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Stack:

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Row:

97

Section:

3

Shelf:

1

Position:

2

THE WHITE HOUSE
OFFICE OF DOMESTIC POLICY

CAROL H. RASCO
Assistant to the President for Domestic Policy

To: Herz

Draft response for POTUS
and forward to CHR by: _____

Draft response for CHR by: _____

Please reply directly to the writer
(copy to CHR) by: _____

Please advise by: _____

Let's discuss: _____

For your information: ☒ _____

Reply using form code: _____

File: _____

Send copy to (original to CHR): _____

Schedule ? : ☐ Accept ☐ Pending ☐ Regret

Designee to attend: _____

Remarks: _____

copy - James McDaniel
Carol Resco

THE WHITE HOUSE

WASHINGTON

June 29, 1994

Ms. Sondra L. Berlin
28555 Orchard Lake Road
P.O. Box 9072
Farmington Hills MI, 48333

JUN 30 REC'D

Dear Ms. Berlin:

Thank you for writing to the President concerning the availability of accessible bathrooms. Your letter came to us because the Visitors Office administers all White House tours.

We are pleased that you enjoyed the tour and that you had an opportunity to see the helicopter depart. It is exciting, isn't it?

We are sure that you are unaware that, as a matter of policy, the White House does not provide bathroom access to visitors on tours. We welcome approximately 5,000 to 6,000 visitors each day, and have never been able to offer that amenity.

Because we understand that this is important information to visitors, during our first year here we redesigned the tour tickets so that they include a map with an indication of where restrooms are located, on the Ellipse. These bathrooms are fully accessible.

We appreciate that the tour officer went out of his or her way to offer you a special accommodation. As you must have noticed, there are no bathrooms at all on the State Floor, where the tours end, and where most of our special events take place. There are bathrooms on the Ground Floor, which are accessible, but they are locked and unavailable during tour times, for security reasons. These become available to guests at social events. In addition, there is an accessible bathroom at the South Portico for use of guests at Lawn events.

I hope this information is helpful to you. The President and all of us share your commitment to providing equitable rights to all visitors to this historic house.

Thank you for sharing your concerns with us, and congratulations on your appointment as Chairperson of the Michigan Civil Rights Commission.

Cordially,

Melinda N. Bates

Melinda N. Bates,
Director
Visitors Office

November 21, 1994

SUBJECT : Recommendations of the Employment and Workplace
Accommodations Sub-Group

To insure that the Federal Government, as an employer, plays a leadership role in promoting the employment of individuals with disabilities, the Employment and Workplace Accommodations Sub-Group has identified the following recommendations to be made to the Domestic Policy Council:

1. As a result of pressures created by downsizing efforts and the scarcity of full-time equivalent (FTE) slots within Federal agencies, it is feared that managers and supervisors may be reluctant to offer employment opportunities to highly qualified individuals with significant disabilities. This will only add to the competitive environment individuals with disabilities face in the affirmative action efforts for all protected classes.

To respond to this disincentive, each Federal Department or agency shall establish an adequate, centralized pool of full-time equivalency (FTE) slots designated to cover the successful placement of qualified individuals with disabilities and/or interpreters, readers, personal assistants, and other positions providing reasonable accommodations.

In an attempt to address this issue, policy recommendations have been made that would exempt positions providing interpreter, reader, personal assistance, and other reasonable accommodations from the FTE ceilings of their respective Department or agency. The Sub-Group cautions that this policy direction may jeopardize the job security and benefits of individuals in these professional support positions, thus also placing at risk the ability to retain such individuals for extended periods of employment.

2. Each Federal Department or agency shall establish a centralized fund, line item, or other budgetary mechanism -- with adequate funding levels -- to be used solely for expenses related to reasonable accommodations, accessibility modifications, and assistive technologies for the needs of Federal employees and applicants with disabilities.

3. Uniform procedures and practices for requesting reasonable accommodations, which comply with the regulatory requirements and protections of Sections 501 and 504 of the Rehabilitation Act, shall be established for all Federal Departments and agencies.
4. The Federal government shall establish and carry out uniform, consistent and reasonable leave policies for all Federal employees which adequately and fairly address the needs of individuals with disabilities that require extended and episodic treatment and/or protocols.
5. As a part of standard management training and consistent with existing, related mandatory training in these areas, training shall be developed for managers and/or supervisors to insure knowledge of the basic laws and concepts regarding nondiscrimination protections for individuals with disabilities, including hidden disabilities such as long-term mental illness and HIV/AIDS.
6. Federal Departments and agencies shall establish uniform, appropriate and adequate expertise and technical assistance in reasonable accommodations, accessibility, and other statutory requirements regarding legislation providing civil rights protections for Federal employees on the basis of disability.

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STAN:

Would you like Don Smith
to attend for ?

(606-2825)

(Thornton)

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STAN:

LARRY Wolfe has passed
your MEETING INVITATION
ALONG to EEO STAFF --
HE IS involved w/ENVIRON-
MENTAL issues... told
them to call in.

Q.

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August 9, 1994

MEMORANDUM FOR DOMESTIC POLICY COUNCIL

FROM: Carol H. Rasco, Assistant to the President for
Domestic Policy

SUBJECT: Meeting Notice for Working Group on Disability Access
the Federal Government

On August 18th, the Working Group on Disability Access in the Federal Government of the DPC will meet in Room 472 of the Old Executive Office Building, from 2:00-3:30. The charge to this working group is outline in the attached memorandum of July 26th.

As noted in the reminder at yesterday's meeting of the DPC, if you have not yet designated someone from your department or agency to join this working group, please have your staff submit a name to Stanley Herr on my staff [phone: 456-5570 or fax: 456-7028]. If that person will be attending the initial meeting, please also have the person's date of birth sent to Stan.

Department representatives already designated have been personally notified of the meeting on August 18.

Thank you.

Attachment

minutes Review

Agenda

2:00 - 3:30

I. Welcome Intro: Q: CHR.

Patented Inventions

Notetaker:

Assistive Technology: Susan Bennett

Timekeeper:

(Name SOB) Carol K. Cunningham □ Tahn Wadsworth
or deputy

Q: defense issues:

* brief Vicky Hovum: □ Framing the issues
Paul

Physical accessed: Ruffe

Open Forum:

- Employees
- Contractors
- Customers
- Public

Summary + wrap up.

Next meeting:

THE WHITE HOUSE

WASHINGTON

TO: Members of the Federal Disability Accommodations Working Group

FROM: Stanley S. Herr *Stan Herr*

SUBJ: Minutes of Initial Meeting and Reminder of Next Steps

DATE: September 12, 1994

On August 18th, the DPC's Federal Disability Accommodations Working Group met at the Old Executive Office Building for 90 minutes. Twenty-seven representatives from twenty agencies and White House units attended the inaugural meeting to carry out the charge to this working group outlined in Carol H. Rasco's memorandum of July 26th.

Our next meeting will be held on September 29th, 2:00 to 3:30 in room 472 OEOb. Please confirm your attendance and provide your clearance information by calling Beverly Pechtel at 456-5571 or faxing to 456-7028.

The August 18th meeting closely followed the attached agenda and included fine presentations by the listed individuals. The main points to emerge from those presentations and discussion included, but were not limited to the following:

- The charge to the Working Group was validated as clear and important from political, policy, and law compliance perspectives.

- The President has often expressed his commitment to full implementation of the ADA and Rehabilitation Act and thus to Federal leadership on accommodations issues.

- This Working Group presents a unique opportunity for this Administration to really make the Federal government a model employer, provider of customer services, source of accessible information, contractor and grantor to federally assisted entities, and manager of buildings, parks, and other tangible facilities in ways that benefit persons with disabilities and their families and companions.

- The Federal government must be an exemplar of good

accommodations practices and policies to have credibility with the private sector as it seeks compliance with the ADA and Sections 503 & 504.

- The Federal government should be able to demonstrate the ability to structure reasonable accommodations inside our agencies without creating undue hardships.

- Yet many departments still don't understand the nature and range of accommodations needed; many employees are reluctant to ask for them; and recruitment, training, multi-media information, and other aspects of employment relationships with persons with disabilities remain problematic.

- These issues are civil rights issues, not just personnel ones.

- The solutions to these problems may have interagency and intergovernmental aspects, such as pooled resources (e.g., data banks on accommodations solutions, computerized complaint tracking systems, translator services, etc.) and additional resources to avoid disincentives to hiring persons with disabilities.

- Clearer policies and practices are needed to ensure grantee compliance as well as Federal compliance in a range of governmental programs that impact nearly one in seven Americans.

- As more federal employees with disabilities at policy making levels are hired, impacts of policy initiatives on citizens with disabilities may receive more direct and early attention.

- Although some departments are doing a better job to meeting the accommodations needs of their employees, customers, and the general public, there is considerable unevenness in performance.

- The Justice Department provided an overview of the legal obligations of the Federal government and offered to make that briefing available to DPC members and this Working Group in written form.

- The Access Board identified the multiple sources of technical assistance on accommodations available from within and without the government. They are also available for such consultations, and their technical assistance employees operate separately from compliance officers to minimize conflict.

- The Access Board is also working to unify and harmonize access standards.

- There is a need to share information across the Federal government on what is working, and what common issues are

being encountered and creatively resolved, e.g., providing information in alternative formats, such as discs, tapes, braille, large print; the use and availability of assistive technology.

At the close of the meeting, each agency representative was given the following four-part assignment designed to give a quick snap-shot of activities within your respective agency or department:

1. identify some of the specific accommodations issues that your department or agency are now addressing.
2. produce or identify any reports that your agency has written or proposed on the topics covered by this Working Group.
3. produce or identify any publications or brochures that you have written on those topics.
4. describe briefly any other issues, accomplishments, and problems that your agency has noted that bear on the charge to this Working Group.

We agreed that these brief memorandums would be sent to me by September 22nd so that they could be distributed and discussed at the next meeting.

I look forward to reviewing those materials and to seeing you at our September 29th meeting.

U. S. Department of the Interior
FY 1994 Civil Rights Implementation Plans
and Supporting Workload and Performance Data

I. Overview of the Department of the Interior's Civil Rights Enforcement Program

A. Period Covered by Plan. FY 1994 - FY 1997

B. Mission. The Department of the Interior's civil rights efforts are to ensure continuous and absolute compliance with the various Federal laws and regulations that prohibit discrimination on the grounds of race, color, national origin, age, disability or sex in programs and activities of the Department of the Interior including but not limited to those receiving or benefitting from Federal financial assistance. The Department also ensures compliance with Title II of the Americans with Disabilities Act in designated program areas of State and local government whether or not they receive Federal financial assistance. The Department through its Departmental Office for Equal Opportunity (OEO) provides leadership and direction in the development and enforcement of Equal Opportunity and Civil Rights Programs and policies for all aspects of the Department of the Interior's operations, (See Attachment A for a copy of the Department's civil rights policy statement).

C. Authority. The jurisdictional and statutory authorizations for the Department's civil rights compliance and enforcement program are as follows:

1. Equal Employment Opportunity (Non-Federal Employment).

a. Section 504 of the Rehabilitation Act of 1973, as amended, (P.L. 93-112), and Departmental regulation at 43 CFR 17, Subpart B;

b. Title IX of the Education Amendments of 1972, (P.L. 92-318).

2. Civil Rights Enforcement Relative to Federally Assisted Programs.

a. Title VI of the Civil Rights Act of 1964, (P.L. 88-352), and Departmental regulation at 43 CFR 17, Subpart A;

b. Section 504 of the Rehabilitation Act of 1973, as amended, (P.L. 93-112), and Departmental regulation at 43 CFR 17, Subpart B;

c. The Age Discrimination Act of 1975, as amended, (P.L. 94-135);

d. Title IX of the Education Amendments of 1972, (P.L. 92-318);

e. The Civil Rights Restoration Act of 1987, (P.L. 100-259).

3. Disability Rights Enforcement: Relative to Federally Assisted Program.

a. Section 504 of the Rehabilitation Act of 1973, as amended in 1978, (P.L. 93-112); Departmental regulation at 43 CFR 17, Subpart C.

b. Title II of the Americans with Disabilities Act (ADA), 42 U.S.C 12131-12134, and implementing regulation at 42 CFR 35.

4. Disability Rights Enforcement: Relative to Federally Conducted Programs and Activities.

a. Section 504 of the Rehabilitation Act of 1973, as amended in 1978, (P.L. 93-112); Departmental regulation at 43 CFR 17, Subpart E.

5. Non-federally Assisted Programs.

a. Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. 12131-12134.

D. Program Coverage. The Department of the Interior's civil rights program covers all Federal assistance programs and activities of the Department except those that are insurance or guarantee related. The Department's covered programs can be classified, by type, into seven (7) distinct categories i.e., (1) Indian and Native American Affairs; (2) Parks and Recreation; (3) Fish and Wildlife Management; (4) Water and Power; (5) Historic Preservation; (6) Mineral Resources; and (7) Public Lands. Generally, Federal aid under these programs is either in the form of "project grants, formula grants, or

(non-procurement) contracts," let to authorized applicants for specific purposes. "Formula grants" are awarded by the Department in specific program areas and to approved applicants usually on a "one-for-one" matching basis. Applicants receiving this kind of assistance are usually agencies of State and local governments, (See Listing of Department's Federal Assistance Programs at Attachment B).

