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ADA [Americans with Disabilities Act] Anniversary, FDR [Franklin Delano Roosevelt] Memorial,
July 26, 2000

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July 25, 2000
10th Anniversary of the American with Disabilities Act

DATE: July 26, 2000
LOCATION: FDR Memorial
BRIEFING TIME: 10:15am – 10:20am
EVENT TIME: 10:35am – 11:35am
FROM: Mary Beth Cahill
Bruce Reed

I. PURPOSE

To commemorate the 10th Anniversary of the American with Disabilities Act (ADA), demonstrate the Administration's commitment to disability issues, highlight the Administration's accomplishments, and unveil new initiatives.

II. BACKGROUND

On July 26, 2000, people throughout the country will celebrate the 10th Anniversary of the ADA, which was signed into law by President Bush on the South Lawn on July 26, 1990. A variety of activities have been planned, by public as well as private groups, for the weeks leading up to and following the July 26 anniversary.

For people with disabilities, the ADA is analogous to the Civil Rights Act of 1964. It provides the basic foundation of nondiscrimination against people with disabilities – in the areas of employment, state and local governments, public accommodations, and telecommunications. The Supreme Court has issued several rulings on the ADA in recent months – with mixed results for the rights of people with disabilities. The Court will hear a case this fall that could rule on the constitutionality of the ADA's application to states.

For more than a year, advocates have been organizing a nationwide, coordinated celebration of the ADA 10th Anniversary: "The Spirit of ADA Torch Relay." The national host organization is the American Association of People with Disabilities (AAPD). The Torch Relay includes: 1) a "Spirit of ADA" Pledge renewing commitment to the rights of people with disabilities; and, 2) a nationwide torch relay from June 11 to August 7, with local events held at 24 relay sites (beginning in Houston, then traversing the country from San Francisco to New York). The Vice President, Members of the Cabinet and other Administration officials have participated in relay sites across the country. The "Spirit of ADA" Torch officially arrived in Washington, D.C. yesterday at an event held at the FDR Memorial. Tony Coelho and other dignitaries participated in this ceremony. Justin Dart will present you with a replica of the ADA torch.

Today you will unveil new steps that your Administration is taking to advance the rights of people with disabilities as full participants in society and preserve the spirit and intent of the ADA, which include:

ASSISTING DISABLED SOCIAL SECURITY BENEFICIARIES WHO ARE WORKING OR WANT TO GO TO WORK. These proposals reflect the ADA's focus on helping individuals with disabilities to fully participate in the workforce by reducing the barriers that Social Security beneficiaries face when they return to work.

- **Automatically adjusting the Substantial Gainful Activity (SGA) level for individuals with disabilities.** To encourage additional disabled individuals to return to work with enhanced security, you are proposing to increase the SGA levels to reflect the annual increases in the national average wage index. Since the beginning of the Social Security disability program in 1956, there have been no regularly scheduled increases in SGA, and last year, your Administration increased the amount Social Security disability beneficiaries can earn and continue to receive their benefits from \$500 to \$700 per month. Each year, approximately 400,000 disability beneficiaries participate in the workforce, and many hesitate to work because they cannot afford to give up critical benefits.
- **Increase the amount of monthly earning that count during a trial work period for Social Security beneficiaries who go to work.** This increase will encourage beneficiaries with disabilities to contribute their talent and energy to the workforce and test their ability to maintain a level of work activity without affecting their disability benefits by increasing from \$200 to \$530 the minimum amount of monthly earnings that count toward a monthly work period. In the future, the amount will be automatically adjusted based on any annual increases in the national average wage index.

