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Disability Task Force

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\$1000 50% cut

\$150 mil. 50% cut

Disabilities Task Force



Cecilia E. Rouse
07/17/98 07:43:21 PM

Record Type: Record

To: Gene B. Sperling/OPD/EOP

cc: Melissa G. Green/OPD/EOP, Jonathan A. Kaplan/OPD/EOP, Jeanne Lambrew/OPD/EOP

Subject: Disability Task Force Directives

Gene,

Attached is a DRAFT of the list of directives that the Disability Task Force is preparing for the end of July (to commemorate the anniversary of the ADA). The first three are extremely controversial and I would very much like to talk to you over the weekend to discuss the situation. You should also know that Alexis and Tony Coehlo are scheduled to meet with Erskine next Thursday. Diana Fortuna (DPC) and I will be pulling together paper early next week.

In addition, Diana and I held an interagency meeting this afternoon to discuss the BRIDGE proposal (directive #3). That group will probably meet again either next week or the following week. However, I don't know where Jeanne and Chris are with their negotiations with Kennedy and Jeffords (directive #1), and I have NO idea about the tax credit (directive #2) either.....

--Ceci



taskforce.71

WILLIAM

WILLIAM We need to

discuss or have immediate

process. 2 do want

a proposal on Disability

(TAX) + new funding + possible POTUS sent.

10-15 Q: A
1 figure
participate
logistic

July 17, 1998

**PRESIDENTIAL TASK FORCE ON EMPLOYMENT
OF ADULTS WITH DISABILITIES**

PROPOSED DIRECTIVES FOR THE END OF JULY

The following list of proposed directives are in descending order of importance to the disabled community. (Directives 1-4 would be considered the most exciting; 5-12 would be moderately exciting; and 13-22 would be, well, interesting to the community.)

Most Exciting Directives

1. *The President directs the Department of Health and Human Services, Social Security Administration, Office of Management and Budget, and the Treasury Department to propose for inclusion in the President's FY 2000 budget provisions that would expand Section 4733 of the Balanced Budget Act of 1997, which currently allows states to provide Medicaid coverage to working individuals with disabilities at a premium according to an income-related sliding scale. (This directive is an incremental step or place-holder toward Kennedy/Jeffords. Chris Jennings and others at DPC are diligently working toward a compromise with Kennedy/Jeffords.)*

\$\$\$?

The disability community is actively involved in efforts to pass the Kennedy/Jeffords legislation which does more to address the needs of employment of adults with disabilities than any current legislative initiatives. And, they would like the Administration to support the bill as well. This directive would support the principles in Kennedy/Jeffords without supporting specifics in the bill and therefore would meet the disability community part-way. The downside is that the disability community may not view this support as adequate.

2. *The President directs the Department of Treasury to propose, as part of the President's FY 2000 Budget, a tax credit for employers and/or individuals with disabilities who have extraordinary disability-related expenses such as assistive technology or personal assistance services.*

Does this work?
How about this?

Working adults with disabilities often have a disincentive to work because of the high cost of personal attendant services. Similarly, the cost to employers of hiring an individual requiring personal attendant services can be prohibitive. Therefore, a tax credit for work-related assistance services would have a positive impact on the employment of individuals with disabilities.

3. *The President directs the Labor Department, Education Department, Social Security Administration, Small Business Administration, Transportation Department, Commerce Department, Health and Human Services Department, and Veterans*

Affairs Department to propose for inclusion in the President's FY 2000 budget the Building Resources for Individuals with Disabilities to Gain Employment (BRIDGE) program. The purpose of this proposed grants program is to increase the employment rate of adults with disabilities by fostering interdisciplinary consortiums of and service integration by providers of services to adults with disabilities at the state and local level.

Because adults with disabilities often require services and resources from a variety of places (such as health care and transportation), if agencies and departments are not well coordinated it can be difficult for the disabled to have adequate information to obtain and retain employment. This program would help facilitate such coordination by providing planning grants to organizations to create partnerships between the many agencies serving the disabled community.

NOTE: OMB would like to replace proposals 1-3 with something along the lines of the following:

STU
Proposed

The President directs all agencies to consider ways of helping adults with disabilities to participate in the workforce as they develop their proposals for the FY2000 budget while recognizing the constraints that all agencies face in developing their budgets.

4. *The President directs the Small Business Administration to launch a new outreach campaign to educate Americans with disabilities who own or want to start their own businesses about increased access to the Section 8(a) program and to the untapped advantages of being "a small socially and economically disadvantaged business (SDB)."*

Section 8(a) provides contracting opportunities for disadvantaged businesses. An outreach campaign would improve information to the disabled community about their eligibility for this program. [This option is still be vetted with SBA and OMB.]