E. Organization. The Department of the Interior's OEO (Office for Equal Opportunity) is the focal point for the development and implementation of all of its civil rights policies and programs. More specifically, in terms of the Department's Federal assistance programs, OEO is responsible for ensuring nondiscrimination on the basis of race, color, national origin, age, disability or sex in various programs or activities of the Department to which it provides Federal aid. Under the oversight of OEO, select bureaus and offices of the Department have been delegated responsibility for conducting civil rights compliance reviews and complaint investigations, and, providing technical assistance in support of Federally assisted programs that they administer. In addition, OEO provides departmentwide leadership and direction in the implementation of section 504 in Federally conducted programs of the Department. Moreover, OEO is responsible for ensuring compliance with the provisions of Title II of the ADA in designated program areas of State and local governments whether or not they receive Federal financial assistance. These ADA responsibilities are carried out directly by OEO.

OEO is headed by a Director who reports to the Deputy Assistant Secretary for Human Resources of the Department who, in turn, reports to the Assistant Secretary - Policy, Management and Budget. The Assistant Secretary exercises the authority of the Secretary of the Interior with respect to all civil rights matters affecting the Department [Departmental Secretarial Order No. 3176, Nov. 30, 1993].

Organizationally, OEO consists of two operational components i.e., (1) the Federal Financial Assistance Staff (FFAP) Staff and (2) the Federal Employment Programs Staff, (See Attachment C). The latter component's authority and jurisdiction pertains only to equal employment opportunity matters affecting the Department's Federal work force. The FFAP Staff is headed by a Staff Supervisor who has overall day-to-day responsibility

for managing the Department's civil rights compliance and enforcement program. The FFAP staff serves more or less as the Department's ombudsman for all Federally conducted section 504 compliance matters affecting the Department of the Interior. OEO's FFAP Staff serves as the Departmental focal point for section 504 policy formulation and related compliance matters affecting all Federally conducted programs and activities of the Department including employee work environments.

Operational Functions Decentralized in Certain Bureaus. On a pilot basis, OEO oversees three (3) decentralized bureau-level civil rights compliance and enforcement programs, namely, programs and activities of the National Park Service (NPS), the U. S. Fish and Wildlife Service (FWS), and the Bureau of Reclamation (WBR). These bureaus operate some of the most user-oriented types of programs within the Department. To this effect, the NPS, FWS, and WBR have been granted limited authority by the Departmental OEO to ensure nondiscrimination in their own Federal assistance programs and activities. Presently, the NPS, FWS, and WBR are held accountable to the Departmental OEO for securing recipient compliance; conducting preaward and post award civil rights compliance reviews; investigating and resolving covered complaints; rendering technical assistance to applicants and recipients; and providing civil rights training to Federal and recipient personnel. These responsibilities are accomplished throughout the United States by headquarters and field offices of the NPS, FWS, WBR. Besides the NPS, FWS, and WBR, no other bureau or office is affected by this particular decentralization arrangement.

F. Staff and Budgetary Resources. Overall, the Department of the Interior has approximately 49 FTEs committed, departmentwide, to the enforcement of Title VI; Title IX; section 504; the Age Discrimination Act of 1973; and Title II of the ADA, and, similarly worded provisions requiring nondiscrimination in Federally conducted and Federal financial assistance programs. Departmentwide approximately \$5.2 million have been allocated to carried out the Department's civil rights compliance and enforcement obligations.

II. Approach to Major Civil Rights Functions. This section describes the ways and means by which the Department plans to carry out its various civil rights compliance and enforcement functions.

A. Federally Assisted Programs.

1. Complaints Processing. Any complaint filed with OEO will be accepted and investigated on condition that it is within the purview of any of the Federal civil rights laws for which the Department of the Interior has compliance and enforcement responsibility. The complaint must be filed in a timely manner, generally, no later than 180 days from the date of the alleged discrimination, unless the time for filing is extended or waived by the Departmental OEO Director or his/her designee. In instances, where a complaint is filed with OEO and the Department lacks civil rights jurisdiction over the matter, the complaint will be acknowledged and forwarded to the appropriate Federal, State, or local entity having jurisdiction over the complaint. Civil rights complaints in Federal assistance programs of the NPS, FWS, and WBR may be filed respectively with the Equal Opportunity Offices of these particular bureaus. Covered complaints received against recipients alleging discrimination in employment are forwarded upon receipt to the U. S. Equal Employment Opportunity Commission (EEOC) if the complaints relate to individuals. However, complaints involving alleged patterns and practices of discrimination in employment are summarily processed by the Department of the Interior.

2. Preaward Review. Preaward reviews will be conducted in select program areas receiving or benefitting from Federal financial assistance i.e., (1) State and local park and recreation programs and activities; (2) State and local historic preservation programs; (3) State Hunter Safety Education Programs; (4) State fish and wildlife restoration programs; and (5) the Surplus Property and Rivers and Trails Conservation Assistance Programs. Appropriate systems are currently in place to ensure that applicants of Federal assistance in the aforementioned program areas are reviewed, on a preaward and post award basis, and a determination reached as to their civil rights compliance posture.

3. Post Awards. Post award civil rights compliance reviews will remain an integral part of the Department's most user-oriented programs, namely: (1) the Land and Water Conservation Fund Program, (2) the Urban Park Recreation and Recovery Program, (3) the Historic Preservation State Grants Program, and (4) the Fish and Wildlife Federal Grants in Aid Programs.

4. Routine Monitoring. OEO plans to monitor all aspects of the Department's civil rights compliance and enforcement program. Select bureaus and offices of the Department and primary recipients will be routinely monitoring recipients for civil rights compliance purposes. These reviews will be made an integral part of the Federal grants process in bureaus having authorized civil rights compliance and enforcement responsibilities. In addition, primary recipients in certain program areas will be required to establish a continuous program for routinely monitoring the civil rights compliance posture of subrecipients and applicants to whom they have extended Federal assistance. In other instances, OEO will routinely monitor bureau-level civil rights compliance and investigatory practices. These functions shall be accomplished primarily through periodic reports; onsite management evaluations; case-by-case assessments of the frequency and sufficiency of compliance reviews and complaint investigations; and public feedback made possible through the Department's civil rights public notification program.

5. Legal and Administrative Enforcement. Among recipients of Federal financial assistance, it is the policy of the Department of the Interior to secure voluntary compliance where possible. All legal enforcement actions against recipients of Federal financial assistance are initiated by OEO. No other bureau or office within the Department has been granted this particular type of civil rights enforcement authority.

In instances where recipients fail or refuse to resolve civil rights violations, voluntarily, such cases are reported to OEO for administrative enforcement action. The OEO Director initiates all legal and administrative enforcement actions against recipients in instances where voluntary compliance efforts have failed. All actions in this area are accomplished in close consultation with the Department's Solicitor, Division of General Law. In FY 1993, one case was referred to the Solicitor for possible enforcement action. The case involves the Town of

Eastchester, New York, and its public outdoor recreation program. In all other program areas, voluntary compliance efforts have proven highly successful throughout most covered program areas of the Department, in that, no legal or administrative actions have been initiated by OEO against any recipient other than possible actions against the Town of Eastchester.

6. Technical Assistance. OEO shall oversee and provide direction, and hands on assistance to recipients and/or any component of the Department in an effort to ensure civil rights compliance and nondiscrimination in its Federally assisted programs. Technical assistance will be provided to program and Equal Opportunity offices of the NPS, FWS, and WBR on a continuous basis. Similar plans are to be implemented for Federal assistance programs of the Office of Surface Mining, Reclamation and Enforcement (OSM).

7. Enforcement Monitoring. To date, no court orders have affected any of the Department's Federally assisted programs. Voluntary compliance and corrective action agreements shall be monitored continuously by bureaus and offices of the Department and the Departmental OEO.

8. State and Local Cooperative Effort. In instances where civil rights compliance violations are found in recipient programs it remains the policy of this Department to secure the assistance and cooperation of State and local governments in resolving the violations affecting their programs voluntarily.

B. Federally Conducted Programs. It is the policy of the Department of the Interior and a personally committed goal of the Secretary of the Interior to ensure that "individuals will not be denied opportunities in employment or program delivery because of their sex, race, national origin, color, age, disability or any other non-merit factor." This commitment to equal opportunity further extends to all Federal civil rights laws related to programs conducted by the Department or benefitting from Federal financial assistance. The Department intends to strictly enforce all civil rights for which it has responsibility.

The Department's section 504 obligations shall extend to all public programs, services, activities, and facilities under its jurisdiction. This coverage includes but is not limited to national memorials, wildlife refuges, national fish hatcheries, national parks, historic sites, monuments, national battlefields and sites, Federal dams, public lands, educational programs, and reclaimed mining sites.

1. Organizational Responsibilities. The Department's Federally conducted section 504 compliance policies apply to all organizations within the Department. OEO is

responsible for the formulation of all policies in this area. All bureaus and offices are obligated to ensure through specific courses of action that their Federally conducted programs and activities are carried out in a nondiscriminatory manner towards people with disabilities and in compliance with the requirements of section 504.

2. Self-evaluations. The Department's bureaus and offices are responsible for accomplishing self-evaluations of all of their Federally conducted programs and activities including the work environment to ensure that they are accessible to people with disabilities. As of FY 1993, over 14,000 self-evaluations have been accomplished of various bureau and office programs. Throughout the Department of the Interior the self-evaluation is a mandatory requirement for bureaus and offices. This process enables the Department to determine the degree to which a facility, program or activity is accessible to people with disabilities. To demonstrate how this requirement is applied to programs and activities of the Department, for example, in instances where the Department finds that self-evaluations have not been accomplished in consultation with people with disabilities or organizations representing the same, the Department routinely requires that the self-evaluation be accomplished again, that is, involving public participation as required by Federal regulation. Hence, the Department routinely requires as a part of its compliance and enforcement program that self-evaluations be completed in consultation with interested persons, including people with disabilities. For a minimum of three (3) years after completion of the self-evaluation, records resulting from the evaluation are maintained for public information purposes.

The Department's self-evaluations are conducted in consideration of people with hearing, physical, mental, visual and learning disabilities. For instance, in the FWS, as in other bureaus and offices of this Department, Federally conducted programs, self-evaluations are accomplished of each FWS entity and contractual concessionaire that operates a program or activity. This policy applies even to Departmental programs and activities operating in foreign countries.

3. Transition Plans. Where necessary, bureaus and offices are responsible for accomplishing their own transition plans. To date, more than 1,000 transition plans have been completed by the Department of the Interior. All bureaus have accomplished transition plans including the BIA.

4. Complaints Processing. Complaints alleging discrimination on the grounds of disability in Federally conducted programs are filed with the Departmental OEO. All such complaints must be filed with OEO within 180 days of the alleged discrimination unless the filing time frame is extended by the OEO Director. OEO accepts all section 504 complaints if they are filed timely and pertain to a program or activity conducted by the Department. Through bureau or office heads, OEO arranges investigations of all accepted complaints. Bureau complaint investigations are required to be completed and the results reported to OEO within 90 days upon receipt of the complaint by the bureau. The confidentiality of each complainant is maintained by OEO in processing all covered complaints. OEO renders complaint decisions relative to all of the Department's Federally conducted programs or activities. Generally, decisions are rendered by OEO within 180 days upon receipt of the complaint. In all cases, within 90 days upon receipt, OEO's decisions can be appealed by the complainant.

5. Technical Assistance and Training. The Department plans to provide technical assistance and training in complying with the requirements of section 504 to all of its components. Under the auspices of OEO, a structured training program is provided to all bureaus and offices by the NPS's Office of Accessibility.

6. Printed Materials. Printed materials describing program availability will be modified to contain information on accessible programs and activities.

7. Model Accessible Fishing Project. The FWS will develop and implement plans for constructing a state-of-the-art universal fishing area. This model accessible fishing facility will be located at the National Fisheries Research Center in Leetown, West Virginia.

C. Policy Development and Dissemination. Major civil rights policy issues are addressed through Departmental regulations at 43 CFR 17, Departmental Manual issuances, Program Manual Releases, civil rights guidelines, program manuals, direct correspondence, pamphlets, posters, Departmental equal opportunity issuances and other materials.

To ensure consistency throughout the Department and the United States, in effectuating the Department's nondiscrimination requirements, OEO is the only component within Interior that is authorized to develop and promulgate civil rights policies, regulations, guidelines, directives and/or procedures. OEO ensures through routine monitoring, periodic evaluations, practical demonstrations, meetings, formal training and technical assistance, and the dissemination of civil rights information that appropriate guidance and support are afforded to recipients and bureaus and offices of the Department. OEO provides its customers with expert civil rights staff for training and technical assistance purposes. Rigorous assessments are accomplished of all proposed program publications, and other materials describing program availability to ensure that they contain appropriate and correct information regarding the Department's civil rights policies. Recipients are apprised of Departmental civil rights compliance requirements in a forthright and consistent manner through program manuals, directives, and other materials containing civil rights compliance information.