INCREASING THE OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES TO BE EMPLOYED IN THE FEDERAL GOVERNMENT. You will issue an Executive Order calling on Federal agencies to hire 100,000 people with disabilities over a five-year period. This will exceed current hiring trends by 60 percent, and reflects your Administration's strong commitment to making the Federal government a model employer by recruiting a diverse and well-qualified workforce. You will also direct Federal agencies to establish effective procedures for processing requests for reasonable accommodation by employees and job applicants with disabilities to enable a person with a disability to enjoy equal employment opportunities. Finally, you will call on Federal agencies that already operate customer service centers to identify positions that could be relocated to home-based or off-site facilities. If the agencies determine that it is feasible and appropriate to establish home-based positions, they are then required to develop a plan and guidelines that encourage the recruitment and employment of individuals with disabilities for such positions.

RENEWING THE FEDERAL GOVERNMENT'S COMMITMENT TO ENSURING THAT FEDERAL PROGRAMS ARE FREE FROM DISABILITY-BASED DISCRIMINATION. You will direct all Federal agencies to engage in a plan to ensure that today's Federal programs are free from disability-based discrimination, using specific steps designed by the Department of Justice and the Equal Employment Opportunity Commission (EEOC) to reach this important goal.

ACCESS AMERICA FOR PEOPLE WITH DISABILITIES WEBSITE. You will announce a new website, *Access America for People with Disabilities* - www.disAbility.gov. - that will serve as a "one-stop" electronic link to an enormous range of useful information to people with disabilities and their families. The website contains information relating to children and youth; employment, self employment and entrepreneurship; transportation; health care and long term services and supports; choice and self-determination; recreation and travel; civil rights and protections; college, adult and vocational education; housing; technology; income supports; tax credits and deductions; disability statistics; and emergency preparedness.

SUPPORTING LEGISLATION TO INCREASE ACCESS TO MEDICAID FOR WORKING FAMILIES WITH DISABLED CHILDREN. Today, you will applaud the bipartisan efforts by members of Congress to pass the Grassley- Kennedy- Sessions- Waxman Family Opportunity Act of 2000, sponsored by a bipartisan majority in the Senate and a growing coalition in the House. This bill, which is the next logical step beyond the Jeffords-Kennedy Work Incentives Improvement Act, creates a new Medicaid buy-in option and will help thousands of children with disabilities that lose their Medicaid coverage because of increased family income due to employment. It will also include a time-limited demonstration that extends Medicaid coverage to children who have a disabling condition that, without health care coverage, would cause them to become so severely disabled as to be eligible for SSI.

The First Lady will unveil several initiatives to address the barriers to employment for youth with disabilities, which include: 1) increasing the amount that students who receive SSI can earn while continuing to receive SSI benefits from \$400 to \$1,290, and the yearly exclusion from \$1,620 to \$5,200; 2) amending your Executive Order that established the Presidential Taskforce on Employment of Adults with Disabilities to create the Youth to Work Initiative to focus the mission on the important issue of helping young people make the transition from school to work; and 3) creating a public-private partnership with a variety of corporations to help ensure that youth with disabilities are afforded the employment opportunities needed to lead to meaningful careers.

HELPING DISABLED INDIVIDUALS LIVE AND WORK IN THEIR COMMUNITIES. Yesterday, Vice President Gore announced that your Administration would launch a series of major new initiatives designed to promote the delivery of home- and community-based care for people with disabilities of all ages. These initiatives include a new \$50 million investment in FY 2001 to help states more easily offer services to people with disabilities of all ages in the setting most appropriate to their needs; new guidance to state Medicaid directors to help them comply with the recent *Olmstead*

Supreme Court ruling requiring Medicaid coverage for home and community based services; and a new public-private partnership between the Administration and the Robert Wood Johnson Foundation to help individuals with disabilities in institutional settings transition into community-based care. In addition, the Vice President announced new action to increase home ownership; expand incentives for employment for individuals with disabilities to a broader range of housing assistance programs; and promote the development of new assistive technology for people with disabilities.

