

# FOIA MARKER

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Workgroup Materials - Continued: Accommodations Information/Snapshot

**Stack:**

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**Row:**

**97**

**Section:**

**3**

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**1**

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**1**

**A Snapshot of HHS Activities:  
Federal Disability Accommodations**

**Reasonable Accommodations:**

The Department of Health and Human Services is fully committed to providing reasonable accommodations for people with disabilities. As part of that commitment, operating units implemented many mechanisms which allowed DHHS to be responsive to the needs of employees and visitors that are disabled.

Reasonable accommodations for people with disabilities can take many forms, including sign language interpreters for people who are deaf, readers for people who are blind, restructuring jobs, adjusting work schedules, modifying worksites, obtaining specialized equipment and assistive devices, and providing personal care assistants.

- o The Administration on Developmental Disabilities (ADD) has provided guidance to the public and private sector on the promotion and reasonable accommodations for persons with disabilities.
- o The Office of the Assistant Secretary for Personnel Administration (ASPER) has managed a Department wide Interpreter Services Contract since March, 1983. This contract is used to obtain sign language and/or oral interpreting services for deaf, hearing impaired, and deaf/blind employees, applicants for jobs, and beneficiaries of services administered by DHHS.
- o The Department has contracted with an on-line gopher server to connect it to the internet. This new resource will afford wider dissemination of information, announcements, and documents. Thus, promoting departmental responsiveness and dialogue throughout its regions and networks.
- o ASPER, OS and ACF have installed electronic bulletin boards accessible to employees nationwide who have personal computers and modems. Boards post up-to-date information on a number of personnel issues (vacancy announcements, technical updates, newsletters, etc.)
- o Any Department information, announcement, or document is provided in alternative forms by request.
- o For the last three years, all Public Health Service agencies participated in the Marriott Foundation's Bridges program, an innovative supported work program for people with disabilities.

- o HHS hosts a biannual conference for employees with disabilities, where employees, selective placement coordinators, disability program managers, training officers, and facilities managers exchanged techniques for recruiting, hiring, promoting, and accommodating employees with disabilities.
- o Attached are the 1993 objectives for facility accessibility. The forthcoming 1994 report will confirm specific operating unit accomplishments, (next page, Appendix A).

## Facility Accessibility

- A. List any unmet objectives for barrier removal that were established in previous submissions but have not been accomplished. Removal strategies are to be revised so that these objectives can be accomplished prior to the end of the fiscal year covered by this plan

| Objectives                                                                                                                                                                             | Original Target Dates | Revised Target Dates | Revised Removal Strategies                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OS - Repair automatic openers on the restroom doors identified in the Humphrey building during the yearly safety inspection                                                            | FY 92                 | December 1993        | All automatic door openers scheduled for replacement with new equipment in December 1993.                                                                                      |
| Region VII - Ensure that fire horns are in the elevator lobby and not enclosed in office space due to renovations. Provide amplifiers to make fire horns more audible in the building. | FY 93                 |                      | GSA reports that this will be done when the fire alarm system is replaced according to the Prospectus Development Study (PDS) now in the data collection and planning process. |
| -Provide Braille signs for all restroom doors                                                                                                                                          | FY 93                 |                      | GSA provided signs for first floor and scheduled other floors under the Prospectus Development Study, which is in the planning process.                                        |
| Region IX - Ensure that interior hallway doors meet pound-of-force standards and all exterior doors have single-action door knobs                                                      | FY 1993               |                      | Due to the historic trust status of the building, we cannot change the door's original hardware. The closers have been adjusted as much as possible.                           |
| PHS - Print and distribute revised accessibility guide for the Parklawn building                                                                                                       | Jan. 92               | June 1994            | Revise guide consistent with new PHS accessibility guidelines                                                                                                                  |

## Facility Accessibility (Continued)

| Objectives                                                                                                  | Original Target Dates | Revised Target Dates | Revised Removal Strategies                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------|-----------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| -NIH: Review, prioritize, and implement recommendations from <i>Guide to Accessible Facilities at NIH</i> . | FY 92                 | September 1994       | Complete plan by 1997 (provided adequate funds are available).                                                                                                                                       |
| -NIH/NIEHS (North Carolina): Modify restrooms, fountains, and alarm systems on north campus.                | September 1992        | March 1994           |                                                                                                                                                                                                      |
| ACF- Conduct accessibility survey of all recently occupied ACF buildings.                                   | March 1992            | June 1994            | Team of individuals with varying disabilities will conduct survey. They will consult and be assisted by the ACF Employees with Disabilities Advisory Committee and the ACF Equal Employment Manager. |
| -Establish library of equipment resources for making accommodations                                         | March 1993            | June 1994            | Maintain directory of equipment accommodation resources in headquarters and in each region.                                                                                                          |

## FACILITY ACCESSIBILITY (Continued)

B. List additional objectives for barrier removal during the period covered by this plan.

| Objectives                                                                                                               | Target Dates               |
|--------------------------------------------------------------------------------------------------------------------------|----------------------------|
| OS - Install signs throughout the Humphrey building that comply with UFAS and ADA                                        | FY 1994 through FY 1998    |
| Region VII - Make all offices accessible for those in wheelchairs                                                        | FY 94 through January 1999 |
| PHS - Develop procedures for reviewing accessibility and evacuation methods prior to moving into any new PHS facilities. | January 1994               |
| - Update TDD/TTYs listings                                                                                               | March 1994                 |

## **Issues, Accomplishments and Recommendations**

### **REPORTS - CED AND EEOC**

As of 1993, the Department had a total workforce of 118,823 individuals. Persons with reportable disabilities comprised 6.3% (or 7,486) of the workforce. The Department's 1994 report to the Equal Employment Opportunity Commission is now being prepared.

Based on the recommendation of the HHS Committee for Employees with Disabilities (CED), the Assistant Secretary for Personnel Administration (ASPER) established the Working Group on Career Mobility. Its primary charge was to investigate whether career opportunities for employees with disabilities are more limited than those of their non-disabled coworkers. The evidence presented in this report suggests that a glass ceiling phenomenon may exist resulting in disabled employees' disproportionate representation in the technical/clerical positions, at lower grade levels, and with few opportunities for upward mobility.

Data collected for the Department's annual report to the Equal Employment Opportunity (EEOC) show that a lower percentage of individuals with targeted disabilities receive promotions than the percentage receiving promotions in the total workforce. In addition, the numbers of individuals with disabilities participating in formal developmental programs remain fairly small.

Based on the survey findings, the workforce profiles, and anecdotal experiences, it appears that new Department-wide approach to providing career opportunities for disabled employees should be and is being implemented.

### **RAPID**

As the career mobility working group moved forward its analysis and recommendations, ASPER also established a Disability Initiative Team. This team focused on the development of a functional model that could be implemented by the Department's operating components. The result of the team's efforts is a model entitled RAPID: Recruit and Promote Individuals with Disabilities. The RAPID complements the working group. There are two sections of the RAPID that are particularly applicable to career mobility; they are Career Advancement and Reasonable Accommodations. The RAPID provides a wealth of information on resources and strategies for improving career opportunities. Selective Placement Coordinators and Disability Program Managers have lead programmatic responsibilities for implementing RAPID.

### **NEW RECRUITING STRATEGIES**

For this past year, HHS chose employment objectives that were much more ambitious than those for previous years. We made considerable progress toward those objectives, even though we did not fully attain them. In order to meet our current objectives, we have implemented the following recruiting strategies:

1. Project ABLE, an OPM database to match people with

disabilities and Federal jobs.

2. New recruitment materials, including an open-captioned video and a braille directory of career opportunities for individuals who are deaf, hard-of-hearing, or visually impaired.
3. Electronic bulletin boards and E-mail to announce job vacancies and encourage applicants.
4. An Applicant Flow Data form to measure our recruitment efforts and to determine where to focus our activities.

#### MENTORING PROGRAM

DHHS is currently beginning a pilot mentoring program to meet affirmative action goals relating to minorities and people with disabilities. The purpose of this program is to provide a positive learning experience and enhance career potential through guidance, direction and support. The program will give employees the opportunity to learn the organizational culture, (business process, values and beliefs, management systems, jobs and structure). Participation in this program will assist with career goals and objectives. Thus, enhancing the long range mobility or advancement of the employee. Initial participants include: Administration for Children and Families (ACF), Office of the Secretary (OS), and Administration on Aging (AOA).

#### PROJECT ABLE

HHS was instrumental in establishing Project ABLE, a database in OPM's Automated Applicant Referral System that matches people with disabilities with Federal job opportunities. Social Security disability beneficiaries who are "job ready" under the state's vocational rehabilitation programs are eligible for the program. Although currently limited to individuals from Maryland, Virginia, and the District of Columbia, and to Federal employers, Project ABLE may eventually serve as a nationwide database.

#### OFFICE FOR CIVIL RIGHTS (OCR)

Attached (next page, Appendix B) is a an OCR report, **Investigated Complaints in FY94 Workload Raising Employment Issues**, with Section 504 and ADA Subsets.



## DEPARTMENT OF HEALTH &amp; HUMAN SERVICES

Office of the Secretary

Office for Civil Rights  
Washington, D.C. 20201

MEMO

DATE: September 26, 1994

FROM: Dennis Hayashi, Director  
Office for Civil Rights

TO: Andrea Atran

SUBJECT: Federal Disability Accommodations Working Group  
Request for Information

Attached for your information is an Office for Civil Rights (OCR) report, **Investigated Complaints in FY 94 Workload Raising Employment Issues**, with Section 504 and ADA Subsets. This report shows the following statistics:

- o that 17% of all investigated complaints (open or closed as of August 12, 1994) in the FY 94 workload were cases in which only a disability-related employment issue had been raised.
- o that another 2.6% of the total raised a disability-related employment issue as well as a non-employment issue.
- o that in total, 19.5% of the FY 94 workload raised at least one disability-related issue.

OCR is addressing the following accommodation issues which should be brought to the attention of the Working Group:

- o provisions for interpreters for hearing impaired persons seeking medical attention from private practitioners and small providers of health care. Some private practitioners and small providers believe that the ADA imposes an undue burden on their practices.
- o provisions for modification of work schedules, job restructuring, and the use of assistive devices and equipment.
- o provisions for physical accessibility.

As a federal employer, OCR is focusing on modernizing (updating) devices utilized to provide accommodations for its employees. Such efforts include upgrading personal computer equipment and software for visual impaired employees, upgrading and expanding TTD equipment, increased use of scanners and voice recognition technology.

Formats used by OCR, both for its employees and customers, include TTD, braille, large print, tapes and computer discs(floppies).

Also attached for your information is a listing of OCR issuances under Section 504.

Attachments

**TOTAL FY 94 INVESTIGATED COMPLAINT****WORKLOAD (Through August 12, 1994): 1321****INVESTIGATED COMPLAINTS IN FY 94 WORKLOAD RAISING EMPLOYMENT ISSUE**  
*(With Section 504 and ADA Subsets)*

| <b>AUTHORITY</b>                                    | <b>EMPLOYMENT<br/>ISSUE(S)<br/>ONLY</b> | <b>% OF ALL<br/>EMPLOYMENT<br/>ISSUE(S) ONLY</b> | <b>% EMPLOYMENT<br/>OF ALL<br/>INVESTIGATED<br/>WORKLOAD</b> | <b>EMPLOYMENT &amp;<br/>OTHER<br/>ISSUE(S)</b> | <b>% OF ALL<br/>EMPLOYMENT &amp;<br/>OTHER ISSUE(S)</b> | <b>% EMPLOYMENT &amp;<br/>OTHER OF ALL<br/>INVESTIGATED<br/>WORKLOAD</b> | <b>TOTAL WITH AT<br/>LEAST ONE<br/>EMPLOYMENT<br/>ISSUE</b> | <b>% OF ALL WITH<br/>AT LEAST ONE<br/>EMPLOYMENT<br/>ISSUE</b> | <b>TOTAL WITH AT LEAST<br/>ONE EMPLOYMENT<br/>ISSUE AS % OF ALL<br/>INVES. WORKLOAD</b> |
|-----------------------------------------------------|-----------------------------------------|--------------------------------------------------|--------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Section 504 only                                    | 129                                     | 54.4%                                            | 8.8%                                                         | 16                                             | 37.2%                                                   | 1.2%                                                                     | 145                                                         | 51.8%                                                          | 11.0%                                                                                   |
| Section 504 and ADA Title II                        | 72                                      | 30.4%                                            | 5.5%                                                         | 11                                             | 25.6%                                                   | 0.8%                                                                     | 83                                                          | 29.6%                                                          | 6.3%                                                                                    |
| Section 504, ADA Title II & Other                   | 1                                       | 0.4%                                             | 0.1%                                                         | 1                                              | 2.3%                                                    | 0.1%                                                                     | 2                                                           | 0.7%                                                           | 0.2%                                                                                    |
| Section 504 and Other (non-ADA)                     | 17                                      | 7.2%                                             | 1.3%                                                         | 6                                              | 14.0%                                                   | 0.5%                                                                     | 23                                                          | 8.2%                                                           | 1.7%                                                                                    |
| Section 504 and ADA Title I                         | 4                                       | 1.7%                                             | 0.3%                                                         | 0                                              | 0.0%                                                    | 0.0%                                                                     | 4                                                           | 1.4%                                                           | 0.3%                                                                                    |
| Section 504, ADA Title I & Other                    | 1                                       | 0.4%                                             | 0.1%                                                         | 0                                              | 0.0%                                                    | 0.0%                                                                     | 1                                                           | 0.4%                                                           | 0.1%                                                                                    |
| <b>All Sec. 504 &amp;/or ADA w/Employment Issue</b> | <b>224</b>                              | <b>94.5%</b>                                     | <b>17.0%</b>                                                 | <b>34</b>                                      | <b>79.1%</b>                                            | <b>2.6%</b>                                                              | <b>258</b>                                                  | <b>92.1%</b>                                                   | <b>19.5%</b>                                                                            |
| <b>All Other Authorities w/Employment Issue</b>     | <b>13</b>                               | <b>5.5%</b>                                      | <b>1.0%</b>                                                  | <b>9</b>                                       | <b>20.9%</b>                                            | <b>0.7%</b>                                                              | <b>22</b>                                                   | <b>7.9%</b>                                                    | <b>1.7%</b>                                                                             |
| <b>Total Inves. Workload w/Employment Issue</b>     | <b>237</b>                              | <b>100.0%</b>                                    | <b>17.9%</b>                                                 | <b>43</b>                                      | <b>100.0%</b>                                           | <b>3.3%</b>                                                              | <b>280</b>                                                  | <b>100.0%</b>                                                  | <b>21.2%</b>                                                                            |

## **Written Reports and Publications**

### **SECTION 504 PUBLICATIONS DEVELOPED BY OR AVAILABLE THROUGH THE OFFICE OF CIVIL RIGHTS**

#### **REGULATIONS**

**45 CFR Part 84, Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefitting from Federal Financial Assistance**

**45 CFR Part 95, Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Health and Human Services**

#### **FACT SHEETS**

**Your Rights as an Individual with Handicaps Under SECTION 504**  
(Available in English, Spanish, Korean, Vietnamese, Tagalog, and Haitian Creole)

**Your Rights as a Person with HIV Infections, AIDS, or Related Conditions** (Available in English, Spanish, Korean, Vietnamese, Chinese)

#### **OTHER PUBLICATIONS**

**Section 504 of the Rehabilitation Act of 1973 Briefing Guide**

**Institutional Health Care Providers (Medicare/Medicaid Recipients), Section 504: Nondiscrimination on the Basis of Handicap**

**Accessibility Modifications (Guidelines for Modifications to Existing Buildings for Accessibility to the Handicapped)\***

**Uniform Federal Accessibility Standards (Presents uniform standards for the design, construction, and alteration of buildings so that physically handicapped persons will have ready access to and use of them in accordance with the Architectural Barriers Act)\***

\* These are not OCR publications but due to the nature of the information, they have obtained supplies that are distributed to their constituencies.

#### **OTHER REPORTS AND BROCHURES**

- o The HHS Committee for Employees with Disabilities, Career Mobility Working Group, created a report examining issues and recommendations related to this Department's employees with disabilities. The analysis utilizes focus group findings, workforce profiles, and the results of a Department wide survey. To the best of our knowledge, this is the first time a study of this type has been done anywhere in the Federal government. We expect these findings will also be of interest to the larger Federal community.

- o A disability team was established that focused on the development of a functional model for the recruitment, employment and advancing of people with disabilities. The result of the team's efforts is a model entitled RAPID, (Recruit and Promote Individuals with Disabilities). The RAPID complements the working group. The RAPID provides a wealth of information on resources and strategies for improving career opportunities. Selective Placement Coordinators and Disability Program Managers have lead programmatic responsibilities for implementing RAPID.
- o Currently, the RAPID resource list is being revised and will be automated by being posted on the ASPER and OS bulletin board. RAPID appendices have been placed on diskettes. Individuals outside and within the Department will be notified of its electronic availability.
- o PHS has created a directory of information technology accommodations for persons with disabilities. The main purpose of the directory is to help PHS Information Resource Management (IRM) Directors and other managers and supervisors to better understand information technology accommodation, (ITAs), so that they can be of greater assistance to employees with disabilities. An information technology accommodation, (ITA) is any device or software which helps a person with a disability to use general purpose or scientific office equipment, such as computers, telephones, filing systems, copiers, recorders and the like. The Federal Information Resources Management Regulations (FIRMR) addresses agencies' responsibilities with regard to providing equal access to information technology. The Directory can assist in this effort by offering the combined ITA experience of all PHS Agencies.
- o HHS' Affirmative Action Program Report for People with Disabilities was prepared and submitted to the Equal Employment Opportunity Commission, in accordance with the Rehabilitation Act of 1973.



SEP 29 1994

MEMORANDUM FOR THE FEDERAL DISABILITY  
ACCOMMODATIONS WORKING GROUP

BERNARD E. ANDERSON  
Assistant Secretary

FROM: SHIRLEY J. WILCHER *SW*  
Deputy Assistant Secretary  
Office of Federal Contract Compliance  
Department of Labor

SUBJECT: Federal Disability Accommodation Activities

Thank you for the opportunity to offer my comments on behalf of the Department of Labor. As you know, I was appointed in August of this year to the White House Federal Disability Accommodations Working Group, as a representative for the Department of Labor. In follow-up to the August Working Group's meeting, each agency representative was asked to provide a brief statement in response to the following inquiries:

1. Identify some of the specific accommodations issues that the agency is now addressing

Some of the accommodation issues that the Department of Labor is addressing, or anticipates, include:

- o Ensuring that applicants, employees and members of the general public with disabilities have communication access that is effective. One issue is the extent to which the agency is required to provide information in accessible formats, such as large print, cassette recording, or Braille, or the provision of a reader for access by people who have visual disabilities.
- o Providing a qualified sign language interpreter at all meetings and ceremonies and ensuring the availability of services when they are required. Similarly, the agency is addressing how to balance the needs of those with disabilities when using a staff member as a reader or to record the text on audio tape.

- o Providing adequate telephone communications, including the use of a Telecommunication Device for the Deaf (TDD) or the relay service, as an appropriate means of ensuring access for those with speech or hearing disabilities. In addition, the agency is addressing how to ensure that all employees who handle incoming calls are trained in its proper use.
- o Responding to an increasing number of stress related requests, including requests to work at home and for modified work schedules.
- o Evaluating when it is necessary to acquire or upgrade equipment and devices. For example, several of the regional offices provide voice computers to those with visual impairments. Yet, technology is constantly changing. This raises the issue of whether the agency can keep pace with the evolution of video text displays, flashing alarms, text telephones, as examples of an auxiliary service. When is it necessary to up-date?
- o Considering the elimination of any "no animals" policies. The agency has employees who use seeing eye dogs.
- o Evaluating when and where it is necessary to have pictorial signs to assist people with cognitive disabilities to differentiate between a men's rest room and a women's rest room? Similarly, maintaining fully accessible lavatories, including the use of automated doors, accessible mirrors and light switches.
- o Having plans in place to evacuate safely when the elevators are not available, for example in the case of a fire emergency.
- o Addressing how to restructure the existing work areas, such as adding railings and ensure 36" walk ways, to ensure full accessibility?
- o Recruiting and fully utilizing individuals with disabilities. The agency provides training work sites for vocational rehabilitation and uses the community groups to recruit employees. The Office for Federal Contract Compliance Programs (OFCCP) also utilizes

linkage agreements (agreements with the contractors) to provide for the employment of individuals with disabilities.

2. Produce or identify any reports that the Department or OFCCP has written or proposed on the federal disability accommodations

I have been informed that the Department of Labor has not produced any reports with regard to its Federal government disability accommodations. OFCCP enforces the Executive Order 11246, Sections 503 of the Rehabilitation Act of 1973, the Vietnam Veterans Readjustment Act, and the Americans with Disabilities Act. In addition, the Department enforces Section 504. None of those laws apply to discrimination by the Federal government on the basis of disability. The laws pertain to Federal contractors and federally assisted programs. However, Section 501 of the Rehabilitation Act prohibits federal executive branch agencies from discriminating against qualified individuals with disabilities. It also requires executive branch agencies to take affirmative action in the hiring, place, and advancing of individuals with disabilities. The individual would contact the equal employment opportunity counselor at the agency where the alleged discrimination took place. At the Department of Labor (DOL), the Office of the Assistant Secretary for Administration and Management receives any disability related complaints from DOL employees. However, the Equal Employment Opportunity Commission is the lead agency and the agency to which appeals would be directed.

Annual reports. The OFCCP's Annual Report for 1991 categorizes the private sector complaints filed, as follows:

- o 16 percent, trunk, spinal and abdominal defects
- o 13 percent, individual being regarded as disabled
- o 8 percent generalized or systemic diseases
- o 9 percent, upper extremities
- o 8 percent, neuromuscular
- o 10 percent, vision, hearing and speech
- o 6 percent, cardiovascular
- o Balance, respiratory, skin condition, allergy, gastrointestinal and genitourinary problems

3. Produce or identify any publications or brochures that OFCCP has written on those topics.

Neither the DOL's Office of the Assistant Secretary for Administration and Management (OASAM) or the OFCCP has written any brochures or pamphlets with regard to Federal disability accommodations. As noted above, the OFCCP's jurisdiction extends

to Federal contractors and subcontractors, not to Federal employees. I have been told that no brochures are available with regard to Section 501 of the Rehabilitation Act.

4. Describe briefly any other issues, accomplishments, and problems that OFCCP has identified that would bear on the charge to this Working Group.

One significant issue is that Federal employees are not covered by the Americans with Disabilities Act, because the definition of the term "employer" does not include the United States or any corporation wholly owned by the government. In addition, none of the laws that OFCCP enforces, such as Executive Order 11246, Sections 503, or VEVRAA, apply to discrimination against Federal employees on the basis of disability. The Executive Order bans discrimination on the basis of race, color, sex or national origin. Section 503 regulations apply to State and local government entities which have contracts with the Federal Government. The governmental entity, but not the Federal government itself, becomes subject to Section 503 and its regulations when the State or local government enters into a contract. The Vietnam Era Veterans' Readjustment Assistance Act of 1974 applies to Federal contractors with contracts of \$10,000 or more and protects qualified Vietnam era and special disabled veterans. Section 503 of the Rehabilitation Act of 1973, as amended, which is administered and enforced by the Employment Standards Administration's OFCCP, requires most private employers doing business with the Federal Government to take affirmative action to employ and advance in employment qualified individuals with disabilities. However, coverage is limited to employers with Federal contractors or subcontracts.

Federal employees also are not covered by the OFCCP regulations, that define the prohibited discrimination in employment against individuals with a disability. Under the private sector regulations, an individual with a disability is a person who: (1) has a physical or mental impairment which "substantially limits" one or more major life activities, (2) has a record of such impairment, or (3) is regarded as having such an impairment. One of the issues constantly surfacing is to what extent must the impairment be a limitation to be deemed as a "substantial limitation". If the individual can perform the job with some accommodation, to what extent is the Government required to make the adjustments? With regard to penalties, to what extent can the agency order the accommodation. Generally, OFCCP investigates for violations of Section 503 either through a compliance review or in response to the filing of a complaint. If a violation is found, the Federal contractor is asked to enter into conciliation negotiations. If conciliation efforts fail, the OFCCP requests the Solicitor to initiate administrative enforcement. Ultimately, a violation of Section 503 regulations may result in the withholding of proposed contracts, canceling,

suspending or terminating contracts, withholding of progress payments, and debarment. At issue, however, is the extent to which the agency may impose additional penalties and sanctions.

In terms of accomplishments, we are proud of the appointment of the Employment Standards Administration Assistant Secretary in July 1994 to the Architectural and Transportation Barriers Compliance Board (ACCESS). Similarly, the agency was honored with the appointment of the Employment Standards Administration Deputy Assistant Secretary in August 1994 to the White House Federal Disability Accommodations Working Group.

Moreover, the Department obtained \$8,438,351 in financial awards for Fiscal Year 1993 under Section 503 and the Americans with Disabilities Act. In addition, it obtained \$1,962,906 in other awards (accommodations / training). Thus far, for the first three quarters of Fiscal year 1994, the agency has obtained \$3,070,935 with an additional \$1,574,523 in other awards (accommodations / training). The OFCCP has conducted compliance reviews nationwide.

The agency also has instituted procedures for complaint charges based on employment disability subject to Section 503 of the Rehabilitation Act of 1973 and the ADA. The roles and authority between the Equal Employment Opportunity Commission (EEOC) and DOL were defined to avoid duplication of efforts in investigating and resolving complaints based on employment discrimination on the basis of disability. DOL also has a Memorandum of Understanding with the Public Health Service to assist the Department in addressing claims brought by DOL employees under Section 501 of the Rehabilitation Act. In 1993, regulations were issued to provide uniform procedures for implementing nondiscrimination provisions of the Job Training Partnership Act. On August 15, 1993, recipients under the Job Training Partnership Act and the State Employment Security Agencies submitted Methods of Administration (MOA). The MOAs assist in putting structures and systems in place to enhance compliance and identify technical assistance needs.

The Department of Labor is also one of the member agencies of the Javits-Wagner-O'Day (JWOD) Program. The JWOD program was created by Congress to provide job opportunities for Americans who are blind or have other severe disabilities. The JWOD Programs uses the massive purchasing power of the Federal government to procure products and services from community enterprises that train and employ individuals with disabilities. The DOL, along with the Department of Defense, the General Services Administration, the United States Drug Administration, and the Veterans Administration, decides which items are to be added to the JWOD Procurement List, and what price the government will pay for the products.