D. Coordination with Other Federal Agencies.

1. Agreements.

a. Departmental Delegation Agreement with the Department of Education. The Department has delegation agreement in effect with the Department of Education. The agreement delegates a limited degree of the Department's civil rights compliance responsibilities in elementary and secondary schools and institutions of higher learning to which it provides Federal assistance to the Department of Education. The agreement was established in consultation with the Department of Justice, the Department of Education and the Department of the Interior. Through a new and more comprehensive delegation agreement the Department of the Interior has

delegated to the Department of Education responsibility for conducting compliance reviews and complaint investigations on and compliance review responsibilities.

b. Cooperative Agreement with the Department of Labor Job Corps. An agreement has been implemented with the Department of Labor's Job Corps Program for construction assistance in removing architectural barriers at FWS outdoor recreation sites throughout the United States.

2. Information Sharing. In all instances where one or more Federal agencies are implicated in a civil rights complaint involving a recipient or applicant of Federal assistance, OEO will routinely coordinate the investigation and resolution of such matters with other Federal agencies including its own bureaus and offices. To this end, information will be shared with other Federal agencies and primary recipients if the primary recipient is not implicated in the complaint. Coordinated activities of this type shall be accomplished as necessary and pursuant to applicable Federal Privacy Act requirements.

3. Other Coordinated Activities. Covered age discrimination complaints are routinely coordinated with the Federal Mediation and Conciliation Service as required by the U.S. Department of Health and Human Services. Likewise, covered complaints alleging employment discrimination are referred to, and, coordinated with the U. S. Equal Employment Opportunity Commission (EEOC). In instances where the Department, and, the Architectural and Transportation Barriers Compliance Board (Access Board) share joint jurisdiction over certain section 504 complaints, such complaints are routinely coordinated with the Access Board. In FY 1993, personnel throughout the Department of the Interior participated in several civil rights training sessions sponsored by the Department.

E. Technical Support.

1. Data Base Management Systems. The Department is planning to establish an "Accessibility Data Management System" (ADMS) for tracking and resolving section 504 compliance violations in its Federally conducted programs. ADMS will serve as a new management tool in aiding the Department to identify and correct barriers to equal opportunity. ADMS was conceived as a means to manage the

vast amounts of data generated through the self-evaluation and transition plan processes. ADMS will enable the Department to efficiently generate civil rights management information and reports at the service delivery point and at the desktops of program and civil rights managers in all areas of the Department. ADMS will enable the Department to perform a wide range of functions including checklists of facilities, parks, historic sites, and other types of facilities and places under the Department's stewardship. ADMS will enable our managers to query its data base for a wide variety of compliance information. Moreover, ADMS will provide information to the public on the degree to which the Department's programs, activities, facilities, and services are readily accessible to people with disabilities. Future enhancements will include, but will not be limited to, direct field data entry through lap top computers, bar code devices, and pen computer technology. (See Attachment D for a copy of the ADMS Manual).

b. Work Measurement Systems. All components of the Department that have Federal assistance civil rights responsibilities have automated tracking systems for the management and tracking of civil rights complaints. For example, the NPS maintains a computerized system that identifies all recipients of Federal assistance under its Land and Water Conservation Fund Program. A supplemental system maintains a tracking system of compliance reviews initiated and those that have been completed. A system is also in place for tracking complaints. This system monitors the status of complaints filed with the Department against Federally assisted public recreation programs.

2. Quality Assurance. Other than those systems described in the aforementioned section, no other automated systems are in place for quality assurance purposes.

3. Use of Statistics. Neither statistics, goals nor quotas are used by the Department in determining or effectuating civil rights compliance in any of its Federally conducted or Federal assistance programs. However, statistics are used by the Department on projects that have been funded by the Department. These statistics are relied upon during the course of compliance reviews and complaints investigations initiated by the Department.

4. Surveys, Research and Program Evaluation. OEO routinely evaluates the effectiveness of all bureau-based civil rights compliance and enforcement activities and plans to continue the same. Reporting systems are currently in place between OEO and select bureaus which permits OEO to evaluate the frequency and effectiveness of civil rights compliance reviews and complaint investigations.

5. Staff Development. OEO has lead responsibility for all staff civil rights training concerns. OEO provides technical assistance and training to components of the Department on a continuous basis. Bureaus and offices, in turn, are responsible for ensuring that all program officials under their jurisdiction are adequately trained relative to civil rights compliance and enforcement matters. In FY 1993, in coordination with OEO, various personnel from throughout the Department participated in several instances of civil rights training. At the bureau-level, civil rights training sessions were held for bureau personnel and recipient officials. For example, in FY 1993, personnel from NPS's Recreation Grants Division participated in a one week civil rights training compliance workshop. All staff members from this Division who are responsible for conducting compliance reviews and complaint investigations must be certified at least every two years in their civil rights compliance roles.

In the FWS, the Service assures competency among its civil rights staff utilization of in-house, contract, and external training resources. Such training was implemented in FY 1993 and is planned for FY 1994 through FY 1997.

III. Goals and Objectives.

A. Long-Range Goals. The Department's long range goals are:

1. Federal Assistance Programs.

a. To ensure that all covered programs and activities of the Department are discrimination-free and in absolute compliance with all applicable civil rights requirements.

b. To decentralized civil rights compliance and enforcement functions throughout all bureaus and offices administering Federal financial assistance programs.

c. To have all Federally assisted programs and activities of the Department covered by a continuous program of civil rights compliance reviews.

2. Federally Conducted Programs. The Department's long range goal is to ensure that all of its Federally conducted programs, activities and services are totally accessible and nondiscriminatory toward people with disabilities.

B. Major Objectives.

1. Federal Assistance Programs.

a. Regulatory Development. OEO intends to secure approval from the Department of Justice and the EEOC to publish a proposed rule effectuating the requirements of Title IX in Interior's Federally assisted education programs. Interior's regulation is currently before the Department of Justice and the EEOC for prepublication clearance.

b. Policy Direction. To minimize fragmentation in applying the Department's civil rights compliance requirements throughout the Department and the United States, OEO plans to provide continuous oversight, training, direction and support to recipients and those bureaus and offices of the Department that are directly managing their own civil rights compliance and enforcement programs.

c. Oversight Evaluations. OEO plans to conduct continuous evaluations of the civil rights compliance and enforcement programs of the NPS, FWS, and WBR. This assessment will entail a methodic examination of all aspects of each bureau's civil rights compliance and enforcement practices.

d. Expanding Coverage to Other Program Areas. On a bureau by bureau basis the Department plans where necessary to broaden civil rights coverage to other types of programs within the Department, i.e.,

Federally assisted public school programs, surface mining and reclamation assistance activities, Indian related programs, etc.

e. Accessibility Recreation Guidelines. In cooperation with the Access Board and in consultation with the public, the Department intends to provide advice and direction to the Access Board on formulating standards and guidelines for making recreation facilities and outdoor recreation areas accessible to people with disabilities. The results of the Department of the Interior's efforts in this regard will apply to its own Federally conducted recreation programs as well as those for which it has civil rights compliance and enforcement responsibility. These guidelines will apply to amusement parks; boating and marine facilities, golf courses, outdoor facilities, playgrounds, and sports facilities.

2. Federally Conducted Programs. The Department's major section 504 objectives relative to its Federally conducted programs are as follows:

a. Accessibility Standards for Outdoor Recreation Facilities. Develop accessibility standards for outdoor recreational facilities.

b. Data Tracking System. Develop and implement a departmentwide data management system for tracking, verifying and evaluating the implementation of self-evaluations and transition plans.

c. Private Contributions. Formulate a strategy for securing private contributions for removing architectural barriers and promoting other accessibility projects.

d. Compliance Reviews. For sufficiency purposes, review self-evaluations and transition plans throughout all Federally conducted programs and activities of the Department.

C. Progress Report.

1. Federal Assistance Programs

a. OEO Reorganization. To date, OEO has been reorganized into functioning primarily as a policy office or entity rather than an operational office. However, in terms of carrying out the provisions of Title II of the ADA, OEO has exclusive operational responsibility for the conduct of civil rights investigations and securing compliance in designated State and local government program areas that are not receiving Federal financial assistance.

b. Rulemaking Activity. The Department has accomplished a draft proposed regulation for effectuating the nondiscrimination requirements of Title IX of the Education Amendments of 1972 in Federally assisted education programs of the Department. This rulemaking document is currently before the Department of Justice and the EEOC for republication clearance purposes.

c. Pilot Compliance and Enforcement Program. OEO established a civil rights compliance and enforcement program for Federal assistance programs of the WBR (Bureau of Reclamation). Decentralized civil rights programs are already in place for Federal assistance programs of the NPS and FWS. The civil rights compliance and enforcement program established in the WBR will provide for the conduct of complaint investigations and compliance reviews of Federally assisted water districts throughout the western sector of the United States. Heretofore, the districts have not been subjected to Departmental civil rights compliance reviews.

In furtherance of this pilot civil rights compliance and enforcement program, training, planning, performance reporting, and evaluations have been accomplished by OEO of NPS's, FWS's, the WBR's civil rights compliance and enforcement practices. These particular standards were imposed upon these bureaus by OEO. To this effect, OEO's assessments covered the provision of technical assistance; staff training for Federal and recipient personnel; compliance reviews;

complaints processing and investigations; and civil rights public notification practices.

d. Complaints Processing. Most covered complaints processed by the Department were against NPS and FWS recipients. All official actions taken by OEO in resolving these complaints were monitored by OEO. For instance, if a complaint pertained to a NPS or FWS assisted program, the affected bureaus in such cases were responsible for investigating and resolving the complaint. Relative to other bureaus and offices, OEO retained absolute responsibility for all aspects of complaints processing.

e. Public Notification Activities. The FWS and NPS developed and disseminated bureau specific civil rights public notification posters. The posters described the policies and procedures for filing complaints. The posters also indicated the availability of civil rights information and noted the receipt of Federal financial assistance.

f. Secretarial Civil Rights Policy Statement. The Secretary of the Interior issued an affirmative and cogent civil rights policy statement proclaiming the Department's nondiscrimination policy and intolerance for discrimination in all areas of the Department's operations.

g. Technical Assistance. OEO provided technical assistance to bureaus and offices of the Department and to various recipients at the State and local government level. Likewise, the NPS, FWS, and the WBR provided technical assistance to their recipients on ways and means of securing voluntary compliance; the sufficiency of corrective actions taken by recipients in resolving compliance violations; public notification requirements; section 504 accessibility requirements; policy requirements in regards to the collection and maintenance of racial and ethnic data; resident only practices in terms of public parks and recreation programs; disparate park and recreation services among minority and majority race neighborhoods.

h. Civil Rights Staff Training. Several instances of civil rights training were accomplished in FY 1993. The training was conducted in furtherance of the Department's compliance and enforcement mission. Training was conducted by OEO for the NPS, FWS, WBR and the OSM. In the recreation grants area, a one week civil rights certification workshop was held for recertification of NPS staff and recipients.

i. Compliance Reviews. In FY 1993, compliance reviews were conducted of Federally assisted programs in the NPS and the FWS. These reviews were conducted, by NPS and FWS under the auspices of OEO. In certain program areas States or primary recipients accomplished compliance reviews of subrecipients to whom they extended Federal financial assistance.

j. Self-Evaluations. Self-evaluations and transition plans have been accomplished for nearly 100% of all State fish and game agencies receiving Federal financial assistance from the Department.

k. Audio-Visual Aids. The FWS's accessibility video people with disabilities, "Access for Everyone," has been converted to the Spanish language.

l. Oversight Evaluations. Evaluations of the NPS's and FWS's civil rights compliance and enforcement programs were accomplished by OEO. The purpose of the evaluations were to ascertain exactly how these bureaus were carrying out their civil rights compliance and enforcement responsibilities. In FY 1993, two FWS regions were evaluated by FWS Headquarters Human Resources Office.

m. An Awards Program Established. An awards program has been established to recognize significant civil rights achievements among recipients of Federal financial assistance.

C. Progress Report

2. Federally Conducted Programs

a. Self-Evaluations. Self-evaluations were completed of nearly all of the Department's Federally conducted programs and activities. To this effect, over 13,000 self-evaluations have been accomplished by the Department to ensure that its programs and activities are readily accessible to people with disabilities.