URGING CONGRESS TO ACT NOW ON NATIONAL PRIORITIES FOR PEOPLE WITH DISABILITIES. You will call on Congress to act now on national priorities that will address the unique needs of individuals with disabilities and are fully funded in your budget, including:

- **A new \$1,000 tax credit to offset the formal and informal employment related costs incurred by working people with disabilities.**
- **A new \$3,000 long-term care tax credit.**
- **Providing an affordable, accessible Medicare prescription drug benefit option for all beneficiaries.**
- **A strong, enforceable Patients' Bill of Rights.**
- **Establishing an Office of Disability Policy.** You will express support for the establishment of an Office of Disability Policy within the Department of Labor, and improving access for adults with disabilities to employment services offered through one-stop career center systems. Your budget includes \$21 million for the Office of Disability Policy, which was recommended by the Presidential Task Force on Employment of Adults with Disabilities.

III. PARTICIPANTS

Pre-brief:

Mary Beth Cahill
Bruce Reed
Loretta Ucelli
Terry Edmonds
Eric Gould
Kay Casstevens
Samir Afridi

Event Participants:

YOU

Mrs. Clinton
Senator Harkin
Senator Hatch
Justin Dart

V. SEQUENCE OF EVENTS

- **YOU** to the FDR Memorial and will be greeted by Vikki Keys, Deputy Superintendent, National Park Service and Rachel Frantum, Park Ranger.
- Off -stage announcement of **YOU**, accompanied by Mrs. Clinton, Senator Harkin, Senator Hatch and Justin Dart.
- Beth Gray will perform the National Anthem
- Mrs. Clinton will open the program and introduce Senator Harkin.
- Senator Harkin will make brief remarks and Senator Hatch
- Senator Hatch will make brief remarks and introduce Justin Dart
- Justin Dart will make brief remarks, present you with the ADA Ceremonial torch and introduce you.
- You will deliver remarks and depart the FDR Memorial.

VI. MEDIA

Open Press.

VII. REMARKS

Provided by Speechwriting.

VIII. ATTACHMENTS

Justin Dart bio

Beth Gray bio

Short bios of stage participants

Justin Dart – Community Activist

Justin Dart, Jr., 1998 recipient of the Presidential Medal of Freedom, has recorded five decades of advocacy for human rights in U.S.A., Mexico, Japan and other nations. He has served five gubernatorial, one Congressional and five Presidential appointments in the area of disability policy. He has founded and acted as the CEO of two small businesses and one that started with four persons, and grew to 26,000 employees and sales representatives. During the past 20 years he has visited each of the fifty United States at least five times to advocate for the passage and implementation of the historic Americans with Disabilities Act, and the empowerment of people with and without disabilities. In 1993 he resigned as Chairman of the President's on Employment of People with Disabilities in order to be a full time advocate for a society that empowers all to live their God given potential. In 1999 the Smithsonian Institution asked for and received his trademark cowboy hat and boots, his pen that signed the ADA and his Freedom of Medal.

Beth Gray - Vocalist

Beth Gray is a 19 year old vocalist from North Little Rock, Arkansas, who has Optic Nerve Hypoplasia. In high school, she was listed in Who's Who Among American High School Students, was named Most Talented Female, and was a member of the Tri-M Music Honor Society. As a sophomore at Ouachita Baptist University, in Arkadelphia, Arkansas, Beth is on a vocal scholarship and is majoring in Choral Music Education. An active member of the Ouachita Singers, Ouachita Concert Choir, EEE Women's Social Club, and the Baptist Student Union, she hopes to one day become a professional musician or an elementary music teacher. Beth is a 2000 Panasonic Young Soloist Award recipient, and has had opportunities to perform at the Kennedy Center and the Russian Embassy hosted by VSA arts. Earlier this year Beth was crowned Miss West Central Arkansas. Most recently she competed in the Miss Arkansas Pageant where, in addition to a top 10 finish, she won best newcomer talent and newcomer total points categories.

Marques (*pronounced Mark*) Moore of Austin, Texas, became quadriplegic in a bullriding accident in 1990. Marques is currently a law student at University of Texas and plans to pursue a career in public interest civil rights work. Since his accident, Marques has become very involved in the disability community, including serving on the Kentucky Statewide Independent Living Council, advocating for disability awareness, and counseling rehab patients throughout the United States. Mark is currently a legal intern at OPM.