Finally, the Department can boast of a diverse workforce, including many individuals with disabilities. Secretary Reich is committed to doing even more.

I hope this information has been useful. For further information, you may contact me or my Executive Assistant Gale Barron Black at (202) 219-9475.



United States  
**Office of  
Personnel Management**

Washington, DC 20415-0001

In Reply Refer To:

Your Reference:

Mr. Stanley S. Herr  
Chair, Federal Disability  
Accommodations Working Group  
Old Executive Office Building, Room 224  
The White House  
Washington, DC 20500

SEP 29 1994

Dear Mr. Herr:

This is in response to your request for information pertaining to Office of Personnel Management's efforts to provide leadership on the employment of persons with disabilities.

Item 1. Identify some of the specific accommodations issues that your department or agency is now addressing

OPM is:

- o Deciding on alternative formats for job application materials in keeping with the elimination of the SF 171. OPM is also seeking to make improvements in its employment information systems to meet the needs of the disabled.
- o Promoting a new governmentwide course that is called, "The Good Government Framework." The course promotes the need to uphold the merit principles. It covers the need for Federal workplaces that are free from discrimination based on any non-merit factor, including a "handicapping condition" (Disability).
- o Developing a "Front Line" training course for OPM's front-line service providers that covers the employment issues of persons with disabilities and their reasonable accommodation.
- o Working toward fully automating EEO data reporting requirements and implementing other recommendations of the National Performance Review concerning diversity and the employment of the disabled.

- o Participating in Partnership Council activities, including the establishment of a new internal organization for OPM's employees who are deaf.

**Item 2. Produce or identify any reports that your agency has written or produced on the topics covered by this Working Group**

**OPM program accomplishments include:**

- o Issuing the 1993 reports to Congress on the Disabled Veterans Affirmative Recruitment Program (DVAPP) and the Federal Equal Employment Recruitment Program (FEORP.) The reports focus on specific agency results and trends in reaching Federal equal employment opportunity goals.
- o Collecting Federal workforce statistics; and maintaining the central personnel data file (CPDF).

**Item 3. Produce or identify any publications or brochures that you have written on those topics**

**OPM:**

- o Eliminated the Federal Personnel Manual Chapter (FPM) 306, Selective Placement Programs, as a part of the "sunset" of the FPM. This recommendation was made to allow agency managers more opportunities to improve the internal management and accountability of such programs.
- o Co-sponsored the development of a new interagency video, called "Focus on Ability."
- o Developed a draft "Training Accessibility Handbook and Instructor's Guide - Guidelines for Making Government Training Programs accessible to persons with disabilities."
- o Co-sponsored the development of "A Call To Action - A Report On Increasing The Employment Of People With Disabilities In The Federal Sector."

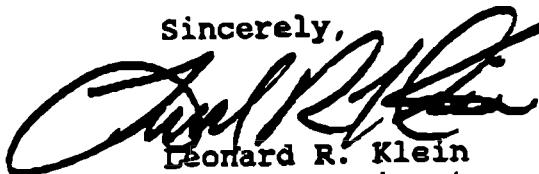
**Item 4. Describe briefly any other issues, accomplishments, and problems that your agency has noted that bear on the charge of this Working Group**

**OPM:**

- o Is co-sponsoring the Accessible Computer Technology Fair VII.
- o Continued to promote two automated referral programs for persons with disabilities. (1) Project ABLE (Able Beneficiaries' Link to Employers) is a reinvention laboratory designed to encourage the employment of beneficiaries of the Social Security Administration who are now willing and able to

work. (2) The Job Ready Disabled Veterans Connection (JRDVC) is designed to encourage the employment of disabled veterans who have completed vocational rehabilitation programs sponsored by the Department of Veterans Affairs. OPM is looking at ways to integrate these programs into other staffing services.

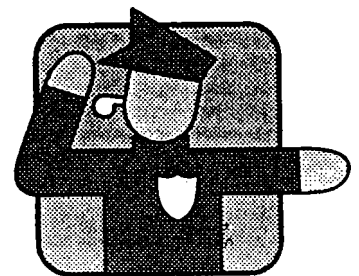
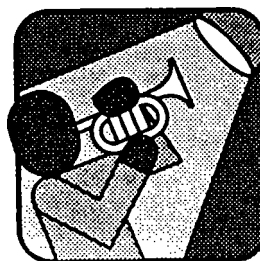
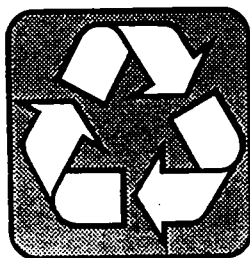
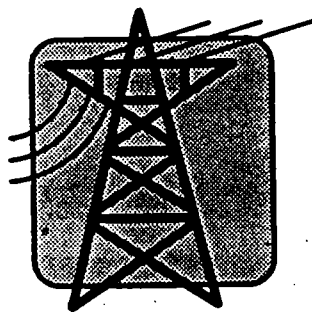
Sincerely,

A handwritten signature in black ink, appearing to read "Leonard R. Klein", is written over the typed name.

Leonard R. Klein  
Associate Director  
for Career Entry

# The Information Infrastructure: Reaching Society's Goals

Report of the Information  
Infrastructure Task Force  
Committee on Applications  
and Technology



**NIST**

U.S. DEPARTMENT OF COMMERCE

Technology Administration

National Institute of  
Standards and Technology

This paper is intended for public comment and discussion. Your comments can be sent to any of the following addresses:

**Post:** Committee on Applications and Technology  
National Institute of Standards and Technology  
Building 415, Room 102  
Gaithersburg, MD 20899

**Phone:** (301) 975-4529

**FAX:** (301) 948-7242

**Email:** [cat\\_exec@nist.gov](mailto:cat_exec@nist.gov)



**THE SECRETARY OF COMMERCE**  
Washington, D.C. 20230

Dear Colleague:

By working with Americans in many walks of life, the Clinton Administration is developing a broad vision of an advanced information infrastructure. As an interconnection of computer networks, telecommunications services, and applications, the National Information Infrastructure (NII) can make a difference not just in how people work but in how well they live. This document explores some of the benefits and barriers to how people and organizations will use the NII.

Last May, the Administration released "Putting the Information Infrastructure to Work," which explored applications of the NII in several important areas. The report, released as a draft for public comment, has been successful in drawing input from industry, educators, governmental agencies, and the general public.

We are releasing a second group of papers as a draft for public comment. This set of papers examines eight areas in which NII applications can enhance the quality of life. Specifically, they address how an advanced information infrastructure applies to people with disabilities, electrical power, transportation, telecommuting, emergency management, arts and humanities, public safety, and environmental information.

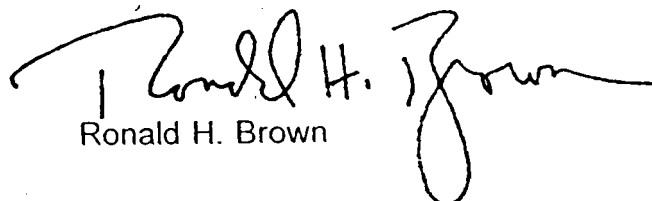
This report was prepared by the Committee on Applications and Technology of the Information Infrastructure Task Force. The Committee is charged with coordinating Administration efforts to:

- develop, demonstrate, and promote applications of information technology in numerous application areas, including, but not limited to, manufacturing, electronic commerce, education, health care, government services, libraries, environmental monitoring, and those addressed in this document; and
- develop and recommend technology strategies and policy to accelerate the implementation of the NII.

We invite you to comment on the papers by responding to the questions they pose and raising other issues relevant to the application areas. Your response will illuminate and guide government policies and investments to accelerate NII applications.

We look forward to hearing from you.

Sincerely,

  
Ronald H. Brown

# ***NIST Special Publication 868***

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## **The Information Infrastructure: Reaching Society's Goals**

### **A Report of the Information Infrastructure Task Force Committee on Applications and Technology**

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Office of the Director  
National Institute of Standards and Technology  
Gaithersburg, MD 20899-0001

September 1994



**U.S. Department of Commerce**  
Ronald H. Brown, Secretary

**Technology Administration**  
Mary L. Good, Under Secretary for Technology

**National Institute of Standards and Technology**  
Arati Prabhakar, Director

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### **Coordinator**

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Len Long—Department of Transportation

Gary Ritter—Department of Transportation

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Helena Mitchell—Emergency Broadcast System

### **Environmental Information**

Eliot Christian—United States Geological Survey

Pat Garvey—Environmental Protection Agency

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Ellen McCulloch-Lovell—President's Committee on the Arts and Humanities

### **Public Safety**

Dan Schneider—Department of Justice

# Introduction

## DRAFT FOR PUBLIC COMMENT

### PART I: Introduction

This document is the second volume of papers in which the Information Infrastructure Task Force has attempted to articulate in clear terms, with sufficient detail, how improvements in the National Information Infrastructure can help us meet other social goals. These are not plans to be enacted, but the material with which the citizens and their elected government may have a structured conversation, a purposeful interaction and deliberation on the issues raised in the evolution of more capable means of information processing and human communications. At the highest levels of rhetoric and abstraction it is not necessary to reconcile opposing values like freedom and equality. But working out the details of how new communications media will be introduced involves some crucial choices on matters that have historically been the intellectual underpinnings of our democratic society: What is the proper balance between individual liberty and the functioning of social and political institutions like governments, businesses, and associations? How may citizens maintain a sphere in which their private actions are revealed to no one, while deriving the benefits of technological systems whose healthy functioning requires that demand and usage be anticipated, measured and controlled? How can we ensure that the chorus of our community includes the voices of everyone?

Our first volume, titled *Putting the Information Infrastructure to Work*, discussed NII applications in the areas of education and lifelong learning, health care, libraries, manufacturing, electronic commerce, environmental monitoring, and government service delivery. The chapters of this volume help define a national vision for how advanced

communications and computing technologies can:

- enable Americans with disabilities to achieve full citizenship in our society
- improve the production, consumption, and management of our energy resources
- increase the safety and efficiency of our transportation system
- allow greater flexibility and worker satisfaction through telecommuting
- save lives and property in times of large-scale emergencies and natural disasters
- empower citizen action to maintain a clean environment
- ensure that nonprofit cultural institutions maintain their position on the front lines of popular creativity and expression
- further educate and better inform both citizens and the agencies they rely upon to maintain public safety

We raise these issues in part to render them accessible to the broadest number of Americans. Yet, their identification as public decisions serves another purpose. Some of the benefits of an improved information infrastructure are public goods that, like air and water, must be maintained collectively by the community at large in order that each of us may share them. Much of the evolution of the National Information Infrastructure will be driven by private investment decisions on new network capabilities or individual consumer spending decisions on new

access devices people may want to buy. But there are also crucial components to an infrastructure that we can only establish and maintain as a community, not merely as a collection of individuals.

## **PART II: Issues Common to all of the Application Papers**

Not surprisingly, many of the same themes that emerged from our first volume of papers continue to be expressed in this volume. However, with a different set of examples some of these themes take on new meaning in their new context.

### *Equity of Access*

The most urgent requirement that these papers express is that no one's ability to be a full citizen in our republic can be lessened by technological change. Equity of access here is broadened in two ways. It includes not just fully abled citizens but also Americans who are experiencing either temporary or permanent loss of one of their senses or who are mobility impaired. Almost a fifth of the U.S. population is disabled in some way, and that number will increase as the number of older Americans increases. America cannot afford to marginalize the contribution these citizens have to make to our collective enterprise. How can the NII be used to compensate for, rather than exacerbate, the gap between the abled and the disabled, so that one's standing as a citizen is not affected by the strength of one's eyes or ears or legs? Equity of access also means inclusion of America's thriving and vibrant private associations alongside profit-making organizations and public institutions. While we often organize ourselves in groups to engage in profit-making activities, much of what we do is through our associations and voluntary activities. This is especially true in the area of arts and culture, and will have a great impact upon the content available with an improved NII. An improved NII must enhance the ability of many people to engage in creative endeavors: to be writers, artists, performers, and historians. How can we ensure that the ability to express ourselves is not limited only to the small portion of the population who are able to earn

their living as artists and performers? What actions must we take to extend the capacity for expression?

### *Technologically Robust Architecture*

All of the papers here contribute to a broadened understanding of what the NII can be. These papers go well beyond the narrow conception of the NII as a means by which people can have more choices of what to watch on television. A more intelligent management of our energy resources, for example, could be enhanced if the information infrastructure allowed energy production and storage to be decentralized. The onboard display of vehicle location in conjunction with current road conditions could reduce the amount of time people spend in transit. And remote work locations could reduce the distance they have to travel as well. None of these application areas will be able to develop if we build a specialized infrastructure whose exclusive purpose is to deliver more entertainment on television. They require full connectivity at many different points on the network, and interoperability between networks and services. What is the most thoughtful implementation, especially of the emerging wireless communications infrastructure, that can facilitate these public purposes? How can we ensure that capabilities that can improve the quality of our lives evolve along with the sorts of services that offer more immediate, short term commercial reward?

### *Diversity of Content*

Just as no technology or social strata of our society should be able to dominate what is pictured here as a shared, common set of capabilities for information processing and communication, no one part of our society should have exclusive control over what gets communicated. A system designed exclusively around the dynamics of commercial exchange risks leaving out significant parts of our cultural heritage, producing a society in which we had bookstores in which to buy but no libraries from which to borrow. How can the creation and dissemination of messages be as widespread as their receipt and consumption? How can we

ensure that the richness of the message content is as diverse as our population?

### *Safety in our Homes and Protection of our Neighborhoods*

More than ever, citizens are aware of the work of the public officials who run the criminal justice and transportation systems on our behalf. The NII can facilitate community-based policing and other means by which the concerns of the professionals who serve us may be shared with the citizenry at large. How can we partially recover the long-lost protection against aggression that small towns and word-of-mouth once offered? How can the disparate community of agencies who must respond to emergencies and disasters best coordinate their efforts and solicit our energies? Citizens, armed with information, are also becoming a very potent ally of the agencies charged with environmental protection. Their ability to monitor and call attention to pollution greatly strengthens the fight against environmental degradation. How can we harness environmental consciousness so that people know how to act to protect their homes and communities?

### *Citizen Control over Private Information*

Citizen control over private information is essential if the benefits of an improved NII are to outweigh the costs. If people fear that traffic or energy control systems will be misused as tools of surveillance then they will never be implemented and the efficiencies they offer never realized. And yet, there are cases in which the authorized release of government-held private information can be of tremendous benefit to the citizens concerned, as when a disaster has left them without a home or the ownership records it contained. The information contained in police records is also highly sensitive. How can we be sure that careful auditing of those with access to these systems and the information they authorize for release accompanies widespread implementation of distributed information systems?

## **PART III: Conclusions**

A successful consultation between citizens and their public officials requires not just the accurate expression of the problems to be solved, but the solicitation of advice on solutions, and active listening to the responses. We hope that this document is widely read by people concerned about these specific areas of public policy and with the improvement of the National Information Infrastructure, as well as those concerned more broadly with our historic commitment to democratic values. We believe that widespread access to advanced communications technologies can be as enlightening as was the arrival of the electric light, and as empowering as the nation's vast and meticulously maintained power grid. But as technologies they are merely facilitative. Only the application of these technologies as tools for solving social problems can translate technological innovation into social evolution.

# People with Disabilities and NII: Breaking Down Barriers, Building Choice

## DRAFT FOR PUBLIC COMMENT

*In a competitive global economy, our country does not have a single person to waste — opportunity must be open to everyone... I believe our entire nation will share in the economic and social benefits that will result from full participation of Americans with disabilities in our society.*

*- President Clinton, 12/1/92*

### **PART I: What Is the Application Arena?**

On September 15, 1993, the Administration issued "The National Information Infrastructure(NII): Agenda for Action," which formalized several federal NII policy development mechanisms and enumerated the guiding principles and goals for future policy development. A portion of the vision is as follows:

A major objective in developing the NII will be to extend the Universal Service concept to the information needs of fundamental fairness, this nation cannot accept a division of our people among telecommunications or information "haves" and "have-nots". The Administration is committed to developing a broad, modern concept of Universal Service — one that would emphasize giving all Americans who desire it easy, affordable access to advanced communications and information services, regardless of income, disability, or location.

The National Information Infrastructure: Agenda for Action addresses responsiveness to the usage requirements of people with disabilities as a founding principle. Providing choices in the modes of information representation and manipulation will break down existing barriers and accelerate progress toward the full

participation of people with disabilities in society as envisioned by the Americans with Disabilities Act (ADA). The technologies that deliver for the NII will be the technologies that LEAD the way in Liberating Expressiveness, Amplifying Dignity for all Americans.

### **LEAD by Design: Breaking Down Barriers, Building Choice**

Ensuring that the NII accommodates the rights of the 49 million Americans with disabilities to equitable communication and information access amplifies innovations and economic returns from national investment in the NII. Existing Federal, State, and local investment activities underway are demonstrating that accommodating people with disabilities is finally gaining recognition as a driving force for advances in human and organizational performance. As this investment strategy gains momentum, information technology developers are weighing in on the broad-based, competitive advantages of this universal design approach, that readily accommodates individual needs associated not only with disability, but also worker re-training, aging, illiteracy, and high performance, critical mission information environments. Adoption of universal design will stimulate the deployment of applications that all consumers will value for convenience, customer choice, and equal opportunity.

Americans with disabilities represent a large customer base already discussing with industry and government how they envision the information infrastructure will work for them. Most important is customer choice. Until now, choice of the mode or form in which information is represented or communications conducted has not been available. Due to this inflexibility, many people with limitations of hearing, vision, or information processing have been inconvenienced by, or excluded from using these single modality services. Newspapers and documents available in a visual mode only, excluded or inconvenienced customers who were blind until the choices of auditory or Braille modes became available. Auditory-mode-only telephones excluded deaf individuals until multi-modality telephone services were developed that today incorporate hearing relay operators who convert communications between users of auditory-only devices and visual-only devices.

If future telephones or information appliances accommodated the choice of either visual mode (typing) or auditory mode (speaking), direct communications could be achieved and communicating parties would no longer be handicapped by single-modality services that are not compatible. Greatly anticipated as well are visual communications appliances that accommodate a range of needs from sign language transmission to handwritten note-sharing as an alternative to auditory mode only for conversations.

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. People who flexibly accommodate to either auditory or visual modes of information transmission, frequently fail to realize how single-modality services hamper and inconvenience access by people who are unable, due to a sensory mode limitation, to also alternate between both modes.

Many people who can accommodate either visually presented information or auditorially presented information, but not both, due to hearing or vision loss, are now high demand users of on-line services that readily

accommodate their choice of mode(s) and media, including visual display (standard or magnified), Braille display, or machine-generated speech. This pattern of early and sustained demand by people with disabilities can enhance the evolution of NII services. It will ensure that the full range of information mode choices unavailable in the past, can now be provided to enhance learning and communications by individuals and organizations.

### *Historical and Current Evidence of the Benefits*

Two of the world's most valuable information technologies, the typewriter and the telephone, emerged from early efforts to accommodate greater choice in information mode by people whose disabilities made them less adaptable to mode differences. The typewriter was invented as a private writing device for a blind member of a royal family. Other developers of early typewriters also designed for blind people. Modality choice of writing device was critical to these early users. Realization of commercial advantages and transfer of this technology to business came much later.

When Alexander Graham Bell invented the telephone, he was attempting to convert speech to a visual representation in order to accommodate a greater choice of information modalities for his wife who had a hearing loss. Unfortunately Bell's invention failed to accommodate conversion of information from auditory to visual mode as intended. Instead the telephone extended the range of the auditory mode and broke down distance as a barrier to spoken communication. The originally intended benefits to deaf people have been late and inadequate. Only in the last 30 years has a usable choice for telephone access by deaf people become available. At that time, deaf people began purchasing and adapting old Western Union teletypewriters (TTYs) that only enabled communications with other TTY users. Communications between TTY users and standard telephone users has only become widely available in the last 2 years due to the establishment of ADA mandated state relay services.

Like the typewriter, transfer and extension of text messaging took a long time and could have taken even longer. One of the lead engineers of the original Advanced Research Projects Agency Network (ARPANET), the predecessor of Internet, was very accustomed to modality choice because he used a text messaging device (TTY) when communicating with his wife by telephone due to her hearing loss. This exposure positively influenced the inclusion of text messaging as an ARPANET application even though it was not part of the original planning. Today the value of this electronic text messaging or e-mail capability to people around the world is beyond estimation and choice of information mode is becoming an inherent feature in well-designed information applications.

Another contemporary ARPA example of choice driving innovation is infrared-based eye-tracking. This technology has been matured and commercialized by a small business, that targeted individuals with severe disabilities as the first customers of this hands-independent and body-movement-independent intelligent interface device. Today, this eye-tracking product is being sold around the world to a small, but growing number of people with extensive mobility limitations for whom keyboard use is not an option.

This product, after being commercialized and matured by users who demanded high performance and reliability, is now being purchased by federal and private sector laboratories. Oak Ridge Laboratories is exploring its use to control tele-robotic vehicles in hazardous environments. A number of usability laboratories world-wide have purchased a related product that enables user performance measures to drive advanced designs of visual interfaces. A head-mounted display incorporating eye-tracking is next; it will accommodate not only people with disabilities but anyone in high demand, high performance environments, including national security.

Speech recognition, a technology increasing in power and potential, also originated through ARPA resources. Quadriplegic individuals have become recognized by the speech recognition industry for the significant contributions they've

made to maturing a technology that is likely to revolutionize human-computer interactions in the near future. These pioneer users, without functional use of a keyboard, were driven not by device novelty, but by true performance demands and the need for choice of information input mode that accommodated effective interactions with a computer. Other user groups who have begun to derive significant benefits from speech recognition are people with learning disabilities and people whose repetitive strain injuries preclude continued use of a keyboard.

Another powerful telecommunications advance was spearheaded recently by a person with a profound hearing loss who worked with an engineer to overcome her dependence on text telecommunications. She wanted another choice. The resultant product is elegant in its simplicity and cost effectiveness. With this product, she is able to use both standard and cellular phones directly. All amplification is provided by her existing hearing aid. While the cost-per-unit is approximately \$80, there are immense long-term benefits and value of this technology to a segment of the hearing impaired population around the world.

### *Federal Evidence of Benefits*

The General Services Administration, Clearinghouse on Computer Accommodation (COCA), has been tracking these little-known innovation synergies for a number of years. Through the Congressionally chartered Federal Laboratory Consortium for Technology Transfer, COCA has recently begun serious discussion with the Army Research Laboratory and other labs that exhibit strong interest in user interfaces that accommodate choice.

COCA became aware of this innovation dimension during the past decade while assisting federal agencies in identifying and shaping their investments in technology to fully accommodate people with disabilities. Public Law 102-569, Section 508, (1992 Amendments to the Rehabilitation Act of 1973) is the source of this Federal policy.

As implementation of federal accessibility statutes proceeds, federal agencies are discovering that purchasing information systems that accommodate a wide range of user interface requirements promotes productivity and ensures access to work-related and public information by people with disabilities. Organizations are benefiting from the ability to recruit and retain quality employees and the ability to effectively interact with all clients, including those with disabilities.

Agency experiences with user interface options that incorporate maturing technologies such as speech synthesis, speech recognition, or infrared technologies also provide an effective means for evaluating near-term applications with potential benefit to all users. Many employees in "hands-busy," "eyes-busy," or noisy environments can benefit today from flexible interface alternatives that have already been adopted by people with disabilities.

Applications with user interfaces that accommodate choice of alternative displays and keyboards are also being employed to minimize or prevent the visual fatigue and repetitive strain injuries associated with keyboard-intensive environments. As the work-force ages, accessible information services must support the requirements of people who develop age-related limitations of vision, hearing, or mobility. As planning by the Federal Government increasingly addresses a comprehensive information infrastructure, planning for choice represents a solid foundation to maximize the value of information applications and acceptance by users.

### LEAD by Design as an NII Innovation Driver

As awareness of disability-driven innovations becomes recognized, and societal dependence on technology for community participation and economic growth continues, breaking down barriers and building choices will become recognized as an innovation driver globally. E.H. Sibley summarizes this strategic opportunity:

"In reflecting on the problems of the multiple language and character sets faced by the world,

it appears that a large portion of the potential computer user population is at a disadvantage. They must use difficult interfaces or learn another language. When we add up the cost of not having good input/output devices for the many people who can compute but find it cumbersome, we can conclude that the cost of efficient new devices would pay for themselves many times over. Particularly at a time when the world's political barriers are being removed, perhaps our new opportunity frontier should be to remove the barriers to computing for all humanity, be they different in language, representation, or device needs."<sup>1</sup>

The recent report on High Performance Computing and Communications: Toward a National Information Infrastructure by the Office of Science and Technology Policy also acknowledges this opportunity. Addressing intelligent user interfaces, the report states, "A large collection of advanced human/machine interfaces must be developed in order to satisfy the vast range of preferences, abilities, and disabilities that affect how users interact with the NII."

The NII affords a unique opportunity in the design of human interface technologies to formalize collaborations among early demand user groups with a wide range of preferences, abilities and disabilities in order to reduce the lag time between technology transfer and user acceptance.

The Electronic Industries Foundation has reported that "manufacturers who have found ways to simplify the user interface have seen positive consumer response in terms of increased sales and decreased product returns... A growing body of research suggests that there are ways to design products that can accommodate functional limitations, and actually enhance their ease of use for everyone."<sup>2</sup>

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<sup>1</sup>E.H. Sibley, Communication of the ACM, May 1990

<sup>2</sup>EIA Seal of Accessibility Development Plan  
Version 1.0 9/17/93

The use of generic performance benchmarks such as those developed by Pirkil and Babic (1988) would stimulate the design needed to ensure customer choice. The benchmarks include:

- cross-sensory redundant cuing, feedback, and modes of operation that supports choice
- reduced complexity of operations
- adjustable product/user interfaces designed for a variety of populations and accommodation levels
- designing beyond basic needs in a manner that enhances user's independence, self-respect, and quality of life.

These findings are congruent with the growing recognition that technological advance only provides a competitive advantage for a short time; superior design and manufacturing — doing it right for the customer and quickly the first time ensures true economic advantage in a customer driven, global economy.