Moderately Exciting Directives

5. *The President directs the Department of Health and Human Services to take all necessary actions to inform Governors, state Medicaid Directors, consumer organizations, employers, providers and other interested parties of the Medicaid buy-in provisions in the Balanced Budget Act that would assure medical insurance for workers with disabilities and people with disabilities seeking employment.*

This directive is important because many Governors, state Medicaid Directors, consumer organizations, employers and other interested parties are simply unaware of the new

provisions in the Balanced Budget Act.

6. *The President directs all federal agencies and departments to evaluate whether the electronic and information technology they use are accessible to federal employees with disabilities as required by the Administration's proposed reauthorization changes to Section 508 of the Rehabilitation Act of 1973, as amended. Each agency and department will submit a report containing this evaluation to the Attorney General by not later than 6 months after the enactment of the new law. The General Services Administration and the Access Board will provide technical assistance to other federal agencies and departments concerning existing technical and functional performance criteria and evaluation tools.*
7. *The President directs all federal agencies and departments to make their Internet sites accessible to individual with disabilities by July 1, 1999. The President further directs the Council of Chief Information Officers to provide technical assistance and guidance consistent with the universal design guidelines established through the joint Federal Government-World Wide Web Consortium Web Accessibility Initiative initiated by the White House last year.*

The previous two proposed directives would highlight that the Federal government is committed to making its computer and electronic devises accessible to individuals with disabilities.

8. *The President directs the Office of Management and Budget to inform all federal agencies and departments about the rules governing the budget and personnel status of Schedule A readers, interpreters, or other personal assistance service providers providing reasonable accommodations to federal employees as required by Section 504 of the Rehabilitation Act. The President further directs Office of Personnel Management periodically to distribute and update information on the use of special non-competitive hiring authorities, including those relating to disabled veterans and Schedules A and B for use by federal managers and supervisors with hiring authority.*

Because many departmental and agency officials are unaware of the rules governing the acquisition of special devices and services for the disabled, improving this information would increase hiring of adults with disabilities in the Federal government.

9. *The President challenges Congress to enact, before adjourning this year, the Ticket to Independence. The Ticket would provide resources for and allow customer choice in the selection and purchase of necessary services to enable adults with disabilities to find and keep gainful employment.*

Both the Administration and the disability community actively support the Ticket to Independence provisions as passed by the House of Representatives last month.

10. *The President challenges Congress to extend the work opportunity tax credit (WOTC) and the welfare-to-work tax credit through April 30, 2000. The President directs the Labor Department, the Education Department, the Small Business Administration, the Social Security Administration, and the Veterans Affairs Department to provide guidance to their respective systems and other interested parties to maximize opportunities for employers of vocational rehabilitation and Supplemental Security Income recipients to use the Work Opportunities Tax Credit.*

Although they encourage the expansion and development of employment services for adults with disabilities, the work opportunity (WOTC) and welfare-to-work tax credits are not used widely by employers of vocational rehabilitation and Social Security Income recipients. Again, better information would increase utilization.

11. *The President directs the Department of Justice and the EEOC to develop a public education campaign to provide information regarding the requirements of the Rehabilitation Act and the Americans with Disabilities Act to employers, employees and others whose rights may be affected, with special attention to under-served constituencies.*

12. *The President directs the EEOC, the Department of Justice, and the Small Business Administration to increase educational outreach to small businesses regarding their obligations under the Americans with Disabilities Act.*

The previous two proposed directives would increase information to employees, employers, and others regarding the rights of individuals with disabilities.

Interesting Directives

13. *The President challenges Congress to enact, before adjourning this year, a Patients' Bill of Rights. The Bill of Rights would require a choice of providers including provider network adequacy provisions, access to specialist, information disclosure, transitional care provisions; access to emergency room services; participation in treatment decisions including anti-gag clauses and requiring disclosure of financial incentives; protection of the confidentiality of health information; anti-discrimination provisions; and access to an appeals process. All of these issues are relevant to the assessment made by adults with disabilities of whether seeking and remaining in employment will address their need for good-quality, responsive health care.*

Often adults with disabilities are left out of the mainstream debate over managed health care because many mistakenly believe that disabled individuals do not participate in such plans. It would be significant for the President to include the disabled community in this otherwise mainstream discussion of health care.

This will be included in my report

14. *The President challenges Congress to reauthorize the Rehabilitation Act of 1973, as amended, before adjourning this year.*

The Rehabilitation Act authorizes provisions of anti-discrimination in the federal sector, and establishes and funds Centers for Independent Living across the country. Presidential support reinforces the Administration's recognition of its importance.

15. *The President directs the Department of Labor to assure that America's Job Bank and America's Talent Bank are accessible to individuals with disabilities seeking employment.*

This directive highlights that the Federal government is committed to making its services accessible to individuals with disabilities.