Meira Kirschbaum, age 11 of Montgomery County, MD is a deaf student in the at Maryland School for the Deaf . Meira participates in various activities, including an integrated county sports program. Meira also enjoys reading and is fluent in American Sign Language. One day, she hopes to become a veterinarian.

Lynn Amelia “Amy” Herstein, age 13, is a blind seventh grader at Don Logan Middle School in Ellicott City, Maryland. Lynn, is enrolled in mainstream classes and also receives instruction to learn Braille. Lynn is also very active in her school, where she participates in the Chorus, has worked on a school television production and makes the morning announcements to the school over the loud speaker each day.

Mathew Cavedon, age 10 of Bloomfield, Connecticut, who uses a wheelchair, was instrumental in getting Hadley’s Playground off the ground. Hadley's Park Inc., is a non-profit organization dedicated to constructing unique playgrounds that allow all children, with and without disabilities, to play together. Hadley's Playground, the one acre boundry-less playground, is the first and model park, located in Potomac, Maryland.

Anthony Thomas Adkins, age 26, of Arlington, VA has cerebral palsy and presently lives with his mother. Currently, he volunteers at the Endependence Center, in Arlington, VA a disability resource library, where he is helping to create an online version of the resource library. From this experience, Anthony hopes to learn professional skills and eventually become more independent.

Aaron Kaufman, age 13 of Montgomery County, MD, is in the seventh grade. Aaron, who is orthopedically impaired and learning disabled and hopes to one day serve in the U.S. House of Representatives. He toured synagogues throughout the area to test their accessibility.

Gwyn Hanley, age 11, attends Woodley Hills Elementary School in Fairfax, Virginia and was diagnosed with severe Attention Deficit Hyperactive Disorder at a young age. With her parents’ commitment and her individual perseverance, Gwyn has been able to enroll in mainstream classes and, last year, made the Honor Roll.

Lurdes Graciela Avila, age 18, is an autistic student and currently works at a local McDonald's during her free time. With the guidance of her mother and father, and the assistance of her teachers and counselor, Lurdes is planning to attend a special program at Belair Community College, Maryland after graduation.

Goyo Stinschfield, age 24, from Strong, Maine, is a quadriplegic student at the University of Maine, where she majors in Rehabilitation Counseling and Substance Abuse Studies and is very active in youth leadership activities.

Alyssia Rodriguez, age 12, attends New York Public School PS 199 in Manhattan, NY. Alyssia was cast as the lead role in UCP's new Public Education television ad. Alyssia experienced a powerful and positive impact from involvement in the UCP television ad. With her growth in confidence, Alyssia is now being included in a regular reading class at her school, with the plan to transition to other classes with her non-disabled classmates.

**PRESIDENT CLINTON AND THE FIRST LADY COMMEMORATE THE 10TH
ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT
Announce New Action to Expand Employment Opportunities and
Ensure Equality for Individuals With Disabilities
July 26, 2000**

Today, in an event at the FDR Memorial, President Clinton with the First Lady and leaders of the disability community will celebrate the 10th Anniversary of the Americans with Disabilities Act (ADA) and take new action to further the goals of the ADA by: increasing Federal employment opportunities for people with disabilities; ensuring that Federal agencies establish effective procedures for addressing reasonable accommodation requests and that federal programs are free from disability-based discrimination; and reducing the barriers that Social Security beneficiaries face when they return to work. The President will also announce his intention to work with the Congress in the context of an overall budget framework to enact legislation that builds on the success of the Work Incentives Improvement Act by allowing children with disabilities to continue their Medicaid coverage even if their parents have returned to work. Finally, the President will unveil the Access America for People with Disabilities website created to provide quick access to services and other resources for people with disabilities and their families. Today the First Lady will announce a series of initiatives to improve and increase opportunities for young people with disabilities to successfully transition to work and achieve independence. Yesterday, Vice President Gore announced a number of initiatives to provide home and community based options for people with disabilities who frequently have no choice but institutionalization. These announcements build on the Clinton/Gore Administration's commitment to advancing the rights of people with disabilities as full participants in all of society and preserving the spirit and intent of the ADA.