### *What is the Public Interest in Investing in NII and People with Disabilities?*

This section outlines how significant benefits are anticipated in at least five areas. The public will be particularly interested in how building choice in NII:

- removes communications and information access barriers that restrict business and social interactions between people with and without disabilities
- removes age-related barriers to participation in society
- reduces language and literacy-related barriers to society
- reduces risk of information worker injuries and

- enhances global commerce opportunities

### **Removes Communications and Information Access Barriers that Restrict Interactions Between People with and without Disabilities**

An individual with limited mobility may not have easy access to public libraries, places of employment or business, or retail outlets. Although these facilities may be "accessible" for the wheelchair user, getting to and from such locations often poses a serious challenge. Loss of hearing or sight are obvious barriers to information access.

The capacity to communicate with, and collect information from almost any point on the globe from one's home has already expanded the ability of persons with disabilities to participate in an information oriented society more effectively than ever before.

Federal policy promoting the coordination of a NII holds great promise of protecting the gains already made in information access by persons with disabilities. However, if the design and development of the NII does not accommodate the technical requirements for choice needed to provide universal access, then information utilization by persons with a variety of disabilities will be set back to the days before the development of computers.

At present, even without the development of a coordinated infrastructure, people with disabilities are carrying out electronic banking, shopping on-line, telecommuting, providing information services to others, all from their homes. In the office setting via electronic document processing, visually impaired and blind employees have access to vital information equal in some cases to their sighted colleagues. The economic impact of developing an information system that fails to accommodate the choice of modes of operation including access devices that convert electronic information into a form that can be used by a person with a disability (i.e., Braille displays, speech synthesizers, or voice input processors) will be far greater than the cost of ensuring this

universal access in the infrastructure from its inception.

### Personal Experiences of How the NII is Reducing Barriers

*"There are many truths of which the full meaning cannot be realized until personal experience has been brought home."*

John Stuart Mill 1800-1873

What follows is a list of personal experiences that offer insight into how the NII can benefit citizens with disabilities.

#### ■ Reduced Barriers to Full Participation in Society

I am a C7 quadriplegic who has completed a course in desktop publishing. I have been disabled for two years and very eager to get back into the work force. I have learned I'm still employable regardless of my disability. I recently learned about telecommunications and the different networks for communicating. With electronic mail I communicate with various people from all around the world. My life has really opened up with my career change and the electronic information systems.

#### ■ Reduced Barriers to Business and Employment

I am a C5 quadriplegic living in the Silicon Valley and a current intern with the Networking and Communication Department. I have been disabled for ten years from a motor vehicle accident in 1983.

I use computer telecommunications daily in numerous different functions. Telecommunications has opened up a new world, allowing me to communicate via e-mail with colleges, government agencies, and organizations. The future success of telecommunications is phenomenal, especially for the disabled community. It not only allows a person unable to go out into the community to access endless amounts of information, but also permits disabled persons, such as myself, to

eventually return to the workforce (via telecommuting) and become productive citizens again.

I have a dream of some day starting a nationwide bulletin board for attendant care for the disabled community. It would be an attendant registry that would permit disabled persons to hire attendants anywhere in the United States and find qualified and compatible employees.

#### ■ Reduced Communication Barriers

I am 17 years old. I am an oral, profoundly hearing-impaired student who is fully mainstreamed in the 12th grade at the Park School in Baltimore, MD. I did not really have access to e-mail until early October, when a friend of mine proposed that we e-mail each other...e-mail turned out to be easier than I thought, and it has been wonderful because it has enabled me to communicate with my friends from around the Atlantic Seaboard region.

The "electronic super-highway" is a boon for deaf/hearing impaired people because it enables them to communicate via the written word, which is a very effective alternate means of obtaining vital information in a relatively short period of time. It is my hope that the White House will make access to the information highway universal.

Thank you for allowing me to voice my concern regarding this matter. E-mail is such a wonderful thing and I am fortunate to be living in an age where communication opportunities (especially for the deaf/hearing impaired) are expanding.

#### ■ Reduced Information Access Barriers

I am using e-mail every day on campus at Gallaudet University, and because of my social shyness, it is much easier for me to socialize on the keyboard. I also find it great for research, and am doing my best to learn about Internet services as quickly as possible. I have been hard of hearing since birth, 50db equilaterally.

## ■ Reduced Barriers to the "Basics" in an Information Society

Rodney, a senior at Rogers High School, Puyallup, Washington, has no use of his arms or legs and uses a mouth wand to operate a computer. He began using a computer at age 6, and learned to read and write in this manner.

When asked a question, Rodney balances his wand on a box strategically placed near his terminal. A computer he says "is sort of like running water. You don't know what you'd do without it."

## ■ Removes Age-related Barriers to Participation in Society

According to the U.S. Bureau of the Census, by the year 2000, the U.S. population of those over 65 years will be greater than 34 million, this figure world wide will be over 419 million. The Bureau projects that in the next 50 years, the U.S. population will increase overall by 19.8 percent; however, the population of those 65 years or older will increase by 117 percent, more than doubling from 31.6 million to 68.5 million. By designing the NII to meet the needs of people with disabilities, the NII will also have the flexibility and competitive advantage of accommodating the freedom of choice and independence desired by this unprecedented number of older people. A well-designed NII that accommodates a wider range of vision, hearing, and mobility differences will normalize and not stigmatize our aging society. Personal and economic loss associated with past age-discriminatory designs can be minimized.

The NII will increasingly be a key factor in the independence, productivity, commerce, and community participation of a significant percentage of older people in our society. User acceptance will be accelerated by designs that make the NII easier and simpler to use. Those over the age of 50 control over 50 percent of America's discretionary spending funds (Ostroff 1989), and those over 65 control 77 percent of all assets (Pirkl and Babic 1988).

## Reduces Language and Literacy Related Barriers to Society

Full implementation of the Television Decoder Circuitry Act of 1990 will ensure not only full access to broadcasting by deaf Americans, but will also provide the choice of text captioning that may serve as a powerful application to reduce illiteracy in this country. According to the most comprehensive literacy study ever done by the U.S. government, the literacy levels of 90 million people in the United States is deficient.<sup>3</sup> This situation represents a direct threat to the U.S. economy. Another significant benefit of television with text captioning will be its usefulness as an effective learning technique for people who are learning English as a second language.

## Reduces Risk of Information Worker Injuries

With 70 million personal computers in use, strain injuries have skyrocketed. The U.S. Department of Labor figures show repetitive stress injuries represent 60 percent of all job-related illnesses. Estimates of the annual cost to business is \$20 billion.<sup>4</sup> Pilot demonstrations of speech recognition for all workers are underway in several large companies as a strategy to increase productivity and decrease keystrokes. Again, pioneer users of this technology have been people with disabilities who needed a choice other than a standard keyboard. NII applications must interoperate with intelligent user interfaces accommodating a wide range of user needs and preferences such as speech interfaces.

## Enhances Global Commerce Opportunities

There are approximately 750 million people with disabilities in the world. Meeting the needs of

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<sup>3</sup> U.S. Department of Education, National Center for Education Statistics, National Adult Literacy Survey, funded by Federal and State Governments

<sup>4</sup> Smithsonian, June 1994

people with disabilities in the NII will provide U.S. companies an early competitive advantage in the global marketplace.

The global advantages of the increasing U.S. market responsiveness to people with disabilities was noted in the 1993 report of the Commission of the European Communities. The report, European Technology Initiative for Disabled and Elderly People - Call for Proposals, states as follows:

"Technology transfer from the major European Information Technology industry to the Small and Medium-sized Enterprises, with the knowledge of the customer, will be critical to the competitiveness of the European Rehabilitation Technology industry. This technology transfer opens new markets for European technology. It also helps counter the threat posed to European industry by US legislation in favor of people with disabilities which is both forcing the Information Technology industry to take their needs into account and stimulating a strong rehabilitation technology industry in the US."

Deploying technologies such as real-time captioning, originally developed to accommodate deaf individuals could also enhance international commerce activities. For example, U.S. economists working on General Agreement on Tariffs and Trade (GATT) spent many hours transcribing and comparing notes from working sessions before strategizing on next steps. Delegates with limited English proficiency may experience even greater difficulties processing meeting content when it is only presented in spoken English. This situation may tend to increase misunderstanding and decrease trust, resulting in costly negotiation delays. Deploying real-time captioning would provide all delegates with a written English transcript of the proceedings at the end of the meeting. The captioning equipment would also provide to the entire group a real-time text display of the speaker's words that would serve to enhance language comprehension by delegates with limited English proficiency.

The technical solutions employed today to magnify text displays for low vision users are

identical to solutions being evaluated in Saudi Arabia to make English software applications readily translatable to Arabic. This approach can be applied to any foreign language and may reduce barriers to market entry for U.S. software developers.

## **PART II: Where are We Now?**

This section addresses the emerging consensus on universal design and convergence of policy and design practices in both the public sector (Federal, State, foreign governments) and the private sector that are becoming examples and support mechanisms for NII applications to break down barriers by building in customer choice.

### *National Laws and Policies*

Since 1988, statutory requirements for federal agencies have been in place to ensure that agency investments in information technology integrate requirements to meet the needs of people with disabilities are met. This policy is based on two laws, Public Law 100-542 and Public Law 102-569. Public Law 102-569, Section 508 addresses the requirement that Federal investments in information technology be conducted in a manner that ensures access to computer and telecommunications products and services by employees with disabilities and citizens with disabilities accessing public information services. Public Law 100-542, the Telecommunications Accessibility Enhancement Act, mandates a proactive approach within the government to advancing accessibility to the Federal telecommunications system by individuals with hearing or speech limitations.

These laws do not represent a radical new direction for federal agencies, but serve to reinforce existing mission requirements under the Rehabilitation Act of 1973. This Act requires federally conducted or federally sponsored programs to be accessible to persons with disabilities and mandates that management policies must not discriminate in the hiring, placement, and advancement of persons with disabilities.

The Americans with Disabilities Act of 1990 (ADA) has adapted and extended many of the existing responsibilities of the Rehabilitation Act of 1973 for implementation outside the Federal Government. The law requires barrier-free access to places that serve the public, such as theaters, restaurants, and museums. State and local government services, transportation, and telecommunications services must also be accessible. Discrimination on the basis of disability in private sector employment is also prohibited.

Protecting the rights of access to the evolving information infrastructure by customers with disabilities is a national responsibility as a result of the Americans with Disabilities Act. As implementation of ADA continues, accessibility to the information infrastructure represents an important area for Federal, State and private sector sponsored pilot demonstrations to conduct performance benchmarks and showcase early benefits and successful implementation strategies.

### *Efforts of Federal Agencies*

#### **General Services Administration, Council on Accessible Technology**

In 1984, GSA created an interagency committee that is now called the Council on Accessible Technology. The Council, comprised of senior executives from 30 agencies, promotes the planning and investment in information infrastructure that demonstrates the flexibility of choice needed to accommodate people with disabilities.

The Council advances the business practice of including persons with disabilities in the design, pilots, and early implementation of all new government information infrastructure investments.

Last Fall, the Council co-hosted with the Department of Commerce a seminar entitled "Universal Design: Accommodating Diversity and High Performance." The seminar was attended by approximately 200 people from Federal and State Governments and industry. The seminar

took place in conjunction with the Department of Commerce' Sixth Annual Accessible Computer Technology (ACT) Exhibit.

At the Department of Commerce's Seventh Annual ACT Exhibit, on Oct. 5/6, 1994, the Council, together with the Committee on Application and Technology, will be showcasing Federal, State, and private pilot demonstrations of applications that exemplify how the needs of people with disabilities can be met in the NII. The Clearinghouse on Computer Accommodation will assist in pre-selection of applications that meet existing accessibility guidelines.

The Council will conduct a similar showcase of NII applications that are usable by people with disabilities at Interchange '94, October 12/13, 1994.

#### **General Services Administration (GSA) Clearinghouse on Computer Accommodation (COCA)**

Since 1984, the GSA Clearinghouse on Computer Accommodation (COCA) has served as a model demonstration center for advancing accessible information environments, services, and management practices in order to stimulate the governmentwide capacity-building needed to meet statutory requirements. The center provides technical consultation, presentations, training, and assistance to federal agencies. The center also serves as a pilot demonstration site and market need/market utilization conduit between federal agencies and laboratories, universities and industry.

COCA facilitates a network of Federal employees with disabilities and their support personnel that provides early customer feedback on new service delivery technologies and practices. Coordinating with COCA and this network, the Computer/Telecommunications Accessibility Resource Exchange (CARE), is now a part of many agency programs. CARE members piloted with GSA developers, the first accessible information kiosk. GSA continues to advise and provide accessible kiosk services to customer agencies.

Current projects underway include:

- working with Government Printing Office, National Institute of Standards and Technology, and Internal Revenue Service to ensure development of electronic document services that are accessible
- providing guidance on developing accessible CD-ROMs
- developing a tutorial to assist blind users becoming oriented to Windows
- preparing a COCA handbook as a model for universal access in electronic document preparation
- evaluating Internet browsers, including Mosaic and Lynx to enhance the access modes supported

Last summer, COCA piloted a program that exposed future human interface designers to the government's need for an accessible information infrastructure. Stanford University participated in the program and inquiries for future participation were received from the Georgia Institute of Technology and the Kennedy School of Government at Harvard University.

Due to changing research priorities, Federal laboratories committed to dual-use technology and high performance technology are also beginning to approach COCA to discuss collaborative efforts. In this manner, market demand will be stimulated for alternative modes of computer interaction needed by persons with disabilities. The synergistic goals of dual-use technology and accommodation of diversity can be achieved. It is anticipated that this technology push initiative will be complemented by a market pull within the labs for user interfaces offering greater flexibility to accommodate a wider range of abilities, disabilities and preferences.

### Microcomputer Training Program for Persons with Disabilities (MTPPD)

(MTPPD) serves persons with disabilities within and outside the Department. MTPPD also supports the Department's Nationwide Office Automation for the VA (NOAVA) implementation to ensure employees with disabilities receive equal access to NOAVA OA systems and platforms.

The MTPPD program provides training to employees within the VA and from other federal agencies. The cost-reimbursable training addresses both adaptive technology and common application packages. Other program services include consultations, tours, equipment demonstrations, and product evaluations. Document scanning and converting services, including braille, are available to agencies on a cost-reimbursable basis.

### Department of Commerce (DoC) Committee on Resources for Electronic Accessible Technology to End Users (CREATE)

CREATE is the vehicle responsible for planning and coordinating Department-wide activities in increase awareness of accessible technology issues and explore ways to ensure that the information environment is usable by people with disabilities. CREATE hosts the Accessible Computer Technology Exhibit hosted annually in October to increase awareness and effective use of commercially available products and services that accommodate people with disabilities.

### Department of Agriculture (USDA) Technology Accessible Resources Gives Employment Today (TARGET) Center

The Accessible Technology Program has established the TARGET Center to support USDA employees nationwide and other federal agencies. TARGET provides evaluations,

demonstrations, resource information, needs assessments, and training on accessible technology. The center uses open systems concepts to highlight accommodation solutions available on personal computers. TARGET demonstrates how accessible technology optimizes productivity and job retention of career employees by reducing worker compensation costs and disability retirements from end-user computer injuries.

#### Department of Defense Computer/Electronic Accommodations Program (CAP)

The CAP Office assists DoD activities to procure adaptive equipment which provides access to computer systems and telecommunications as required by Public Laws 102-569 and 100-542. The CAP Office provides technical, educational and financial support to assist employees, supervisors and managers identify and procure appropriate accommodations. The CAP Office conducts special projects to assist DoD activities to ensure an accessible work place. Projects include working with DoD components to ensure that training centers, libraries, and programs are accessible; and coordinating with system acquisition activities to ensure that accessibility is considered in the procurement of DoD systems. CAP also established the Technology Evaluation Center (CAPTEC), a facility dedicated to the evaluation and testing of emerging technology. The CAPTEC assists DoD supervisors and employees in choosing appropriate adaptive equipment for creating work environments that are accessible to persons with disabilities.

#### Internal Revenue Service Computer/Telecommunications Accessibility Program (CAP)

The Computer/Telecommunications Accessibility Program (CAP) was established to ensure the IRS makes electronic information accessible to people with disabilities. CAP assists the managers and employees in selection and procurement of appropriate adaptive technology. The CAP office works with acquisitions and procurement personnel to ensure that

accessibility is included in information technology procurements. CAP has a demonstration center with adaptive equipment.

#### National Security Agency Center for Computer Assistive Technology (CCAT)

The National Security Agency's CCAT provides demonstration of assistive technology devices and professional resources for agency employees with hearing visual or physical limitations. The goal of the center is to provide assistance and identify alternative solutions for persons with disabilities.

#### *Federally Sponsored Activities*

#### Department of Education (DoEd) National Institute on Disability and Rehabilitation Research (NIDRR)

- Technology-Related Assistance Act Funded States

In 1994, Congress re-authorized Public Law 100-407, the Technology-Related Assistance For Individuals with Disabilities Act (P.L. 103-218). Administration of the law continues to be conducted by the NIDRR. The states have received grants for "systems change" activities to eliminate barriers that impede information and acquisition of assistive technology services and devices through implementation of consumer-responsive systems.

- Project Enable, West Virginia Research & Training Center

Project Enable is a full featured computer bulletin board system providing information on disability, rehabilitation, employment, and education. It is used primarily by people with disabilities and their families, educators, students, and rehabilitation workers who participate in over 150 special interest discussion groups.

- Rehabilitation Engineering Research Center (RERC) on Communications and Information Technology Access, Trace Center, University of Wisconsin, Madison

The Trace RERC studies access problems of people with disabilities to computer and information systems, and disseminates information on solution strategies. Trace works with computer manufacturers and software producers to outline how existing products can be made more accessible to people with disabilities. Through Trace efforts, disability access features are being built into commonly used operating systems. Current cross-disability goals include working with a broad coalition to:

- identify ways that manufacturers can build access directly into next generation systems to accommodate the widest possible number of customers
- identify strategies to allow customer choice of mode of operation.

#### National Science Foundation (NSF)

DO\*IT (Disabilities, Opportunities, Internet-working, and Technology), University of Washington: DO\*IT enables high school students with disabilities to explore careers in science, engineering, and mathematics through "mentorships" conducted via Internet with practicing engineers and scientists from around the world, many of whom also have disabilities.

#### *Selected Non-profit and Academic Activities*

##### Project EASI (Equal Access to Software and Information)

Provides assistance to higher education in developing computer support services for people with disabilities. Project EASI provides information and guidance on campus applications of adaptive computer technology for access to information, instruction, research, and employment. Project EASI's Internet server hosts an active discussion about computer/telecommunications access issues.

##### WGBH-Caption Center, Boston, MA

WGBH has pioneered advances in accessible programming for more than 20 years since captioning the first nationally broadcast program.

WGBH is working to make all programming accessible to the nation's 24 million deaf and hard-of-hearing viewers. Instrumental in the Television Decoder Circuitry Act of 1990, they also launched Descriptive Video Service (DVS) in the same year. DVS makes television accessible to millions of people who are blind or visually impaired through narrated descriptions of key program elements.

##### Corporation for Public Broadcasting/WGBH National Center for Accessible Media (NCAM), Boston, MA

NCAM was established in 1993 with funding from the Corporation for Public Broadcasting. NCAM is taking steps to accelerate media access to populations that have been underserved or denied access. Project examples include:

- Closed Caption University — empowering individual public television stations to caption their own programming
- Access Primer and Toolkit — primers for stations interested in technology applications such as captioning, descriptive video, and foreign language (especially Spanish) translations and tips on building relationships with deaf, blind, and minority-language communities
- International Broadcasting — study of how countries around the world are providing access to their TV systems
- Vertical Blanking Interval (VBI) Project is experimenting with using the VBI of the television signal instead of the third audio channel in routing descriptive video or Spanish video
- Print Access Project — to digitize newspapers and deliver them into the home fully accessible to blind, low-vision, and other print-disabled people.

## World Institute on Disability (WID)

WID focuses on creation of public policy that will give people with disabilities access to the information age. WIDnet is a network that focuses on disability policy.

Stanford University, Center for the Study of Language and Information (CSLI)  
CSLI's Archimedes Project works to improve access to information for individuals with disabilities by influencing the early design stages of emerging technologies. The project:

- applies basic research about information and communications to the design of access for people who are disabled
- educates those who will develop the next generation of technology about the advantages for the whole community of designing general access. In both instances maximum leverage is obtained by emphasizing design rather than retrofit.

## Private Sector Activities

### Disability Action Committee for Xwindows (DACX)

DACX is working to solve accessibility issues presented by the Xwindows graphical user interface. Membership includes the major Xwindows vendors including DEC, IBM, SUN, and representatives from academia. The purpose of DACX is to develop solutions which will allow users with disabilities to access systems running the Xwindows GUI. The group has succeeded in developing access utilities for users with motor impairments. It is also working on developing necessary "hooks" for screen reading programs. Access-related software developed by DACX is distributed through the Xwindows Consortium.

### The International Committee on Accessible Document Design (ICADD)

ICADD promotes standards for producing documentation for "print disabled" individuals. Membership includes representatives from

industry, academia, and government from many countries around the world. The purpose of ICADD is to develop and encourage the document transformations that print-disabled persons are working toward. ICADD has succeeded in implementing accessibility in existing International Standards Organization (ISO) standards such as the Standard Generalized Mark-up Language (SGML)

## Electronic Industries Association (EIA)

Electronic Industries Association's Consumer Electronics Group and the Electronics Industries Foundation (EIF) are currently working to create a Seal of Accessibility for consumer electronics products.

When completed, the Seal will certify that designated mainstream products can be used by persons with functional limitations associated with aging, a temporary injury, or permanent disability, and that the products meet the accessible design guidelines established by a committee comprising manufacturers, disability experts, consumers, and representatives of organizations serving the needs of people with disabilities. The seal should help manufacturers during the design process and consumers during the selection process.

## Industrial Design Excellence Awards (IDEA), Industrial Designers Society of America and *Business Week* Magazine

Promotes recognition of industrial design excellence as a strategic tool for competitiveness in the domestic and global marketplaces. Industrial designers make products easy to use, safe, comfortable, appealing, and ecologically responsible. One of the 18 gold medal winners for 1994 was James Pirkel, designer of a book on *Transgenerational Design: Products for an Aging Population* which highlights the marketplace advantages of well-designed products that also accommodate older people and people with disabilities.

## International Activities

There are three major European program efforts underway to accelerate the productive application of technology on behalf of people with disabilities. The largest of the three is Technology Initiative for Disabled and Elderly (TIDE). TIDE is a community research and development initiative in the field of rehabilitation technology designed to stimulate the creation of a single market in Europe. TIDE assists elderly and disabled people to live independently and participate more fully in the social and economic activities of the community.

The main goal of the RACE program (Research and Development on Advanced Communication in Europe) is to develop technology and infrastructure in order to prepare for the introduction of broadband network services and to promote European industry competitiveness in this field.

This activity includes delivery of services to the largest possible cross-section of the user population, including people with disabilities. The project includes development of a standard reference manual of specifications for designers that will provide the necessary knowledge about human factors to ensure network accessibility to all users.

Member States of the European Union recognize the importance of education, employment, and accessibility for people with disabilities. Institutions of the European Union have issued resolutions to promote equality of opportunity and integration of people with disabilities.

Canada's information infrastructure planning has also begun to address integrating the needs of people with disabilities. Canadian representatives have requested information about U.S. plans.

## PART III: Where Do We Want To Be?

*"Information, which will be education, which will be employment, which will be income, which will be possibility, must flow to all Americans on terms of equal accessibility without regard to*

*physical condition. And we are committed to doing that."*

*- President Clinton 5/13/94*

This section addresses examples of user expectations of important NII capabilities. These capabilities will be needed to address the national goal of equal accessibility in communications, commerce, and community among people with and without disabilities. The examples are grouped under the four functional capability areas identified in the Vision for a 21st Century Information Infrastructure report of the Council on Competitiveness:

- 1) widely accessible and interoperable communications networks
- 2) digital libraries, information databases and services
- 3) information appliances and computing systems
- 4) trained people to build, maintain, and operate these resources.

This May 1993 report envisions:

The information infrastructure of the 21st Century will enable all Americans to access information and communicate with each other easily, reliably, securely and cost-effectively in any medium — voice, data, image or video — anytime, anywhere.

### Widely Accessible and Interoperable Communications Networks

- Expectations of business owners with disabilities will be met for commerce, information, health, and manufacturing networks that offer the visual and auditory redundancy needed to accommodate their choice of modes of communications and information processing in a manner that is also transparent to and convenient to their customers.

- Education networks should accommodate the needs of parents, children, and teachers to have alternative modes of communication and information sharing available to accommodate situations when one or more of the communicating parties has a disability associated with hearing, seeing, or speaking. For example, text messaging might substitute for telephone conversations between a parent and teacher. Multi-media learning applications would support redundancy options allowing student choice of information presented either visually or auditorially/tactile or both.
- Accommodating people with disabilities will be a tangible and widely recognized citizen benchmark for responsive and respectful service. Citizen expectations will be met for equal access and improved services at all levels of government service delivery. For example, 911 emergency service calls will accommodate text telephone users who are deaf or speech impaired.
- Enhanced service/routing features on 800-number arrangements need to accommodate people with disabilities by detecting text telephone users and routing their calls to a data server when voice telephone calls to the same number are routed to a recorded voice response unit. 800 numbers placed to an information service agent would automatically patch to the nearest State relay operator service if the agent failed to respond with a device capable of communicating directly to a text telephone.
- The 800 number service capability should also provide in a similar manner an automatic linkage option to the language translation services industry when needed by a caller or information services agent to complete a communication transaction when a common language is not available to the two parties.
- The large federal investment in Federal laboratories and the technology transfer and dual-use programs should meet citizen's expectations by contributing to advanced communications and information services that are designed to accommodate all user choices of modes of operation. This will be achieved through the Federal Laboratory Consortium and other organizations.
- Expectations by hearing impaired and speech impaired executives that their requirements for real-time captioning through text or sign language inserts will be available in standard video conferencing environments will be met. This capability will also accommodate participants at international conferences who experience language barriers. Blind participants will be able to receive transmitted text by Braille if desired.
- Participants in courtroom proceedings including judges, jurors, and attorneys will be accommodated as requested using the suite of service choices described above to accommodate hearing loss, vision loss, or language differences.
- Wireless voice and data service offerings and equipment will be able to accommodate people with disabilities in a manner that represents a significant improvement from what is commercially available today in terms of interoperability, competitive offerings, and user choice and customization options.
- The access component between the customer premises equipment and the user with a disability will be designed with as much care and attention to flexibility and interoperability as the access component between the customer premises equipment and the transport carrier.
- Expectations from current users with disabilities that uninterrupted choice of access mode to existing network utilities and services will continue as the technologies advance. This currently includes electronic mail (video mail, multimedia mail, etc.), directory service, security service, electronic commerce, and bulletin board systems.

