITE HOUSE,

October 30, 2000.

**PHOTOCOPY
WJC HANDWRITING**

WHITE HOUSE STAFFING MEMORANDUM

Date: 10.27.00 ACTION / CONCURRENCE / COMMENT DUE BY: 10.30.00 - 2 PM

Subject: SIGNING STATEMENT - S.1809 - Developmental Disabilities Assistance Bill of Rights Act

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SIEWERT	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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REMARKS:

COMMENTS TO STAFF SEC.

RESPONSE:

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Since 1963, the Developmental Disabilities Assistance and Bill of Rights Act has made a crucial difference in the lives and futures of individuals with developmental disabilities and their families. Through this Act, Federal funds support the development and operation of State Councils, Protection and Advocacy Systems, University Centers (formerly known as university affiliated programs), and projects of national significance. This crucial investment has provided the structure to assist people with developmental disabilities to pursue meaningful and productive lives. These programs have made community living possible for individuals with the most significant disabilities across our Nation. The Act has led to further Federal legislation in support of all people with disabilities. Therefore, it is only fitting that I am signing this legislation in the same year as the 25th anniversary of the Individuals with Disabilities Education Act and the 10th anniversary of the Americans with Disabilities Act.

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The programs carried out through this Act improve and expand opportunities for individuals with developmental disabilities and their families. My Administration is committed to working with Indian Tribes on a government-to-government basis to address issues of shared concern, and I encourage the next Administration and Congress to explore ways for this legislation to provide appropriate roles for Indian Tribes and Native Americans pursuant to this legislation.

Investments in the freedom and the future of Americans with significant, lifelong disabilities are important investments in the well-being of our Nation. For these reasons, I am pleased to sign the "Developmental Disabilities Assistance and Bill of Rights Act of 2000."

THE WHITE HOUSE,

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

October 30, 2000

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WILLIAM J. CLINTON

THE WHITE HOUSE,
October 30, 2000.

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THE WHITE HOUSE,



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 26, 2000

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1809 - Developmental Disabilities Assistance and
Bill of Rights Act of 2000
Sponsors - Sen. Jeffords (R) VT and 9 cosponsors

Last Day for Action

October 31, 2000 - Tuesday

Purpose

(1) Reauthorizes and makes changes to programs included in the Developmental Disabilities Assistance and Bill of Rights Act; (2) authorizes grants to States to provide support services for families of individuals with developmental disabilities; and (3) authorizes grants to States for education and training for support workers who assist individuals with developmental disabilities.

Agency Recommendations

Office of Management and Budget	Approval (Signing statement attached)
Department of Health and Human Services (HHS)	Approval
Department of Labor	Approval (Informally)
National Council on Disability	Approval (Informally)
President's Committee on the Employment of People with Disabilities	Approval (Informally)
Department of Justice (DOJ)	No objection
Department of the Treasury	No objection (Informally)
Department of Education	Defers to HHS (Informally)
Department of Housing and Urban Development	Defers to HHS (Informally)
Department of the Interior	Defers to HHS (Informally)
Department of Transportation	Defers to HHS (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Developmental Disabilities Assistance and Bill of Rights Act (the Act) was originally enacted in 1963, and most recently reauthorized in 1994. Under the Act, HHS provides grants to assist individuals with developmental disabilities. Developmental disabilities are defined as severe, chronic disabilities attributable to mental and/or physical impairments manifested before the age of 22 requiring specialized services or supports for an extended period of time. Examples of such disabilities are mental retardation, cerebral palsy, and pediatric AIDS.

The Act provides authority to HHS to make formula grants to States for services to the developmentally disabled and for systems for the protection and advocacy of the rights of these individuals. In addition, HHS provides grants for training, research, and demonstrations by a national network of university centers (formerly called university affiliated programs) and for projects of national significance.

S. 1809 would reauthorize and make changes to programs created by the Act that support individuals with developmental disabilities. It also would create new competitive State grant programs to provide support services for families of individuals with developmental disabilities and education and training for “direct support workers” who assist such individuals.

S. 1809 incorporates many provisions included in an Administration proposal to reauthorize the Act transmitted to Congress last year. The most significant provisions of the enrolled bill are summarized below. A more detailed summary of the enrolled bill is provided with the HHS views letter.

Programs for Developmentally Disabled Individuals

S. 1809 would reauthorize and make changes to existing grant programs for services and programs for individuals with developmental disabilities. Significant changes to the existing programs include requiring State councils on developmental disabilities, protection and advocacy systems, and university centers to report to HHS on the performance and progress of their programs. Specifically, the reports should include information on programs that resulted in individuals with developmental disabilities and their families participating in the design of and having greater access to services, support, and other forms of assistance.