In WBR programs self-evaluations have been completed of all programs and activities in its Pacific Northwest Region, and, Upper Colorado Region.

b. Transition Plans. Over nine hundred (900) transition plans have been accomplished as required by Departmental regulation.

c. Policy Issuances. Departmentwide policy directives were promulgated regarding the scope and applicability of section 504. Policy issuances were issued regarding managing information resources for accessibility; the use of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) standards in lieu of the Uniformed Federal Accessibility Standards in Federally conducted programs and activities of the Department.

d. Complaints. In FY 1993, disability rights complaints were received, processed and investigated regarding the Department's Federally conducted programs and activities.

e. Assessments. Bureau and office accomplishment reports were reviewed to ascertain whether they met Departmental section 504 compliance requirements.

f. Removal of Barriers. Completed a variety of construction projects to remedy programmatic and architectural barriers.

g. Survey. The FWS has determined as a result of a Servicewide survey of its Federally conducted programs and activities that 60% of FWS facilities are readily accessible to people with disabilities.

h. Printed Materials. Printed materials describing the National Wildlife Refuges Visitor Guide is being modified to contain information on refuges throughout the United States that offer accessible programs and activities.

i. Urban Fishing Project. As an urban initiative, the Department through the FWS is designing for construction a fully accessible fishing area for all people in Chicago, Illinois. This venture is a joint project between the FWS, the Cook County Forest Preserve District, the State of Illinois, and the National Fish and Wildlife Foundation.

j. Rural Fishing Initiative. The FWS plans to construct a fully accessible state-of-the-art fishing complex at the Hatchie National Wildlife Refuge in Tennessee.

k. WBR Awards Program. To date, the WBR has presented fifteen awards in recognition of positive efforts toward achieving program accessibility for people with disabilities. This awards program covers WBR staff, other agencies, and State and local governments.

l. Program Visibility. Regional newsletters will provide program visibility to the subject of program accessibility for disabled park visitors, establish better communications with field offices and regional office divisions, and for customer feedback purposes.

D. FY Short-term Objectives.

1. Federal Assistance Programs.

a. Compliance Reviews. Ensure that civil rights compliance reviews are accomplished of the Department's major Federal financial assistance programs and activities in an effective manner.

b. Complaint Resolution. Process and investigate all covered complaints of alleged discrimination and secure voluntary recipient compliance in instances where violations are found.

c. Technical Assistance. Provide technical assistance, where necessary, to all recipients and bureaus and offices of the Department.

d. Proposed Title IX Regulations. Upon approval from the EEOC and the Department of Justice issue a proposed rule effectuating the nondiscrimination requirements of Title IX of the Education Amendments of 1972, in Federally assisted education programs of the Department.

e. Compliance Reviews of WBR. Require the initiation of civil rights compliance reviews in Federally assisted water and power programs administered by the WBR. And provide technical assistance to the WBR in support of the same.

f. Establishment of a Pilot Civil Rights Program for OSM. Establish a civil rights compliance program for the conduct of civil rights compliance reviews by OSM staff.

g. Bureau of Indian Affair. The Department will formulate a legal opinion as to whether Federal assistance programs administered by Tribal Nations are subject to the requirements of section 504. This opinion is an especially important one for the Department in light of section 504's equal employment provisions and similar statutory provisions established by Title VII of the Civil Rights Act of 1964 where Tribal Native American Nations have been specifically excluded from Title VII coverage.

2. Federally Conducted Programs.

a. Self-Evaluations. The Department's short-term objectives for the planning period include the completion of all self-evaluations and transition plans relative to its Federally conducted programs.

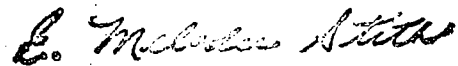
IV. Workload and Performance Data. The FY 1993 workload and performance data relative to the Department's civil rights compliance and enforcement program are attached to this report.

V. Submission Information.

A. Submission. As an attachment the same version of this report is being provided to you on "Wordperfect" software, (See Attachment E).

B. Contact Person.

Melvin C. Fowler
(202) 343-4355 (Voice)
(202) 343-5693 (TDD)

A handwritten signature in cursive script, reading "E. Melodee Stith".

E. Melodee Stith, Director
Office for Equal Opportunity
Department of the Interior

DRAFT DRAFT

TO: DPC MEMBERS

FROM: CAROL H. RASCO

RE: FOLLOW-UP ON DISABILITY ISSUES

At yesterday's meeting of the DPC, we agreed to convene a working group on disability law compliance issues with a view to the Federal government setting an example and high standard for accessibility and workplace accommodations. The discussion emphasized the point that our own compliance with and enforcement of the antidiscrimination provisions of the Rehabilitation Act of 1973 [§§ 501, 503, 504] strengthened our enforcement and leadership position with the private sector under the Americans with Disabilities Act. Some of the topics that would fall within the purview of this working group would be assistive technology, eliminating disincentives to hiring qualified employees with disabilities, making information produced by the government available in accessible formats, and related topics in accommodating persons with disabilities as our co-workers and our customers.

Could you kindly designate someone from your department or agency to join this working group. Please call or fax that person's name to Stanley Herr on my staff [456-5570 phone; 456-7028 fax]. I look forward to working with you on this issue of importance to the Administration and to the one in seven Americans who have disabilities.

saved as c:workgp

David Myers	National Economic Council	Fax:	456-2223 456-2801
Larry Parks	Commerce	Fax:	482-4636 482-6055
Lawrence Roffee	ATBC	Fax:	272-5447 272-5434
Donald A. Smith	OPM	Fax:	606-5049 606-2825
Cynthia Spires	HUD	Fax:	708-1558 708-2426
Marilyn Thornton	OPM	Fax:	606-5049 606-2825 606-1059
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SPECIAL COMMENTS OR INSTRUCTIONS:

This is our response to Mr. Welch's letter
dated July 12, 1994.

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Walter J. Boyne
Aviation Division

Frederick I. Ordway
Aeronautical Division

August 9, 1994

Mr. and Mrs. John Welch
48 Rose Drive
Conway, Arkansas 72032

Dear Mr. and Mrs. Welch:

I am very sorry you encountered problems on your recent visit to the U.S. Space and Rocket Center. Your packet should have been available for you when you arrived. This is not normal and should not have happened.

We try very hard to make our facility accessible to all of our guest. We have made changes in the way we operate and in the physical facilities through an on going self evaluation process. To this point, providing the scripts to the movie and bus tour has been greeted with total acceptance by our hearing impaired guest.

However, David's situation does not appear to be completely covered by the things we are currently doing. Therefore, on your next visit we will find a volunteer interpreter schooled in ASL to accompany David while he is visiting the U.S. Space and Rocket Center. Also, I would like to offer you and your family complementary admission to the Center.

Once again I apologize for any inconvenience we may have caused. I hope the arrangement we make for your next visit will be much more satisfying.

Sincerely,

Richard E. Allen
General Manager

CC: Mr. Stan Herr
Domestic Policy Office

Mr. John Taylor
NASA Marshall Space Flight Center

Gene Pospicil
Jim Johnson

**October 5, 1994 Forum on
National Information Infrastructure: Electronic Access for All
Advancing Modality Choice Through Captioning
Main Commerce Auditorium, 14TH and Constitution Avenue, NW**

On October 5, from 1-3 PM a panel of consumers with disabilities, researchers, and commercial developers will exchange views and demonstrate progress with applications that support user choice of information media. Well-designed applications support multiple ways of representing information to correspond with sensory modes of hearing, seeing, and touching. As the NII takes shape, being in the minority in terms of information mode requirements, due to a disability, need not be a significant handicapping condition, if a useful alternative mode is available. Providing multi-mode options yields the flexibility needed by everyone in "hands busy", "eyes busy", mobile, multilingual, archival, or noisy environments.

"Achieving Modality Choice through Captioning" will highlight the technical and commercial readiness of captioning. Captioning provides a text complement to auditory, still image, or video images. This text information or captioning, in turn can be used to inform deaf individuals in a visual mode, blind individuals through machine speech or Braille, and foreign language users through machine language translation. In addition, captioning provides a powerful means for indexing and retrieving still and video images. When employed in television broadcasting, captioning promotes literacy and foreign language learning.

- 1:00 Welcome and Introductory Remarks**
Susan Brummel, Director, Clearinghouse on Computer Accommodation, GSA

- 1:15 Consumer Perspective: What's Needed?**
Harvey Goodstein, Chair, Telecommunications Committee, National Association of the Deaf

- 1:30 Researcher Perspective: Demonstration of a Sign Language Telephone**
Richard Foulds, Director, Center for Applied Science and Engineering in Rehabilitation,
University of Delaware

- 1:45 Developer Perspective: Demonstration of Real-time Captioning of Sunergy World-wide Broadcasts**
David Howard, Executive Producer Sunergy Broadcasts, Sun Microsystems

- 2:00 Developer Perspective: Captioning of Still Images for the World Wide Web**
Anne O'Donnell, NOAA, Dept. of Commerce and Paul Fontaine, COCA, GSA

- 2:15 Commercial Production Perspective: Current Captioning of Television Broadcasting**
Larry Goldberg, Corporation for Public Broadcasting/WGBH National Center for Accessible Media

- 2:30 Questions and Answers**

This is the first in a series of "Modality Choice" forums jointly sponsored by GSA's Clearinghouse on Computer Accommodation (COCA) and Council on Accessible Technology, Committee on Applications and Technology and Telecommunications Policy Committee of the Information Infrastructure Task Force, and the National Institute on Disability and Rehabilitation Research, Department of Education. The purpose of these forums is to bring together people with disabilities and NII developers to speed the adoption of multi-modality interfaces beneficial to all individuals and organizations.

Federal Oversight Committee
(a-draft vi-lage)
do nothing
absolutely useless
stuff

15 min
5

Qest-- Susan Brummel

Overheads

- Technical assistance
- Fed. Policy Institute Board

8/26 46 (70m.)

(422)

Overhead -- Screen

Federal -- NPA Necessity
Guidelines / ^{get standard} _{flyover}
UFAI (1975) _(mo)
Oct (1993)

(30)

22-24
TTY as phone banks
(communities)

Bd ⊖ -- ⊖ --
Chair elected (1)
By-laws
- Policy till Sept Jan
Craig Kaiser - lev. / headed
+ atty / 1 + blind

22 attendees

Talking points for FDA WG

I Intro

- Fred
- Lance
- Steve McIntyre
- Susan Brown

- I'm Stan Herr and welcome you to WG on behalf of DPC and CTR.

- Carol appreciates all your hard work, impressed by minutes and agenda of our 1st meet.

- She has packet of these reports, and current agenda and wishes that you have a great meeting today.

- Reflects Admin's emphasis on implementation of existing laws, and seeking better ideas from all parts of Fed govt to make govt work for all people, esp. people previously excluded such as persons w/ disabilities.

pass sign out sheet
pass out handouts,

SIGNUP SHEET

- Review agenda, see we have full plate this p.m. --

- Get us to position where we can break into subgroups, and frame some concrete recommendations to DPC's full members (Cabinet sec, OMB director etc). (more of the board and of meeting)

- Intro/reintro for those here last time - agency - control w/ d's accommodations issue

minutes 03

(2-3 min)

John Wodatch

- preventive law function
- What every Fed manager and appointee should know & use less

Express thanks for high esteem & readability of this digest

hand-out

- ^{Fed Lamp} Purpose & content
- Settlement & Jurisdiction

Karen Megardom + Curtis Krom have come
the furthest and problem thought and
focused most intensely on what
Fed agencies can do to manage
accessibility requirements and let our
customers - the general public
know the many and increasing
accessible features

Thanks to them and to our
member Melvin Fowler of Intertec
for bringing this outstanding work
to our attention

Explain how you and your
agency can be already telling
in a PRMS

15 positions
12% cut in

checklists
evaluation forms

compliance reports 304 (cut by 60% time for reports)
questions to public

not starting complaint cases

Desk-top computers (upload)
Intern (Oct)

Blanch lady
• with structure
• Task Force
• Complaints Oct 1st

Ther's

h

within Q. 500+ expansion (mid year)

data from agencies
App to unify
Common data base - (myung)

standing but of Partnerships
Thanks -- provide a resource

AGENCY REPORT

SNAP SHOT

- ~~Asked~~ for Rich account of activities, problems, solutions, & reports on agency level.
- distribute: analysis/grouping of info by 5 major areas:
 - Howard Moser to kick off on 10 minute discussion of some 1 or 2 highlights of his experience
 - Ask Lila to make a few points, & others

Libor - qualified pool exists, but lack PTE, restrictions in hiring; closing of military bases (probably last few days) downsizing.

FTE exemption (internal pool)

Request to Internal Management

Budget review /OMB emphasis

Add support for that effort w/ 96 budget

(ten in President's Budget)

Alt format - central fund automate

centralized process & hard headed in it during Gen Council

to correct --

OPM

OMB

(KAM) -- official

(This group would help out too.)

OPEN FORUM -- Day, Dec 1 on LG

distribution re future events

Out Distribute Bureau Mc.

Kita PCBWT.