16. *The President directs the Departments of Labor, Education, Health and Human Services, Veterans Affairs, Transportation, the Small Business Administration, and the Social Security Administration to assure that all appropriate programs relating to the employment of adults with disabilities are integrated into the One-Stop Career Center system.*

Because the interpretation of the principle of universality has been left to the local One-Stop Centers, the disability community concerned that their interests are not adequately represented in many One-Stop Centers. This directive would encourage the One-Stop System to integrate consumers with disabilities into their system.

17. *The President directs the Veteran's Administration Vocational Rehabilitation and Counseling Service (VR&C), in cooperation with Department of Labor's Veterans' Employments and Training Services (VETS) and State Employment Security Agencies, to conduct a program of training for line service providers in skills related to competent and progressive employment services case management. VR&C and VETS management shall report the results of this training initiative to the Task Force by December 1, 1998.*

This directive attempts to minimize duplication within the Federal government by encouraging two systems that have historically not worked together to do so in order to achieve the common goal of increasing the employability of adults with disabilities.

18. *The President directs all federal agencies and departments to work with the President's Committee on Employment of People with Disabilities to increase the number of qualified student interns with disabilities who are hired in FY 1999 and beyond.*

19. *The President directs the Department of Education, the Social Security Administration, the National Council on Disability, and the President's Committee on Employment of*

People with Disabilities, in cooperation with the Office of Personnel Management, to encourage colleges and universities to increase the number of qualified candidates with disabilities nominated to be hired by federal agencies and departments in FY 1999 under the Presidential Management Interns and Presidential Scholars programs.

The previous two directives are aimed at increasing the employment of young adults with disabilities in the Federal workplace. Youth with disabilities are often overlooked and underutilized in activities that relate to opportunities for employment in the Federal government and improved access to these programs would provide them with long-sought opportunities.

20. ***The President directs the Department of Transportation to develop a single point-of-contact and extensive outreach strategy for technical assistance and public information that clearly explains the rights and protections of these Acts.***
21. ***The President directs the Department of Transportation to analyze and prepare materials explaining the new Transportation Equity Act's provisions applicable relating to people with disabilities and to include these materials in DOT's outreach and public meetings on the law.***
22. ***The President directs the Department of Transportation to address disability-related transportation issues in the deployment of the Intelligent Transportation System.***

The previous three proposed directives highlight the importance of accessible transportation for adults with disabilities. The disability community has been unhappy with DOT's unwillingness to enforce the rights and protections of the ADA, Air Carriers Access Act, and other provisions that they enforce. These proposed directives would ease some of their concerns about DOT, but would fail to address the larger concerns of vigorous enforcement of their rights.

Jonathan A. Kaplan
07/17/98 04:48:02 PM

Record Type: Record

To: Melissa G. Green/OPD/EOP

cc:

Subject: Social Security

I

----- Forwarded by Jonathan A. Kaplan/OPD/EOP on 07/17/98 04:51 PM -----

Jonathan A. Kaplan
07/17/98 02:18:37 PM

Record Type: Record

To: Melissa G. Green/OPD/EOP

cc:

Subject: Social Security

Gene:

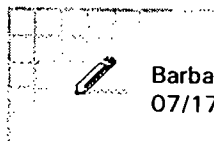
The groups below are some of our options for the satellite feeds from the Social Security forum in Albuquerque (they are the OPL recommendations, plus Carol Cox Waite's group). We could ideally do feeds with three members of Congress and two groups, assuming all goes well.

Please let me know which of these groups -- or what other groups -- you think we ought to reach out to for satellite feeds. I will then let OPL know whom to pursue.

Leg Affairs, working with Craig Smith, is working on members of Congress.

Kaplan

----- Forwarded by Jonathan A. Kaplan/OPD/EOP on 07/17/98 02:13 PM -----

 Barbara D. Woolley
07/17/98 02:06:30 PM

Record Type: Record

To: Jonathan A. Kaplan/OPD/EOP

cc:

Subject: Social Security

Max richtman

National Comm to Prserve Social Security

Deb Briceland Betts
Older Women's League

Carol Cox Waight
Center for Responsible Budget

Victoria Wagman
National Council on the Aging

Dan Schulder
National council of Senior Citizens

June 23, 1998

John -

I'm glad we finally connected. Thanks for your offer of help in sorting out how we should coordinate the work of the Presidential Task Force on the Employment of Adults with Disabilities with the NEC.

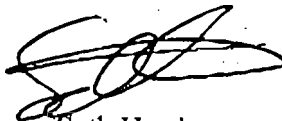
The President signed Executive Order No. 13078 on March 13, 1998 creating the Task Force and directing it to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at rate that is as close as possible to that of the general adult population (the EO is attached). The current employment rate for adults with several disabilities is 26%, compared to the overall employment rate for the general population of 82%. Secretary Herman chairs the Task Force and I am serving as the Acting Executive Director until the permanent ED is selected and on-board.