ASSISTING DISABLED SOCIAL SECURITY BENEFICIARIES WHO ARE WORKING OR WANT TO GO TO WORK. The President's announcements reflect the ADA's focus on helping individuals with disabilities to fully participate in the workforce by reducing the barriers that Social Security beneficiaries face when they return to work.

- **Automatically adjusting the Substantial Gainful Activity (SGA) level for individuals with disabilities.** The Administration proposes to encourage additional disabled individuals to return to work with enhanced security by increasing the SGA levels to reflect the annual increases in the national average wage index. Since the beginning of the Social Security disability program in 1956, there have been no regularly scheduled increases in SGA. Last year, the Administration increased the amount that Social Security disability beneficiaries can earn – from \$500 to \$700 per month – and continue to receive their benefits. Each year, approximately 400,000 disability beneficiaries participate in the workforce. Many hesitate to work because they cannot afford to give up critical benefits.
- **Increase the amount of monthly earning that count during a trial work period for Social Security beneficiaries who go to work.** This increase will encourage beneficiaries with disabilities to contribute their talent and energy to the workforce and test their ability to maintain a level of work activity without affecting their disability benefits by increasing from \$200 to \$530 the minimum amount of monthly earnings that count toward a monthly work

period. In the future, the amount will be automatically adjusted based on any annual increases in the national average wage index.

INCREASING THE OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES TO BE EMPLOYED IN THE FEDERAL GOVERNMENT.

The President will issue an Executive Order calling on Federal agencies to hire 100,000 people with disabilities over a five-year period. This ambitious commitment exceeds current hiring trends by 60 percent, reflecting this Administration's strong commitment to making the Federal government a model employer by recruiting a diverse and well-qualified workforce. The President believes that the Federal government is ready to meet this challenge. This Executive Order calls on agencies to recruit individuals with disabilities for the full range of levels and occupations in the Federal government. The President will also direct Federal agencies to establish effective procedures for processing requests for reasonable accommodation by employees and job applicants with disabilities. A reasonable accommodation is any change in the work environment or in the way a job is performed that enables a person with a disability to enjoy equal employment opportunities. Although many individuals with disabilities can apply for and perform jobs without any reasonable accommodations, workplace barriers – whether physical or procedural – may keep others from performing jobs that they could do with some form of accommodation. Finally, to harness the power of new technologies to promote employment of people with significant disabilities, the President will call on Federal agencies that already operate customer service centers to identify positions that could be relocated to home-based or off-site facilities. If the agencies determine that it is feasible and appropriate to establish home-based positions, they are then required to develop a plan and guidelines that encourage the recruitment and employment of individuals with disabilities for such positions.

RENEWING THE FEDERAL GOVERNMENT'S COMMITMENT TO ENSURING THAT FEDERAL PROGRAMS ARE FREE FROM DISABILITY-BASED DISCRIMINATION.

The President will direct all Federal agencies to engage in a plan to ensure that today's Federal programs are free from disability-based discrimination, using specific steps designed by the Department of Justice and the Equal Employment Opportunity Commission (EEOC) to reach this important goal. As we celebrate the 10th anniversary of the ADA, we should renew our commitment to ensure that people with disabilities have equal employment opportunities within the Federal government and are fully able to participate in all Federal government programs.

ACCESS AMERICA FOR PEOPLE WITH DISABILITIES WEBSITE. In keeping with President Clinton and Vice President Gore's vision of using information technology to increase and improve customer service, the President announced a new website, *Access America for People with Disabilities* - www.disAbility.gov. - that will serve as a "one-stop" electronic link to an enormous range of useful information to people with disabilities and their families. The website contains information relating to children and youth; employment, self employment, and entrepreneurship; transportation; health care and long term services and supports; choice and self-determination; recreation and travel; civil rights and protections; college, adult and vocational education; housing; technology; income supports; tax credits and deductions; disability statistics; and emergency preparedness.