OPM -- ABLE 300

black veterans 500

Federal employees not cross long haul base

Central handling system

re-permit.

reconstr.

of qualified candidates

(85% of total)

Primer

interviews

Voice mail

Windows - based E-mail (not accessible system)

Call center

or Windows - based accessible

NEXT STEPS

Carol - has charged
us to try to a
(preliminary) report
on New Bill

~~1. A team yet formation your agency report~~
~~that Seanman please send me 130~~
Small - Subgroups to direct reports ASAP. (for duty) you
get it

Small - Subgroups to discuss reports
other info, talk to experts,
consumers, fellow employees, admin,
other appointees & distributors

1. In your answer -
and come back w/ some
practical, ^{creative} and non-challenging -
~~new~~ old recommendations

In your sub 6/20/61.
 Realize not airtight categories, some overlap so
 multi talk to each other -- but ask that
 you ~~use~~ use
 Thursday Nov ~~24~~ Dec 1st like
 White House
 1726 Jefferson Place ^{starting}
 Bunker House (2nd floor ^{point} ^{through})

Subgroup recommendations: by Teo-moon
Nov 15

I'll send you out list of names & phone numbers of subgroups, perhaps about a score of you to achieve balance in composition of groups.

ASK that designate lead person from each group

Thank you Karen + Curtis for coming
so far, to share their tanks + experiences.

+ Thank God for your enthusiastic
contribution to the movement. Love,
Barbara

Needs to be removed if we're to be
role models.

- Stan - What about interpreter advances
needed?

Lila - Contact NAD

SH - Still ~~not~~ welcoming reports.

Need

- Concise report about
Recommendations to the Domestic
Policy Council
- emphasize common problems
to advance the dialogue.

SH - Will review working group preferences

Goal

next mtg - Nov. 17 2-3³⁰

White House Conference Center

726 Jefferson Place

Sp. Eisenhower Rm.

2ND FLR

- Add'l. people to add?

- flesh out Rec. two days before
mtg.

ADMS 1.5 mill. - invited

Looking for pay back.

Group Meeting of Federal disability Accomodations Working

Sepetember 29, 19943, 2:00 to 3:30, 472 OEOB

Welcome and Rweintroductions

Stanley s. Herr
The Whgite House

Accessibility Data Management systems

Karen Megorden &
Curtis Kron
Department of

Interior

Bureau of

Reclamation

Summaries of Reports --- select

Moses
Farazian

Gunney

Open Forum

Full Group

c:workgp
see also minutes.8??

DRAFT DRAFT

TO: DPC MEMBERS

FROM: CAROL H. RASCO

RE: FOLLOW-UP ON DISABILITY ISSUES

At yesterday's meeting of the DPC, we agreed to convene a working group on disability law compliance issues with a view to the Federal government setting an example and high standard for accessibility and workplace accommodations. The discussion emphasized the point that our own compliance with and enforcement of the antidiscrimination provisions of the Rehabilitation Act of 1973 [§§ 501, 503, 504] strengthened our enforcement and leadership position with the private sector under the Americans with Disabilities Act. Some of the topics that would fall within the purview of this working group would be assistive technology, eliminating disincentives to hiring qualified employees with disabilities, making information produced by the government available in accessible formats, and related topics in accommodating persons with disabilities as our co-workers and our customers.

Could you kindly designate someone from your department or agency to join this working group. Please call or fax that person's name to Stanley Herr on my staff [456-5570 phone; 456-7028 fax]. I look forward to working with you on this issue of importance to the Administration and to the one in seven Americans who have disabilities.

saved as c:workgp

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

28-Sep-1994 06:16pm

TO: Stanley S. Herr

FROM: Carol H. Rasco
 Economic and Domestic Policy

CC: Patricia E. Romani

CC: Jeremy D. Benami

SUBJECT: RE: 2nd meeting of Disability Accommodations Working Group

I am booked solid from 12:30 until after 4:30 p.m. tomorrow. Best wishes on a great meeting!

Date by report call Roz
last DPC meeting Nov. 28

checklist--

- ✓ 1. all invitees cleared in (CQ: Jeelmann; McCormick)
- ✗ 2. room open
- x3. Farazian
- x4. translator -cleared
- x5. agendas and packets
- x6. CHR dropi in (drop off packet)
- x 7. request that late reporters bring 30 copies with them
- 8. follow-up with agencies submitting, esp weak reports, such as DOT, HUD *realistic, substantive*
- *9. Think thru work groups; and assignments re recommendations
- (10. date by which report due to DPC)
- ✗ 11. query next meeting --- WH Conference room
- x12. tv monitor and playback machine pup 480 by 1:30
- 13. handouts
inc ADMS materials

- 14. Transfer calls
minute taker: Brumel,
Gunnay
- 15. distribute Rosenberg report

65279

202 49-1700

(Mary McAnis)

director of community
development
organization

Swan Parker
Telus-

Minutes
2nd meeting

Jan Heer, Chair

Welcome on behalf of Carol Rasko

- reflects deep commitment to implementing our laws
- draw from best within/outside of hallway - Dept. of Interior, Idaho.

~~Change~~ Charge:

- Report to Full Domestic Policy Council
- Feb Nov. 17 senior Cabinet officials
- Intro. from attendees

~~Intro to Black~~

John Wodatch -

Primer for how disability laws apply to Fed. Executive Agencies.

Dept. of Interior - Karen Megorden

ADMS

Curtis Krown

Reviewed ADMS history

added 501, 503

1) Management tool - evaluations, action plan, complaints tracking

2) database

3) public access

- checklists, reports, transition plans
- opportunity to query data, track complaints

Notes

What about Sect. 508?

- will & 6090 time expended for reporting
- includes toll-free number
- Telephone Volunteers of America will assist

on-line recreation & tourist - One Town

ADA, 504
501, 503

~~Report on Sect.~~

re Interfere - 4/95

Goal would be all Federal agencies
- requires a task force to be
more inclusive

Bob Williams -

Have you thought to expand it to
cover issues around 508?

Doesn't exist today, on list for
the future.

Howard Moses

- 1) Counting of Schedule A interpreters,
reading against budget
Recommend - exemption

18 FTE out of 423 at Education
FY95 - identified 2 slots for this pool
after OMB failed to approve waiver.

- 2) Alternate formats

Dept. of Educ. Working toward
- Central fund for making documents
accessible

- institutionalizing of the process is difficult

3)

4) Access. systems for windows-based LANs and voice mail

- All voice mail systems must handle & transfer TDD calls.

5) Employment -

Recruitment is biggest problem

- pool - ghetto effect

- almost 85% of employees with disabilities in disability-related programs

- working on nation-wide network.

OPM has 2 systems in existence to support recruitment

Lila

1) Exemption against ceiling is impt.

2) Lack of FTE slots, hiring restrictions military ~~the~~ bases receive priority with OPM

3) Too much emphasis of accommodations - but where are the employees.

FEDERAL DISABILITY ACCOMMODATIONS WORKING GROUPS

1) Employment and workplace accommodations issues:

- * sign language interpreters -- grappling with quality, quantity, reimbursable agreements, and inter-agency sharing issues (DOT, p.1)
- * transportation-accessible vans & buses for events and training -- grappling with this issue (DOT, p.1)
- * monthly placement coordinator meetings addressing issues relating to employees with disabilities (DOT, p.1)
- * bi-monthly disability awareness workshops (DOT, p.1)
- * suggest disability awareness training become mandatory for all Federal managers and supervisors (DOE, p.2)
- * training programs to enable agencies to facilitate workshops without assistance of OST official (DOT, p.1)
- * DOT Coalition of Minorities, Women, and Disabled (DOT, p.1)
- * "The Employment of Persons with Disabilities" guide developed and distributed providing reasonable accommodations info and extensive list of resource agencies (HUD, p.1)
- * installation/reallocation of strobe lights as necessary for hearing-impaired employees (HUD, p.2)
- * TTY provision, interpreter services, modification of office furniture and specially designed strength machine installed in fitness center (HUD, p.2)
- * DOE obtained OMB authority in 1/93 for exemption from full-time equivalent (FTE) ceiling controls for hiring people with disabilities. Ceiling exemption hampered by OMB Bulletin No.93-08 (DOE, p.1)
- * National Defense Authorization Act for FY 1993 requires all Federal agencies to give full consideration to displaced Defense employees before selecting any candidate outside the agency -- propose act be amended/ central pool of FTE slots to allow hiring of candidates with disabilities (DOE, p.1-2)
- * flexible working hours (AB, p.1)
- * automated vibrating system as evacuation alert (DOC, p.2)
- * Affirmative Action Program Report for People with Disabilities submitted to Equal Employment Opportunity Commission (DOC, p.3)
- * program allowing each unit to set aside \$1500 and respond positively to requests for reasonable accommodations - recent examples of program use include zoom caps enlarging keyboard keys & voice activated computer (DOC, p.5)

2) Building and other accessibility design issues:

- * updating UFAS standards to be consistent with ADA standards (GSA, p.1)
- * limited waivers or modifications of UFAS granted (GSA, p.2)
- * ongoing (to date) accessibility training program trained over 1,200 GSA employees - training also given to several Federal agencies (GSA, p.2)
- * all new design and construction projects will comply with a

- more stringent standard (whether UFAS or Title III ADA) (GSA, p.1)
- * all new construction and renovation projects to meet ADA and UFAS standards (EPA, p.1)
- * all elevators and some water fountains renovated to meet ADA or UFAS standards (HUD, p.1)
- * ADA-required signage, power door, ramp and private shower installation in some areas (HUD, p.1-2)
- * ramps, accessible control panels and bathrooms installed in Headquarters (EPA, p.1)
- * meet ADA requirements when leases renegotiated or renovations made in all buildings owned or leased by EPA (EPA, p.1)
- * small renovations undertaken solely for ADA accommodations (EPA, p.1)
- * all new laboratories designed to be adaptable for use by persons with disabilities (EPA, p.1)
- * urge all Federal agencies to adopt ADAAG as design standards for construction, leasing or alteration of Federal buildings/facilities (AB, p.2)
- * elevators modified, stairwells updated, rest rooms surveyed and/or installed, rails, braille signs, dual access door operators, TTVs, TDDs and sound amplification systems installed in various operating units (DOC, pp.1-3)
- * BEA and NOAA relocated to fully accessible buildings (DOC, p.1 & 3)

3)Public accommodation issues (including government information in alternative formats):

- * raising disability awareness issues to a higher priority (DOT, p.1)
- * ongoing classes "Introduction to American Sign Language and Deaf Culture" (DOT, p.1)
- * National disability awareness campaign at all agency levels -- guest speakers, videos, etc. (DOT, p.1)
- * over 20 accessible design publications available in large type, cassette tape, computer disc, and braille (AB, p.1)
- * press Federal agencies and Government Printing Office to produce materials in alternate formats (AB, p.2)
- * TDD systems provided in Public Information Office (and at individual work stations (DOC, p.1)
- * recently released BEA data available in voice recorded messages (DOC, p.1)
- * Census Bureau accessible parking spaces established for visitors with disabilities (DOC, p.2)
- * TTY installed in Public Information Office (DOC, p.2)
- * Equal Employment Opportunity Office and Public Info. Office purchased decoders for close captioned videos (DOC, p.2)
- * Census' comprehensive disability survey (DOC, p.3)
- * Census' statistical brief addressing, in part, employment issues for those with disabilities (DOC, p.3)
- * applicant referral system for individuals with disabilities (DOC, p.5)

4)Workplace technology applications:

- * DOD established Computer/Electronic Accommodation Program (CAP) in '90 to provide adaptive devices for employees with disabilities. (DOE, p.1)
- * DOE's efforts decentralized - suggest program be expanded and coordinated - raises issues of expense (DOE,p.1-2)
- * currently considering establishment of central fund for adaptive devices and support services similar to DOD's CAP program - if approved will provide computer/electronic accommodations and reader/interpreting services (DOE, p.2)
- * wire splinter installed (materials purchased at hardware store) enabling interpreter to listen to & interpret calls (AB, p.1)
- * "The Information Infrastructure: Reaching Society's Goals." - First chapter addresses meeting needs of people with disabilities (DOC, p.3)
- * 6th annual Accessible Computer Technology exhibit (DOC, p.4)
- * free seminar focusing on advancing modality choice through captioning (DOC, p.4)
- * electronic hearing on issue of universal access to the National Information Infrastructure (DOC, p.5)

5)Law compliance issues (by the Federal Government itself, its grantees, and contractors):

- * promptly responding to accessibility complaints (number of complaints decreasing annually and cases being closed in less time thus reducing backlog)(GSA, p.2)
- * revision of Real Property Management Manual to increase compliance with accessibility requirements (DOC, p.5)

1) Work Camps coordinator (8) 7
 *Prosser (head) M
 Gunney F
~~Cressman~~ M
 Farnham F
 Spurr F
 Voss F
~~Farnham~~ F
 Beecher M
 Alworth M
 Vogel

2 Cressman M (8) 7
 Evans F
 Beecher M
 *Riffe (head) coordinator M
 Vail F
 McCormick M
 Hatcher M
~~Wether~~ M

3) Voss (7) (6)
 Fowler
 Williams
 Wadsworth
 Brumfield (head) coordinator
 Galtier
 Tikhon

4) Gunney (5)
~~Wadsworth~~
 Cressman
 Davis
 Spurr
~~Evans~~
 *Thompson (head) coordinator
 Wadsworth

THE WHITE HOUSE

WASHINGTON

July 26, 1994

MEMORANDUM FOR DOMESTIC POLICY COUNCIL

FROM: Carol H. Rasco, Assistant to the President for
Domestic Policy *CHR*

SUBJECT: Disability Issues Working Group

At yesterday's meeting of the DPC, we agreed to convene a working group on disability law compliance issues with a view to the Federal government setting an example and high standard for accessibility and workplace accommodations. Some of the topics that would fall within the purview of this working group would be assistive technology, eliminating disincentives to hiring qualified employees with disabilities, making information produced by the government available in accessible formats, and related topics in accommodating persons with disabilities as our co-workers and our customers.