- Expectations that students with auditory or visual limitations will also be able to benefit from the commercially prepared multi-media and "real-time video" capabilities employed for individual and group learning.
- Expectations from community members that electronic town meetings and government provided kiosk services will accommodate full participation by all.
- Expectations from blind people as well as those learning English that descriptive video services would become a standard option. Descriptive video services provide a spoken description that accompanies visual events.

#### Digital Libraries, Information Data Bases and Services

- Federally funded activities of the High Performance Computing and Communications Program, will address the needs of people with disabilities to use these services and include people with disabilities in their pilot projects. This includes projects such as NSF funded digital libraries research, NASA developed prototype digital libraries, ARPA funded hypermedia systems with intelligent user interfaces and National Institutes of Health developments in medical database management.
- Expectations of people who are print-handicapped due to vision problems or have problems handling printed materials due to dexterity limitations will be met. These members of society will be able to access all publicly and commercially available electronic information services using their choice of access modes.
- The Government Printing Office "Access" Act of 1993 will accelerate services that are fully usable by people with disabilities including:
  - 1) an electronic directory of federal electronic information

2) on-line access to the *Congressional Record*, the *Federal Register*, and other appropriate publications and

3) an electronic storage facility for federal electronic information.

- Expectations of retirees for intensive, early, and satisfied use of NII education, commercial, and leisure applications will be closely tied to the ease with which their age-related choices for large print, amplification, and speech-based interfaces are met.

#### Information Appliances and Computing Systems that are Easy to Use

- Expectation that information appliances or customer premises equipment that used to include only telephones, PCs/workstations, fax machines, optical character scanners, LANs, modems, video equipment, cellular phones, pagers, personal digital assistants, and notebook/laptop computers will now also include braille displays, braille computers, alternative keyboards, captioning systems, closed circuit televisions, CD-ROM drives, text telephones, text-to-speech devices, voice recognition systems, augmentative communication devices, assistive listening devices, and wireless personal communication services.
- Expectation that end-to-end telecommunications service will fully deliver to people with disabilities and include not only transport service, but also equipment and software choices needed for end to end connectivity. These services will offer user preference of modality or combination of modalities in which to present information or communication including:
  - 1) voice-oriented
  - 2) data-oriented
  - 3) video-oriented (including video conferencing)

#### 4) multi-media oriented

#### 5) wireless-based

- Older Americans will not be resistant to change as sometimes predicted if new appliances accommodate age-related vision, hearing, or dexterity limitations through better designed technologies offering greater range and mode options than are available today.
- The capability to accommodate people with disabilities will be recognized as an essential performance measure during selection from among competing appliances. This benchmark will ensure the flexibility of choices needed to access all communications networks and services and also accommodate learning preferences, noisy environments, hands busy environments, and high performance environments, including national security.
- Expectation that executives with disabilities while on travel will be able to secure an equivalent level of access to information and communication services as their non-disabled colleagues through well-designed information services such as kiosks, e-mail, and FAX-on-demand that accommodate choice.

#### Trained People to Build, Maintain, and Operate these Resources

- Expectation that designers will invite people with disabilities to be beta users of all new products and service offerings recognizing that this class of user is both more demanding of functionality and more likely to quickly adopt a capability that offers real advantages. This design approach has unfailingly promoted greater ingenuity and innovation for many years, however, it has not been well known or consistently applied until recently.
- Expectation that designers with disabilities are more likely to stimulate increased design

foresight for range of functionality and mode options in their organizations.

- Businesses that offer separate special customized products and services to meet needs of people with disabilities in a manner that accommodates choice as an afterthought will be at a distinct disadvantage to businesses fully integrating the choices of people with disabilities early through universal design and pilot demonstrations that include people with disabilities.
- Businesses will advertise their products and services as "access-screened" in a manner similar to being "green" or environmentally conscious. Perhaps a AAAS rating for "Application Adequacy for Accessibility Services" or a Seal of Accessibility as advanced by the Electronics Industry Association could be utilized.
- Businesses will expect federal pilot demonstrations to demonstrate how the accessibility of products and services can be advanced in the NII. There will a strong emphasis on access performance and reliability benchmarks for universal design in public and private interoperability testbed labs.
- Businesses will expect opportunities to showcase how they are investing in universal design to competitive advantage.

#### PART IV: How Are We Going To Get There?

This section addresses the scaling opportunities afforded through the NII to establish the leadership, policy, and marketplace roles and alliances necessary to ensure that the design of the NII will meet national expectations for breaking down barriers. These expectations can only be fulfilled by building choice and full usability for people with disability into the development of the NII.

### *Strengthen Market Pull — Current Effort Level Can Not Ensure Uninterrupted Access*

Although the Federal Government in its role as a major employer and information technology consumer is taking steps to use its "buying power" to communicate to industry its need for information technology products and services that are usable by people with disabilities, this process must be scaled up in priority and include pilot demonstration activities in order to shape the capabilities needed earlier in the technology design cycle.

Agencies are demonstrating progress in formulating access policies and meeting current employee accommodation needs; however, increased attention is needed on leveraging market demand to ensure long-term uninterrupted access as future technologies are introduced and the information infrastructure proceeds. The current restricted usefulness of graphical user interfaces by blind users represents inadequate foresight in the marketplace to changing needs. Today blind users face graphics-mode-only applications whose designs neglect to accommodate choice, thus providing marginal utility of popular applications that have been fully utilized for more than a decade. Discussions in recent White Papers on the information infrastructure will need to be expanded in order to adequately address requirements of people with disabilities to the NII.

At a time of rapid technological change, the needs and requirements of customers with disabilities must be fully integrated in all technology development, replacement, and refreshment initiatives. Realizing the full benefits of the NII also depends on the development of open system standards. Without these open systems, small firms developing application devices important to individuals with disabilities will be crowded out of markets by larger, more established firms.

Fortunately, industry champions for improved access within large computer companies report that they are actively seeking greater evidence

that equitable access is a high priority customer requirement of the government's information infrastructure.

### *Leadership by Example*

Although the Federal Government is commonly associated with technology push R&D funding, within the information technology arena, the Federal Government also has a unique role as buyer for the largest and most complex information environment in the world. The ability of the Federal Government to demonstrate technology foresight in the marketplace can have a significant impact on the quality of life of people with disabilities. This consumer foresight can accelerate the readiness of the U.S. information industry to respond to similar application challenges beyond the Federal marketplace and abroad. The Federal Government should strengthen its investment commitment to universal design in order to achieve not only equal access to NII by all Americans, but also to recognize the innovation incentive it provides to industry to better prepare for consumer interface demands globally.

The Office of Science and Technology Policy is currently providing an example of LEAD by Design by assessing how well a new White House information service can be used by people with disabilities. This action will signal — in a manner that echoes tapping on the Liberty Bell during the first transcontinental call — our national commitment to an information infrastructure that will deliver in terms of global competitiveness and in a manner that liberates the expressiveness and amplifies the dignity of all Americans.

### *New Roles and Alliances*

Deploying the National Information Infrastructure<sup>2</sup> (NII) in a manner that promotes universal service, access to government information, and technological innovation with performance benchmarks for customer choice, equal opportunity, and convenience will provide the needed context for the following actions:

- Due to the high stakes requirements of people with disabilities, establish a citizen participation mechanism or use an existing capability such as Americans Communicating Electronically (ACE) to ensure that citizens with disabilities have the means to give input and feedback directly to NII planners and developers throughout the process. This is the NII category of customer with great need and at great risk for being well-served by the NII.
- Establish pilot demonstration partnerships among regional associations of people with disabilities; regional business innovation and/or industrial design consortiums; regional federal laboratory consortiums; and regional rehabilitation engineering centers.
- Increase collaboration among committed individuals involved in next generation design within universities, industry, and Federal laboratories to provide the focused technology push to human interface technologies that will readily accommodate capabilities required by people with a wide range of preferences, abilities, and disabilities.
- Increase collaboration among Federal, State and private sector organizations to operationalize performance benchmarks and showcase pilot demonstrations of infrastructure capabilities that also offer improved and uninterrupted access by people with disabilities.
- Human interface technologies that accommodate a wide range of user needs will become recognized as a critical technology in the missions of the Federal High Performance Computing and Communications Program, the National Telecommunications and Information Administration, the Federal Laboratory Consortium, and the Technology Reinvestment Project of the Advanced Research Projects Agency.
- Increased educational opportunities for human interface designers to learn how to

meet customer requirements for accessibility through university/industry/disabled community partnerships that improve industry foresight to this changing global need.

#### *Incorporating the Needs of Americans with Disabilities in New National Legislation*

- How should the Communications Act of 1994 (S.1822) protect and advance universal service in a manner that more explicitly includes people with disabilities?
- How should the Antitrust Reform Act of 1993 (H.R.3626) and the National Communications Competition and Information Infrastructure Act of 1993 (H.R. 3636) fully reflect public interest in universal design, universal access, and customer choice?
- How should intelligent interfaces that accommodate disabilities and abilities be acknowledged as a competitiveness factor in the National Competitiveness Act of 1993 (S.4)?

#### *Performance Benchmarks for Accessibility*

- How should the design needs of people with disabilities become operationalized as an integral aspect of all NII development initiatives?
- What performance benchmarking mechanisms are needed to ensure that innovations such as information kiosks, electronic town meetings, electronic voting and other interactive services can be fully utilized by people with disabilities?
- How can the design needs of people with disabilities be an integral principle of ongoing federal programs advancing the NII such as the High-Performance Computing and Communications Program?
- What mechanisms are needed to coordinate and accelerate the technology transfer benefits between federal programs serving

people with disabilities and High-Performance Computing and related advanced technology and technology reinvestment programs?

- How should application guidelines for universal access be integrated into the National Telecommunications and Information Administration grants program designed to support demonstrations of new telecommunications technology applications?
- What mechanisms exist for regulatory agencies such as the Federal Communications Commission to communicate with disabled citizens on telecommunications issues?

## Conclusion

Full participation by citizens with disabilities in the design, pilot demonstrations, and implementation of NII applications is a national priority. Collaborative support mechanisms within the Federal and State Governments and private sector need to be strengthened to serve as communication conduits between citizens and NII developers. NII investments need to include performance benchmarks to ensure that applications can be fully utilized by people with disabilities.

The NII must accommodate choice in order to deliver on its promise of universal access. The unprecedented convergence of information technologies only amplifies the possibilities - accommodating choice provides a focal point for early and far reaching benefits.

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## United States Architectural and Transportation Barriers Compliance Board

1331 F Street, NW • Washington, DC 20004-1111 • 202-272-5434 (Voice) • 202-272-5449 (TDD) • 202-272-5447 (FAX)

### MEMORANDUM

TO: Stan Herr  
White House, Office of Domestic Policy

FROM: Lawrence W. Roffee *LWR*  
Executive Director

DATE: September 22, 1994

SUBJECT: Disability Accommodations Report

This memorandum is the report that was requested at the August 18, 1994 meeting of the new Federal Disability Accommodations Working Group.

1. Identify some of the specific accommodations issues that your department or agency are now addressing.

The Access Board leads all Federal agencies in the percentage (39%) of people with disabilities employed in our workforce. We have worked with each employee to make job accommodations and have not found them to be costly or difficult to make. The most common accommodation is simply flexible working hours. We are most proud of the accommodations we have made so that one of our Accessibility Specialists who is deaf, can easily perform her shift on our Technical Assistance telephone lines. A contractor, with materials purchased at a hardware store made a wire splinter so an interpreter can listen to the call using a head set. The interpreter is easily able to interpret the callers voice.

2. and 3. Produce or identify any reports, publications, or brochures that your agency has written or proposed on the topics covered by this working group.

The Access Board has produced over 20 publications on various aspects of accessible design. Our publications list is attached. The publications are available free of charge and most are available in large type, cassette tape, computer disk, and braille.

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

a. The Board has passed a resolution urging all Federal agencies to adopt the ADA Accessibility Guidelines (ADAAG) as the accessible design standards to use in the construction, leasing, or alteration of Federal buildings and facilities. We believe the ADAAG is a much more state-of-the-art set of guidelines than are the Uniform Federal Accessibility Standards (UFAS) which were developed in 1984. The General Services Administration, the Department of Interior, and the Department of Defense have announced they will use ADAAG. The Department of Justice has urged all Federal agencies to use ADAAG in their Section 504 regulations. This Work Group could continue to urge the use of ADAAG for Federal buildings and facilities.

b. The Board has a strict policy about having documents which are for public distribution available in alternate media which includes large type, cassette tape, computer disk, and braille. We have found that many Federal agencies do not make their documents available in these formats. The Government Printing Office will not make documents it sells or distributes available in any alternate format. The Working Group could press Federal agencies and the Government Printing Office to comply with the law and produce their materials in alternate formats.

Attachment

## Publications Checklist

ACCESS BOARD (U.S. Architectural and Transportation Barriers Compliance Board)

1331 F Street, NW, Suite 1000, Washington, DC 20004-1111

202/272-5434 (Voice) • 202/272-5449 (TTY) • 202/272-5447 (FAX)

Technical Assistance: 800/872-2253 (Voice & TTY) • 800/993-2822 (TTY)

The Access Board produces or distributes the following publications. Single copies (regular print, braille [B], cassette [C], disk [5 ¼" DD floppy disk in ASCII format], or large type [LT]) are available at no cost. Circle the publication number (M41, for example) for a regular print copy or one of the letters (B, C, D, LT) for a single alternate format.\* Clearly print your name and address in the space provided on the back of this form. Any publication may be photocopied or reprinted to use for nonprofit educational purposes.

The publications on this list may also be ordered through the Board's telephone or fax numbers as shown above. When you reach the automated switchboard, press 1 on your phone keypad to access the publications ordering menu. Allow three to five weeks for delivery.

### GENERAL PUBLICATIONS

Pub.

No.      Format

- M41**   B C D LT **Access America:** A newsletter about the Access Board and its activities. To be added to the newsletter mailing list, check here [   ]
- G08**   B C D LT **Publications Checklist:** Additional copies of this order form can be obtained from the Access Board.
- G14**   B C D LT **Americans with Disabilities Act Accessibility Requirements:** An overview in tabular form of accessibility requirements, effective dates, regulations, and enforcement of Titles I-IV of the Americans with Disabilities Act (12/91)
- P93**   B C D LT **Annual Report to the President and Congress:** Report on Access Board activities for the previous fiscal year
- G15**   B C D LT **Filing a Complaint ... It's Your Right:** Explains how to file an Architectural Barriers Act complaint with the Access Board about inaccessibility involving buildings designed, built, or altered with certain Federal funds or leased for occupancy by Federal agencies. Includes complaint form. Also provides a brief overview of other Federal accessibility laws (3/93)

### ACCESSIBILITY GUIDELINES AND STANDARDS

- S14**   B C D LT **Americans with Disabilities Act Accessibility Guidelines (ADAAG):** Accessibility requirements for new construction and alteration of buildings and facilities covered by the ADA. Also includes Department of Justice regulations for public accommodations and commercial facilities (7/91)
- S04**        C      **Uniform Federal Accessibility Standards (UFAS):** Design, construction and alteration standards for access to federally funded facilities (4/88)

### ARCHITECTURAL ACCESS

- S09**        D      **Americans with Disabilities Act Accessibility Guidelines (ADAAG) Checklist:** A checklist for applying ADAAG in the design, construction, and alteration of buildings and facilities, including transit facilities (2/93)
- A26**        C D      **Hands-on Architecture:** Contains pertinent information from a Board-sponsored research project with suggested standards for specifying controls and operating mechanisms (12/86)
- S06**        D LT **Technical Paper on Accessibility Codes and Standards:** Compares the *Minimum Guidelines and Requirements for Accessible Design* and the *Uniform Federal Accessibility Standards* with local, state, and foreign access codes and standards (7/89)
- S05**        D      **Uniform Federal Accessibility Standards (UFAS) Accessibility Checklist:** A checklist for applying UFAS in the design, construction, and alteration of buildings and facilities (6/90)
- S07**        D      **UFAS Retrofit Manual:** This 300-page document, based on UFAS, contains easy-to-understand, practical solutions to often-encountered alteration situations (4/91)

\*If you represent a library or other organization needing more than one alternate format, call the Access Board.

September 23, 1994

Memorandum For Stanley S. Herr

Thru: Larry Parks

From: Carolyn Gunney

Subject: Commerce Activities in Support of Federal  
Disabilities Accommodations

The Department of Commerce is fully committed to providing reasonable accommodations for people with disabilities. As part of that commitment, operating units implemented many mechanisms which allowed Commerce to be responsive to the needs of employees and visitors that are disabled.

I. A listing of specific accomplishments, by operating units, follow.

Office of the Secretary

- Three sets of brass rails were installed at entrance steps of the main building.
- The braille elevator emergency procedures signage has been completed in all elevators.
- A survey was completed at the main building to determine the number of rest rooms needing modification to accommodate people with disabilities.

Bureau of Economic Analysis

- The Bureau of Economic Analysis (BEA) relocated to a new facility. The building is fully accessible to people with disabilities.
- For individuals with a hearing impairment, TDD systems are provided in the Public Information Office and at individual work stations.
- For individuals with a sight impairment, public access, information, and emergency signs have the information in braille. Recently released data from BEA is available in voice recorded messages for sight impaired clients and the general public.

**Census Bureau**

- All employees who have a hearing disability were provided with an opportunity to obtain an automated vibrating system that alerts them to situations requiring immediate evacuation.
- Permanent accessible parking spaces was established for visitors with disabilities.
- A directional sign was posted at the main entrance in Suitland, Maryland to notify people with physical disabilities that assistance is provided upon request.
- A TTY was installed in the Public Information Office to enable people with hearing disabilities to request products and information.
- The Equal Employment Opportunity Office and the Public Information Office purchased decoders to provide close captioned videos for persons who have hearing disabilities.
- Accessible restrooms, including showers, were installed in the exercise facility in Jeffersonville.
- Dual access door operators were installed at seven locations in Jeffersonville.
- TTYs and directional signs were installed in all regional offices and telephone centers.

**National Institute of Standards and Technology**

- Restrooms were modified throughout the site to accommodate people with disabilities.
- Accessible ramps, handicapped parking areas, and drinking fountains were installed throughout the facility to accommodate people with disabilities.
- A sound amplification system was installed in the auditoriums.
- A TDD phone mail system was installed in the office of Civil Rights. A pay TDD was installed near the auditoriums for visitors.
- Elevators were modified by adding auditory and braille features.

**National Oceanic and Atmospheric Administration**

- NOAA relocated to four newly constructed buildings in Maryland that are all fully accessible to people with disabilities.
- Regional offices and laboratories renovated bathrooms, provided parking services, built ramps, and installed electric doors to accommodate people with disabilities.

**Patent and Trademark**

- Parking spaces for the handicapped were installed.
- Restrooms were updated to accommodate people with disabilities.
- Stairwells in Crystal Plaza 3 and 4 were updated.

**II. Commerce has written several reports addressing Federal Accommodations for the Disabled. Titles of some of the more recent reports are listed below.**

- The Bureau of the Census recently completed a report entitled "Americans with Disabilities: 1991-92" -- the first comprehensive disability survey ever undertaken by the Bureau. This report will be useful in establishing baseline numbers as the Nation works to reduce barriers faced by persons with disabilities.
- The Bureau of the Census prepared a statistical brief entitled "Americans with Disabilities". The brief addressed, in part, the impact of having a disability on employment status.
- The National Institute of Standards and Technology released a report, for public comment, entitled "The Information Infrastructure: Reaching Society's Goals." The first chapter addresses meeting the needs of people with disabilities in developing the National Information Infrastructure. The report was prepared by the Committee on Applications and Technology of the Information Infrastructure Task Force.
- Commerce's Affirmative Action Program Report for People with Disabilities was prepared, and submitted to the Equal Employment Opportunity Commission, in accordance with the Rehabilitation Act of 1973, as amended, 29 U.S.C. Section 791 ET SEQ.

III. Commerce encourages new and innovative ideas on how to continue meeting the needs of people with disabilities. Listed below are a few notable accomplishments that might bear on the charge of the working group.

- In honor of the Federal Disability Awareness Month, the Department of Commerce is hosting the sixth annual interagency Accessible Computer Technology (ACT) exhibit. Ronald H. Brown, the Secretary of Commerce, will be the keynote speaker at the opening ceremony on October 5, 1994, at 9:30 A.M. in the Main Commerce Auditorium on the first floor, 14th Street and Constitution Avenue, N.W. Awards will be presented for outstanding performances by Federal workers, managers and vendor.

Exhibitors are invited to stage their technology in the lobby and demonstrate its application. The ACT, held this year October 5 & 6, 1994, is a collaborative effort of fourteen government agencies which contribute toward employing those with disabilities. This year private sector associations are being invited to join in the ACT. Commerce is very proud of this tradition and the good works that have come from it. As a result of the past ACTs, a wave of new accessible technology has been made available.

The General Services Administration's (GSA) Clearinghouse on Computer Accommodation (COCA) and Council on Accessible Technology (COAT) has coordinated and will present a free seminar on October 5 at 1:00 P.M. - 3:00 P.M. in the Main Auditorium. The seminar entitled "National Information Infrastructure: Electronic Access for All" will focus on Advancing Modality Choice Through Captioning. 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.

In keeping with the goals of the National Performance Review (NPR), this initiative promotes getting the information to the entire American community by the most efficient and effective means possible.

The exhibits are open in the Commerce Main Lobby following the opening ceremony until 4:00 P.M. and the next day, October 6, 9:00 A.M. - 2:00 P.M.

- The International Trade Administration implemented a program which allows each unit, headed by an Assistant Secretary, to respond positively to request for reasonable accommodations. Each unit must set aside \$1500. Disabled employees make a written request to their supervisor. If the supervisor agrees, the request is forwarded to the Handicap Coordinator. A committee consisting of one representative from each unit reviews and approves all submitted requests. If the request is approved, the appropriate Assistant Secretary is notified of the need to authorize the allocation of funds.

Recent examples of its use include the purchase of special equipment including a large 20 inch monitor, a closed circuit television, zoom caps that enlarge keyboard keys, and a voice activated computer.

- Commerce revised the Real Property Management Manual to increase compliance with accessibility requirements in facilities leasing program. The revised provision should help reduce physical barriers for persons with disabilities to Commerce programs and activities.
- Under a Cooperative Research and Development Agreement with United Technologies' Otis Elevator, the National Institute of Standards and Technology is working to develop fire safe elevators to be available to evacuate disabled individuals in emergency situations.
- Larry Irving, the Assistant Secretary for The National Telecommunications and Information Administration, attended a meeting on Americans with Disabilities on August 4, 1994. He addressed the importance of building in accessibility for the disabled to the equipment and networks of the National Information Infrastructure at the onset rather than waiting to retrofit products and the infrastructure.
- Additionally, the National Telecommunications and Information Administration will hold an electronic hearing on the issue of universal access to the National Information Infrastructure. Access points will be set up in public libraries which will provide Americans with disabilities an excellent opportunity to have additional input into the process of redefining universal service.
- The Patent and Trademark Office developed an applicant referral system for individuals with disabilities. This system has markedly increased applicant referrals for individuals with disabilities.



## Department of Energy

Washington, DC 20585

September 21, 1994

TO: STANLEY S. HERR

SUBJECT: DISABILITY-RELATED ISSUES CURRENTLY ADDRESSED  
BY THE DEPARTMENT OF ENERGY

Per your memorandum of September 12, 1994, I am forwarding the enclosed information about the Department of Energy's computer and electronic accommodations program for people with disabilities, and the disability-related issues currently addressed by the Department for your review.

If you need further information, please call me. Since I am hearing-impaired, I can be reached by dialing the DC Relay Center at (202) 855-1000. Your call will be facilitated by a relay communication assistant who will ask for my TDD office number which is (202) 586-5654.

I will be able to attend the next meeting on September 29th, and look forward to seeing you again.

A handwritten signature in cursive script, reading "Lila Farazian", is positioned above the typed name.

Lila Farazian  
Coordinator, Affirmative Employment  
Program for People with Disabilities

Encl.



**DISABILITY-RELATED ISSUES CURRENTLY ADDRESSED**  
**BY THE DEPARTMENT OF ENERGY**

Following are the employment and accommodations issues which the Department of Energy is currently addressing:

**EMPLOYMENT ISSUES:**

In order to promote and increase employment opportunities for people with disabilities, the Department of Energy successfully obtained an authority from the Office of Management and Budget (OMB) in January 1993 for an exemption from full-time equivalent (FTE) ceiling controls for hiring people with disabilities including disabled veterans, sign language interpreters, readers, and personal assistants for the Department's employees with disabilities under the excepted appointing authorities. The success of the Department's ceiling exemption program for hiring people with disabilities has been hampered by the hiring and ceiling restrictions imposed by the Office of Management and Budget (OMB) Bulletin No. 93-08.

Furthermore, a large number of military bases across the country are in the process of closing down, and many Department of Defense (DOD) employees are being laid off. The National Defense Authorization Act for FY 1993, enforced by the Office of Personnel Management (OPM), requires all Federal agencies to give full consideration to the job applications of displaced Defense employees before selecting any candidate from outside the agency. Consequently, this law considerably slows down Federal agencies' efforts to increase the employment rate of disabled veterans and people with disabilities.

Due to the current downsizing efforts and scarcity of full-time equivalent (FTE) slots at the Department of Energy, managers and supervisors tend to overlook qualified applicants with disabilities and select those who seem to be "the Best and the Fittest" to fill those scarce FTE slots in their organizations. Because of the persistent myths and misconceptions, managers and supervisors tend to think that qualified applicants with disabilities cannot be the best qualified ones because of their severe disabilities. Consequently, it has become extremely difficult for highly qualified applicants with disabilities to compete for scarce FTE slots with women, minorities and other people who do not have disabilities. This unusually intensive competition perpetuates the Darwinian theory of "the Survival of the Fittest," and slows down Federal agencies' efforts to increase the employment rate of disabled veterans and people with disabilities.