In addition, States applying for Federal assistance would be required to include additional information in their five year plans, such as: (1) the number of developmentally disabled individuals on waiting lists for services; (2) the status of Medicaid beneficiaries in institutional settings; (3) a description of collaboration between councils, protection and advocacy centers, and university centers with regard to interagency agreements; and (4) an assurance of council involvement with State quality assurance systems that affect individuals with developmental disabilities.

S. 1809 would make changes to the grant program for university centers, including: (1) only permitting grants for training initiative projects as supplemental grants to centers that have already received core grants; (2) requiring HHS to consult with informed sources, including individuals with developmental disabilities, before grants are awarded for national training initiatives; (3) requiring HHS to establish an ongoing consultation process to address training initiatives related to the needs of individuals with developmental disabilities and their families; and (4) authorizing HHS to enter into cooperative agreements or contracts to provide certain support services for centers.

Finally, States that receive grants for protection and advocacy systems would be required to allow increased access by developmentally disabled individuals to their records. HHS would be authorized to enter into agreements with other Federal agencies and transfer funds to them to carry out projects of national significance.

Family Support Services

S. 1809 would create a new competitive State grant program to promote the development and implementation, or expansion, of statewide systems of support services for families with children with disabilities and certain families that include a disabled person over 18 years old. Each State would be eligible to receive a single grant, and no grant could be awarded for a period of more than three years. The Federal share of each grant would be limited to 75 percent of the cost of the activities, but could not be less than \$100,000 or more than \$500,000 per year.

To the extent possible, HHS must award grants to States in a way that is geographically equitable, distributes the grants among States that have divergent levels of development of statewide systems of family support services, and distributes the grants among States that attempt to meet the needs of unserved and underserved populations. S. 1809 would require that States seeking grants designate a lead entity responsible for such functions as: (1) administering and supervising the use of the grant funds; and (2) coordinating the planning, development, implementation (or enhancement), and evaluation of family support services among public agencies and between public and private agencies. S. 1809 would require that States receiving grants report to HHS on their efforts at the end of the grant period and that HHS conduct a national evaluation of this program and report its findings to Congress within two and one half years after enactment of the enrolled bill.

Under S. 1809, HHS would be required to review Federal programs to determine the extent to which such programs facilitate or impede access to, provision of, and funding for, family support services for families of children with disabilities. In addition, HHS would be required to provide grants, or enter into contracts, for projects of national significance to support the development of policies and practices related to family-centered and -directed systems of services.

Education and Training for Direct Support Workers

S. 1809 would establish two programs designed to increase the number of direct support workers who assist individuals with developmental disabilities. S. 1809 would authorize HHS to award grants on a competitive basis to institutions of higher education, State agencies, or a consortium of the two, to enable such entities to carry out scholarship programs by providing vouchers for post-secondary education for direct support workers. Grant applications would be required to specify: (1) the basis for awarding the vouchers; (2) the number of individuals to receive the vouchers; and (3) the amount of funds that will be made available to pay for the non-Federal share of the cost of providing the vouchers (the Federal share would be limited to 80 percent).

Priority would be given to grant applicants representing that: (1) individuals who will receive vouchers are direct support workers assisting individuals with developmental disabilities while also pursuing post-secondary education, and have recently completed a certain number of hours as a direct support worker; (2) vouchers will be in amounts not exceeding \$2,000 per year; and (3) the eligible entity (or another entity other than the voucher recipient) will contribute the non-Federal share of the cost of providing the vouchers.

In addition, S. 1809 would direct HHS to award funding on a competitive basis through grants, cooperative agreements, or contracts, to public or private entities for the development, evaluation, and dissemination of a staff development curriculum for instruction related to service as a direct support worker. S. 1809 would require that the curriculum be developed for individuals who seek to become direct support workers or for direct support workers who seek to upgrade their skills. Additionally, S. 1809 would require that the curriculum allow for multiple levels of instruction and provide instruction appropriate for direct support workers who work in diverse settings. Under S. 1809, eligible entities applying for funding would be required to provide information including: (1) a detailed analysis of the function of direct support roles; (2) a comprehensive description of how the entity will develop, field test, validate, and nationally disseminate the curriculum (and guidelines); and (3) the identity of an advisory group that will advise the entity on such matters.

Authorization of Appropriations

S. 1809 would authorize appropriations for FY 2001 as follows: (1) \$154 million for programs for individuals with developmental disabilities; (2) such sums as may be necessary for family support services; and (3) \$800,000 for programs for direct support workers. S. 1809 would authorize appropriations of such sums as may be necessary for each of FYs 2002-2007 to carry out programs and services under the Act. Your FY 2001 Budget included \$122.3 million for programs for individuals with developmental disabilities.