ANNOUNCING SUPPORT FOR LEGISLATION TO INCREASE ACCESS TO MEDICAID FOR WORKING FAMILIES WITH DISABLED CHILDREN. Today, the President will applaud the efforts of bipartisan members of Congress to pass the Grassley- Kennedy- Sessions- Waxman Family Opportunity Act of 2000 (S. 2274 and HR 4825), sponsored by a bipartisan majority in the Senate and a growing coalition in the House. This bill, which is the next logical step beyond the Jeffords-Kennedy Work Incentives Improvement Act, creates a new Medicaid buy-in option and will help thousands of children with disabilities who lose their Medicaid coverage because of increased family income due to employment. It will also include a time-limited demonstration that extends Medicaid coverage to children who have a disabling condition that, without health care coverage, would cause them to become so severely disabled as to be eligible for SSI. The President will announce that he will work with the Congress to enact legislation that achieves these goals in the context of a fiscally responsible budget framework.

ADDRESSING BARRIERS TO EMPLOYMENT FOR YOUTH WITH DISABILITIES. The First Lady will announce a series of steps to help young people successfully transition from education to employment including:

- **Helping to bridge the transition from education to employment for students with disabilities.** Young people with disabilities face enormous challenges when transitioning from education to employment. The First Lady announced the Administration's plan to increase the amount that students who receive SSI can earn while continuing to receive the important protection SSI provides. The Administration will increase the maximum monthly earned income exclusion for students who receive Supplemental Security Income from \$400 to \$1,290 and the yearly exclusion from \$1,620 to \$5,200. The Administration is proposing to automatically adjust these amounts thereafter based on any annual increases in the cost-of-living index.
- **Working with youth to reach adult employment: the youth to work initiative.** Recognizing that starting early is key to helping adults with disabilities gain employment skills and thrive in the workplace, the First Lady will unveil a new interagency Youth to Work Initiative. This Initiative would be created by amending the Executive Order that established the Presidential Taskforce on Employment of Adults with Disabilities to focus the mission on the important issue of helping young people make the transition from school to work. Youth with disabilities who want to enter the workforce face many barriers to employment, including low educational attainment, as well as low educational and employment expectations. Under the structure of the Taskforce, the Youth to Work Initiative will strengthen interagency research, demonstration projects, and education and training activities for youth to work activities. It will create a public awareness campaign to focus on youth with disabilities and reduce the stigma of their entering the workforce. To ensure fairness, this Initiative will ensure that youth with disabilities are included in all youth programs in federal agencies. To help ease the transition to work, it will explore how to increase access to health care and postsecondary education and training for youth going to work.
- **Able to work consortium to help youth with disabilities access job opportunities.** The Presidential Taskforce on the Employment of Adults with Disabilities has worked with several

major corporations to begin a public-private partnership that will help ensure that youth with disabilities are afforded the employment opportunities needed to lead to meaningful careers. These corporations, representing technology, pharmaceuticals, banking and investment, manufacturing, and communications, have volunteered to lead by example and demonstrate to other major corporations the importance and viability of hiring young people with disabilities. These pioneering companies will actively serve as mentors to other companies hiring youth with disabilities.

HELPING DISABLED INDIVIDUALS LIVE AND WORK IN THEIR COMMUNITIES.

Yesterday, Vice President Gore announced that the Clinton-Gore Administration will launch a series of major new initiatives designed to promote the delivery of home- and community-based care for people with disabilities of all ages. These initiatives include a new \$50 million investment in FY 2001 to help states more easily offer services to people with disabilities of all ages in the setting most appropriate to their needs; new guidance to state Medicaid directors to help them comply with the recent *Olmstead* Supreme Court ruling requiring Medicaid coverage for home and community based services; and a new public-private partnership between the Administration and the Robert Wood Johnson Foundation to help individuals with disabilities in institutional settings transition into community-based care. In addition, the Vice President also announced new action to increase home ownership; expand incentives for employment for individuals with disabilities to a broader range of housing assistance programs; and promote the development of new assistive technology for people with disabilities.