I suggest that a central pool of FTE slots be established as a great incentive to encourage Federal managers and supervisors to hire people with disabilities and personal assistants (including interpreters and readers) under excepted appointing authorities at all Federal agencies. I suggest that the National Defense Authorization Act be amended to allow Federal agencies to select qualified candidates with disabilities from outside the agency without being required to give full consideration to the job applications of displaced Defense employees who do not have disabilities.

Currently, it is optional for managers and supervisors to take disability awareness training seminars. In fact, not many of them are highly motivated to take this necessary training seminar. Consequently, the myths, misconceptions and stereotypes about disabilities continue to perpetuate themselves at all Federal agencies, and discourage Federal managers and supervisors from increasing the representation of qualified people with disabilities.

I suggest that, like the AIDS awareness training, disability awareness training seminars be made mandatory for all Federal managers and supervisors in order to effectively eliminate those persistent myths, misconceptions and stereotypes and to open the Federal government's once-closed door to highly qualified people with disabilities.

#### **ACCOMMODATIONS ISSUES:**

The Department of Defense (DOD) established the central Computer/Electronic Accommodation Program (CAP) in 1990 to assist DOD field offices in procuring and providing adaptive devices for DOD employees with disabilities. The CAP program assisted DOD to significantly increase the employment and career advancement opportunities for people with disabilities by having successfully eliminated a wide variety of artificial barriers. The CAP office services as the primary DOD program office responsible for providing computer and electronic accommodations to individuals with disabilities, and assists DOD field offices by providing financial resources for services to make long-term training programs easily accessible. The CAP office also assists DOD field offices to fully integrate the electronic accommodations of persons with disabilities with the information resources management planning, programming, budgeting and acquisition processes.

Efforts to support the computer/electronic accommodation needs of employees with disabilities at the Department of Energy (DOE)

have been decentralized with each field office having their own program in addition to the Department of Energy Headquarters' program. While this arrangement meets existing requirements, the Department of Energy needs to expand and coordinate the program, especially in light of new DOE initiatives to increase employment and career advancement opportunities for people with disabilities. Occasionally, funding to procure adaptive devices has been difficult to obtain. There is no network among the Department of Energy field offices to expedite the acquisition and provision of accommodation services for people with disabilities. Furthermore, the Department of Energy does not provide additional financial assistance to small DOE field offices for reader/interpreting services for employees with visual or hearing impairments, for training opportunities for DOE employees with disabilities. Since some accommodations are expensive, many managers and supervisors have a hard time budgeting for these expenses, and therefore, are discouraged from hiring more people with disabilities.

The Department of Energy is currently considering the suggestion that the Department establish a central fund from which organizations can draw for procuring adaptive devices and support services, and the suggestion that the Department of Energy develop and implement a centralized DOE-wide accommodations system similar to the Department of Defense's CAP program. If the Department of Energy finds it feasible to adopt the above suggestions, the new program will eventually provide a wide variety of computer/electronic accommodations services for all DOE field offices, and will provide financial assistance to small DOE field offices for reader/interpreting services and for disabled employees' training opportunities. Such a centralized department-wide program will review the results of DOE field offices' efforts and provide constructive program feedback.

The Federal government needs to implement a new regulation which requires all Federal agencies to establish a separate line item in the annual Federal budget plan to provide resources and financial assistance to meet accommodation needs of Federal employees with disabilities.

SEP 27 1994

Stanley Herr;  
Domestic Policy Council

Attached is EPA's response to the request of the Federal Disability Accommodations Working Group. Nelson Hallman will be representing EPA at the Thursday meeting. Any further communication on this subject should be directed to John C. Chamberlin 202 260 8400 or FAX(202 260 8408).

John C. Chamberlin

## ENVIRONMENTAL PROTECTION AGENCY

ADA Accommodations

1. It is the policy of the Agency to meet the requirements of ADA and the Uniform Federal Accessibility Standards in all new construction and renovation projects at EPA facilities. Compliance with these standards is part of the Health and Safety review of plans. Deficiencies identified at existing facilities are typically corrected either by the facility or through the Agency's facility improvement process. An example of a major project designed to meet accessibility requirements is the new elevator for Narragansett that will provide access to the second floor of the office portion of that facility. Other examples would be the wheelchair accessible control panels that we installed in the Headquarters elevators and the ramps and handicapped accessible bathrooms in Headquarters that GSA had installed through the lessor when the lease was renewed.

2. Attached is a copy of the relevant section on accessibility of the Draft Laboratory Standards. This standard is made a part of the basic requirements for all new facilities. Also attached is a section of the Design Document for the Consolidated RTP Facility that describes the accessibility accommodations.

3. It is GSA policy to require lessors to make their buildings handicapped accessible when they negotiate or renegotiate leases. In those buildings that EPA owns or leases, it is our policy to meet ADA requirements when leases are renegotiated or renovations are made. In many instances, small renovations are undertaken solely to make ADA accommodations.

For new laboratories it is currently Agency policy to design rooms to be adaptable for use by persons with disabilities. This means that the width of each room will be sufficient to accommodate wheelchairs, the casework is modular and flexible so that it can be modified with no structural changes required, and all doorways and corridors are accessible. The particular concern we have for laboratories is in fume hoods and casework, which must also meet strict scientific standards. ADA accessible hoods are available, and adjustable casework can accommodate most configurations required. It is the intent of this policy to allow accommodation to be made in whichever area of the lab it may be required, rather than trying to prejudge what and where accommodations will be needed. All common areas of the facility, including bathrooms, corridors, lobbies, entries, as well as offices are designed to be accessible.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20410-0001

TO: Stan Herr, The White House  
FROM: Thea Spires, <sup>ts</sup> HUD  
RE: Federal Disability Accommodations Working Group  
Assignment  
DATE: September 26, 1994

HUD's federally-conducted 504 rule was published in June, and HUD is preparing to initiate the required self-evaluation. One aspect of the self-evaluation will be to review and revise existing procedures related to reasonable accommodation requests.

Some work has been done regarding employment-related reasonable accommodation requests. A guide for managers and supervisors, "The Employment of Persons with Disabilities", was developed and distributed in April, 1994. The guide provides a considerable amount of information about reasonable accommodations, including a section on such topics as "determining undue hardship", "types of reasonable accommodations", and "medical documentation", and a section on "procedures for processing requests for reasonable accommodations". The guide also includes a "Reasonable Accommodation Request" form, a glossary of functional limitations, and an extensive list of resource agencies.

Little work has been done on customer-related reasonable accommodation requests.

1. Specific accommodations issues now being addressed by HUD

Most "accommodations" noted by the office of personnel involved structural, equipment and/or communication-related modifications that were required programmatically (to meet general accessibility standards) rather than as responses to specific accommodation requests. Examples include: all elevators renovated to meet ADA access standards; water fountains in certain areas lowered to UFAS height; ADA-required signage installed in some areas; power doors installed in a few areas;

ramps and private shower areas installed in fitness center.

The few employee-specific accommodations that were noted included the following actions: installation and relocation of strobe lights as necessary in offices of hearing-impaired employees; provision of TTYs; interpreter services; modification of office furniture; installation of specially designed strength machine in fitness center.

## 2. Reports

At this time, no reports related to reasonable accommodation issues have been produced.

## 3. Publications or brochures

As noted above, HUD has produced a guide for managers and supervisors that includes information on employee accommodations. The guide is titled "The Employment of Persons with Disabilities".

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## **Clinton Presidential Records Digital Records Marker**

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This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

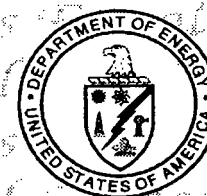
This marker identifies the place of a publication.

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Publications have not been scanned in their entirety for the purpose of digitization. To see the full publication please search online or visit the Clinton Presidential Library's Research Room.

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# DOE Support Procedures for Employees with Disabilities



Ken Tiktin

Department of Transportation

### TASKS

1. Identify specific compliance issues DOT is grappling with.  
Sign language interpreters--quality  
quantity  
reimbursable agreements  
inter-agency sharing

Transportation-Accessible vans & buses for events, training, etc.

Disability Awareness in general--raise interest to a higher priority

2. Identify reports of interest to working groups  
DVAAP/ FEORP/EEOC
3. Any publications or brochures to share with the task force
4. Other brief discussion of accomplishments within the Department  
On-going classes "Introduction to American Sign Language and  
Deaf Culture"  
Monthly meetings of interagency Selective Placement Coordinators  
discussions, problem-solving, sharing of issues related to  
employees with disabilities  
Bi monthly awareness workshops "Experiential Workshop on  
Disability Awareness"--interagency  
Train the Trainer--program to enable agencies to facilitate the  
experiential workshop without the assistance of OST official  
National Disability Awareness Campaign  
Interagency, regions and headquarters--guest speakers  
videos, workshops, lecturers, etc.  
DOT Coalition of Minorities, Women, and Disabled  
membership and involvement



General Services Administration  
Public Buildings Service  
Washington, DC 20405

SEP 22 1994

Mr. Stanley S. Herr  
Office of Domestic Policy  
The White House  
Washington, DC 20500

Dear Mr. Herr:

This is in response to your memorandum of September 12, 1994, regarding the August 18 meeting of the Domestic Policy Council's Federal Disability Accommodations Working Group and your request at the meeting for the following information:

Responsibility for the implementation of the Architectural Barriers Act (ABA) of 1968, and the resulting standards, the Uniform Federal Accessibility Standards (UFAS), falls under the General Services Administration's (GSA's) Public Buildings Service, Office of Design and Construction. Mr. Steve McCormick, our Accessibility Program Manager, will attend your September 29, 1994, meeting and present a brief overview of our activities.

Listed below are the Public Buildings Service's responses to the four-part assignment given at the August 18 meeting. Our colleagues will be sending their submissions under separate cover.

1. Identify some of the specific accommodations issues that your department or agency are now addressing.

GSA, as one of the four standard-setting agencies identified in the ABA, has taken an aggressive approach to providing accessibility in buildings designed, constructed, renovated, and leased by this agency.

Ms. Julia M. Stasch, Deputy Administrator of GSA, is a member of the Architectural and Transportation Barriers Compliance Board, and is the appointed Chair of the Federal Facilities Work Group. This group is charged with updating the UFAS to be consistent with the Americans with Disabilities Act (ADA) standards. We expect the UFAS update process to take several months.

Following a comparison of the two standards, it became apparent that, in some areas, a dichotomy existed between UFAS and ADA. To establish the Federal Government in a leadership position of providing the highest level of accessibility in design and



-2-

construction until this update is accomplished, GSA has adopted a policy of using the more stringent standard, whether it be UFAS, the ADA Title II Interim Final Guidelines, or Title III ADA Standards.

2. Produce or identify any reports that your agency has written or proposed on the topics covered by this Working Group.

Each year, GSA submits an annual report to Congress outlining any waivers or modifications to the UFAS which we have granted. As a general policy, we encourage every effort be made to make Federal facilities accessible. Only in rare cases when accessibility cannot be provided, do we grant a waiver or modification of Federal accessibility standards. Enclosed is a copy of GSA's portion of the fiscal year 1993 annual report to Congress.

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

N/A

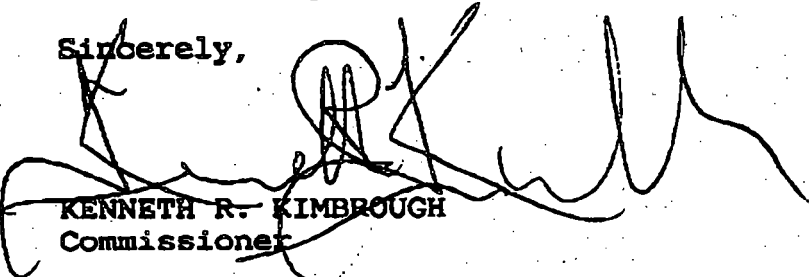
4. Describe briefly any other issues, accomplishments, and problems that your agency has noted that bear on the charge to this Working Group.

Beginning in late 1990, GSA embarked on an intensive accessibility training program for our Central Office and regional office personnel. Although originally scheduled to be a 1-year effort, our training is ongoing to date. In addition to training over 1,200 GSA employees, training has been given to several Federal agencies, including the Departments of Agriculture, Housing and Urban Development, Veterans Affairs, Education, and Transportation.

Since the accessibility program is a dynamic effort in applying developing technology, we expect our training effort to continue into the foreseeable future.

We appreciate the opportunity to participate in the Federal Disability Accommodations Working Group. If you require additional information, please contact Mr. Steve McCormick on 501-0989.

Sincerely,



KENNETH R. KIMBROUGH  
Commissioner

Enclosure

**General Services Administration**  
**Annual Report of Activities Under the Requirements of**  
**The Architectural Barriers Act, as Amended**

**General Services Administration  
Annual Report of Activities Under the Requirements of  
the Architectural Barriers Act, as Amended**

**Introduction:**

The General Services Administration (GSA) is continually increasing the accessibility of buildings and facilities in our inventory. New buildings are being built, older buildings are being renovated, and leased facilities are the most accessible offered by the private sector.

The Deputy Administrator of GSA is a member of the Architectural and Transportation Barriers Compliance Board (ATBCB) and was actively involved in "rulemaking" and other activities associated with the implementation of the Americans with Disabilities Act (ADA) of 1990. The GSA Public Buildings Service (PBS) Accessibility Program Manager attended scheduled Board and Committee meetings of the ATBCB, as well as most of the special meetings called to develop rulemaking for the ADA.

**Training Program:**

In fiscal year 1993, GSA continued hands-on training of the Uniform Federal Accessibility Standards (UFAS) and additional training on the comparisons of UFAS and ADA. Over the past few years, GSA has trained over 1,200 of its PBS employees nationwide. Accessibility trainees included building managers, building designers, leasing specialists, interior designers, repair and alteration specialists, child care specialists, and fire protection engineers.

GSA has also provided accessibility training to other Federal agencies, such as the Department of Housing and Urban Development, the Federal Aviation Administration, the Department of Education, the Department of Veterans Affairs, and the Administrative Office of the United States Courts.

**New Accessibility Policy**

GSA has not issued, revised, or repealed any accessibility standards during fiscal year 1993. However, a new policy has been established within GSA, effective July 8, 1992, that all new GSA design and construction projects will comply with the more stringent standard, whether it be UFAS or Title III of the ADA standard. Our goal is to follow the highest standard and provide maximum accessibility.

### Updating of the Existing Standard

We have started the process to update the UFAS standard to be consistent with the new ADA standards. GSA submitted comments on the ADA Title II standards which cover State and local government facilities, scheduled to be published in 1994.

Meetings have been held between the four standard-setting agencies of the Federal Government and the ATBCB to begin the updating process. Until the UFAS is updated, GSA's policy of following the highest standard will ensure that our buildings provide the highest level of accessibility during the update process.

### Accessibility Complaints Opened and Closed During Fiscal Year 1993

Each year, the number of accessibility complaints made against GSA-controlled buildings has decreased. In addition, we have been able to close complaints in less time, thereby reducing our backlog.

Thirteen new accessibility complaints were opened in fiscal year 1993. During this same period of time, we closed seventeen complaints. The total number of open complaints at this time is eleven.

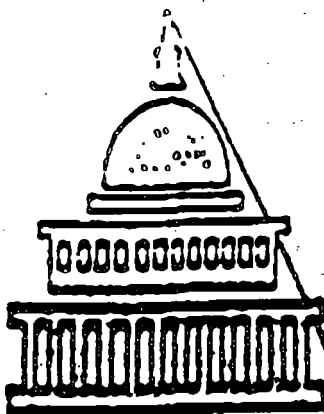
### Waivers and Modifications of UFAS Granted by GSA During Fiscal Year 1993:

Each request for a waiver or modification of UFAS is carefully considered to ensure that every reasonable effort has been made to make the subject facility accessible before a waiver or modification is granted. In addition, we coordinate our actions with the ATBCB to confirm whether a complaint has been filed, how the subject entity responded to that complaint, and what actions were taken to make their facilities accessible. Only when we are assured that every effort has been taken to make the facility accessible do we recommend that a waiver of modification be granted.

During fiscal year 1993, GSA granted five modifications and three<sup>1</sup> waivers of the UFAS.

# PBS Central Office

## Facsimile Cover Sheet

To: Mr. Stanley S. HerrOffice: Office of Domestic Policy

Office Telephone: \_\_\_\_\_

FAX Telephone: 456-7028No. of Pages (including cover sheet): 6From: Kenneth KimbroughOffice: PBS-Central Office  
Washington, DCOffice Telephone: 501-1100FAX Telephone: 501-2300

## ACCESSIBLE TECHNOLOGY

### 1. REASON FOR ISSUE:

To assign administrative responsibility to the Deputy Assistant Secretary for Information Resources Management (DAS/IRM) for assistance in providing computer support for employees with disabilities, and to establish responsibilities to ensure effective access by employees with disabilities to Federal Information Processing (FIP) resources, information and data.

### 2. SUMMARY OF CONTENTS/MAJOR CHANGES:

This directive sets forth the policies and responsibilities for:

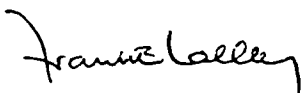
- a. Managing and distributing directives to employees providing computer support as defined by the Federal Information Resources Management Regulations (FIRMR).
- b. Policy statements regarding the kinds and types of resources available for all VA employees as defined by FIRMR.
- c. Implementing the directive.

### 3. RELATED HANDBOOK: None.

4. **RESPONSIBLE OFFICE:** The IRM Policy and Standards Service (721), Office of the Deputy Assistant Secretary for Information Resources Management is responsible for the material contained in this directive.

5. **APPENDIX:** Definitions of additional impairments that can be associated with employees with disabilities.

### CERTIFIED BY:



Frank E. Lalley  
Acting Deputy Assistant Secretary for  
Information Resources Management

### BY DIRECTION OF THE SECRETARY OF VETERANS AFFAIRS



D. Mark Catlett  
Assistant Secretary for Finance and  
Information Resources Management

Distribution: RPC  
FD

## ACCESSIBLE TECHNOLOGY

**1. PURPOSE AND SCOPE.** This directive provides Departmentwide policy for access to Federal Information Processing (FIP) resources and information/data for employees with disabilities. It also establishes responsibilities for full empowerment of employees with disabilities.

**2. POLICY.** The Department of Veterans Affairs (VA) will ensure that all employees with disabilities have equivalent access to FIP resources, information, and data required to perform their assigned functions. VA will provide the necessary training to ensure that employees with disabilities have the opportunity to acquire the required skills to utilize FIP resources effectively in the execution of their assignments.

Section 508 of the Rehabilitation Act Amendments of 1992 (Public Law 102-569) and implementing regulations and guidelines from General Services Administration (GSA) and the Department of Education provide guidance for developing specifications to ensure access to FIP resources by employees with disabilities.

### 3. RESPONSIBILITIES

**a. Deputy Assistant Secretary for Information Resources Management.** The Deputy Assistant Secretary for Information Resources Management will:

(1) Develop internal policies and procedures for provision of accessible FIP resources, information and data, and computer support to employees with disabilities. Ensure that at least one copy of this directive is provided in cassette tape, ASC II disk, large text and Braille formats at field facilities including Central Office that are staffed with a People with Disabilities Program (PDP) Manager.

(2) Apply existing automated information technologies to practical applications for employees with disabilities and keep abreast of sophisticated technologies useful to employees with functional limitations.

(3) Provide technical advice and assistance to employees with disabilities, their managers and computer support personnel concerning interface accommodation solutions with the Department's FIP resources.

(4) Assist managers of employees with disabilities in acquiring guidance on appropriate FIP resources accommodation and training. Provide their systems with appropriate physical and data security, when necessary.

(5) Represent VA on the GSA Council on Accessible Technology (COAT).

f. GSA's Managers Handbook, Managing Information Resources for Accessibility.

g. The Equal Employment Opportunity Commission's Title 29 CFR, Part 1614.203(a) defines an individual with a disability.

## 5. DEFINITIONS

a. **Computer Accommodation** is the acquisition or modification of end user computer equipment and software to surmount the functional limitations of employees with disabilities to provide equivalent access to agency information resources.

b. **Electronic Equipment Accessibility** is the application or configuration of electronic equipment in a manner that accommodates the functional limitations of individuals with disabilities to promote productivity and provide access to work related and/or public information resources.

c. **Employee with Disability** means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairments; or is regarded as having such an impairment. In general, this includes individuals with a significant vision, hearing, cognitive, or mobility impairment.

d. **End User** is anyone who has a need to access information electronically anywhere in VA.

e. **Federal Information Processing (FIP) Resources** include computer and telecommunications hardware, software, firmware, information, data and services acquired by the Federal Government and as defined by the Federal Information Processing Regulations.

APRIL 11, 1994

VA DIRECTIVE 6221  
APPENDIX A

**IMPAIRMENT DEFINITIONS**

Listed are additional impairments that can be associated with employees with disabilities.

1. **Cognitive or Mental Impairments** cover a wide range of impairments including thinking, memory, language, learning and perception. One example is Mental Retardation.
2. **Hearing Impairments** are classified into degrees based on the average hearing level for various frequencies (pitches) by decibels (volume) required to hear, and also by the ability to understand speech. Loudness of normal conversation is usually 40-60 decibels. A person is considered deaf when sound must reach at least 90 decibels (5-10 times louder than normal speech) to be heard. Even amplified speech cannot be understood with a hearing aid.
3. **Low Vision** is vision that is between 20/40 and 20/200 after correction. (20/200 means that something at 20 feet would be just as visible as something at 200 feet would be to someone with normal 20/20 vision.) A person is termed legally blind when their visual acuity (sharpness of vision) is 20/200 or worse after correction or when their field of vision is less than 20 degrees.
4. **Physical Impairment** varies greatly. Included is paralysis (complete or partial), severe weakness, interference with control, missing limbs and speech impairment.
5. **Special Peripheral** is a "special needs aid that provides access to electronic equipment that is inaccessible to an employee with a disability."
6. **Telecommunications Device for the Deaf (TDD)** is a device for transmitting and receiving messages by telephone networks. The TDD may have a visual display, keyboard, and printer to enable an individual with a hearing impairment to send and receive messages without the need to hear the spoken word.
7. **Visual Impairment** represents a continuum from people with very poor vision through individuals who can see light but no shapes, and to people who have no perception of light at all. However, this population represent two broad groups: (1) those with low vision and (2) those who are legally blind.



**U.S. Department of  
Transportation**

Office of the Secretary  
of Transportation

400 Seventh St., S.W.  
Washington, D.C. 20590

OCT 17 1994

Mr. Stanley S. Herr  
Chair, Federal Disability  
Accommodations Working Group  
The White House  
Washington, DC 20500

Dear Mr. Herr:

In response to your request at the initial meeting of the Federal Disability Accommodations Working Group of August 18, 1994, enclosed is a report delineating the activities regarding the Department of Transportation's (DOT) disability programming.

I am grateful for the opportunity to participate on this important task force, and anticipate some productive work ahead. Should you require further information, please feel free to call me at (202) 366-5840.

Sincerely,

A handwritten signature in cursive script, reading "Ken Tiktin".

Kenneth B. Tiktin  
Program Manager

Enclosure

## DEPARTMENT OF TRANSPORTATION'S (DOT) REPORT ON DISABILITY PROGRAMMING

### 1. Specific accommodations issues that DOT is currently addressing.

With approximately 40 Deaf and Hard of Hearing employees in the 3 headquarters buildings in Washington, DC, the Office of the Secretary of Transportation (OST) has spearheaded a reimbursable agreement with most of the operating administrations (OA) to contract 2 full-time sign language interpreters. The Deaf Employees Association for the Department of Transportation (DEAF/DOT), a chartered, non-profit organization has organized an ad-hoc committee to address accommodations issues relating to quality, quantity and inter-agency sharing. Officers of this committee meet regularly with program leaders from the Work Force Diversity and Special Programs Division within the OST Office of Personnel. Members from the committee were involved in the interviewing and awarding of the contract, however the problems of affording reasonable accommodations to this large group of employees is multifaceted.

Whereas an Experiential Workshop on Disability Awareness (EWDA) is offered to all OAs in all regions nationally, several issues persist that need to be addressed. Participation in the workshop remains largely voluntary, and marketing the program depends on the priority placed on disability programming by the Director of Personnel for each OA.

Additionally, budget cutbacks prevent the workshop from being widely disseminated. Summative evaluation has been unilaterally positive, and future hopes maintain that the workshop will get the attention it deserves, allowing compliance and accessibility issues to be addressed.

Although the Selective Placement Coordinators in the various agencies of DOT are well organized and meet monthly, one major issue that remains is the lack of full-time equivalent slots to accomplish the kind of recruiting mandated by the Equal Employment Opportunity Commission (EEOC). With downsizing and budget cutbacks, it is problematic for qualified individuals with disabilities to compete for the few positions that occur. Little or no progress in increasing the representation of people with either reportable or targeted disabilities has occurred during FY 1993.

Several task forces have been established departmentwide regarding physical accommodations and barriers that exist. Advisory groups and facility managers are undertaking the large task of not only making recommendations but commencing improvements as well. This task is mammoth; many older buildings are not yet accessible and many are only minimally accessible.

2

When offering programs or training at the national and sometimes regional level, contracted vans and buses transport employees. Often, if an employee utilizes a wheelchair, contracting for an accessible vehicle has been difficult and employees sometimes cannot attend the function that is accessible to their non disabled counterparts. Several meetings, problem solving and brainstorming sessions are leading toward the elimination of this serious barrier.

Attitudinal barriers remain despite training and awareness seminars. Several employees feel isolated and others believe they are being discriminated against by improper training and promotion opportunities.

2. Identify reports of interest to the working groups.
3. Publications or brochures to share with the task force.

In addition to the required annual reports submitted by DOT such as DVAAP/ FEORP/EEOC, several of the OAs produce pamphlets, directives or policies regarding disability programming. For example, the United States Coast Guard (USCG) has established an intra-agency council to update their policy handbook on issues of hiring, training, promoting and retaining disabled personnel. The Federal Highway Administration (FHWA) personnel office has produced a beautifully written and graphically designed booklet to inform their employees about persons with various disabilities. Samples of these products are available upon request.

