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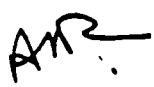
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THE WHITE HOUSE
WASHINGTON

October 3, 1994

MEMORANDUM TO SECRETARY LLOYD BENTSEN
SECRETARY JESSE BROWN
SECRETARY RONALD BROWN
SECRETARY HENRY CISNEROS
SECRETARY FEDERICO PENA
SECRETARY WILLIAM PERRY
ATTORNEY GENERAL JANET RENO
SECRETARY DONNA SHALALA
SECRETARY ROBERT REICH
SECRETARY RICHARD RILEY
COMMISSIONER SHIRLEY CHATER
DIRECTOR JAMES KING

FROM: Carol Rasco 
Assistant to the President for
Domestic Policy

Alice Rivlin 
Director
Office of Management and Budget

SUBJECT: Disability Policy

National programs affecting persons with disabilities have developed rapidly over the last quarter century. New policies, laws, and social expectations have dramatically changed the lives of those with disabilities in areas ranging from entitlements to education, civil rights to transportation. With the Census Bureau estimating that 49 million Americans have some type of disability, the issue is of obvious national importance.

Both of us believe the timing is right to organize a review of the direction of, and next steps for, national disability policy. This important undertaking will need to be inclusive and wide-ranging, seeking the views of people with disabilities, their advocates and service providers, experts in the field, members of Congress and their staff, and federal, state and local officials.

We have asked our staffs to think about how such a review could be structured and what issues could be included. The attached memorandum reflects their initial thinking, and we believe it provides an effective starting point for discussions in and out of the Administration about this review.

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We are asking that each Department designate one or more key policy officials, perhaps at the Assistant Secretary level, to serve as participants in this policy review, which we will co-chair. We are asking our staff leads to meet with your designees as part of their outreach in the next month to develop a proposal for the structure, agenda, and work plan for this review. We would greatly appreciate it if your office would notify the DPC of your designated participants by calling 456-5566 by Wednesday October 12.

We have asked the staff coordinators to complete their initial meetings prior to and to prepare a proposal for a meeting of the Domestic Policy Council in early November. We appreciate in advance your cooperation with this important undertaking.

cc: Leon Panetta
Bob Rubin
Christine Varney



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

SEP 30 1994

MEMORANDUM FOR CAROL RASCO AND ALICE RIVLIN

FROM *JB* Jeremy Ben-Ami and Stan Herr
LF Lisa Fairhol and *RG* Richard Green
SUBJECT Draft Proposal for National Disability Policy Review

Background

You have agreed to begin planning a review of the issues surrounding Federal and national responsibilities for providing assistance to and protecting the rights of individuals with disabilities.

Below, we propose an agenda and structure for the Review, and some first organizational steps. The questions we have proposed to form the agenda are provisional; our initial conversations with key individuals will seek to validate their inclusion in the agenda, to determine what other issues must be addressed, and to set priorities for the Task Force that will undertake this effort.

I. PROPOSED AGENDA

The Task Force should be guided by the President's credo of supporting public and private initiatives to enhance the independence, inclusion, and productivity of persons with disabilities. The Task Force should answer, to the extent possible, the following questions, in order to articulate and refine the Administration's overall disability policy:

National Disability Policy:

- Can we articulate a national disability policy to animate or guide Federal law and regulations?
- What is the Federal role in a national disability policy? What is the rationale for each specific Federal responsibility (e.g., constitutional right, insurance, indemnity, need)? Do the scope and nature of the responsibilities differ based on age (children vs. adults) or severity of disability?
- What are the policies and realities in other countries (e.g., Sweden, Canada, Germany) that may offer insight and direction to our policies and programs?

Federal Disability Programs:

- How are we meeting current responsibilities? What is the current array of programs? What services/benefits are they providing? What values do they promote? How delivered? To whom? What are the gaps and overlaps? How are the Federal programs/services integrated with State and local government programs? Are there exemplary State and local government programs? How can good practices be disseminated/encouraged?
- What do we know about the effect of each program and policy on recipients? What data are we currently collecting in each area? What do we need to answer the impact questions better?

Identifying and Implementing Change:

- What changes are needed to program purposes and program structure to better meet current Federal responsibilities? Are we currently identifying and reaching those individuals in need of services? Are we providing the most effective array of services and benefits for the costs incurred by each level of government, the individual, and the private sector?
- For those responsibilities identified but not addressed, what should be done, and by whom?
- How can we make sense of eligibility criteria for various programs, to minimize overlap and duplication of services and benefits, and ease administration and assessment of program performance and move each program's focus towards participant outcomes (e.g., enhanced independence, community integration, self-sufficiency, greater productivity)?
- Are there new strategies to promote independence and self-sufficiency for persons with disabilities?

Federal Government as a Model:

- How well does the Federal Government serve as a model, in both employment policies and practices, and customer service? How can this be improved for the benefit of job applicants, employees, customers, and members of the general public with disabilities?

Program/Issue Areas:

Program areas to be reviewed would include (but need not be limited to):

- o services to infants and toddlers

- o education programs
- o cash benefit programs (insurance, income assistance, and retirement)
- o medical and other health programs
- o social services and family supports
- o school-to-work transitional services
- o rehabilitation services and training
- o employment services
- o transportation services
- o housing
- o advocacy services, information and referral
- o personal assistance
- o civil rights enforcement
- o services for older persons
- o technology-related assistance
- o programs of prevention and minimization of disability severity

The work product should take the form of a report outlining the Task Force's answers to these questions, and recommendations for further action, including actions the Administration can take through changes to law, regulation or funding priorities, grants and contracts, and administration of the Federal Government's own internal activities (e.g., employment and customer service practices). The Task Force should be charged to make recommendations that are "budget neutral."