The Task Force's second meeting will be at the end of July and will likely serve as the event at which the President commemorates the anniversary of the Americans with Disabilities Act (actual date = July 26). Thus, we are trying to construct a package of initiatives ("low-hanging fruit") that the President can announce. Our goal is to demonstrate the President's commitment to the employment of adults with disabilities and the effectiveness of the Task Force. Working with the dozen or so departments or agencies that are represented on the Task Force, we have assembled a list of 22 action items the President could announce at the end of July. The list is attached, entitled "Possible Presidential Directives."

The criteria for these items were: (1) not intensely controversial, (2) no unplanned and significant budget impact, (3) can be accomplished quickly, and (4) will actually advance the goal of increasing the employment rate for adults with disabilities. As a result, most of the items will be unsurprising and easy to adopt. Some other may require additional discussion. That's why we need to coordinate with the appropriate folks at the NEC and OMB. Where possible, we would like to have the NEC and the appropriate branch chiefs from OMB involved in the early stages of this process. Larry Matlack is our contact at OMB.

I have met individually with senior staff at about half the agencies and departments that make up the Task Force to review this document and others. Our goal is to ease the OMB clearance process. Nonetheless, it is essential to get the right NEC folks involved ASAP.

Thanks again for your help.


Seth Harris

Gene -
I spoke w/ Seth Harris about
this and told him that the
NEC needs to be all over
this ^{process} (perhaps w/ DPC on several
issues). I will ask
Cec! to
start looking
at these items.

Kedon

Draft 6/3/98

Revised 8:00 a.m.

POSSIBLE PRESIDENTIAL DIRECTIVES

HEALTH CARE:

1. The President issues a Presidential Memorandum modeled on the memorandum relating to the Children's Health Program directing the Department of Health and Human Services and other agencies with programs relating to people with disabilities (Labor, Social Security Administration, Small Business Administration, Commerce, Education etc.) to ensure that Governors, state medicaid directors, and other interested parties are fully aware of the Medicaid buy-in provisions in the Social Security Act and the Balanced Budget Act that would assure medical insurance for workers with disabilities and people with disabilities seeking employment.
2. The President challenges Congress to enact, before adjourning this year, a Patients' Bill of Rights. The Bill of Rights rights would require a choice of providers including provider network adequacy provisions, access to specialist, information disclosure, transitional care provisions; access to emergency room services; participation in treatment decisions including anti-gag clauses and requiring disclosure of financial incentives; protection of the confidentiality of health information; anti-discrimination provisions; and access to an appeals process. All of these issues are relevant to the assessment made by adults with disabilities of whether seeking and remaining in employment will address their need for good-quality, responsive health care.
3. The President directs the Department of Health and Human Services, Social Security Administration, Office of Management and Budget, and the Treasury Department to propose to Congress no later than November 15, 1999 statutory or regulatory provisions that would expand Section 4733 of the Balanced Budget Act of 1997, which currently allows states to provide Medicaid coverage to working individuals with disabilities at a premium according to an income-related sliding scale.

WORKFORCE DEVELOPMENT

1. The President challenges Congress to enact, before adjourning this year, the Ticket to Independence. The Ticket would provide resources for and allow customer choice in the selection and purchase of necessary services to enable adults with disabilities to find and keep gainful employment.
2. The President challenges Congress to reauthorize the Rehabilitation Act of 1973, as amended, before adjourning this year.
3. The President challenges Congress to extend the work opportunity tax credit (WOTC) and the welfare-to-work tax credit through the end of Fiscal Year 2000. The President also directs the Treasury Department to work with Congress to modify the WOTC to assure equity in the later

years of an employer's tax credit for any employee who is both a welfare recipient and an employee with a disability.

4. The President charges the Social Security Administration, the Departments of Labor, Education, and Health and Human Services to work with the Departments of Commerce, Transportation, and Housing and Urban Development, using the available FY 99 budget resources, to expand the State Partnership Demonstration Program (SPDP). The SPDP fosters the creation of comprehensive, integrated programs that significantly increase employment opportunities, health care, and supportive service for adults with disabilities.
5. The President directs the Department of Labor to assure that America's Job Bank and America's Talent Bank are fully accessible to individuals with disabilities seeking employment.
6. The President directs the Small Business Administration to take administrative action to expand Section 8A to include an appropriately defined group of individuals with disabilities.
7. The President directs the Department of Labor to exercise its discretion under the Welfare-to-Work grants program, consistent with statutory and regulatory guidelines, to provide funding under the welfare-to-work program to appropriate projects addressing the needs of welfare recipients with disabilities.
8. The President directs the Departments of Labor, Education, Health and Human Services, and Transportation, and the Social Security Administration to assure that all appropriate programs relating to the employment of adults with disabilities are integrated into the One-Stop Career Center system.
9. The President directs the Veteran's Administration Vocational Rehabilitation and Counseling Service (VR&C), in cooperation with Department of Labor's Veterans' Employment and Training Services (VETS) and State Employment Security Agencies, to conduct a program of training for from line service providers in skills related to competent and progressive employment services case management. VR&C and VETS management shall report the results of this training initiative to the Task Force by December 1, 1998.