You are invited to designate someone from your department or agency to join this working group. Please have that person's name submitted to Stanley Herr on my staff [phone: 456-5570 or fax: 456-7028]. I look forward to working with you on this issue of importance to the Administration and to the one in seven Americans who have disabilities.

FEDERAL DISABILITY ACCOMMODATIONS WORKING GROUP

Potential subgroups and preliminary and partial analysis of departmental and agency reports

1) Employment and workplace accommodations issues:

- psychiatric
hiring
- * alternative formats for job application materials (OPM, p.1)
 - * automated referral programs for persons with disabilities, titled Project Able (Able Beneficiaries' Link to Employers) and the Job Ready Disabled Veterans Connection (OPM, p.2-3)
 - * centralized funding for reasonable accommodations to remove a disincentive to hiring persons with disabilities (VA, p.1)
 - * sign language interpreters -- grappling with quality, quantity, reimbursable agreements, and inter-agency sharing issues (DOT, p.1)
 - * transportation-accessible vans & buses for events and training -- grappling with this issue (DOT, p.1)
 - * monthly placement coordinator meetings addressing issues relating to employees with disabilities (DOT, p.1)
 - * bi-monthly disability awareness workshops (DOT, p.1)
 - * suggest disability awareness training become mandatory for all Federal managers and supervisors (DOE, p.2)
 - * training programs to enable agencies to facilitate workshops (DOT, p.1)
 - * DOT Coalition of Minorities, Women, and Disabled (DOT, p.1)
 - * "The Employment of Persons with Disabilities" guide providing information on reasonable accommodations and an extensive list of resource agencies (HUD, p.1)
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 - * TTY provision, interpreter services, modification of office furniture and specially designed strength machine installed in fitness center (HUD, p.2)
 - * DOE obtained OMB authority in 1/93 for exemption from full-time equivalent (FTE) ceiling controls for hiring people with disabilities. Ceiling exemption hampered by OMB Bulletin No.93-08 (DOE, p.1)
 - * National Defense Authorization Act for FY 1993 requires all Federal agencies to give full consideration to displaced Defense employees before selecting any candidate outside the agency -- propose act be amended/ central pool of FTE slots to allow hiring of candidates with disabilities (DOE, p.1-2)
 - * flexible working hours (AB, p.1)
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 - * Affirmative Action Program Report for People with Disabilities submitted to Equal Employment Opportunity Commission (DOC, p.3)
 - * program allowing each unit to set aside \$1500 and respond positively to requests for reasonable accommodations - recent examples of program use include zoom caps enlarging keyboard keys & voice activated computer (DOC, p.5)

2) Building and other accessibility design issues:

- * updating UFAS standards to be consistent with ADA standards (GSA, p.1)
- * limited waivers or modifications of UFAS granted (GSA, p.2)
- * ongoing (to date) accessibility training program trained over 1,200 GSA employees - training also given to several Federal agencies (GSA, p.2)
- * all new design and construction projects will comply with a more stringent standard (whether UFAS or Title III ADA) (GSA, p.1)
- * all new construction and renovation projects to meet ADA and UFAS standards (EPA, p.1)
- * all elevators and some water fountains renovated to meet ADA or UFAS standards (HUD, p.1)
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- * ramps, accessible control panels and bathrooms installed in Headquarters (EPA, p.1)
- * meet ADA requirements when leases renegotiated or renovations made in all buildings owned or leased by EPA (EPA, p.1)
- * small renovations undertaken solely for ADA accommodations (EPA, p.1)
- * all new laboratories designed to be adaptable for use by persons with disabilities (EPA, p.1)
- * urge all Federal agencies to adopt ADAAG as design standards for construction, leasing or alteration of Federal buildings/facilities (AB, p.2)
- * elevators modified, stairwells updated, rest rooms surveyed and/or installed, rails, braille signs, dual access door operators, TTYs, TDDs and sound amplification systems installed in various operating units (DOC, pp.1-3)
- * BEA and NOAA relocated to fully accessible buildings (DOC, p.1 & 3)

3) Information, technology applications, and public accommodation issues (including government information in alternative formats):

- * special account for the purchase of adaptive technology to ensure that federal employees with disabilities have equivalent access to all information resources to do their jobs (VA, p.4)
- * over 20 accessible design publications available in large type, cassette tape, computer disc, and braille (AB, p.1)
- * press Federal agencies and Government Printing Office to produce materials in alternate formats (AB, p.2)
- * raising disability awareness issues to a higher priority (DOT, p.1)
- * ongoing classes "Introduction to American Sign Language and Deaf Culture" (DOT, p.1)
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- * 6th annual Accessible Computer Technology exhibit (DOC, p.4)
- * free seminar focusing on advancing modality choice through captioning (DOC, p.4)
- * electronic hearing on issue of universal access to the National Information Infrastructure (DOC, p.5)

4) Law compliance issues (relating to the Federal Government, its grantees, and contractors):

- * See "Primer on disability Laws that Apply to the Federal Executive Agencies"
- * promptly responding to accessibility complaints (number of complaints decreasing annually and cases being closed in less time thus reducing backlog)(GSA, p.2)
- * revision of Real Property Management Manual to increase compliance with accessibility requirements (DOC, p.5)
- * frequent reiteration by the Secretary of nondiscrimination and affirmative action policies for people with disabilities (VA, p. 3)

Revised September 29, 1994

Saved as c:workgpusum

Meeting of Federal Disability Accomodations Working Group

September 29, 1994, 2:00 to 3:30, 472 OE0B

Welcome and Reintroductions

**Stanley S. Herr
The White House**

**Primer on Disability Laws that
Apply to the Federal Executive Agencies**

**John L. Wodatch
Department of Justice**

Accessibility Data Management Systems

**Karen E. Megorden
and Curtis C. Kron
Department of Interior
Bureau of Reclamation**

Agency Reports

**Howard Moses
Department of Education
and Full Group**

Open Forum

Full Group

Next Steps and Closing

Stanley S. Herr

posssible sub-groupw:

1) Employment and workplace accommodations issues (other than technology applications)

Don Smith
Lila Farazian

2) Building and other accessibility design issues

* Larry Rofee
Ben Burrell
• updating UFAS standrads to ber consistent with ADA standards (GSA, p. 1)
• limited waivers or modifications of UFAS granted (GSA, p. 2)

3) Public accomodation issues (including government information in alternative formats)

Howard Moses
{ Kate Seelman }

4) Workplace technology applications

* Susan Brummell
Ida Herndez

5) Law compliance issues (by the Federal govt itself, its grantees, and contractors)

* John Wodatch
Thea Spires
Shirley wilcher
Melvin Fowler

§(v4)c

DRAFT

According to the figures given in Table 1, most hearing and visually impaired Federal employees are in non-supervisory positions, and are below the GS 12-13 pay grade. Fully one-quarter (26% of the hearing impaired and one-fifth (20%) of the visually impaired work in clerical positions. A majority are in white collar jobs, spread fairly evenly between the four major white-collar categories listed above (professional, administrative, technical, clerical).

Statutory and Regulatory Requirements

Under current laws and regulations, Federal agencies have the authority to provide training aids such as interpreters and readers for disabled Federal employees. However, it is unclear how interagency training programs such as OPM's are affected by these statutes and regulations. In other words, when an agency sends a disabled Federal employee to OPM training, it is unclear who has the legal responsibility (or even if there is a legal responsibility) to pay for auxiliary aids such as interpreters or readers. The statutes and regulations leave open the question of what happens in instances of interagency training, and OPM has not made any uniform policy to provide training aids to employees from other Federal agencies attending its training programs (see Appendix A "Accessibility Statutes and Regulations" for a summary of current accessibility laws and regulations).

Two recent events give OPM reason to reconsider its position. The first is the passage of the Americans with Disabilities Act (ADA) of 1990. The ADA prohibits discrimination against persons with disabilities in all employment practices, including job application procedures, hiring, advancement, and training. While the ADA's employment provisions do not apply to the Federal Government, its passage has sparked new interest in the accessibility policies of all employers.

The second major event is the emergence of a draft policy statement from the Interagency Coordinating Council (ICC). The ICC was established by Public Law 95-602 in 1978 to promote efficiency and eliminate inconsistencies among Federal agencies in their interpretation, implementation and enforcement of accessibility laws and regulations. Eight Federal agencies are members of the ICC, including OPM. The ICC's draft statement, entitled "Making Government Documents Available in Alternate Formats for People With Sensory Impairments," is the Council's interpretation of current laws and regulations that deal with the accessibility of Federal programs. According to this interpretation, Federal agencies are required to "communicate fully and effectively with employees, applicants, program participants, personnel of other Federal entities, and members of the public who have sensory impairments." Steps in this direction would include: "1) establishing auxiliary aids procedures to ensure that an individual who has a sensory impairment has ready access to the agency's programs and activities; 2) providing on request necessary auxiliary aids at agency expense; and 3) establishing procedures to ensure that individuals who need auxiliary aids are informed of the existence of accessible services and how to obtain them" (Emphasis added).

9/2/88
Robert Act--
(Lend a hand--cy)

□ Belle Janhill
 Bernie — older guy!
 Amy Green
 Ronald Trump
 Lisa Forhill -

parameter (play //
 (like many ideas

Timetable ambitious
 timetable: April - June 95
 97 budget phase

Work product

(interim report

• June 95

• June 96

• all agencies

• involved

long-sustained basis - -

• Inter-term effort:
 Results overall philosophy
 Political

• Can't view

• Value's right - -

Task Force Mike co-chair
 + Carol

Secs/r degrees //

working group level - - OVB
 NEC DPE

Dialogue

Joint Scope

Time Frame
Structure

FIRST DRAFT DRAFT saved as C:dispol

To: Carol H. Rasco

From: Stan Herr and Jeremy Ben-Ami

Subject: Options Paper on National Disability Policy Review

Date: August 10, 1994

OUTLINE OF IDEAS

I. Summary

- A. Carol's request to us
- B. Alice's concurrence with a "very big deal" review
- C. The whole enchilada approach versus sectorial reviews
- D. Federal disability review v. "anonymous horde" review
(see NYT, 8-10-94 re settlement discussions on the health care advisory task force suit, the quoted matter being the US position)
- E. Constraints imposed by the Federal Advisory Committee Act 5 USC App. -- public forums to be held by 3 presidential advisory committees

II. Background

- A. The Campaign promises on disability policy
- B. The centrality of the ADA
- C. The positive services to make the ADA work
- D. the mandate (and interest) of the National Council on Disability (NCD) to make recommendations on disability
- E. ditto -- the President's Comm. on Employment of People with Disabilities (PCEPD)
- F. ditto within the mental retardation/developmental disabilities fields for the President's Committee on mental Retardation (PCMR)
- G. OMB reviews on disability programs
- H. DPC paper on the status of the implementation of the ADA
- I. Highlights of other nations' experience: the Swedish plan; query Canada; Germany

III. Scope options

- A. Conceptual issues raised in Belle's list of questions concerning federal responsibilities, & policies advancing the President's disability credo: inclusion, independence and empowerment, and applied to the following program and topic clusters, such as:
 - B. infant and toddler programs
 - C. education programs (age 3 to 21)
 - D. cash benefit programs
 - E. medical and other health programs
 - F. social services and family supports
 - G. school to work transitional services, rehabilitation services and training; employment services
 - H. access to, and integration with state and local government programs

- I. access to transportation systems
 - J. access to housing
 - K. shifts away from institutional settings to community-based options
 - L. advocacy services and civil rights enforcement
 - M. information and referral; & other government actions aimed at greater empowerment, inclusion, dignity, and independence
 - N. services for older persons
 - O. personal assistance, mentoring, surrogate decision-making options; guardianship reforms
 - P. access to telecommunications and other assistive technology
 - Q. services for prevention or minimization of disability
 - R. federal government as model employer and other disability accommodations to job applicants, customers, and visitors
 - S. all the rest of the items one could imagine
- IV. Process options
- A. DPC/OMB joint working group on national disability policy
 - B. augmented by federal employees from the three national advisory committees;
 - C. or further augmented by agencies with specialized jurisdictions, e.g. the Access Board; EEOC; FCC.
 - D. on a purely advisory level, and without direct connection to the working group, the NCD, PCEPWD, and PCMR can have their own outreach and policy recommendation groups to offer broader range of input and political base-touching
- V. Recommendations
- HELP!
- A. WHEN TO START?
 - B. Who starts?
 - C. Outcomes desired?
 - D. desire to bring some overall structure to the small, limited and uncoordinated national disability policy efforts to date
 - E. Chinese proverb: journey of 1000 miles begins with a single step

Jeremy --FYI Carol had asked me to summarize this report on framing a national disability policy.