Conclusion and Recommendations

HHS strongly recommends approval of S. 1809. In its views letter, HHS states that the enrolled bill builds on past successes of programs under the Act and “continues our progress toward ensuring that people with developmental disabilities achieve their maximum potential through increased self-determination, independence, productivity, and integration in all facets of life.”

DOJ has no objection to approval of S. 1809. However, the Department requests that a signing statement on the enrolled bill include language noting that S. 1809 “does not provide explicitly a role for Indian tribal governments in providing services to persons within their jurisdictions with developmental disabilities.”

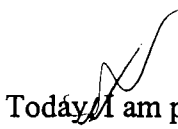
We join HHS and other interested agencies in recommending approval of S. 1809, which passed the Senate and the House by unanimous consent. Attached for your consideration is a signing statement based on language provided by HHS, DOJ, and the Office of White House Counsel. The signing statement notes that “[t]he programs carried out through this Act improve and expand opportunities for individuals with developmental disabilities and their families.” The signing statement also states that this Administration “is committed to working with Indian Tribes on a government-to-government basis to address issues of shared concern,” and encourages “the next Administration and Congress to explore ways for this legislation to provide appropriate roles for Indian Tribes and Native Americans.” The draft signing statement was reviewed and approved by the Departments of HHS, the Interior, Justice, and Education, the White House Offices of the Chief of Staff, Counsel, and Legislative Affairs, Domestic Policy Council staff, and this Office.



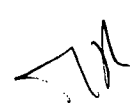
Jacob J. Lew
Director

Enclosures

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Do we need?

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WHITE HOUSE STAFFING MEMORANDUM

Date: 10-27-00 ACTION / CONCURRENCE / COMMENT DUE BY: 10:30-00 - 2 PM

Subject: SIGNING STATEMENT - S.1809 - Developmental Disabilities Assistance Bill of Rights Act

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RESPONSE:

STATEMENT BY THE PRESIDENT

Today, I am pleased to sign into law S. 1809, the "Developmental Disabilities Assistance and Bill of Rights Act of 2000." This legislation reauthorizes programs that support people with developmental disabilities and helps them achieve their maximum potential through increased self-determination, independence, productivity, and integration in all facets of life. The Act also adds important new authority to provide services and activities for families of individuals with developmental disabilities and the dedicated workers who assist them.

Since 1963, the Developmental Disabilities Assistance and Bill of Rights Act has made a crucial difference in the lives and futures of individuals with developmental disabilities and their families. Through this Act, Federal funds support the development and operation of State Councils, Protection and Advocacy Systems, University Centers (formerly known as university affiliated programs), and projects of national significance. This crucial investment has provided the structure to assist people with developmental disabilities to pursue meaningful and productive lives. These programs have made community living possible for individuals with the most significant disabilities across our Nation. The Act has led to further Federal legislation in support of all people with disabilities. Therefore, it is only fitting that I am signing this legislation in the same year as the 25th anniversary of the Individuals with Disabilities Education Act and the 10th anniversary of the Americans with Disabilities Act.

When the Developmental Disabilities Assistance and Bill of Rights Act was first conceived by President Kennedy, Eunice Kennedy Shriver, and Dr. Robert Cooke, the primary emphasis was on the advancement of scientific understanding, professional education, and ensuring access to, and safety of, institutional facilities. Later changes, as conceived by Dr. Elizabeth Boggs, Dr. Elsie Helsel, and others, focused on efforts of families, professionals, and State agencies to improve supports for all people with developmental disabilities. Today, the programs emphasize fundamental system change, including legal services and advocacy and capacity-building at the State and local levels. The focus is on listening to people with developmental disabilities as self-advocates, and helping people with developmental disabilities and their families obtain the information, assistive technology, and supports they need to make more informed choices about how and where to live. An important aspect of today's work is to ensure self-determination and access to supports for historically unserved and underserved populations across the Nation. To ensure continued progress in these areas, S. 1809 now includes performance-based accountability requirements.

Eunice Kennedy Shriver
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The programs carried out through this Act improve and expand opportunities for individuals with developmental disabilities and their families. My Administration is committed to working with Indian Tribes on a government-to-government basis to address issues of shared concern, and I encourage the next Administration and Congress to explore ways for this legislation to provide appropriate roles for Indian Tribes and Native Americans.

pursuant to this legislation

Investments in the freedom and the future of Americans with significant, lifelong disabilities are important investments in the well being of our Nation. For these reasons, I am pleased to sign the "Developmental Disabilities Assistance and Bill of Rights Act of 2000."

OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE:

5.
H.R. 1809 - Developmental Disabilities Assistance and Bill of Rights of 2000

LDA 10/31

TYPE DOCUMENT:

PROCLAMATION

LETTER(S)

EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER:

RECEIVED:

(Advance:
In final:

10/27/00
1/00

Time:
Time:

9:49 (a.m./p.m.)
 a.m./p.m.

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance:
In final:

10/30/00
1/00

Time:
Time:

12 a.m./p.m.)
 a.m./p.m.

TO LISEL LOY'S OFFICE:

(For staffing:
In final:

10/30/00
1/00

Time:
Time:

4 a.m./p.m.)
 a.m./p.m.

*INFO, INCLUDING STENCIL AND DISC, TO PRESS OFFICE: *Oliver Langhorn*

Date:
POSTED:

10/30/00
10/30/00

Time:
Time:

6:30 a.m./p.m.)
7:13 a.m./p.m.)

NOTIFICATIONS:

(Person/time)

NSC (#____), when appropriate -- Desk Officer;
W.H. Situation Room -- x6-9425.

(Person/time)

(Other)

(Person/time)

(Other)

(Person/time)

(Other)

OTHER INFORMATION:

One Hundred Sixth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday,
the twenty-fourth day of January, two thousand*

An Act

To improve service systems for individuals with developmental disabilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Developmental Disabilities Assistance and Bill of Rights Act of 2000”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PROGRAMS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

Subtitle A—General Provisions

- Sec. 101. Findings, purposes, and policy.
- Sec. 102. Definitions.
- Sec. 103. Records and audits.
- Sec. 104. Responsibilities of the Secretary.
- Sec. 105. Reports of the Secretary.
- Sec. 106. State control of operations.
- Sec. 107. Employment of individuals with disabilities.
- Sec. 108. Construction.
- Sec. 109. Rights of individuals with developmental disabilities.

Subtitle B—Federal Assistance to State Councils on Developmental Disabilities

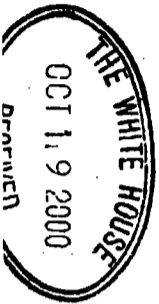
- Sec. 121. Purpose.
- Sec. 122. State allotments.
- Sec. 123. Payments to the States for planning, administration, and services.
- Sec. 124. State plan.
- Sec. 125. State Councils on Developmental Disabilities and designated State agencies.
- Sec. 126. Federal and non-Federal share.
- Sec. 127. Withholding of payments for planning, administration, and services.
- Sec. 128. Appeals by States.
- Sec. 129. Authorization of appropriations.

Subtitle C—Protection and Advocacy of Individual Rights

- Sec. 141. Purpose.
- Sec. 142. Allotments and payments.
- Sec. 143. System required.
- Sec. 144. Administration.
- Sec. 145. Authorization of appropriations.

Subtitle D—National Network of University Centers for Excellence in Developmental Disabilities Education, Research, and Service

- Sec. 151. Grant authority.
- Sec. 152. Grant awards.
- Sec. 153. Purpose and scope of activities.
- Sec. 154. Applications.



(14) STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT.—Section 422(2)(C) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11382(2)(C)) is amended by striking “as defined” and all that follows and inserting “as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000, or”.

(15) ASSISTED SUICIDE FUNDING RESTRICTION ACT OF 1997.—(A) Section 4 of the Assisted Suicide Funding Restriction Act of 1997 (42 U.S.C. 14403) is amended—

(i) by striking the section heading and inserting the following:

“SEC. 4. RESTRICTION ON USE OF FEDERAL FUNDS UNDER CERTAIN GRANT PROGRAMS.”;

and

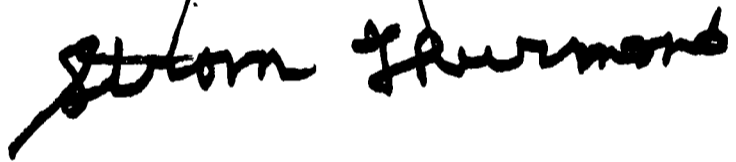
(ii) by striking “part B, D, or E of the Developmental Disabilities Assistance and Bill of Rights Act” and inserting “subtitle B, D, or E of the Developmental Disabilities Assistance and Bill of Rights Act of 2000”.

(B) Section 5(b)(1) of the Assisted Suicide Funding Restriction Act of 1997 (42 U.S.C. 14404(b)(1)) is amended by striking subparagraph (A) and inserting the following:

“(A) PROTECTION AND ADVOCACY SYSTEMS UNDER THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000.—Subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.”.



Speaker of the House of Representatives.



*~~Vice President of the United States and~~
President of the Senate. pro Tempore*

APPROVED
OCT 30 2000