FEDERAL GOVERNMENT AS MODEL EMPLOYER

1. The President directs all federal agencies and departments to work with the President's Committee on Employment of People with Disabilities to increase the number of qualified student interns with disabilities who are hired in FY 1999 and beyond.
2. The President directs the Department of Education, the Social Security Administration, the National Council on Disability, and the President's Committee on Employment of People with Disabilities, in cooperation with the Office of Personnel Management, to increase the number of qualified candidates with disabilities nominated by colleges and universities and hired by federal agencies and departments in FY 1999 under the Presidential Management Interns and Presidential Scholars programs.

DRAFT

3. The President directs the Office of Management and Budget to explain and educate all federal agencies and departments regarding the rules governing the budget and personnel status of Schedule A readers, interpreters, or other personal assistance service providers providing reasonable accommodations to federal employees as required by Section 504 of the Rehabilitation Act. The President further directs Office of Personnel Management periodically to distribute and update information on the use of special non-competitive hiring authorities, including those relating to disabled veterans and Schedules A and B for use by federal managers and supervisors with hiring authority.
4. The President directs all federal agencies and departments to evaluate whether the electronic devices and information technology they use are accessible to federal employees with disabilities as required by the Administration's proposed reauthorization changes to Section 508 of the Rehabilitation Act of 1973, as amended. Each agency and department will submit a report containing this evaluation to the Attorney General by January 30, 1999. The General Services Administration, the Access Board, the National Institute on Disability and Rehabilitation Research/DoED, and the Department of Defense CAP-TEC program will provide technical assistance to other federal agencies and departments concerning existing technical and functional performance criteria and evaluation tools.
5. The President directs all federal agencies and departments to make their Internet sites accessible to individual with disabilities by January 1, 1999. The President further directs the Council of Chief Information Officers to provide technical assistance and guidance consistent with the universal design guidelines established through the joint Federal Government-World Wide Web Consortium Web Accessibility Initiative initiated by the White House last year.

CIVIL RIGHTS ISSUES

1. The President charges the Interagency Council on Civil Rights to broaden their agenda to include disability rights.

TRANSPORTATION

1. The President directs the Department of Transportation to develop and make available technical assistance and public education information that integrates the disability-related protections of the Americans with Disabilities Act, the Air Carrier Access Act, and the Federal Highways Transportation Act.
2. The President directs the Department of Transportation to analyze and prepare materials explaining the new Transportation Equity Act's provisions applicable relating to people with disabilities and to include these materials in DOT's outreach and public meetings on the law.
3. The President directs the Department of Transportation to address disability-related transportation issues in the Intelligent Transportation Systems (ITS) research and development activities.

DRAFT**OTHERS**

1. The President directs all agencies to include proposals that would advance the purposes of Executive Order No. 13078 in their FY 2000 budget submissions to the Office of Management and Budget. The President further directs the Office of Management and Budget to create a special, separate section of the President's FY 2000 that includes all appropriate proposals relating to the employment of adults with disabilities.

US DUL/CHSP ID: 2022196924 JUN 23 '98 17:32 No.002 P.06

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

March 13, 1998

PRESIDENT CLINTON SIGNS EXECUTIVE ORDER ESTABLISHING NATIONAL TASK FORCE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES

The President today signed an Executive Order establishing a National Task Force on Employment of Adults with Disabilities that will create a coordinated and aggressive national policy to bring working-age individuals with disabilities into gainful employment at a rate approaching that of the general adult population.

"Since 1993, we have created 15 million new jobs. But the unemployment rate among people with disabilities is far too high, and that is why I'm so pleased to sign today an executive order that will design a strategy to make equality of opportunity, full participation, inclusion, and economic self-sufficiency realities for all 30 million working-age Americans with disabilities," declared President Clinton.

Charged with developing and recommending to the President a federal policy to reduce employment barriers for persons with disabilities, the Task Force will submit four reports, the first by November 15, 1998, and the last on July 26, 2002, the 10th anniversary of the initial implementation of the employment provisions of the Americans with Disabilities Act. Alexis M. Herman, Secretary of Labor, will Chair the Task Force. Tony Coelho, Chairman of the President's Committee on Employment of People with Disabilities, will serve as Vice-Chair.

Key components of the Task Force's directive include analyzing existing programs and policies to determine what changes, modifications and innovations may be necessary to remove barriers to work; developing and recommending options to address the barrier of health insurance coverage; analyzing youth programs related to employment and the outcomes of those programs for young people with disabilities; and evaluating whether federal studies related to employment and training can and should include a statistically significant sample of adults with disabilities.