#### 4. Departmental Initiatives and Accomplishments.

##### *Internal Advancement Opportunities:*

- Reestablished and reorganized the Department's Selective Placement Program which meets on a monthly basis. Guest speakers were often invited from other agencies; support was offered in the sharing of strengths and weaknesses of programs, and special events were held in the realm of disability employment.
- Established several working relationships with outside organizations to provide information, materials, and technical assistance on disability awareness.
- Provided feasibility practices to employees with disabilities and supervisors on work-related improvements, i.e., training, promoting and retaining. Frequently worked in the employee's office environment to demonstrate more adequate and appropriate methodology of work habits.
- Maintained comprehensive affirmative action programs for disabled veterans covering internal placement, training, and career development.

3

- Promoted six persons with disabilities into various occupations and grade levels within the Federal Transit Administration (FTA). These represented 6 percent of their total promotions.
- Maintained the unpaid Work Experience Program in FTA, to afford opportunities for disabled veterans to gain useful experience for private or public sector employment.
- The Office of Inspector General (OIG) entered into two unpaid Work Experience Program agreements with State Vocational Rehabilitation offices. The OIG later hired one of these unpaid workers as a permanent employee.
- OIG also sponsored two disabled veterans from the Veterans Affairs to gain office experience as well as computer skills.
- Maintained the working relationship with the President's Committee on Employment of People with Disabilities to provide advice and assistance in monitoring the Department's activities and to conduct disability awareness sessions.
- Recruited a disabled citizen for an unpaid work experience within the Federal Railroad Administration (FRA).
- Disabled veterans participated in Upward Mobility and other career development programs such as the Federal Highway Administration's 1994 Academic Study Program.
- The OIG provided sensitivity training for managers and supervisors on awareness issues pertaining to perspective applicants and clients as well as interviewing persons with disabilities.
- Provided on-the-job and formalized training to disabled employees.
- Continued the 1-day mentoring training session designed to assist prospective mentors in learning how to select and interact with proteges; provide guidance and career advice, as well as how to provide basic coaching and counseling.
- Established a Departmental task force to implement the President's directive on the Federal Workplace AIDS Education initiative.
- Developed Departmental policy on HIV/AIDS in the Federal workplace.
- The Federal Aviation Administration (FAA) formed the National Coalition of Federal Aviation Employees with Disabilities to promote equal employment opportunity and diversity for persons with disabilities in FAA.

#### *Recruitment Efforts:*

- Utilized the intern programs, i.e. Management Intern Program, Highway Engineer Training Program, Motor Carrier Training Program to identify and appoint qualified applicants with disabilities.
- Recruited applicants with disabilities by attending job fairs.
- Encouraged managers to consider using Schedule A and B appointing authorities when competitive procedures were not practical.

4

- Encouraged the use of temporary appointments, cooperative education, and the student and summer employment programs as a means of providing work experience to applicants with disabilities.
- Participated in several workshops with Operation Job Match, a nonprofit agency that prepares adults with physical disabilities for employment.
- Expanded contacts for obtaining referrals/applications from individuals with disabilities.
- Involved individuals with disabilities in actual recruiting activities (interviewing, job fairs, campus visits).
- Maintained contact with and refer vacancy announcements to State Vocational Rehabilitation agencies, Job Service Centers, and other nonprofit organizations to identify candidates with disabilities for vacant positions.
- Established an agreement to provide unpaid work experience with Arlington Mental Health Association and the Federal Transit Administration.

*Training Efforts:*

- Designed and conducted training courses to teach employees basic sign language to communicate with Deaf and Hard of Hearing employees.
- Conducted on-site sensitivity training for supervisors and co-workers of employees with hearing and visual disabilities.
- Conducted several sessions of the Disability Sensitivity Training designed to move employees beyond some of the cultural barriers; to address attitudes and misconceptions concerning individuals with disabilities; to address the appropriate etiquette of interviewing individuals with disabilities.
- Conducted over 30 Experiential Workshops on Disability Awareness (EWDA) to over 300 managers, supervisors, civil rights employees and personnelists.
- Conducted and videotaped HIV/AIDS Awareness Workshops for use by headquarters and field offices.

*Publicity/Marketing:*

- The Federal Transit Administration (FTA) received a Certificate of Recognition from the Prince George's Committee on Employment of Persons with Disabilities. This award was based on FTA piloting the High School/High Tech Program and its continued efforts with persons with disabilities.
- FTA also received a Certificate of Appreciation for significant contributions for the Summer Transportation Internship Program for Diverse Groups.
- Identified activities in celebration of National Disability Employment Awareness Month in October.
- Continued to distribute "A Manager's Guide to Employing Persons with Disabilities" to supervisors and managers in the Federal Highway Administration.

5

- Coordinated several meetings with members of Housing and Urban Development Administration (HUD) and DOT for interagency programming for persons with disabilities.
- Provided HIV/AIDS information and statistics in the Department's newsletter and closed circuit television station.

*Accommodations:*

- Hired two full-time interpreters to provide assistance in sign language interpreting and serve as a bridge of communication between Deaf and hearing employees.
- Installed a ramp in the parking garage.
- Installed a safety railing on the existing ramps.
- Established fire and evacuation procedures to accommodate the needs of the Deaf community.
- Established compliance study (facilities only) for Section 504.

# Project ABLE

*Pilot matches federal employers, beneficiaries*



**A** new and promising pilot program has been launched that links federal employers to "job-ready" SSI and Social Security disability beneficiaries through an automated referral system.

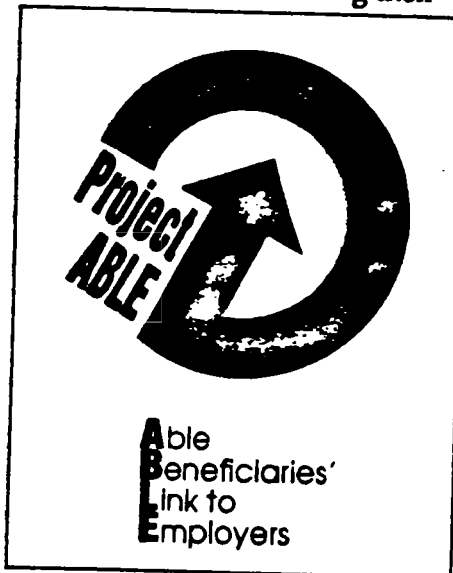
Project ABLE (Able Beneficiaries' Link to Employers) is a cooperative venture of SSA, the Office of Personnel Management (OPM), the Department of Education's Rehabilitation Services Administration and four vocational rehabilitation agencies in the initial pilot area of Maryland, Virginia and Washington, D.C.

For many years, individuals with severe disabilities have been underrepresented in the workplace. Although studies show that many persons with disabilities want to—and can—work, less than 1 percent of SSI and Social Security disability beneficiaries leave the rolls to go to work.

"Project ABLE will be a vehicle for us to increase the diversity of our workforce with persons with disabilities—people who want to work and participate fully in the economy of our society," said Acting Commissioner Lou Enoff, speaking at the Project ABLE kickoff event at the Maryland Rehabilitation Center on May 21. "The Americans with Disabilities Act was a good start to improve job opportunities for the dis-

abled, but we need to implement the act with programs like Project ABLE," he added.

Through Project ABLE, specially trained state vocational rehabilitation counselors will be responsible for interviewing SSI and Social Security disability beneficiaries and assessing their



ability to work. If a beneficiary is determined to be "job-ready," the VR counselor will enter all necessary enrollment information into an automated referral system developed by OPM.

"Time and time again, [federal] managers tell OPM that they would hire more people with disabilities if they could more easily find qualified job applicants," said James King, Director of OPM.

Project ABLE is designed to supplement existing job recruitment efforts, giving federal employers a resource pool from which they can draw qualified job applicants with disabilities to fill vacancies.

In the first phase of the pilot, Project ABLE will be offered to SSA disability beneficiaries who are already enrolled in state vocational rehabilitation programs in the three-state pilot area. "Initially, we hope to enroll about 1,000 qualified beneficiaries during fiscal year '94," said Mr. King.

In the fall, Project ABLE will be expanded to include beneficiaries who are living in the pilot area but who are not currently receiving VR services.

During the second phase of the Project ABLE pilot, OPM's automated referral system will be incorporated into the Project Network rehabilitation process. The Project ABLE data base will be available to VR counselors as a job placement method when vocational rehabilitation participants become "job-ready."

An 800 number that provides information to the public about Project ABLE and refers interested callers to VR counselors will be the third pilot phase of Project ABLE. ♦

# PROJECT ABLE

## ABLE BENEFICIARIES' LINK TO EMPLOYERS

### \*\* FACT SHEET \*\*



**What is Project ABLE?** Project ABLE, a joint initiative of the Office of Personnel Management, Social Security Administration, Rehabilitation Services Administration, and State Vocational Rehabilitation (VR) agencies, assists persons who receive Social Security or Supplemental Security Income (SSI) disability benefits to find jobs in the Federal government.

**How it Works:** Project ABLE is a computer file of persons receiving Social Security or SSI disability benefits who want to work and are qualified for Federal jobs. Vocational rehabilitation (VR) counselors input the vocational information of job ready individuals to this file. Federal employers can obtain lists from this computer file to use in hiring when they have a job opening.

Being on these hiring lists does not *guarantee* that a person will be hired. It does, however, provide the opportunity for Federal employers to select the person for a job interview and hire him or her.

**Who Can Participate?** Currently, Project ABLE is being tested in Washington D.C., Maryland, and Virginia. A person must reside in one of these three areas to participate. However, after testing is completed in these pilot sites, Project Able will be expanded to persons living in other parts of the country.

Participation in Project ABLE is *entirely* voluntary.

**How To Enroll:** Persons who wish to enroll should contact their local VR Agency. VR counselors will assess them to determine if they are currently ready for enrollment. If a person is not currently ready for enrollment, the VR agency may be able to offer training or other services that will help him or her qualify for a job.

**Effect On Benefits:** Earnings from a job may affect Social Security or SSI benefits. However, there are "work incentives" that may allow for cash benefits and Medicare or Medicaid to continue while a beneficiary is testing his/her ability to work. For specific information on these work incentives, contact the local Social Security office or call 1-800-SSA-1213.

**For More Information:** For more information about Project ABLE, contact Social Security Administration's Project Leader, Regina Sajauskas at (410) 965-5381.

# ***FOCUS ON ABILITY:***

## **A Fact Sheet**

**What:** *Focus on Ability* (hereafter referred to as *Focus*) is one of the latest and most innovative videos about persons with disabilities developed by the U.S. Office of Personnel Management (OPM). Produced by OPM's Office of Diversity, *Focus* motivates supervisors and managers to recruit, hire, and retain persons with disabilities. It also shows the proactive steps that government takes in employing persons with disabilities.

*Focus* features tips on interviewing persons with disabilities, advice on how to provide reasonable accommodations, and vignettes of real-life scenarios.

***Focus* is:**

Brief, but informative and thought-provoking; its length is 16 minutes on a standard video cassette.

Entertaining; it contains humorous vignettes that debunk myths and stereotypes.

Diverse; a cross-section of agencies and employees are in the video.

**Accessible to the hearing-impaired; it has closed captioning for persons with deafness and hearing loss. The script of the video is available in alternative media formats.**

**Educational; it provides information on how to make reasonable accommodations and how to conduct job interviews.**

**Who: *Focus* is for Federal, state, and local governments; academic communities; and advocacy groups that work on behalf of persons with disabilities.**

**How: Featured are on-camera interviews with diverse Federal employees and an actor, Robert Daniels, who uses humor to depict typical workplace scenarios.**

**Where to Call: For price information and a copy of *Focus*, contact the National Archives Fulfillment Center at (301) 763-1891. If you have questions about programs or policies, contact Lucy Antone or Cheri Bridgeforth at (202) 606-1059.**

**THE KEY TO MAKING THE WORKPLACE ACCESSIBLE AND INCLUSIVE IS IN EACH OF YOU!**



General Services Administration  
Public Buildings Service  
Washington, DC 20405

SEP 22 1994

Mr. Stanley S. Herr  
Office of Domestic Policy  
The White House  
Washington, DC 20500

Dear Mr. Herr:

This is in response to your memorandum of September 12, 1994, regarding the August 18 meeting of the Domestic Policy Council's Federal Disability Accommodations Working Group and your request at the meeting for the following information:

Responsibility for the implementation of the Architectural Barriers Act (ABA) of 1968, and the resulting standards, the Uniform Federal Accessibility Standards (UFAS), falls under the General Services Administration's (GSA's) Public Buildings Service, Office of Design and Construction. Mr. Steve McCormick, our Accessibility Program Manager, will attend your September 29, 1994, meeting and present a brief overview of our activities.

Listed below are the Public Buildings Service's responses to the four-part assignment given at the August 18 meeting. Our colleagues will be sending their submissions under separate cover.

1. Identify some of the specific accommodations issues that your department or agency are now addressing.

GSA, as one of the four standard-setting agencies identified in the ABA, has taken an aggressive approach to providing accessibility in buildings designed, constructed, renovated, and leased by this agency.

Ms. Julia M. Stasch, Deputy Administrator of GSA, is a member of the Architectural and Transportation Barriers Compliance Board, and is the appointed Chair of the Federal Facilities Work Group. This group is charged with updating the UFAS to be consistent with the Americans with Disabilities Act (ADA) standards. We expect the UFAS update process to take several months.

Following a comparison of the two standards, it became apparent that, in some areas, a dichotomy existed between UFAS and ADA. To establish the Federal Government in a leadership position of providing the highest level of accessibility in design and



-2-

construction until this update is accomplished, GSA has adopted a policy of using the more stringent standard, whether it be UFAS, the ADA Title II Interim Final Guidelines, or Title III ADA Standards.

2. Produce or identify any reports that your agency has written or proposed on the topics covered by this Working Group.

Each year, GSA submits an annual report to Congress outlining any waivers or modifications to the UFAS which we have granted. As a general policy, we encourage every effort be made to make Federal facilities accessible. Only in rare cases when accessibility cannot be provided, do we grant a waiver or modification of Federal accessibility standards. Enclosed is a copy of GSA's portion of the fiscal year 1993 annual report to Congress.

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

N/A

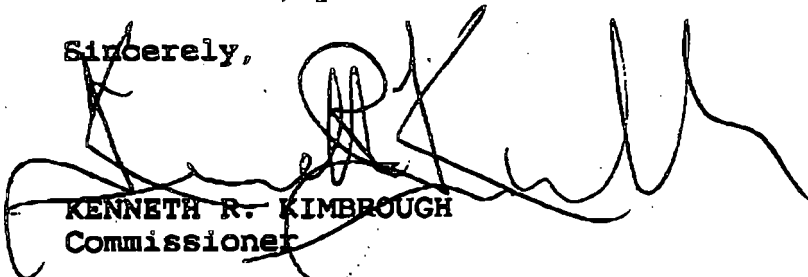
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Since the accessibility program is a dynamic effort in applying developing technology, we expect our training effort to continue into the foreseeable future.

We appreciate the opportunity to participate in the Federal Disability Accommodations Working Group. If you require additional information, please contact Mr. Steve McCormick on 501-0989.

Sincerely,



KENNETH R. KIMBROUGH  
Commissioner

Enclosure



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**Introduction:**

The General Services Administration (GSA) is continually increasing the accessibility of buildings and facilities in our inventory. New buildings are being built, older buildings are being renovated, and leased facilities are the most accessible offered by the private sector.

The Deputy Administrator of GSA is a member of the Architectural and Transportation Barriers Compliance Board (ATBCB) and was actively involved in "rulemaking" and other activities associated with the implementation of the Americans with Disabilities Act (ADA) of 1990. The GSA Public Buildings Service (PBS) Accessibility Program Manager attended scheduled Board and Committee meetings of the ATBCB, as well as most of the special meetings called to develop rulemaking for the ADA.

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GSA has also provided accessibility training to other Federal agencies, such as the Department of Housing and Urban Development, the Federal Aviation Administration, the Department of Education, the Department of Veterans Affairs, and the Administrative Office of the United States Courts.

**New Accessibility Policy**

GSA has not issued, revised, or repealed any accessibility standards during fiscal year 1993. However, a new policy has been established within GSA, effective July 8, 1992, that all new GSA design and construction projects will comply with the more stringent standard, whether it be UFAS or Title III of the ADA standard. Our goal is to follow the highest standard and provide maximum accessibility.

### Updating of the Existing Standard

We have started the process to update the UFAS standard to be consistent with the new ADA standards. GSA submitted comments on the ADA Title II standards which cover State and local government facilities, scheduled to be published in 1994.

Meetings have been held between the four standard-setting agencies of the Federal Government and the ATBCB to begin the updating process. Until the UFAS is updated, GSA's policy of following the highest standard will ensure that our buildings provide the highest level of accessibility during the update process.

### Accessibility Complaints Opened and Closed During Fiscal Year 1993

Each year, the number of accessibility complaints made against GSA-controlled buildings has decreased. In addition, we have been able to close complaints in less time, thereby reducing our backlog.

Thirteen new accessibility complaints were opened in fiscal year 1993. During this same period of time, we closed seventeen complaints. The total number of open complaints at this time is eleven.

### Waivers and Modifications of UFAS Granted by GSA During Fiscal Year 1993:

Each request for a waiver or modification of UFAS is carefully considered to ensure that every reasonable effort has been made to make the subject facility accessible before a waiver or modification is granted. In addition, we coordinate our actions with the ATBCB to confirm whether a complaint has been filed, how the subject entity responded to that complaint, and what actions were taken to make their facilities accessible. Only when we are assured that every effort has been taken to make the facility accessible do we recommend that a waiver or modification be granted.

During fiscal year 1993, GSA granted five modifications and three waivers of the UFAS.

**DISABILITY-RELATED ISSUES CURRENTLY ADDRESSED**  
**BY THE DEPARTMENT OF ENERGY**

Following are the employment and accommodations issues which the Department of Energy is currently addressing:

**EMPLOYMENT ISSUES:**

In order to promote and increase employment opportunities for people with disabilities, the Department of Energy successfully obtained an authority from the Office of Management and Budget (OMB) in January 1993 for an exemption from full-time equivalent (FTE) ceiling controls for hiring people with disabilities including disabled veterans, sign language interpreters, readers, and personal assistants for the Department's employees with disabilities under the excepted appointing authorities. The success of the Department's ceiling exemption program for hiring people with disabilities has been hampered by the hiring and ceiling restrictions imposed by the Office of Management and Budget (OMB) Bulletin No. 93-08.

Furthermore, a large number of military bases across the country are in the process of closing down, and many Department of Defense (DOD) employees are being laid off. The National Defense Authorization Act for FY 1993, enforced by the Office of Personnel Management (OPM), requires all Federal agencies to give full consideration to the job applications of displaced Defense employees before selecting any candidate from outside the agency. Consequently, this law considerably slows down Federal agencies' efforts to increase the employment rate of disabled veterans and people with disabilities.

Due to the current downsizing efforts and scarcity of full-time equivalent (FTE) slots at the Department of Energy, managers and supervisors tend to overlook qualified applicants with disabilities and select those who seem to be "the Best and the Fittest" to fill those scarce FTE slots in their organizations. Because of the persistent myths and misconceptions, managers and supervisors tend to think that qualified applicants with disabilities cannot be the best qualified ones because of their severe disabilities. Consequently, it has become extremely difficult for highly qualified applicants with disabilities to compete for scarce FTE slots with women, minorities and other people who do not have disabilities. This unusually intensive competition perpetuates the Darwinian theory of "the Survival of the Fittest," and slows down Federal agencies' efforts to increase the employment rate of disabled veterans and people with disabilities.

I suggest that a central pool of FTE slots be established as a great incentive to encourage Federal managers and supervisors to hire people with disabilities and personal assistants (including interpreters and readers) under excepted appointing authorities at all Federal agencies. I suggest that the National Defense Authorization Act be amended to allow Federal agencies to select qualified candidates with disabilities from outside the agency without being required to give full consideration to the job applications of displaced Defense employees who do not have disabilities.

Currently, it is optional for managers and supervisors to take disability awareness training seminars. In fact, not many of them are highly motivated to take this necessary training seminar. Consequently, the myths, misconceptions and stereotypes about disabilities continue to perpetuate themselves at all Federal agencies, and discourage Federal managers and supervisors from increasing the representation of qualified people with disabilities.

I suggest that, like the AIDS awareness training, disability awareness training seminars be made mandatory for all Federal managers and supervisors in order to effectively eliminate those persistent myths, misconceptions and stereotypes and to open the Federal government's once-closed door to highly qualified people with disabilities.

#### **ACCOMMODATIONS ISSUES:**

The Department of Defense (DOD) established the central Computer/Electronic Accommodation Program (CAP) in 1990 to assist DOD field offices in procuring and providing adaptive devices for DOD employees with disabilities. The CAP program assisted DOD to significantly increase the employment and career advancement opportunities for people with disabilities by having successfully eliminated a wide variety of artificial barriers. The CAP office services as the primary DOD program office responsible for providing computer and electronic accommodations to individuals with disabilities, and assists DOD field offices by providing financial resources for services to make long-term training programs easily accessible. The CAP office also assists DOD field offices to fully integrate the electronic accommodations of persons with disabilities with the information resources management planning, programming, budgeting and acquisition processes.

Efforts to support the computer/electronic accommodation needs of employees with disabilities at the Department of Energy (DOE)

have been decentralized with each field office having their own program in addition to the Department of Energy Headquarters' program. While this arrangement meets existing requirements, the Department of Energy needs to expand and coordinate the program, especially in light of new DOE initiatives to increase employment and career advancement opportunities for people with disabilities. Occasionally, funding to procure adaptive devices has been difficult to obtain. There is no network among the Department of Energy field offices to expedite the acquisition and provision of accommodation services for people with disabilities. Furthermore, the Department of Energy does not provide additional financial assistance to small DOE field offices for reader/interpreting services for employees with visual or hearing impairments, for training opportunities for DOE employees with disabilities. Since some accommodations are expensive, many managers and supervisors have a hard time budgeting for these expenses, and therefore, are discouraged from hiring more people with disabilities.

The Department of Energy is currently considering the suggestion that the Department establish a central fund from which organizations can draw for procuring adaptive devices and support services, and the suggestion that the Department of Energy develop and implement a centralized DOE-wide accommodations system similar to the Department of Defense's CAP program. If the Department of Energy finds it feasible to adopt the above suggestions, the new program will eventually provide a wide variety of computer/electronic accommodations services for all DOE field offices, and will provide financial assistance to small DOE field offices for reader/interpreting services and for disabled employees' training opportunities. Such a centralized department-wide program will review the results of DOE field offices' efforts and provide constructive program feedback.

The Federal government needs to implement a new regulation which requires all Federal agencies to establish a separate line item in the annual Federal budget plan to provide resources and financial assistance to meet accommodation needs of Federal employees with disabilities.

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JUSTIN AND YOSHIKO DART

907 6TH STREET, S.W., APT. 516C

WASHINGTON, D.C. 20024

202/488-7684

rascopol.f21

February 21, 1995

To: Lynn Margherio, Diana Fortuna, colleagues on the Guiding Principles work group.

From: Justin Dart

Subject: Guiding Principles for National Disability Policy Review

Thank you for sending the draft of the guiding principles. Really excellent work.

I have one suggestion.

I firmly believe that traditional conceptions of the roles of government and individual have reached their useful limits. I think that is why people are increasingly frustrated with government. It is not that life in America is bad. It is quite good, relative to the past and to other countries. But stubborn problems remain unsolved. It is becoming ever more obvious that the vast, self-evident potential of science and democracy is not being fulfilled. This dramatic failure of potential is felt, if not understood and articulated, by the public as a profound failure of leadership.

I'm not sure it's a "failure" of anyone. If it is, it's a failure of everyone. I think we have simply reached the point in our experiments with science and democracy when we must recognize that like the Model T Ford and the DC-3, success has made our present conceptual vehicles obsolete.

It's time for subtle, but significant refinement.

I suggest some modest changes in wording throughout the guidelines to incorporate two concepts:

1. With the advance of modern medicine, disability has become a normal characteristic of human being. Sooner or later every family will experience significant disability. There is no way to predict with any certainty when or in which family this will occur. Public

EQUAL ACCESS TO THE AMERICAN DREAM

policy that does not serve people with disabilities, does not serve anyone well.

2. The role of government is not to solve problems for people, but rather to empower them to solve their own problems.

The culture of the future must be built on the individual as decision maker, governor and producer, not simply because that is the moral way, the "American way," but because that is the only way a culture of science and democracy can fulfill its potential. What the individual thinks and does every day is the total substance of society. There is nothing more. The individual is the problem. The individual is the solution.

Therefore government cannot solve problems for the people. The illusion that it can has a devastating effect on societies.

The fundamental role of governments in respect to individuals with and without disabilities is not to simply to regulate them - or to deregulate them - but to facilitate their efforts to empower themselves, to control their own lives, to participate fully in the government and all other aspects of society, and to produce the maximum quality of life for themselves and society.

This is not to imply that government is less responsible to guarantee outcomes. It is more responsible. It is responsible not only to guarantee the right to good outcomes, it is responsible to empower its people to fulfill their inalienable right and inalienable responsibility actually to achieve the best outcomes within their potential. It is not the relationship of president, congress and citizen, where the citizens see the president and the congress as responsible to produce a good quality of life. "Are you better off than you were four years ago, if not vote for me and I will give you the good life." It is the relationship of coach and players, where the players happen to be the owners of the team. "What can I do better to guarantee victory for myself and the team."

In further explanation I enclose an excerpt from remarks I made to the 30th anniversary of Americorps Vista at the LBJ Library a few days ago.

CONCEPT.

THE REVOLUTIONARY POWER OF SCIENCE AND OF EQUAL OPPORTUNITY, FREE ENTERPRISE DEMOCRACY HAVE GIVEN BIRTH TO A NEW HUMAN BEING.

WE LIVE TWICE AS LONG. DISABILITY, CHRONIC ILLNESS, THE FRAILTIES OF OLD AGE USED TO SIGNAL THE END OF ACTIVE LIFE. NOW THEY ARE SIMPLY NORMAL CHARACTERISTICS OF A NORMAL LIFE SPAN.

WE ARE A HUNDRED TIMES MORE INDEPENDENT, A THOUSAND TIMES MORE INTERDEPENDENT. WE ARE FORCED TO DEAL WITH A COMPLEXITY OF INFORMATION AND CHOICES WHICH COULD NOT HAVE BEEN IMAGINED IN 1492.