MEMORANDUM TO CAROL H. RASCO FOR BRIEFING OF PRESIDENT CLINTON

FROM: Stanley S. Herr

SUBJ: Summary of "Operation People First: Toward a National Disability Policy"

DATE: April 29, 1994

Summary. Justin Dart and the staff of the President's Committee on Employment of People with Disabilities (PCEPD) have produced a good overview of the task of framing a coordinated and comprehensive national disability policy. The policy they urge would reshape laws, regulations, programs, and services at both the federal and state levels to conform to "the spirit and the letter of ADA" (the Americans with Disabilities Act). They see the overall goal of that policy as empowering people with disabilities to maximize their potential. Tony Coelho, as our newly appointed PCEPD chair, concurs in the report's findings and recommendations and echoes the "need for a cohesive national policy on disability," supportive of the ADA and designed to bring people into the mainstreams of our culture. Although the recommendations range from the highly general to the narrowly specific, they appear to reflect the Administration's main priorities in this field -- health care reform to ensure universal coverage and end pre-existing condition exclusions, and a broad array of ADA education, implementation and enforcement activities.

Report-making Process. "The Operation People First" report (the Report) is based on 60 teleconferences with 1200 "disability constituency leaders" in the 50 states, DC and the territories. Those conference calls were held from March 1993 to September 1993, and lasted for up to two hours. The aim was to represent the views of a cross-section of major disability constituencies (see pp. 5-6). The tone and substance reflects Mr. Dart's input and his strong empowerment rhetoric and dedication to vigorous ADA enforcement and health care reform enactment. It leads with our campaign pledges of fully integrating all persons with disabilities into mainstream society, and actively involving people with disabilities in "developing a national policy that promotes equality and opportunity." (p. 1). It sees President Clinton's participatory aims as consistent with the historical movement from "authoritarian paternalism" to a "society that puts individuals first" and will bring into the decision-making processes the "vast majority" of excluded Americans with disabilities. (p. 2).

Main Recommendations. The crux of the Report is that the U.S. lacks a coordinated and comprehensive policy consistent with the ADA, and that a major overhaul of our disjointed laws and fragmented services is long overdue. (p. 23)
The recommendations which follow from those premises include:

- enactment of a right to health care for all persons regardless of income, health or disability status, thus eliminating a powerful work disincentive to stay on the disability rolls, and achieving parity of coverage and civil rights protection for mental disability needs (pp. 10-12, 17-18)

- dedication of more resources at federal and state levels to implement the ADA through wider information dissemination, White House and other governmental leadership, "forceful, proactive steps" to speed compliance, carrot and stick approaches to eliminate what is perceived as local and state governments' "footdragging", etc. (pp. 12-15, 24)

- initiation of an array of government actions from changing Medicaid-waivers to open more community-based services to closing "dehumanizing institutions for people with developmental and psychiatric disabilities;

from a national database of job opportunities and training programs to removal of a host of work disincentives; from targeting undeserved populations of minority, elderly, or rural Americans with disabilities to developing transition programs ... for graduating students with disabilities." (pp. 8-9, 20, 25)

- launching of media and multi-sector campaigns to change attitudes and overcome the pervasive stigma against people with disabilities, especially those with mental disabilities or AIDS (pp. 21-22, 25-26)

- reform of various service-delivery sectors to promote full and meaningful inclusion in schools, accessible, integrated and safe housing, effective and available transportation systems (especially in rural areas), affordable and consumer-controlled personal assistance services, and other changes (pp. 8-9, 19-21)

- improvement of advocacy, empowerment, and equal citizenship status and strategies through training in substantive rights and self-advocacy skills, affirmative action, coalitions

- creation of programs that focus attention on the difficulties of school-to-work/adulthood transitions, and the need for work-study programs, vocational training programs, internships, business partnerships with schools, and others steps to aid 18-year-olds who are now unprepared to work and are abruptly severed from sources of vocational, aid, counselling, assistance, and structured activity (pp. 9, 20-21).

Analysis. The executive summary displays a formidable array of building blocks to set in place for the desired national disability policy. (pp. 8-9). And this list is not even comprehensive. It says little about an accessible telecommunications system; the need for a full array of personal and family supports to avoid unnecessary guardianships, institutional stays, and other stigmatizing differences; reform of welfare and social security disability programs; the need for sports and recreation to minimize isolation and boredom; and a jobs or work-activity program commensurate with the unemployment rate cited in the Report (76% of persons with severe disabilities unemployed). Nevertheless the Report's priorities are a good faith starting point. Although the Report acknowledges that the

development of coordinated national disability will take several years and require cooperative work with the National Council on Disability, it does not spell out the appropriate next steps to do this task. The overlapping missions and charges of the President's Committee and the National Council on Disability will require some White House oversight. In line with your query yesterday, this appears to be a matter relevant to the DPC since we also receive the recommendations from the President's Committee on Mental Retardation which is now reenergized and soon will be capable of contributing to national disability policy.

Please let me know if I can offer you any further assistance or elaboration.

NATIONAL INSTITUTE ON DISABILITY
AND REHABILITATION RESEARCH

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-2572
202/205-8134

DBTAC TOLL FREE NO. - 1-800-949-4232 (VOICE/TDD)The National
Institute on Disability and Rehabilitation Research's (NIDRR's)
Americans with Disabilities Act (ADA) Technical Assistance
Initiative

History: In the fall of 1991, the Senate Report accompanying
NIDRR's
Appropriation bill directed NIDRR to fund "technical assistance
related to the
implementation of the ADA" and the House report directed NIDRR to
fund " ... up
to ten new regional centers on disability." In response to
these directives,
NIDRR established an ADA technical assistance initiative with the
following
five components.

Five Components:

- (1) Regional Disability and Business Technical Assistance Centers
(DBTACs)
- (2) National Training Projects (NTPs)
- (3) Materials Development Projects (MDPs)
- (4) ADA Grant Coordination Contractor
- (5) Interagency Collaboration

Project Model:

NIDRR's technical assistance program is designed to develop and
support a
network of technical assistance providers that operates at a
regional, State,
and local level. Each of the regional DBTACs has established a
network of
State affiliates. In the next five year cycle, a network of
local affiliates
will be established by the State affiliates.

ADA Grants and Contracts History:

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

16-Aug-1994 02:55pm

TO: Stanley S. Herr

FROM: Carol H. Rasco
 Economic and Domestic Policy

SUBJECT: RE: Fed Dis Acc Working Group --FDA seems to be taken ahead
SUBJECT: _____

Looks excellent to me!

y
—

Carol -- FYI. Any suggestions? I showed it to Jeremy and he thought it looked very well-structured. Stan

Meeting of Federal Disability Accommodations Working Group

August 18, 1994, 2:00 to 3:30, 472 OE0B

AGENDA

Welcome and Introductions	Stanley S. Herr The White House
The Political Context	Judith Heumann Department of Education
The Legal Landscape	Liz Savage & John Wodatch Department of Justice
Technical Requirements and Assistance	Lawrence Roffee The Access Board (U. S. Architectural and Transportation Barriers Compliance Board)
Issue Identification	Paul Miller U. S. Office of Consumer Affairs
Open Forum	Full Group
Closing	Stanley S. Herr

Federal Disability Accommodations Working Group

2:00 to 3:30

welcome and introduction

Stanley S. Herr
White House DPC

the legal requirements

John wodatch -- call in
or Liz

Savage

the political requirements
Judy Heumann

Paul Miller call in or ?
why important?
fit in?

the technical requirements

Susan Brummel GSA
or Rofeee Capozzi

identification of issues

(Paul Miller)

identification of goals

summary

timeliness and outcomes

employees, contractors, customers, public

next meeting

saved as c:feddisa

(widest cut)
→ follow-up meeting

- 1 month
Caret
1 month

practical report
DPC
what data
of compliance
to
achieve plan

Meeting of Federal Disability Accommodations Working Group

August 18, 1994, 2:00 to 3:30, 472 OEOB

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Open Forum

Full Group

Closing

Stanley S. Herr

*Pls further
along with minutes
sent to
Lance
Hlwork*

THE WHITE HOUSE
WASHINGTON

FAX COVER SHEET

OFFICE OF THE ASSISTANT TO THE PRESIDENT FOR DOMESTIC POLICY
SECOND FLOOR, WEST WING
THE WHITE HOUSE
WASHINGTON, DC 20500
(202) 456-2216 PHONE
(202) 456-2878 FAX

TO: Stan Herr
FAX #: 67028
FROM: CAROL H. RASCO
DATE: 8/22/94
NUMBER OF PAGES (including cover sheet): 4
COMMENTS: _____

If you have any problems with the fax transmission, please call
at (202) 456-2216.

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08/18/94 12:38

202 523 0195

OFCCP

001



Stan - fye AUG 18 REC'D

FAX TRANSMISSION COVER SHEET

DATE:

8/18/94

NUMBER OF PAGES:

3

TO:

Carol H. Rasco

FAX:

456-2878

PHONE:

456-2216

SPECIAL INSTRUCTIONS:

FROM:

Shirley Wilcher

U.S. DEPARTMENT OF LABOR ROOM C-3325
EMPLOYMENT STANDARDS ADMINISTRATION
OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

PHONE (202) 219-9476**FAX (202) 219-6195**

08/18/94 12:38

202 523 0195

OFCCP

002

U.S. Department of Labor

Employment Standards Administration
Office of Federal Contract
Compliance Programs
Washington, D.C. 20210



AUG 18 1994

Ms. Carol H. Rasco
Assistant to the President
for Domestic Policy
The White House
Washington, D.C. 20500

Dear Ms. Rasco: *Carol*

Thank you for your interest in the Office of Federal Contract Compliance Programs' (OFCCP) equal opportunity programs for individuals with disabilities.

For the past two decades, OFCCP has enforced Section 503 of the Rehabilitation Act of 1973 (Section 503), as amended, (29 U.S.C. 793), which requires Government contractors and subcontractors to take affirmative action to employ and advance in employment qualified individuals with disabilities. OFCCP is authorized to investigate and attempt to resolve charges of employment discrimination under Section 503. In 1993, OFCCP investigated 676 complaints filed under Section 503.

Title I of the Americans with Disabilities Act of 1990 (ADA), which became effective on July 26, 1992, also prohibits discrimination against qualified individuals with disabilities in all aspects of employment. Because most Federal contractors are covered by both the ADA and Section 503, Title I of the ADA requires that the enforcement of the ADA and Section 503 be coordinated, and that OFCCP and EEOC apply consistent legal standards when processing complaints of discrimination that fall with the overlapping jurisdiction of both statutes.

EEOC and OFCCP have published joint regulations which set forth procedures governing the processing of complaints that fall within the overlapping jurisdiction of both the ADA and Section 503 -- 41 CFR Part 60-742 (OFCCP) and 29 CFR Part 1641 (EEOC). Under the joint rule, complaints of employment discrimination based on disability that are filed with the OFCCP are considered simultaneously dual filed under the ADA. Further, OFCCP has been designated EEOC's agent for purposes of investigating complaints filed with OFCCP that are subject to both laws. To date, however, EEOC has not referred any ADA complaints pursuant our procedural memorandum of agreement.

OFCCP is in the process of finalizing revisions to the current regulations implementing Section 503 and intends to publish a final rule in the Fall. The final rule is intended to accomplish three objectives. First, pursuant to the ADA requirement that

-2-

EEOC and OFCCP apply consistent standards, we are conforming the nondiscrimination provisions of the Section 503 regulations with EEOC's regulations implementing the ADA.

Second, we are incorporating in the regulations several recent statutory changes to the Rehabilitation Act. These include:

raising the coverage threshold from a contract in excess of \$2500 to a contract in excess of \$10,000;

removing the "carry out the contract" jurisdictional limitation and thereby extending Section 503 protection to all of a covered contractor's workforce at all of its facilities;

expressly providing that there is no protection of homosexuality, bisexuality, transvestism, transsexualism and other conditions;

addressing the disability status of alcoholics and illegal drug users; and

clarifying that persons with contagious diseases may be protected.

Finally, we are making a number of programmatic changes designed to enhance our enforcement of Section 503. These include:

codifying a longstanding position that sales by the Government are included within the definition of Government contract for purposes of Section 503;

extending the complaint filing period from 180 days to 300 days;

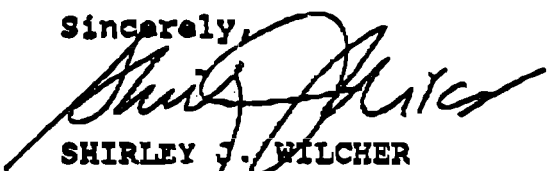
specifying that interest on back pay will be compounded quarterly (rather than simple interest);

authorizing fixed-term debarments for minimum duration of six months and maximum of three years; and

extending the record retention requirement from one to two years.