The Task Force also will include the Secretary of Education; the Secretary of Veterans Affairs; the Secretary of Health and Human Services; the Commissioner of the Social Security Administration; the Secretary of the Treasury; the Secretary of Commerce; the Secretary of Transportation; the Administrator of the Small Business Administration; the Chair of the Equal Employment Opportunity Commission; the Director of the Office of Personnel Management, and the Chair of the National Council on Disability. These officials are required to make the activities and initiatives of this Executive Order a high priority within their respective agencies.

-30-30-30-

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

March 13, 1998

EXECUTIVE ORDER

INCREASING EMPLOYMENT OF ADULTS WITH DISABILITIES

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to increase the employment of adults with disabilities to a rate that is as close as possible to the employment rate of the general adult population and to support the goals articulated in the findings and purpose section of the Americans with Disabilities Act of 1990, it is hereby ordered as follows:

Section 1. Establishment of National Task Force on Employment of Adults with Disabilities.

(a) There is established the "National Task Force on Employment of Adults with Disabilities" ("Task Force"). The Task Force shall comprise the Secretary of Labor, Secretary of Education, Secretary of Veterans Affairs, Secretary of Health and Human Services, Commissioner of Social Security, Secretary of the Treasury, Secretary of Commerce, Secretary of Transportation, Director of the Office of Personnel Management, Administrator of the Small Business Administration, the Chair of the Equal Employment Opportunity Commission, the Chairperson of the National Council on Disability, the Chair of the President's Committee on Employment of People with Disabilities, and such other senior executive branch officials as may be determined by the Chair of the Task Force.

(b) The Secretary of Labor shall be the Chair of the Task Force; the Chair of the President's Committee on Employment of People with Disabilities shall be the Vice Chair of the Task Force.

(c) The purpose of the Task Force is to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate that is as close as possible to that of the general adult population. The Task Force shall develop and recommend to the President, through the Chair of the Task Force, a coordinated Federal policy to reduce employment barriers for persons with disabilities. Policy recommendations may cover such areas as discrimination, reasonable accommodations, inadequate access to health care, lack of consumer-driven, long-term supports and services, transportation, accessible and integrated housing, telecommunications, assistive technology, community services, child care, education, vocational rehabilitation, training services, job retention, on-the-job supports, and economic incentives to work. Specifically, the Task Force shall:

(1) analyze the existing programs and policies of Task Force member agencies to

determine what changes, modifications, and innovations may be necessary to remove barriers to work faced by people with disabilities;

(2) develop and recommend options to address health insurance coverage as a barrier to employment for people with disabilities;

(3) subject to the availability of appropriations, analyze State and private disability systems (e.g., workers' compensation, unemployment insurance, private insurance, and State mental health and mental retardation systems) and their effect on Federal programs and employment of adults with disabilities;

(4) consider statistical and data analysis, cost data, research, and policy studies on public subsidies, employment, employment discrimination, and rates of return-to-work for individuals with disabilities;

(5) evaluate and, where appropriate, coordinate and collaborate on, research and demonstration priorities of Task Force member agencies related to employment of adults with disabilities;

(6) evaluate whether Federal studies related to employment and training can, and should, include a statistically significant sample of adults with disabilities;

(7) subject to the availability of appropriations, analyze youth programs related to employment (e.g., Employment and Training Administration programs, special education, vocational rehabilitation, school-to-work transition, vocational education, and Social Security Administration work incentives and other programs, as may be determined by the Chair and Vice Chair of the Task Force) and the outcomes of those programs for young people with disabilities;

(8) evaluate whether a single governmental entity or program should be established to provide computer and electronic accommodations for Federal employees with disabilities;

(9) consult with the President's Committee on Mental Retardation on policies to increase the employment of people with mental retardation and cognitive disabilities; and

(10) recommend to the President any additional steps that can be taken to advance the employment of adults with disabilities, including legislative proposals, regulatory changes, and program and budget initiatives.

(d) (1) The members of the Task Force shall make the activities and initiatives set forth in this order a high priority within their respective agencies within the levels provided in the President's budget.

(2) The Task Force shall issue its first report to the President by November 15, 1998. The Task Force shall issue a report to the President on November 15, 1999, November 15, 2000, and a final report on July 26, 2002, the 10th anniversary of the initial implementation of the employment provisions of the Americans with Disabilities Act of 1990. The reports shall describe the actions taken by, and progress of, each member of the Task Force in carrying out this order. The Task Force shall terminate 30 days after submitting its final report.

(e) As used herein, an adult with a disability is a person with a physical or

mental impairment that substantially limits at least one major life activity.

Sec. 2. Specific activities by Task Force members and other agencies.