ALMOST ALL OF US, PEOPLE WITH AND WITHOUT PHYSICAL AND MENTAL LIMITATIONS, RICH AND POOR HAVE A PROVEN POTENTIAL TO BE AT LEAST 100 TIMES MORE PRODUCTIVE THAN OUR STRONGEST, HEALTHIEST, MOST INTELLIGENT ANCESTORS OF 500 YEARS AGO.

WE HAVE THE PROVEN POTENTIAL TO CREATE A QUALITY OF LIFE FOR EVERY PERSON THAT WAS FAR BEYOND THE GRASP OF THE MOST POWERFUL PHARAOH OR EMPEROR OF PRE-SCIENCE CULTURE.

BUT FOR THE VAST MAJORITY OF TODAY'S PEOPLE, MIDDLE CLASS, POOR AND RICH, THAT MAGNIFICENT POTENTIAL REMAINS AN UNREACHABLE DREAM, BECAUSE WE ARE STILL TRYING TO USE TOO MANY OF THE OLD IDEAS, THE OLD SYSTEMS AND THE OLD ENVIRONMENTS TO MEET THE NEEDS OF THE NEW HUMANS.

OUR TASK NOW IS TO USE THE EXPLOSIVE POWER OF SCIENCE AND FREE ENTERPRISE DEMOCRACY TO CREATE A NEW CULTURE THAT WILL EMPOWER THE NEW HUMANS TO FULFILL THEIR NEW POTENTIAL.

THAT CULTURE MUST BE BUILT ON THE INDIVIDUAL AS DECISION MAKER, GOVERNOR AND PRODUCER, NOT SIMPLY BECAUSE THAT'S THE MORAL WAY, BUT BECAUSE THAT IS THE ONLY WAY AN AGE OF SCIENCE AND DEMOCRACY WILL WORK.

THE TASK OF GOVERNMENT IN AN AGE OF SCIENCE IS NOT TO GOVERN PEOPLE, NOT TO SOLVE PROBLEMS FOR PEOPLE, BUT TO FACILITATE THE EFFORTS OF PEOPLE TO GOVERN THEMSELVES AND TO CREATE SOLUTIONS FOR THEMSELVES.

THE SOLUTION IS NOT TO PASS POWER TO THE STATES. THE SOLUTION IS TO PASS POWER TO THE PEOPLE.

FIFTY PATERNALISTIC BUREAUCRACIES ARE NOT BETTER THAN ONE.

LINCOLN PUT IT BETTER: GOVERNMENT OF THE PEOPLE, BY THE PEOPLE, FOR THE PEOPLE.

THE ISSUE OF TODAY IS NOT BIG GOVERNMENT VS. SMALL GOVERNMENT, NOT LIBERALISM VS. CONSERVATISM OR REPUBLICANS VS. DEMOCRATS.

THE ISSUE OF TODAY IS THE EMPOWERMENT OF THE INDIVIDUAL VS. THE RESIDUE OF PRIMITIVE CONCEPTS AND PATERNALISTIC PRACTICES THAT PREVENT INDIVIDUALS FOR TAKING FULL RESPONSIBILITY TO UTILIZE POTENTIAL.

EMPOWERMENT. WHAT IS IT?

EMPOWERMENT IS WHEN WE SAY NO TO THE ANCIENT ILLUSION THAT SOCIETY, GOVERNMENT, THE FREE MARKET, THE PUBLIC MEDIA ARE SOME SORT OF PATERNALISTIC SUPERGODS THAT CAN GIVE US TRUTH, EQUALITY, AND PROSPERITY.

EMPOWERMENT IS WHEN WE UNDERSTAND THAT HUMAN SOCIETY, HUMAN GOVERNMENT, HUMAN PROSPERITY, HUMAN MORALITY IS NOTHING MORE OR LESS THAN WHAT WE AS INDIVIDUALS THINK AND DO EVERY DAY. NOT ONLY DOES THE INDIVIDUAL MAKE A DIFFERENCE, THE INDIVIDUAL IS THE ONLY DIFFERENCE.

EMPOWERMENT IS WHEN WE AS INDIVIDUALS REJECT STEREOTYPED ROLES OF SUBSERVIENT DEPENDENCY AND ACT TO FULFILL OUR INALIENABLE RIGHT AND OUR INALIENABLE RESPONSIBILITY TO GOVERN OURSELVES AND OUR SOCIETY, AND TO PRODUCE LIVES OF QUALITY FOR OURSELVES AND FOR OUR FELLOW HUMANS.

WE AS INDIVIDUALS, WE AS A NATION MUST LAUNCH A REVOLUTION OF EMPOWERMENT.

# OVERVIEW

## PRELIMINARY STATUS REPORT OF THE DISABILITY POLICY PANEL

convened by

The National Academy of Social Insurance

NATIONAL  
ACADEMY  
OF SOCIAL  
INSURANCE

**Rethinking Disability Policy:  
The Role of Income, Health Care, Rehabilitation  
and Related Services in Fostering Independence**

**Preliminary Status Report  
of the Disability Policy Panel**

**convened by**

**The National Academy of Social Insurance**

**March 1994**

**The Project receives financial support from:**

**The Pew Charitable Trusts  
The Robert Wood Johnson Foundation  
Members of the Health Insurance Association of America  
that offer private disability insurance**

## Members of the Disability Policy Panel

Jerry L. Mashaw, Chair  
Gordon B. Tweedy Professor of Law and  
Management  
Institute of Social and Policy Studies  
Yale University Law School  
New Haven, CT

Monroe Berkowitz  
Professor of Economics, Emeritus  
Rutgers University  
Bridgewater, NJ

Richard V. Burkhauser  
Professor, Center for Policy Research  
Syracuse University  
Syracuse, NY

Gerben DeJong  
Director  
National Rehabilitation Hospital-Research Center  
Washington, DC

James N. Ellenberger  
Assistant Director  
Department of Occupational Safety and Health  
AFL-CIO  
Washington, DC

Lex Frieden  
Senior Vice President  
The Institute for Rehabilitation and Research  
Houston, TX

Howard H. Goldman, M.D.  
Professor of Psychiatry  
Mental Health Policy Studies  
University of Maryland School of Medicine  
Baltimore, MD

Arthur E. Hess  
Consultant  
Former Deputy Commissioner of Social Security  
Charlottesville, VA

Thomas C. Joe  
Director  
Center for the Study of Social Policy  
Washington, DC

Charles Jones  
President  
National Council of  
Disability Determinations Directors  
Okemos, MI

Mitchell P. LaPlante  
Associate Professor of Sociology and Director  
Disability Statistics Center  
Institute for Health and Aging  
University of California, San Francisco

Douglas A. Martin  
Special Assistant to the Chancellor  
University of California, Los Angeles

David Mechanic  
Director  
Institute for Health, Health Care Policy and  
Aging Research  
Rutgers University  
New Brunswick, NJ

Patricia M. Owens  
Vice President, Disability Programs  
UNUM Life Insurance of America  
Brooklyn, NY

James M. Perrin, M.D.  
Associate Professor of Pediatrics  
Harvard Medical School  
Massachusetts General Hospital  
Boston, MA

Donald L. Shumway  
Director  
Division of Mental Health  
and Developmental Services  
Concord, NH

Susan S. Suter  
President  
Suter and Associates  
Springfield, IL

Eileen P. Sweeney  
Director of Government Affairs  
Children's Defense Fund  
Washington, DC

NATIONAL  
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INSURANCE

March 21, 1994

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Alexander B. Trowbridge

Executive Director  
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The Honorable Dan Rostenkowski, Chairman  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, D.C. 20515

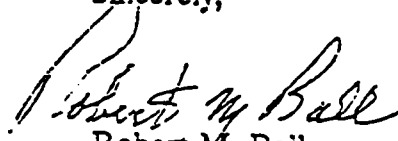
Dear Mr. Chairman:

I am pleased to report to you on progress in carrying out the request from you and Chairman Andy Jacobs, Jr. of the Social Security Subcommittee for a comprehensive review of the Social Security disability program. The National Academy of Social Insurance views this as an extremely important undertaking and to conduct the review we have assembled an outstanding panel of the Nation's leading experts in varied aspects of disability policy. The members of the Disability Policy Panel, chaired by Jerry L. Mashaw of Yale University, are listed on page ii. At this time, I am transmitting to you a preliminary status report on the Panel's first year of work. They plan to have a final report and recommendations in about 18 months.

The Academy began this project by securing financial support for a three-year study from The Pew Charitable Trusts, The Robert Wood Johnson Foundation and corporate members of the Health Insurance Association of America that offer private disability insurance. We have also received excellent cooperation and assistance from the Social Security Administration and other Federal agencies.

I believe the Panel has made substantial progress in its first year. On behalf of the Board of the Academy, I am pleased to transmit this report to you.

Sincerely,

  
Robert M. Ball  
Chair

cc: Representative Andy Jacobs, Jr.

NATIONAL  
ACADEMY  
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INSURANCE

March 21, 1994

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Washington, D.C. 20515

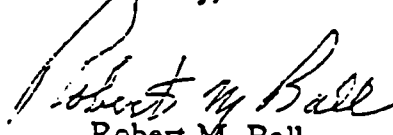
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Chair

cc: Representative Dan Rostenkowski

1776 Massachusetts Avenue, NW  
Suite 615  
Washington, DC 20036-1904  
Telephone (202) 452-8097  
Facsimile (202) 452-8111



YALE LAW SCHOOL  
P.O. Box 208215  
New Haven, Connecticut 06520-8215

JERRY L. MASHAW  
Gordon Bradford Tweedy Professor  
of Law and Organization

March 21, 1994

203 432-1671  
203 432-8260

Mr. Robert M. Ball, Chair  
Mr. Nathan J. Stark, President  
National Academy of Social Insurance  
1776 Massachusetts Avenue, N.W. -- Suite 615  
Washington, D.C. 20036

Dear Bob and Nathan:

I am pleased to transmit this preliminary status report of the Disability Policy Panel that I chair for the Academy's project, *Rethinking Disability Policy: The Role of Health Care, Rehabilitation and Related Services in Fostering Independence*. The Panel is issuing this report now as a way to invite public comment on our work to date and to seek suggestions on topics for our consideration during the remaining 18 months of our work.

During our first year, the Panel engaged in fact-finding and information gathering with regard to disability policy and the broad environment in which that policy operates. Some results of our review of the disability benefit programs and the broader environment of disability policy are in this report.

In addition, although we are less than half way through our study period, the Panel has concluded that certain findings should be reported now. The findings in this report relate to: the link between secure universal protection against health care costs and sound disability benefit policy; the critical importance of adequate resources to administer the benefit programs as called for under the law; and the importance of sustained investment in research to assess the role of disability programs in meeting the needs of people with significant work disabilities.

Finally, we have included in this report a list of topics for our future work on which we hope to receive suggestions from the public about specific policy proposals for our consideration. We recognize that a great deal of work remains to be done. I look forward to providing you with our final report and recommendations in about 18 months.

Sincerely,

Jerry L. Mashaw, Chair  
Disability Policy Panel



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## Preface

The National Academy of Social Insurance was asked by Chairman Dan Rostenkowski of the Committee on Ways and Means of the U.S. House of Representatives and Chairman Andy Jacobs, Jr. of its Subcommittee on Social Security to undertake a comprehensive review of the Social Security disability benefit programs. In a letter to the Academy's Chair, Robert M. Ball, which is in Appendix A of this report, they asked the Academy to explore the following questions:

- Is it correct that disabled Americans now confront strong incentives to emphasize their impairments as a means of securing and maintaining benefits?
- If so, are there changes that would encourage beneficiaries to use their residual work capacity rather than emphasize their incapacity?
- Can an emphasis on rehabilitation and work be incorporated into the program without greatly expanding costs or weakening the right to benefits for those who cannot work?
- How might we increase protection for the large number of claimants who are denied benefits but still do not find employment?

They also encouraged the Academy to include in its review other relevant issues, including experience in the private sector and foreign disability income systems.

The Academy received financial support from The Pew Charitable Trusts, The Robert Wood Johnson Foundation and members of the Health Insurance Association of America that offer long-term disability insurance.

To fulfill this request, the Academy convened a Disability Policy Panel of national experts in varied aspects of disability policy and asked it to undertake a comprehensive review of disability insurance and Supplemental Security Income disability policy. Members of the Panel, which is chaired by Jerry L. Mashaw of Yale University, are listed on page ii. In its first year, the Panel met seven times -- in March, June, September, October and December 1993 and twice in January 1994. At these meetings and in related work, the Panel consulted with other experts, with providers of services, with persons with disabilities, advocacy organizations and administrators of disability benefit programs to examine broad aspects of disability policy. Appendix B of the report lists some of the many individuals and organizations who have provided information to the project.

Staff work for the project is directed by Virginia P. Reno with the assistance of Suzanne Payne of the National Academy of Social Insurance. Mary Ross contributed to many sections of the report, particularly the Appendices on the legislative development of the Social Security disability insurance (DI) and Supplemental Security Income disability benefit

programs, and provided helpful comments on drafts of the report. Ronald L. Davis prepared the review of studies of denied applicants for DI benefits in Section III of the report.

The Panel and staff received assistance from many individuals and agencies who have provided information to the project. Components of the Social Security Administration have been particularly helpful in responding promptly and fully to requests for information.

The views expressed in this report are solely those of the Disability Policy Panel. They do not represent the official position of the National Academy of Social Insurance or of the organizations that have provided financial support or assistance to the project.

The National Academy of Social Insurance is a nonprofit, nonpartisan organization whose mission is to promote research and education concerning Social Security, unemployment insurance, workers' compensation, the appropriate role of government in protecting individuals from the costs of personal health care services, and challenges and opportunities facing the field of social insurance. The Academy assesses social insurance programs; helps develop future scholars and administrative leaders; supports basic study, policy analysis and research; and promotes public understanding of social insurance principles and programs.

Panel members for Academy projects are selected for their recognized expertise and with due consideration for the balance of disciplines appropriate to the project. The resulting report is the responsibility of the panel members, but in accordance with procedures of the National Academy, it has been reviewed by a committee of the Board for completeness, accuracy, clarity and objectivity.

# Overview

The Disability Policy Panel of the National Academy of Social Insurance is issuing this Preliminary Status Report as a way to invite public comment on its work to date, and, in particular, to invite suggestions for specific policy proposals for the Panel's consideration in the remaining 18 months of its work.

The Panel was convened by the Academy in March 1993 in response to a request from Chairman Dan Rostenkowski, of the Committee on Ways and Means of the U. S. House of Representatives and Chairman Andy Jacobs Jr., of its Social Security Subcommittee. They asked the Academy to conduct a comprehensive review of disability income policy with a particular emphasis on ways to enable persons with disabilities to remain in or return to the work force as well as to better serve those who are denied benefits but do not find work. In its first year, the Panel engaged in fact finding and information gathering with regard to disability policy and the broad economic, social and political environment in which that policy operates. Preliminary results of that review are in this status report.

## The Panel's Perspective

Section I presents the Panel's perspective on disability policy. The Panel believes: that the primary goal of disability policy is the integration of persons with disabilities into mainstream society; that "disability" is not just an attribute of individuals, but instead represents the interaction between individuals -- who may have physical or mental impairments -- and the environment in which they live; that there is great diversity among persons with disabilities in terms of their abilities, capacities, needs and limitations; that the goals of economic self-sufficiency for persons with disabilities are not inconsistent with income security goals of disability income programs; that integration of and support for persons with disabilities are important to the productive capacity of the nation and require coordinated responses of the private sector as well as Federal, State and local governments.

## Preliminary Findings

In the final section of its report, the Panel outlines the topics of its future work and describes its current findings on three issues that have repeatedly been raised as problems by persons with disabilities and other experts the Panel has consulted.

### Health Care and Disability Income Policy

Health care is important to all Americans. It is particularly important for persons with disabilities because they often have special health care needs, many are at risk of very high health care costs, and they often cannot gain adequate coverage in the private insurance market. The Panel has heard directly from individuals with disabilities that the fear of losing health care and related services is, for many, the major barrier that keeps them from

maximizing their earning capacity. Many recipients of Social Security disability insurance (DI) and Supplemental Security Income (SSI) disability benefits have said that the risk of losing Medicare or Medicaid coverage that is linked to their cash benefits is a far greater work disincentive than is the loss of cash benefits. Earnings from work can compensate for the loss of cash benefits. But earnings, alone, cannot buy health care coverage when that coverage is simply not available to persons with severe chronic conditions.

*The Panel finds that ensuring universal protection against health care costs would present a major breakthrough in national policy with regard to disability income and work. Such a guarantee of necessary health care -- independent of work, disability, health or cash benefit status -- would be a significant gain in:*

- *alleviating fear and insecurity among the Nation's citizens with disabilities who now rely on Medicaid and Medicare for the health care they need and who risk losing that coverage if they are found able to work;*
- *enabling persons with disabilities to maximize their independence by remaining in or returning to the paid work force as well as participating in other productive activities; and*
- *fostering cash benefit policies that provide security, while encouraging work among persons with disabilities who have the capacity to do so.*

*Universal health care would also foster early intervention to prevent diseases or impairments from becoming permanent work disabilities. Improved access to uniform health care information will also improve the decision-making process for cash disability programs.*

*The Panel also emphasizes that certain health care benefits are particularly important for persons with disabilities, including children. These features include coverage for prescription drugs, durable medical equipment, personal assistance services and devices and rehabilitation services for congenital or chronic conditions, including mental illness.*

The Panel is not prepared to take a position on the merits of particular health care reform proposals. There are many factors to be considered as that debate proceeds and they are not our primary focus. Nor do we, as a Panel, take the position that only a universal health care scheme can address the particular concerns that are the subject of our work. Rather, our purpose is to highlight that secure appropriate health care for persons with disabilities is an important underpinning for developing sound disability benefit policies that facilitate entry or return to paid employment for those with the capacity to do so.

### **Importance of Adequate Resources to Administer DI and SSI**

In its review of the history of the DI and SSI programs over the last 25 years, the Panel has been struck by the volatility of disability benefit claims, allowances and terminations. Major

factors in this volatility are cyclical changes in the economy and radical shifts in administrative and legislative policy. From this review of the tumultuous history of the disability programs over the last 25 years, the Panel sees several important lessons:

First, stable administration of DI and SSI is critically important to the economic security of the persons with severe disabilities who rely on these benefits as well as for public support and the fiscal integrity of the programs.

Second, cutbacks in administrative resources in the 1980s were accompanied by growing concerns that vulnerable populations are not being well-served. Problems were reported about provisions for assigning and monitoring representative payees for beneficiaries who need them, difficulties beneficiaries have in getting information about how particular changes in their work would affect their benefits, the need for outreach to enroll eligible persons in SSI, difficulties beneficiaries face in receiving prompt answers to their questions, and prompt adjustments in benefits as their circumstances change in order to minimize underpayments or overpayments.

Third, adequate staff and other resources to administer the programs are essential. The investment in making correct, timely initial disability decisions and documenting them fully should shorten delays in getting correct benefits to applicants, reduce appeals and avoid the cost of paying any incorrect allowances. If the required medical improvement standard for conducting continuing disability reviews is to be implemented properly, allowances must be sufficiently documented to support an assessment of whether there has been a change in the beneficiary's condition between the allowance and the review. And to be fair to the beneficiary, there must be adequate staff to assure that the record is fully developed at the time of review. For program integrity and public confidence in the programs, resources must be adequate both to decide and document initial claims promptly and correctly, and to conduct appropriate quality reviews and continuing disability reviews.

Fourth, changes in regulations that were called for in legislation and court decisions in the 1980s require greater emphasis on assessing claimants' functional capacity in conjunction with medical evidence. If properly conducted, these functional assessments are likely to be more time consuming than determinations based solely on medical evidence. This shift needs to be taken into account in resource allocations.

Finally, it is reasonable to expect some volatility in disability claims with cyclical changes in the economy. Disability claims have risen during every economic recession since the late 1960s -- with the one exception of the early 1980s, when unprecedented retrenchment policies offset those effects. The majority of working-age persons with disabilities do, in fact, work. They have much better prospects for finding and keeping their jobs when jobs are plentiful. When they lose their jobs during recessions and exhaust other sources of support, it is reasonable to expect that they will apply for disability benefits. Flexibility in administrative resources is needed to accommodate cyclical changes in disability claims.

The Social Security Administration is now engaged in rethinking and reengineering its disability adjudication processes to ensure that available resources are used as efficiently as possible. At the same time, in the wake of reduced staff resources in the 1980s, the recent rapid growth in initial claims and backlogs, the growth in pending appeals, the fact that continuing disability reviews are not being done as called for in the law, and ongoing concerns that vulnerable populations have difficulty gaining the service they seek:

*The Panel finds that staff and related resources are not now adequate to administer the DI and SSI programs. It believes that such resources must be set at a level that ensures stable, effective management of the disability programs. Specifically, resources must be adequate to: provide fair, accurate and prompt decisions on disability claims; provide the individualized service to disability beneficiaries that are contemplated under current law, including clear and accurate answers to individuals' questions about how changes in their work effort will affect their benefits; and conduct timely and predictable reviews of the continuing eligibility of those receiving disability benefits.*

### **Importance of Long-term Research**

Long-term research is needed to better understand the size and attributes of the underlying population of persons with disabilities who could meet the program definition of disability if they were not working, as well as to make valid and reliable decisions of eligibility. Such research is needed in order to anticipate the consequences for disability claims and allowances: of cyclical changes in the economy, of outreach efforts to enroll eligible persons, or of other changes such as appropriate updates of the medical and other criteria for making disability determinations. Such research would also provide information about the circumstances that distinguish persons with disabilities who are successfully integrated into the work force from those who become unable to work because of their impairments. That information could help develop ways to expand opportunities for successful integration of beneficiaries into the world of work.

There has been a dearth of rigorous research on the disability benefit programs over the last 10-15 years. In the 1960s and 1970s, the Social Security Administration conducted periodic comprehensive surveys to measure the prevalence of work disability in the general population and to assess the role of the disability income programs in meeting the needs of persons with work disabilities. No comparable data have been collected since 1978.

*A comprehensive program of long-range research is needed in order to provide basic information about the populations being served and the changing environment in which disability programs operate. The Panel is encouraged to find that thoughtful new research initiatives are planned and underway to rectify major gaps in information that is needed to evaluate and forecast disability income programs. Multi-year funding commitments are essential for long-range research. The Panel strongly supports the continued investment in such research initiatives.*

## **The Panel's Future Work**

In its remaining work, the Panel is focussing on specific issues concerning disability policy, which it has divided into nine necessarily overlapping categories:

- the definition of disability for DI and SSI eligibility, and its assessment in functional, medical and vocational terms;
- work and other incentives and disincentives for DI and SSI applicants and beneficiaries;
- prospects for vocational rehabilitation and job placement for persons with significant disabilities;
- the coordination of health care and cash benefits for persons with disabilities;
- provisions for personal assistance services and assistive devices for persons with significant functional limitations;
- the coordination of short-term and long-term disability income protection;
- implementing and administering cash benefits and services for persons with disabilities;
- the relationship of disability and retirement policy, particularly in light of scheduled increases in the Social Security normal retirement age; and
- the special concerns of subgroups of persons with disabilities, including children and persons with severe mental illness.

In each area, we propose to develop what we believe to be the appropriate objectives of disability policy, to analyze the degree to which current public and private programs and processes accomplish those objectives and to make recommendations for policy and administration that are consistent with the objectives as defined. As our work proceeds, we may decide that some of these categories require further disaggregation or that others are so interconnected that separate recommendations on those topics are unnecessary or unwarranted.

*The Panel invites comments of interested individuals and organizations about the issues for its further work, the appropriate objectives of policy in each area, and specific suggestions for policy proposals the Panel should consider. Comments and suggestions should be directed to: The Disability Income Project, National Academy of Social Insurance, 1776 Massachusetts Avenue, N.W., Suite 615, Washington, D.C. 20036.*

## **The Environment of Disability Income Policy**

Sections II, III and IV of the report describe various aspects of the environment of disability income policy.

### **Review of Selected Disability Income Programs**

Section II provides an overview of major employment-based public and private programs and means-tested public programs that provide monthly cash disability benefits. It begins with a review of Social Security disability insurance (DI) and Supplemental Security Income (SSI) disability provisions, which are the focus of the Panel's work. It also reviews coverage and provisions of compensation programs for workers who are injured on the job or veterans who are injured while on active duty in the armed forces. State temporary disability insurance and private sector short-term and long-term disability income plans also are covered. It finds that among private sector employees:

- Almost all are covered by Social Security DI, which provides earnings replacement benefits after a five-month waiting period for workers with severe long-term disabilities;
- About 30 percent of private sector employees have no short-term disability income protection. Another 26 percent have sick leave only, which typically replaces 100 percent of earnings for only a few weeks, rarely long enough to cover the full period until DI benefits begin. About 44 percent of private sector employees have some type of short-term disability insurance (SDI), which usually replaces about 50-67 percent of the worker's earnings for up to six months. This SDI includes mandatory social insurance programs in five States and union-negotiated and employer provided benefits in other States.
- Employer-provided long-term disability insurance (LTDI), which is supplemental to Social Security disability insurance, covers about 25 percent of private sector employees, with upper status white collar workers much more likely than blue collar workers to be covered. These benefits typically replace about 60 percent of prior earning and are offset \$1 for \$1 by Social Security. About another 17 percent of private sector employees are in defined benefit pension plans that provide immediate disability pensions if the worker meets the age and service requirements of the plan.

### **Attributes of Persons with Disabilities**

Section III provides information about the population of persons with disabilities, including estimates of the prevalence of disabilities in the total population, the attributes of DI and SSI beneficiaries, and what is known about outcomes for persons who have been denied DI benefits in the past.

**Prevalence of Disability.** There is great diversity among persons with chronic health conditions, or disabilities. For example, as many as half the total population (including children, the elderly and working-age adults) have some type of chronic health condition, but for most, the condition does not limit their ability to work, attend school, or engage in other daily activities.

Chronic health conditions can limit activities in a variety of ways. Among working age persons in 1990, 19.4 million people (12.8 percent) said they were limited in some way because of a chronic health condition, including: 6.7 million (4.4 percent) who reported they were unable to work; 7.4 million (4.9 percent) who were limited only in the kind or amount of work they could do; and 5.3 million (3.5 percent) who were limited only in non-work activities. A small portion of the working-age population report such significant functional limitations that they require assistance with activities of daily living. They include some individuals who report they are able to work, despite the need for assistance.