If you would like more information about our enforcement programs, please feel free to contact me.

Sincerely,



SHIRLEY J. WILCHER
Deputy Assistant Secretary for
Federal Contract Compliance Programs

TCT to Felicia / Baker

Stz / Low travel;
want her here today
interview her soon
one rep per day.

Straighten out
after sets



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

AUG 16 1994

Ms. Carol Rasco
Assistant to the President
for Domestic Policy
The White House
1600 Pennsylvania Avenue
Washington, D. C. 20500

Dear Ms. Rasco:

This is in response to your memorandum of July 26, 1994, where you requested this agency to designate someone to serve on the Domestic Policy Council's Working Group on Disability Law Compliance Issues. The objectives of this working group certainly reflect one of the Department of the Interior's most crucial civil rights goals that is to enhance the quality of opportunities and services for people with disabilities in all aspects of our operations.

Melvin C. Fowler, Civil Rights Team Leader and myself, E. Melodee Stith, Director, Departmental Office for Equal Opportunity will represent this Department on the working group. This information has been conveyed, by telephone, to Stanley Herr of your staff on August 8, 1994. For your information, we may be reached at 202-208-5693 (VOICE), 202-208-5998 (TDD) or 202-208-3430 (FAX).

We appreciate your affording us the opportunity to become a part of this important disability rights working group and shall look forward to working with you. If we can be of further assistance to you or your staff, please do not hesitate to contact me directly.

Sincerely,

for *Georgia W. Adams*
E. Melodee Stith
Director

Office for Equal Opportunity

cc: Stanley Herr



U.S. Department of Justice

Washington, D.C. 20530

AUG 15 1994

Mr. Stanley Herr
Executive Office of the President
Washington, DC 20500

Dear Mr. Herr:

This is in response to Carol H. Rasco's recent memorandum concerning the establishment of the Disability Issues Working Group. The Department of Justice will have two representatives to the Working Group:

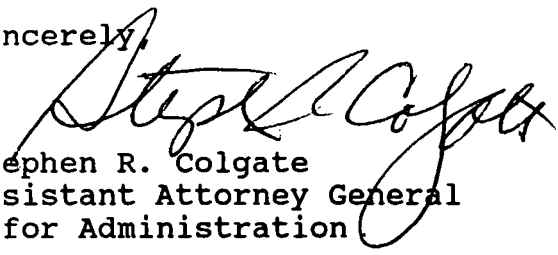
John Vail
Deputy Assistant Attorney General
Human Resources and Administration
Justice Management Division
(202) 514-5501

and

Elizabeth Savage
Special Assistant to the
Assistant Attorney General
Civil Rights Division
(202) 514-4279

If there are any questions about our response, they may be referred to Mr. Vail.

Sincerely,


Stephen R. Colgate
Assistant Attorney General
for Administration

PLEASE DELIVER ASAP to Ms. Haney's secretary. Thank

200 Upnor Road
Baltimore, MD 21212
September 30, 1994

September 30, 1994

via FAX (601) 234-1699

Carol B. Haney
President, Legal Process and Advocacy Division
AAMR

Dear Carol:

I understand from your secretary that you are still accepting proposals for the Annual Meeting of the AAMR. I apologize that the press of my work here precluded my contacting you sooner.

My proposal is titled: "A Global View of Rights and Legal Protection for Persons with Mental Retardation."

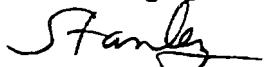
Twenty to thirty minutes (which is inclusive of time for questions) would suffice. The topic may well lend itself to an interdisciplinary session, or to joint sponsorship with the international activities SIG.

Despite the breadth of this title, I will offer a concrete focus on multinational rights declarations and trends in national laws. The twentieth anniversary of the UN Declaration on the Rights of Disabled Persons will also make this presentation of timely interest to an AAMR audience, I hope.

I will not require AV equipment.

Please confirm receipt of this fax at your early convenience. My day time contacts are (202) 456-5570 or FAX (202) 456-7028. Thank you for your consideration.

Sincerely yours,



Stanley S. Herr, FAAMR
Kennedy Public Policy Fellow

MEMORANDUM TO CAROL H. RASCO

FROM: Stanley S. Herr

SUBJ: Initial Meeting of the Federal Disability
Accommodations Working Group

DATE: September 12, 1994

On August 18th, the DPC's Federal Disability Accommodations Working Group met at the Old Executive Office Building. Twenty-seven representatives from twenty agencies and White House units attended the inaugural meeting to carry out the charge to this working group outlined in your memorandum of July 26th.

Although Agriculture, Commerce and OMB did not send representatives to the first meeting, we have now identified individuals from these three agencies who will be attending subsequent working group meetings.

Our next meeting will be held on September 29th, 2:00 to 3:30 in room 472 OEOB. You are, of course, cordially invited to attend or drop by as your schedule permits.

The August 18th meeting closely followed the attached agenda and thanks to the fine presentations by the listed individuals was quite successful. The main points to emerge were as follows:

- The charge to the Working Group was validated as clear and important from political, policy, and law compliance perspectives.

- The President has often expressed his commitment to full implementation of the ADA and Rehabilitation Act and thus to Federal leadership in accommodations issues.

- This Working Group presents a unique opportunity for this Administration to really make the Federal government a model employer, provider of customer services, source of accessible information, contractor and grantor to federally assisted entities, and manager of buildings, parks, and other tangible facilities to benefit persons with disabilities and their families and companions.

- The Federal government must be an exemplar of good accommodations practices and policies to have credibility with the private sector as it seeks compliance with the ADA and Sections 503-504.

- The Federal government should be able to demonstrate the ability to structure reasonable accommodations inside our agencies without creating undue hardships.

- Yet many departments still don't understand the nature and

range of accommodations needed; many employees are reluctant to ask for them; and recruitment, training, multi-media information, and other aspects of employment relationships with persons with disabilities remain problematic.

- These issues are civil rights issues, not just personnel ones.

- The solutions to these problems have interagency and intergovernmental aspects, such as pooled resources (e.g., data banks on accommodations solutions, computerized complaint tracking systems, translator services, etc.) and additional resources to avoid disincentives to hiring persons with disabilities.

- Clearer policies and practices are needed to ensure grantee compliance as well as Federal compliance in a range of governmental programs that impact nearly one in seven Americans.

- As more federal employees with disabilities at policy making levels are hired, impacts of policy initiatives on citizens with disabilities may receive more direct and early attention.

- Although some departments are doing a better job to meeting the accommodations needs of their employees, customers, and the general public, there is considerable unevenness in performance.

- The Justice Department provided an overview of the legal obligations of the Federal government and will make that briefing available to DPC members in written form.

- The Access Board identified the multiple sources of technical assistance on accommodations available from within and without the government. They are also available for such consultations, and such technical assistance employees operate separately from compliance officers to minimize conflict.

- The Access Board is also working to unify and harmonize access standards.

- There is a need to share information across the federal government on what is working, and what common issues are being encountered and creatively resolved, e.g., providing information in alternative formats, such as discs, tapes, braille, large print; the use and availability of assistive technology.

At the close of the meeting, each agency representative was given the following four-part assignment designed to give a quick snap-shot of activities within their agencies:

1. identify some of the specific accommodations issues that your department or agency are now addressing.
2. produce or identify any reports that your agency has

written or proposed on the topics covered by this Working Group.

3. produce or identify any publications or brochures that you have written on those topics.

4. describe briefly any other issues, accomplishments, and problems that your agency has noted that bear on the charge to this Working Group.

We agreed that these brief memorandums would be sent to me by September 22nd so that they could be distributed and discussed at the next meeting.

One follow-up note. Last Friday (September 9th), I met with Department of Interior officials who briefed me on their ADMS (Accessibility Data Management System). ADMS seems to have exciting potential for improving interagency cooperation and public knowledge about accommodations and accessibility features of the Federal government. I am considering inviting them to brief our entire Working Group (which includes video and slides), and they have indicated a great willingness to do so. For your background, I enclose their briefing package.

cc: Jeremy Ben-Ami

ACCESS BOARD
PROGRAM BRIEFING NOTE

PRIORITIES

ADA ACCESSIBILITY GUIDELINE DEVELOPMENT

RESEARCH

ADA TECHNICAL ASSISTANCE AND TRAINING

ABA ENFORCEMENT

PROGRAMS

PUBLIC COMMUNICATIONS

QUALITY IMPROVEMENT

ADAAG DEVELOPMENTFY 1991

ADAAG for Buildings and Facilities	Final 7/26/91
ADAAG for Transportation Facilities	Final 9/6/91
ADAAG for Transportation Vehicles	Final 9/6/91

FY 1992

ADAAG Revisions for ATMs	NPRM 9/8/92
ADAAG for State and Local	Initiated
Administrative Procedures Act Petitions	Resolved
Communications in Transit Facilities	
Vehicle Door Heights	

September 1993

ADAAG DEVELOPMENT

FY 1993

State and Local	NPRM 12/21/93
Recreation	Convened Advisory Group
Over-The-Road-Buses	Comment OTA Report
Children's	ANPRM 02/02/93
Federal ADAAG	Planning Meetings
Detectable Warnings	NPRM 07/09/93
Automated Teller Machines	Final 07/15/93

FY 1994

State and Local	Publish Final
Recreation	Report and Analysis
Over-The-Road-Buses	Publish NPRM and Final
Children's	Publish NPRM
Federal ADAAG	Preparation
Water Transportation	Convene Advisory Group
ADAAG Review	Convene Advisory Group

ADAAG DEVELOPMENT**FY 1995**

Recreation	Publish NPRM
Children's	Publish Final
Federal ADAAG	Publish NPRM
Water Transportation	Report and Analysis
ADAAG Review	Report and Analysis

FY 1996

Recreation	Publish Final
Federal ADAAG	Publish Final
Water Transportation	Publish NPRM
ADAAG Review	Publish NPRM

FY 1997

Water Transportation	Publish Final
ADAAG Review	Publish Final

RESEARCH

TWO PURPOSES

1. Support ADAAG Development
 - Technical and scoping issues
 - Regulatory impact analysis

2. Provide "Tools" for Technical Assistance and Training
 - Video tapes
 - Technical assistance manuals

RESEARCH

FISCAL YEAR 1993 PROJECTS

Detectable warnings

Ramp slope and landings

Cost analysis for Assembly Areas

FISCAL YEAR 1994 PROJECTS

Space and reach range requirements for persons using power wheelchairs and three-wheeled scooters, and interior circulation in transportation vehicles

Public information for persons with cognitive disabilities

Regulatory impact analysis for children's and recreation

SETTING THE RESEARCH AGENDA

Note issues requiring additional research identified during rulemaking and technical assistance.

Determine technical assistance program needs.

Publish Federal Register notice soliciting public comments on the agenda and priorities.

FOR FYs 1995 and 1996

Review research issues	Dec 93 - Jan 94
Analyze need for technical assistance tools	Dec 93 - Jan 94
Publish <u>Federal Register</u> notice	Feb 94 - Mar 94
Set FY's 1995 and 1996 research projects	July 1994

RESEARCH BUDGET

Fiscal Year 1993	\$400,000
Fiscal Year 1994	\$390,000

September 1993

TECHNICAL ASSISTANCE AND TRAINING

The Board's Technical Assistance and Training program is targeted at architects, and others in the design and construction industry; designers of public transit facilities and systems; State and local government officials; and those involved in the design of recreation facilities.

The Board has developed and distributed:

Technical Assistance and Training manuals,

Technical Bulletins on ADAAG,

An ADAAG Checklist,

Video tapes on ADAAG and UFAS.

On an ongoing basis we:

Respond to technical assistance call on our 800 lines,

Provide individualized information packets,

Provide ADAAG training sessions,

Distribute about 60,000 copies per year of Board publications.

TECHNICAL ASSISTANCE AND TRAINING						
	FY 91	FY 92	FY 93 To Date	FY 93 Estimate	FY 94 Estimate	FY 95 Estimated
Telephone Calls	16,000	19,000	15,600	18,700	20,000	22,000
Information Packets	9,600	10,500	10,500	12,600	14,000	15,000
Training Sessions	55	62	71	75	80	90

ARCHITECTURAL BARRIERS ACT ENFORCEMENT

While the Board does not have enforcement responsibilities under the ADA, it does have explicit enforcement responsibility for the Architectural Barriers Act of 1968 (ABA). That act requires certain Federally funded facilities to be accessible. The Board is mandated to develop the minimum design guidelines enforced under the act. The Board receives complaints about inaccessibility, investigates, attempts to resolve the complaint, and if necessary brings civil action to have the barrier removed. In fiscal years 1993 to 1995 we expect to receive about 100 complaints.

ARCHITECTURAL BARRIERS ACT ENFORCEMENT					
Number of New Cases Received					
FY 91	FY 92	FY 93 To Date	FY 93 Estimated	FY 94 Estimated	FY 95 Estimated
153	145	90	100	100	100