(a) To ensure that the Federal Government is a model employer of adults with disabilities, by November 15, 1998, the Office of Personnel Management, the Department of Labor, and the Equal Employment Opportunity Commission shall submit to the Task Force a review of Federal Government personnel laws, regulations, and policies and, as appropriate, shall recommend or implement changes necessary to improve Federal employment policy for adults with disabilities. This review shall include personnel practices and actions such as: hiring, promotion, benefits, retirement, workers' compensation, retention, accessible facilities, job accommodations, layoffs, and reductions in force.

(b) The Departments of Justice, Labor, Education, and Health and Human Services shall report to the Task Force by November 15, 1998, on their work with the States and others to ensure that the Personal Responsibility and Work Opportunity Reconciliation Act is carried out in accordance with section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, so that individuals with disabilities and their families can realize the full promise of welfare reform by having an equal opportunity for employment.

(c) The Departments of Education, Labor, Commerce, and Health and Human Services, the Small Business Administration, and the President's Committee on Employment of People with Disabilities shall work together and report to the Task Force by November 15, 1998, on their work to develop small business and entrepreneurial opportunities for adults with disabilities and strategies for assisting low-income adults, including those with disabilities to create small businesses and micro-enterprises. These same agencies, in consultation with the Committee for Purchase from People Who Are Blind or Severely Disabled, shall assess the impact of the Randolph-Sheppard Act vending program and the Javits-Wagner-O'Day Act on employment and small business opportunities for people with disabilities.

(d) The Departments of Transportation and Housing and Urban Development shall report to the Task Force by November 15, 1998, on their examination of their programs to see if they can be used to create new work incentives and to remove barriers to work for adults with disabilities.

(e) The Departments of Justice, Education, and Labor, the Equal Employment Opportunity Commission, and the Social Security Administration shall work together and report to the Task Force by November 15, 1998, on their work to propose remedies to the prevention of people with disabilities from successfully exercising their employment rights under the Americans with Disabilities Act of 1990 because of the receipt of monetary benefits based on their disability and lack of gainful employment.

(f) The Bureau of Labor Statistics of the Department of Labor and the Census Bureau of the Department of Commerce, in cooperation with the Departments of Education and Health and Human Services, the National Council on Disability, and the President's Committee on Employment of People with Disabilities shall design and implement a statistically reliable and accurate method to measure the employment rate of adults with disabilities as soon as possible, but no later than the date of termination of the Task Force. Data derived from this methodology shall be published on as frequent a basis as possible.

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(g) All executive agencies that are not members of the Task Force shall: (1) coordinate and cooperate with the Task Force; and (2) review their programs and policies to ensure that they are being conducted and delivered in a manner that facilitates and promotes the employment of adults with disabilities. Each agency shall file a report with the Task Force on the results of its review on November 15, 1998.

Sec. 3. Cooperation. All efforts taken by executive departments and agencies under sections 1 and 2 of this order shall, as appropriate, further partnerships and cooperation with public and private sector employers, organizations that represent people with disabilities, organized labor, veteran service organizations, and State and local governments whenever such partnerships and cooperation are possible and would promote the employment and gainful economic activities of individuals with disabilities.

Sec. 4. Judicial Review. This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 13, 1998.

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**THE PRESIDENT COMMEMORATES SIGNING OF THE AMERICANS WITH
DISABILITIES ACT BY TAKING ACTIONS TO
INCREASE EMPLOYMENT AND IMPROVE HEALTH CARE FOR
PEOPLE WITH DISABILITIES**

July 29, 1998

Today, in commemoration of the eighth anniversary of the Americans with Disabilities Act (ADA), the President is signing an Executive Memorandum aimed at increasing employment and health care options for people with disabilities. He is also announcing the release of a letter to Medicaid Directors clarifying that the ADA obligates states to offer appropriate community based services. Finally, to build on these actions, the President is also announcing his commitment to work with Senator Jeffords and Senator Kennedy to pass affordable, feasible legislation to help people with disabilities maintain their health care coverage and return to work. Today, the President met with his Task Force on Employment of People with Disabilities and advocates of people with disabilities. In this meeting, the President is:

Signing A New Presidential Memorandum to Increase Employment and Health Care Options for People with Disabilities. While the ADA has been critically important to people with disabilities, significant challenges remain. Since 1993, 15 million new jobs have been created. But the unemployment rate among the 30 million working-age adults with disabilities continues to be much higher than that of the general population -- close to 75 percent for people with significant disabilities. The President signed an Executive Memorandum that will direct the relevant agencies to:

- Expand Public Education About the Americans with Disabilities Act. Although more and more Americans are becoming aware of the ADA, too many employers and employees do not know their rights and responsibilities under the ADA. Today, the President is directing the Attorney General, the Chair of the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration to expand public education about the requirements of the Americans with Disabilities Act of 1990 to employers, employees, and others whose rights may be affected, with special attention to small businesses and under-served populations.
- Increase Information About New Medicaid Buy-in Option. Many people with disabilities are not able to leave Social Security programs to return to work because they will lose their health care coverage. As part of last year's Balanced Budget Act, the President signed into law a new state option to allow individuals with disabilities who return to work, the ability to purchase critically necessary Medicaid coverage as their earnings increase. Today, the President is directing the Secretary of the Department of Health and Human Services to ensure that Governors, state legislators, and state Medicaid directors work with consumer organizations to take advantage of this important option.