**DI and SSI Beneficiaries.** At the end of 1993, a total 6.7 million adults under age 65 were receiving Social Security or SSI benefits based on disability. To receive benefits, individuals must meet a strict test of work disability, due to a medically determinable physical or mental condition. In addition, children under 18 receive SSI based on a definition of disability for children comparable to that for adults.

There is great diversity among DI and SSI recipients. Those who receive DI as disabled workers must have had recent covered work in order to be insured for benefits. They tend to be older -- most are in their 50s or early 60s -- and their impairments frequently are associated with aging -- such as musculoskeletal impairments including arthritis, or circulatory or respiratory diseases. Mental illness is a growing cause of disability among disabled worker beneficiaries, however, particularly those under age 50. It is the primary diagnosis for about 1 in 4 persons receiving disabled worker benefits.

SSI recipients tend to be much younger. Many have developmental disabilities and enter the rolls as children (if they live in low-income families) or when they reach adulthood, when their eligibility based on income and resources is considered independent of the financial status of their parents. For about 1 in 4 adult SSI recipients, the primary diagnosis is mental retardation; for another 1 in 4 adults, it is mental illness.

While adults who receive DI or SSI based on disability have severe work limitations, most beneficiaries are capable of managing their own affairs. When beneficiaries are not capable of managing, or directing the management of, their benefits, representative payees are assigned to manage the payments for the beneficiary's use and benefit. About 1 in 8 disabled worker beneficiaries and about 3 in 10 SSI recipients age 18-64 have representative payees to help them manage their benefits.

The SSI criteria for determining disability for children were modified following a 1990 Supreme Court decision in *Sullivan v. Zebley*. The number of children receiving SSI has

grown rapidly since 1989 and was 770,000 at the end of 1993. Among children on the rolls at the end of 1992, mental retardation was the primary diagnosis for about 40 percent. Other mental disorders -- including autism, Downs syndrome, organic mental disorders, schizophrenia, mood disorder, attention deficit disorder, personality disorders, and developmental and emotional disorders for infants -- together accounted for 16 percent. Another 16 percent of children on the SSI rolls had impairments of the nervous system or sensory system, such as vision or hearing impairments as their primary diagnosis.

**Outcomes for Denied DI Applicants.** Five different studies over the years have examined outcomes for people who applied for but were denied DI benefits. These five studies, conducted between the mid-1960s and the late-1980s show many similarities in outcomes for persons who were denied benefits and who were still alive and not on the disability or retirement benefit rolls three to five years later.

- In each study, fewer than half the surviving denied applicants were working. Lower employment rates among denied applicants were associated with higher nationwide unemployment rates.
- The economic status of denied applicants who are not working is poor. Their main sources of income are earnings of other family members or assistance. Denied applicants who were working generally were better off.
- The self-reported health status of denied applicants who were not working is not much better than that of those who were allowed DI benefits. Denied applicants who were working generally reported fewer health problems.

### **Trends in DI and SSI -- Policy and Administrative Changes**

Section IV and V describe the trends in DI and SSI benefit awards and terminations over the past 20-25 years and review how cyclical changes in the economy, new legislation and administrative policy affected the likelihood of disability benefit receipt. The tumultuous history of the disability programs supports the Panel's finding that adequate staff resources and stable administration are critical for protecting both the rights of individuals as well as public support for and the fiscal integrity of the disability programs.

**The early 1970s -- Growth in the Disability Rolls.** The early 1970s were characterized by rapid growth in the number of people awarded DI benefits as well as the large influx of SSI recipients when that program began in 1974. Economic recessions and high unemployment in 1969-70 and in 1973-75 and legislative expansions in DI before and during this period contributed to the growth. Under pressure to process new claims in an era of government-wide restrictions on personnel, staff resources were diverted from reviewing the accuracy of disability decisions and conducting continuing disability reviews of those on the rolls to processing new claims.

**The Period 1975-1980 -- Controlling Expansion.** The period after 1974 was characterized by growing concern about the rapid rise in the number of people receiving DI benefits, the escalating cost of benefits and the projected insolvency of the DI trust fund. Legislation reduced future disability benefits in 1977 and in 1980 and, in 1980, required in law that more quality reviews and continuing disability reviews (CDRs) be done. During the late 1970s, administrative initiatives tightened adjudicative standards, placing new emphasis on "medical" as opposed to "functional" criteria for assessing disability. Also, the review standards for CDRs were changed to permit benefit terminations without a finding that the beneficiary's condition had medically improved.

**The Period 1981-1984 -- Retrenchment and Reaction.** With administrative tightening that began in the late 1970s, and the 1980 legislative mandate in place, the new administration, which had promised to reduce the size and cost of government, sought through administrative initiatives to significantly reduce the cost of disability benefits. In the midst of a deep economic recession with unemployment rising to record levels in 1982-83, administrative initiatives to review the rolls and terminate benefits were implemented abruptly without adequate staff or training. In response to widespread dismay at the human suffering caused by the abrupt retrenchment, the courts, the States, the administration and the Congress all acted to rectify the situation.

By June of 1983, after two district courts had declared SSA's restrictive policy for assessing mental impairment claims to be illegal, the Secretary of Health and Human Services issued a moratorium on denying disability claims based on mental impairments until new guidelines were developed. In April 1984, the Secretary announced a nationwide moratorium on continuing disability reviews and pledged to work with Congress on reform. By that time nine states were operating under a court-ordered medical improvement standard for continuing reviews, and nine other States had suspended reviews pending implementation of a court-ordered medical improvement standard, or pending action by the circuit court. In 1984, Congress responded with reform legislation.

**The Period 1985-1989 -- Economic Expansion, Agency Downsizing.** As the nation enjoyed sustained economic growth and unemployment rates fell, disability claims leveled off. New adjudicative criteria called for in the 1984 legislation were put in place. It was generally agreed that deciding claims based on the new criteria for assessing disability based on mental impairments and for conducting disability reviews would be more labor intensive than the approaches that had been invalidated by the courts.

A major administrative initiative during this period was a decision to significantly reduce the number of SSA staff -- from about 80,000 employees in FY 1985, to about 63,000 in 1989. Along with the agency downsizing, SSA leadership sought ways to streamline operations. In the process fewer field office personnel were available to provide individualized attention to vulnerable populations -- such as SSI recipients. Meanwhile, Congress called for improvements in service to the public, including outreach to enroll eligible persons in SSI, more responsive representative payee services and improved response to individuals'

questions and needs. Legislation also extended work incentives for SSI recipients and incremental changes improved access to SSI for persons with severe mental illness.

**The Early 1990s -- Growth in the Rolls.** The early 1990s, like the early 1970s, were characterized by rapid growth in the disability rolls, with particular growth in SSI claims. The growth coincided with an economic recession in 1990-1991. It also followed legislative, administrative and judicial actions that enhanced access to SSI -- through SSI outreach activities and new standards for determining childhood disability. In the wake of agency downsizing during the 1980s, and increased workloads in the 1990s, agency resources are not allocated to conducting continuing disability reviews in order to process new claims. The agency is currently engaged in reassessing and reengineering its disability processes to ensure that available resources are used as efficiently as possible.

## **The Broader Environment**

Section VI explores some of the broader environmental factors beyond the DI and SSI programs that influence the context in which disability benefits are claimed and decisions are made to allow or deny benefits. While these environmental factors affect the context of disability benefit programs, no attempt is made to precisely associate these factors with past or future trends in the disability benefit programs.

### **Structural Shifts in the Labor Market**

Structural changes in the labor market have long-term effects on employment opportunities for particular subgroups of workers, including those with disabilities. On one hand, analysis of earnings level trends show a declining demand for workers with limited educations and job skills. To the extent that such workers have disabilities, they are likely to be doubly disadvantaged in the labor market. On the other hand, the shift from manufacturing to service sector jobs is projected to increase jobs for well-educated workers, which would mean that highly skilled workers with physical disabilities will have better opportunities to find work. At the same time, workers with cognitive limitations or mental illness may still have difficulty finding work.

### **Other Components of the Public and Private Safety Net**

All western European countries as well as the United States face the problem that large numbers of people lose their connection with the labor force before retirement age. It happens particularly during economic recessions, but occurs in normal times as well. The social welfare responses to this problem can be grouped as follows: *work-based interventions*, which provide rehabilitation or training or expand job opportunities; *unemployment benefits*, which provide income continuity to those actively seeking work; *disability benefits*, which provide income security to those severely limited in their ability to

work; and *assistance*, which provides universal income guarantees or means-tested benefits for the poor.

The comparative research suggests that differences in the size of disability rolls across countries depend much more on the relative strength of these four social welfare responses than on differences in the underlying health of the population. The United States, in contrast with many other western countries, has relatively weak support systems other than for disability. For example, job creation, rehabilitation and training programs serve small numbers of persons relative to the numbers receiving disability benefits; unemployment benefits are paid to only about half of those seeking work and are limited in duration; Federal funding for assistance, other than that based on disability, is available only to certain low-income families with children and those benefits have declined in value over the past two decades. The same analysis suggests that policies that seek to reduce reliance on one or more of these sources of support, are likely to increase reliance on others.

### **Availability of Health Insurance**

In the absence of universal health care coverage, persons with disabilities face particular problems in gaining the coverage they need. If they are employed, they may be covered by employer-sponsored health insurance. But standard employment-based plans may not cover the services needed by persons with chronic conditions. Furthermore, coverage under employment-based insurance has been declining. Between 1988 and 1992, the number of persons under age 65 in the United States without any private or public health care coverage rose by nearly 5 million. The growth in the number without any coverage occurred despite significant growth in the proportion of that population who were covered by Medicaid. In the absence of universal health care protection, individuals who lack the coverage they need may turn to DI and SSI to gain coverage under Medicare or Medicaid, which accompanies entitlement to cash disability benefits.

### **Changing Treatment for Persons with Severe Mental Illness**

An important change in DI and SSI that occurred in the 1980s is an increase in the number of persons with severe mental illness who qualified for benefits. Contributing to this growth were changes in DI and SSI adjudicative policy in the early and mid-1980s, a longer-term trend away from State mental institutions to community-based care for persons with severe mental illness, and incremental changes during the later 1980s that were designed to increase access to SSI for persons with severe mental illness.

While changes in treatment of mental illness represent advances in the integration of persons with severe mental illness into the community, they also bring a shift in sources of support. Medicaid and SSI, as well as Medicare and DI are important underpinnings of the community-based system. Effective treatment in the community still requires coordinated services that replicate what had previously been the responsibility of State mental hospitals -- housing, some supervision, medical and psychiatric care and psychosocial rehabilitation.

Because of the importance of SSI and Medicaid for their clients, many mental health practitioners now consider it part of their job to help their clients qualify for these programs.

### **Increased Claimant Representation and Third Party Interest**

Over the past 15-20 years, there has been a significant increase in the number of Social Security claims that are appealed after initially being denied, as well as an increase in the likelihood that benefits will be allowed on appeal. There has also been a significant increase in the size and sophistication of organizations of claimants' representatives and growing interest of third parties in helping individuals gain access to DI or SSI disability benefits. Recent legislation also expedited the process for approving fees that representatives may charge their clients when their appeals of denied benefits are successful.

Third party interests include groups other than the claimant, or the claimant's representative, who have a direct interest in having DI or SSI claims allowed to certain individuals. They include State and local governments with State financed assistance programs, which seek to ensure that SSI is first payor for low-income persons with disabilities. Employers and insurers that provide private disability insurance calculate premium and replacement rates based on Social Security DI being first payor of benefits to disabled workers. Consequently, they often encourage or require those claiming private benefits to also claim DI. In addition, hospitals, rehabilitation facilities or other providers of services may have a direct interest in helping patients qualify for SSI and therefore Medicaid, so that they can be reimbursed for their services. Without Medicaid coverage for their patients, the care they provide is likely to be uncompensated.



United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

14th & Independence SW  
P.O. Box 96090  
Washington, DC 20090-6090

Reply To: 2300

Date: FEB 3 1995

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

Dear Ms. Rasco:

I recently was requested by U.S. Department of Agriculture's Acting Secretary Jim Lyons, to serve on his behalf on the National Disability Policy Review Team. I very much look forward to this unique opportunity, and hope that both my background as a consumer of accessible services and as a senior level GS Government employee will contribute to your effort.

I have been championing program and service accessibility opportunities with the USDA Forest Service over the past 18 years, serving in a national leadership role for the past 4 years. The agency is globally the single largest provider of outdoor recreation, ranging from campgrounds, trails, fishing, scenic viewing, to activities and services provided through Recreation Service Partnerships such as snow skiing and outfitter and guides. Please find enclosed a briefing on this program and a biographical sketch for your background. I look forward to participating in this review.

I understand that the USDA Assistant Secretary for Administration, Wardell Townsend, has made a request of the Department's Office of Civil Rights Enforcement to prepare a report addressing your requests outlined in your memo to the National Disability Policy Review Team, dated January 18, 1995.

Over the past 2 years, I have served by Secretary appointment, on the USDA Secretary's Senior Executive Advisory Committee on Disability Issues. In addition to the quality programs the USDA Forest Service has put into action, I am also aware of other Departmental programs. Do to the recent appointment, time does not permit me to personally see to the formulation of the Departmental response to your request. So I have enclosed some background materials on those programs and services at USDA which I feel are of high merit.

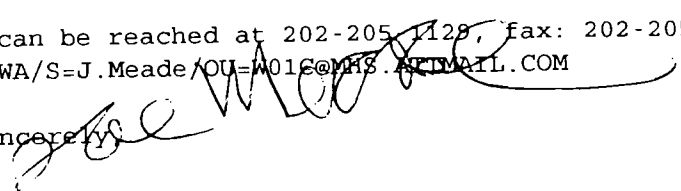
I hope this is useful, and again I look forward to serving my Acting Secretary in carrying out this assignment.

Ms. Carol Rasco

2

I can be reached at 202-205-1128, fax: 202-205-1145; and on the internet at  
FSWA/S=J.Meade/OU=4016@MHS.ARTMAIL.COM

Sincerely,



JOE MEADE  
USDA Forest Service Developed Sites And  
Accessibility Program Leader

Enclosures

## BIOGRAPHICAL BACKGROUND

### **Joe Meade**

National Recreation Developed Sites and Accessibility Program Leader

Recreation, Heritage, and Wilderness Resources

In 1994, Joe Meade was selected as the USDA Forest Service's National Program Leader for Recreation Developed Sites, located in Washington, D.C. In addition, he continues to provide program leadership for Universal Designs for Accessibility, a program he reported to the Washington Office in 1991 to establish. In 1993, Joe was appointed by the Agency's Chief to serve on the Agency's highest level management team, Chief and Staff. He now serves on the USDA Secretary's Advisory Committee on Disability issues. Prior to joining the Recreation Staff in the Washington Office, he was the Public Affairs Officer and Forest Management team member on the Ochoco National Forest, Pacific Northwest Region. He began his career with the Forest Service in 1977 on the Deschutes National Forest, working in Interpretive Services, employed at a Forest Service visitor's center. Later, branching into Public Affairs, he served as an Assistant PAO and Forest Public Affairs Officer.

He is qualified as an Incident (fire) Information Officer, serving on a National Fire Team for 5 years and has been involved in a number of campaign assignments. He was appointed by the Governor of Oregon as chair of the State's Blind Commission, overseeing vocation rehabilitation and as representative on the State's Independent Living Council.

In 1994, Joe received the USDA Secretary's Honor Award for his efforts in establishing a highly successful Accessibility program. In 1986, Joe received the Presidential Award as the USDA's National Disabled Employee of the Year. He received a similar award from the State of Oregon in 1978.

Joe has two children: daughter Kami and son Jory. Prior to moving to Washington, D.C., they lived on a farm in Oregon and enjoyed horseback riding, camping, and snow skiing.

Most recently Joe has actively been working with the Architectural and Transportation Barriers Compliance Board and the National Ski Area Association collaboratively pioneering new Program and Service Delivery guidelines and construction guidelines, integrating accessibility into outdoor recreation developed sites, recreation trails, ski areas, facility developments, and in addressing the Americans With Disabilities Act requirements into associated Agency policies.

## USDA FOREST SERVICE - ACCOMPLISHMENTS FY 1994

The mission of the Forest Service is captured in the phrase, "Caring for the Land and Serving the People." As set forth in law, the mission is to achieve quality land management under the sustainable multiple-use management concept to meet the diverse needs of people. The Forest service advocates a conservation ethic in promoting the health, productivity, diversity and beauty of the forests and associated lands while listening to people and responding to their diverse needs, one of which is access to the outdoors.

In response to the Forest Service's commitment to providing access to the outdoor environment the position of National Accessibility Program Leader was created. Joe Meade filled this position in 1990. Since that time the program has grown to include accessibility coordinators in all 9 regions, accessibility champions, and accessibility coordinators on most of the agency's forests. The philosophy behind the accessibility program is that of customer choice. This affords the customer dignity, independence and social integration.

Most outdoor recreationists have the freedom to choose the type of recreation activity they want, the setting they want it in, and the personal level of challenge they desire for a quality recreation experience. People are drawn to the national forests for different reasons. Some seek the solitude of the primitive backcountry; others seek, a rustic campsite nestled in the woods; still others seek, a social setting with convenient facilities. It is simply a matter of choice!

Yet, for millions of Americans, choices for a desired recreation experience are limited. Historically, recreation facilities and programs were created by traditional design for the "average" person, which usually excluded people with disabilities. Thus, many people have become conditioned to viewing the great outdoors as inaccessible.

Recreation uses and customer expectations have changed. Recreationists, land managers, and designers are recognizing that all people should have the opportunity to participate in outdoor recreation. In response to this, the USDA Forest Service established a public private partnership with Play and Learning in Adaptable Environments, Inc. PLAE is a multi-disciplinary, non-profit organization. Together the Forest Service and PLAE collaborated on and developed the award winning book, Universal Access to Outdoor Recreation: A Design Guide. This state-of-the-art design guide is breaking new ground in the area of accessibility by focusing on integrating universal design into all outdoor recreation environments.

The philosophy and guidelines presented in Universal Access to Outdoor Recreation relate customers' expectations and choices with accessibility. Just as people seek different recreation opportunities and experiences in the national forests, so do their expectations of accessibility vary. To ensure that a diversity of recreation settings and customer expectations are considered, the Forest Service and other natural resource management agencies use the Recreation Opportunity Spectrum (ROS), an innovative recreation management and planning tool that divides outdoor recreation settings and levels of accessibility into four broad categories: urban/rural (easier), roaded natural (moderate), semi-primitive (difficult), and primitive (most difficult).

The development of the design guide has provided critical information on design guidelines to Forest Service Landscape Architects, Engineers, and Recreation Managers to name a few. In addition to the provision of design standards it captures the philosophy of the accessibility initiative providing direction and further supporting the agency's commitment to access for all ages ability and cultures.

The need for programmatic access underscores the importance of ensuring that service providers are sensitive to the needs of persons with disabilities and understand the vital importance of providing this access. Training and exposure to the issues and concerns of universal access is critical. Universal design improves the program and service for everyone.

The following lists projects the Forest Service has been actively involved in over the past year:

- \* Final development and production of the book, *Universal Access to Outdoor Recreation: A Design Guide*, in partnership with MIG Communications.

- \* **Training:**

This year the Forest Service in conjunction with the University of Minnesota and Wilderness Inquiry will offer for the third year a comprehensive universal design shortcourse entitled *Universal Design and the Outdoor Recreation Environment*. The course is divided into seven curriculum modules designed to lead participants systematically through the concepts and skills needed to understand and utilize universal design principles.

Part I focuses on an introduction to major themes and concepts of universal design.

Part II focuses on removing attitudinal barriers with the objective being to develop a common understanding to the needs and interests of persons with disabilities.

Part III focuses on universal programs and services. This is designed to help the student understand the legal rationale for Universal Design, the conceptual framework for insuring equal program participation, and the applications of Universal Design for interpretive services.

Part IV presents a comprehensive over view of the Design Guide for Universal Access to Outdoor Recreation, and its relation to the Recreation Opportunity Spectrum, benefits-based management and customer expectations.

Part V provides participants with an opportunity to experience field applications of Universal Design in programs and activities.

Part VI emphasizes the specific application of the concepts and skills learned in the first half of the course.

Part VII concludes with a presentation of ideas and materials participants can use to take the principles of universal design back to their home regions or agencies.

**\* Outfitters and Guides:**

The Forest Service has established a partnership with Wilderness Inquiry Inc., and America Outdoors, an association of trade outfitters. Through this challenge cost share agreement, the outfitter industry and the Federal public land management agencies are developing a handbook to assist outfitters and guides in providing universal access to their programs and services.

**\* Access Guidelines for the Ski Industry:**

Currently the American Ski federation (AFS), and the National Ski Area Association (NSAA), have joined forces with the USDA Forest Service to collaboratively develop access guidelines for the ski industry. This effort reflects not only a legal response to requirements of the ADA, but also the industry's view that providing accessible facilities makes good business sense. Developing guidelines together will create workable solutions which focus on quality customer service.

**\* Accessing the Wilderness:**

A partnership involving the National Council on Disability and Wilderness Inquiry Inc. produced a Congressionally mandated report on Wilderness Accessibility for People with Disabilities. This study, presented to the President and Congress, focused on lands managed under the National Wilderness Preservation System (NWPS). The report concluded that people with disabilities were as concerned with protecting the integrity of the wilderness as non-disabled individuals; accessibility should be a secondary consideration to the preservation and protection of the environment in the NWPS.

**\* Access Board:**

For the past year Joe Meade has served as a member of the Recreation Access Advisory Committee. During that time period the Forest Service was actively involved on the Developed Outdoor Recreation Subcommittee in developing recommendations and guidelines. The ATBCB has published notice of the availability of the recreation guidelines in the Federal Register.

**\* Sheldon Coleman Awards Banquet:**

The Forest Service created and provided a comprehensive display on access to the outdoors for the awards banquet. This display reached approximately 300 of the chief CEO's of major recreation providers such as, Disney, Fleetwood, and Coleman.

**\* National Press Conference:**

On June 15, 1994 a National Press Conference on Access to America's Great outdoors was sponsored by Assistant Secretary Jim Lyons, and the White House. This press conference introduced the book, "Universal Access to Outdoor Recreation: A Design Guide" to the public. The press conference went on to highlight the Forest Service's philosophy and commitment to universal design for accessibility in outdoor environments. An outgrowth of the conference has been a multitude of calls and letters, including the Washington Post and the Congress Universal Access Caucus, requesting additional information.

**\* Western Governor's Conference - June 1994:**

During an event sponsored by the American Recreation Coalition the Forest Service had the opportunity to brief a group of western governors on universal design and the outdoor environment. Once again this served as an outlet to highlight and encourage a philosophy of access to the out of doors.

**\* Surveys and Transition Planning:**

Over the past three years the Forest Service has been surveying it's near 15,000 developed sites for accessibility. This has included picnic areas, campgrounds, fishing facilities, equestrian facilities, visitor information facilities and many more. This information is being compiled and transition plans are being completed for each of the National Forest.

**\* Directory of Accessible Sites:**

An outgrowth of the surveys and transition planning is that of a directory of accessible outdoor recreation sites. The directory is currently in the planning phase and will be available in FY 95.

**\* Catalogue of Universally Designed Products:**

Plans are underway to develop a comprehensive catalogue of universally designed products for use in outdoor recreation and facility construction. Such a book is currently not available and is in high demand to meet the new design ethic.

**Interagency Council on the Homeless****Fax Number: (202) 708-3672      Phone: (202) 708-1480****From:** Marsha A. Martin**Date:** 2-10-95**Number of Pages (Including this cover sheet):** 3**Message:** FYI**To: Policy Group Members**

|                             |                    |
|-----------------------------|--------------------|
| Agriculture                 | Shirley R. Watkins |
| Commerce/Census Bureau      | William Butz       |
| Corp. for Nat/Community Svc | Susan Stroud       |
| Defense                     | Steve Kleiman      |
| Education                   | Judy Wurtzel       |
| Energy                      | William Raup       |
| FEMA                        | Dennis Kwiatkowski |
| FmHA                        | Deborah Matz       |
| GSA                         | Marjorie Lomax     |
| HHS                         | Jerry Britten      |
| HUD                         | Andrew Cuomo       |
|                             | Jacquie Lawing     |
| Interior                    | Shayla Simmons     |
| Justice                     | Kerry Scanlon      |
| Labor                       | Raymond Uhalde     |
| OMB                         | Kenneth Ryder      |
| Transportation              | Charlotte Adams    |
| USPS                        | Laurie Weiner      |
| Veterans Affairs            | Dale Renaud        |
| White House/Domestic        | Jeremy Ben-Ami     |
| Policy Council              | Elisabeth Cohen    |
| White House/Mrs. Gore       | Araceli Ruano      |



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
THE SECRETARY  
WASHINGTON, D.C. 20410-0001

February 8, 1995

MEMORANDUM FOR: MEMBERS OF THE INTERAGENCY COUNCIL ON THE  
HOMELESS (See Attached List)

FROM: Henry G. Cisneros, Chairman of the Interagency Council  
on the Homeless *Henry Cisneros*

SUBJECT: Appointment of Tipper Gore as Special Advisor to the  
Interagency Council on the Homeless

On behalf of the Council's leadership, I am pleased to announce the appointment of Mrs. Tipper Gore as Special Advisor to the Interagency Council on the Homeless. She will have full membership status equal to that of the 17 member agencies and will serve in a leadership capacity.

The Council has benefited from Mrs. Gore's advice and expertise in the area of mental health and homelessness during the past two years. Her participation in events such as the release last May of Priority: Home! The Federal Plan to Break the Cycle of Homelessness has enhanced our ability to communicate with the public and develop sound policies. In addition, her staff has actively participated in the Council's Policy Group meetings and in the development of special initiatives.

Mrs. Gore's leadership skills will enhance significantly the Council's ability to improve both the effective delivery of Federal homeless assistance resources and program coordination at the State and local level. Her appointment is effective immediately. I look forward to her participation in our future meetings.

I want to take this opportunity to thank you again for the ongoing support which you have provided to the Council through the program resources and technical assistance available from your agencies.

Attachment



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
THE SECRETARY  
WASHINGTON, D.C. 20410-0001