II. TASK FORCE COMPOSITION

We recommend the following structure for the task force:

- The Task Force would be jointly directed by the White House and OMB, but would rely heavily on agency participation.
- The Task Force would be headed by the two of you, as "co-chairs."
- Each of the key agencies with an interest in disability issues (which would include at least ED, HHS, SSA, DoD, VA, OPM, DOL, HUD, and the Treasury) would be invited to participate at the policy level through designees of the agency heads, presumably Assistant Secretaries responsible for key program and policy areas. Where appropriate, more than one Assistant Secretary could be designated for an agency.

We recommend the following structure for the support team:

- Designate "co-team leaders" from OPD/DPC and OMB staff -- these are the people who would be responsible for making the task force happen. The co-team leaders would be responsible for organizing Task Force meetings and for directing the work of the support team.
- Designate as additional support team members OPD/DPC and OMB staff who are currently involved in the disability area. For OMB, PADs would designate the examiners responsible for accounts funding key disability programs to be members of the support team. The Administrator of OIRA should also designate one or more staff to join the team.
- The agencies would be asked to designate staff to participate as members of the support team. We would expect each policy official to designate two or three people from their areas to be members of the team.
- Even though this could result in a fairly large number of staff, we envision the support team dividing into small subgroups, each tasked with researching specific areas along the lines of the proposed agenda.

We recommend that the Task Force utilize the following for advice:

- Draw on the expertise of the three Presidential advisory councils -- the President's Committee on Employment of People with Disabilities, the National Council on Disability, and the President's Committee on Mental Retardation -- in the design of the agenda and how it will be carried out. These councils could also provide the forum (formally or informally) to tap disability community sentiments.
- Invite the Architectural and Transportation Barriers Compliance Board, the Equal Employment Opportunity Commission, and the Federal Communications Commission to participate as appropriate.
- Individuals with disabilities, members of their families, and their advocates should be consulted regularly (formally and informally).

III. TIME FRAME FOR ACTION

We recommend that the Task Force be constituted, the support team named, and the agenda (see above) agreed on in November. The Task Force could be initiated at a meeting of the DPC, co-chaired by the two of you, with other appropriate department or agency heads invited. We recommend that the timeframe for this Review be lengthy enough to ensure a

comprehensive and thoughtful deliberative process, and to analyze and synthesize the findings of the Task Force and support group and develop recommendations. The specific dates for interim and final reports should be determined by the Task Force. The Task Force itself would meet at least once every three months.

IV. NEXT STEPS

This National Disability Policy Review is a significant undertaking, of tremendous importance to the disability community, and no doubt will be subject to a great deal of comment and scrutiny both in and out of the Administration. To get the review off on the right foot, we propose devoting time in October and early November to laying the groundwork internally and externally through a series of meetings outlined below, before the Task Force Team begins its work. This outreach and initial leg-work will improve our design and create good will by informing and involving people on the front end and ensuring avenues for communication and input throughout the process. We will take care to make very clear that the suggestions received from this outreach process will be considered in the development of the agenda, but that we do not expect every recommendation to be included.

Pending your review and approval, we would propose the following steps and schedule:

Early October: We (working as a kind of DPC/OMB staff "advance team") would hold preliminary meetings with administration officials at key agencies to explore the idea of a Review, brainstorm about its structure, work plan, and agenda. With help from Mike Lux in the Office of Public Liaison and from the Office of Legislative Affairs, we would identify and meet with key advocates and Hill staff to give them advance notice and discuss avenues for their input and consultation throughout the Review.

We would also meet with the three existing Federal advisory groups whose mandate is to provide advice to the President in this area: the President's Committee on Employment of People with Disabilities, the National Council on Disability, and the President's Committee on Mental Retardation.

We believe it is vital to the success of the Review to ensure that there is strong ongoing communication concerning the Review with members of Congress and their staff, advocates, and persons with disabilities. The three national commissions mentioned provide a logical starting point for such communication. Based on meetings with those commissions and their staffs, the Task Force will include in its recommendations a plan for outreach and communication regarding the Review.

Early November: The two of you present the idea for a National Disability Policy Review to a special meeting of the Domestic Policy Council, also attended by other appropriate department and agency heads (e.g., Treasury, Defense), perhaps prefaced by an

abridged presentation of material and questions from the OMB Disability Review prepared this summer. You ask Secretaries to designate members of the Task Force at the Assistant or Deputy Assistant Secretary level, as well as staff level support team who will be able to devote some time to this effort. The Task Force will also be charged with providing periodic updates and interim reports to both the DPC and OMB.

Late November: Convene the first meeting of the Task Force, chaired by the two of you, where you provide the charge to the group, and present it with a proposed agenda and workplan, built on the groundwork laid at the individual agency meetings in October. You will ask the members to react to the proposed work plan and agenda by the middle of the month.

Early December: Convene the staff level support team, to discuss and synthesize Task Force members' comments on the proposed agenda and work plan, and to prepare for the Task Force meeting in late December.

At this point, the two of you may wish to review the proposed agenda, and adjust the list of issues presented so as not to risk committing the Review to more than you think it can achieve. This would help to keep expectations of what the Review will accomplish within manageable bounds.

Late December: The Task Force meets to discuss and finalize agenda, workplan, and staff structure of the Review.