Issuing Letter Clarifying That ADA Obligates States to Offer Appropriate Community Based Services. Recent court cases, including Helen L. vs. DiDario, have ruled that the ADA requires states to provide Medicaid services in the “most integrated setting appropriate” to people with disabilities. Today, the Health Care Financing Administration (HCFA) is sending a letter to all State Medicaid Directors clarifying that under these standards, if an individual living in a facility could live in a community with the right mix of support services, reasonable steps should be taken provided it does not fundamentally alter the state program.

Announcing Support For Policies to Improve Health Options for Working Adults With Disabilities. The President also announced his strong commitment to work with Senators Jeffords, Kennedy, and other Members of Congress to pass affordable, feasible legislation that helps people with disabilities maintain their health care coverage and return to work. The Jeffords-Kennedy proposal would increase Medicaid options and state resources for people with disabilities. It would also allow Americans receiving Social Security Disability Insurance to retain their Medicare when they return to work, eliminating a provision in current law that often requires people with disabilities to choose between work and health insurance. The President directs the Administration to utilize all of its policy and budgetary expertise at HHS, the Office of Management and Budget, and the White House to work towards the passage of legislation before the Congress adjourns this year.

MEMORANDUM FOR THE ATTORNEY GENERAL
THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE CHAIRMAN OF THE EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
THE ADMINISTRATOR OF THE SMALL BUSINESS
ADMINISTRATION

SUBJECT: OUTREACH ACTIONS TO INCREASE EMPLOYMENT OF
ADULTS WITH DISABILITIES

As we commemorate the eighth anniversary of the Americans with Disabilities Act ("ADA"), we have much to celebrate. This landmark civil rights law is making it possible for millions of Americans to participate more fully in society, including employment, access to public facilities, and participation in community and leisure activities, and to do their part to make us a stronger and better country. At the same time, we are reminded that significant challenges remain. Far too many of the 30 million working-age adults with disabilities are still unemployed, especially those with significant disabilities.

To address barriers to work for people with disabilities, I issued Executive Order 13078 on March 13, 1998 establishing the Presidential Task Force on Employment of Adults with Disabilities. By November, it will issue the first in a series of reports on what the Federal Government can do to help bring the employment rate of adults with disabilities to a rate "as close as possible" to that of the general population. However, it has already identified important barriers for people with disabilities who want to return to work that could be addressed immediately. I have also asked the Task Force not to wait until November if they found ways to reduce barriers to work for people with disabilities that could be implemented immediately. Based on the preliminary work of the Task Force and my discussions with the Task Force Chair and Vice-Chair, the need to act in two areas is clear.

First, although awareness of the ADA is increasing among persons with disabilities, employers, and the general public, too many people still are not aware of their rights and responsibilities under the ADA. There is a particular need to educate small business, which employs most of the private work force and includes the vast majority of employers.

Second, lack of adequate private health insurance options appear to be a disincentive to leave Social Security programs for work. Few private health plans cover the personal assistance and other types of services that make it possible for many people with disabilities to work. Recognizing this problem, I proposed and the Congress passed a new Medicaid option last year that allows people with disabilities to buy into Medicaid without having to receive cash assistance. A number of states have expressed a strong interest in offering this new option and I have instructed the Secretary of Health and Human Services to work with them.

Still much more needs to be done to increase public outreach and education activities about these important laws and options. Therefore, I am directing the Attorney General, the Secretary of Health and Human Services, the Chairman of the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration to take the following actions.

First, I direct the Attorney General, the Chair of the Equal Employment Opportunity Commission and the Administrator of the Small Business Administration to expand public education regarding the requirements of the Americans with Disabilities Act of 1990 to employers, employees, and others whose rights may be affected, with special attention to small businesses and under-served communities, such as racial and language minorities that may not have ready access to information that is already available.

Second, I direct the Secretary of Health and Human Services ("HHS") to continue to take all necessary actions to inform Governors, state legislators, state Medicaid Directors, consumer organizations, employers, providers and other interested parties about Section 4733 of the Balanced Budget Act of 1997. Section 4733 allows states to provide Medicaid coverage for working individuals with disabilities who, because of their earnings, would not qualify for Medicaid under current law. Additional guidance, letters, technical assistance and other efforts by HHS about the enormous benefits of this option can go a long way in encouraging states to adopt and use this Medicaid buy-in.

This memorandum is for the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

THE WHITE HOUSE,