WORKING TO ACHIEVE THE GOALS OF THE ADA. Throughout this Administration, President Clinton and Vice President Gore have worked hard to achieve the ADA's core goals – equality of opportunity, full participation, independent living, and economic self-sufficiency. This Administration has vigorously defended the ADA in court cases across the Nation; collaborated with State Medicaid directors to implement the Supreme Court's 1999 *Olmstead* decision, which prohibits unjustified isolation of institutionalized persons with disabilities; helped ensure that 80 percent of America's public transit buses are now accessible; implemented the Ticket to Work and Work Incentives Improvement Act, which the President signed into law last December; and developed far-reaching policies for a comprehensive, coordinated employment agenda through the Task Force on Employment of Adults with Disabilities

PRESIDENT URGES THE CONGRESS TO ACT NOW ON NATIONAL PRIORITIES FOR PEOPLE WITH DISABILITIES. The President will urge the Congress to act now on national priorities that will address the unique needs of individuals with disabilities and are fully funded in his budget, including:

- **A new \$1,000 tax credit to offset the formal and informal employment related costs incurred by working people with disabilities.** This tax credit would provide a new incentive for approximately 200,000-300,000 people with disabilities to begin working, and help those people with jobs maintain them. It would complement the Work Incentives Improvement Act and would be available to all people with disabilities, irrespective of their state Medicaid eligibility options. For participants in the Work Incentives Improvement Act Medicaid buy-in, this tax credit could pay for services not covered (e.g., assistive technology, transportation).

- **A new \$3,000 long-term care tax credit.** This initiative acknowledges and supports almost 2 million Americans with long-term care needs and the family members who care for them through a \$3,000 tax credit, an investment of \$27 billion over 10 years. This new tax credit supports the diverse needs of families by compensating a wide range of formal or informal long-term care for people of all ages with three or more limitations in activities of daily living (ADLs) or a comparable cognitive impairment.
- **Providing an affordable, accessible Medicare prescription drug benefit option for all beneficiaries.** The President has proposed a voluntary, affordable Medicare prescription drug benefit for all beneficiaries, including up to 5 million people with disabilities. Beginning in 2002, it would provide prescription drug coverage that would have a zero deductible and cover half of all prescription drug costs up to \$5,000 when fully phased in. It will also limit all out-of-pocket medication costs to \$4,000. This optional benefit would also provide negotiated discounts that would ensure that Medicare beneficiaries no longer pay the highest prices in the marketplace. The President's proposal is part of a broader set of reforms that would take the Medicare Trust Fund off budget, extend its life to at least 2030, make the program more efficient and competitive, and dedicate \$40 billion over 10 years to improve health care provider payment rates.
- **A strong, enforceable Patients' Bill of Rights.** This legislation endorsed by over 200 health care provider and consumer advocacy groups, is the only bipartisan proposal currently being considered that includes: protections for all Americans in all health plans; protections for patients accessing emergency room care from financial sanctions; requirements that all health plans ensure continuity of care for patients in the middle of a course of treatment; guarantees that assure access to necessary and accessible health care specialists; meaningful enforcement mechanisms that ensure recourse for patients who have been harmed as a result of a health plan's actions.
- **Establishing an Office of Disability Policy.** The Clinton-Gore Administration supports establishing an Office of Disability Policy within the Department of Labor, and improving access for adults with disabilities to employment services offered through one-stop career center systems. The President's FY 2001 budget includes \$21 million for the Office of Disability Policy, which was recommended by the Presidential Task Force on Employment of Adults with Disabilities.

 Alexander N. Gertsen
07/26/2000 06:52:39 PM

Record Type: Record

To:

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Subject: EXECUTIVE ORDER: Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

July 26, 2000

EXECUTIVE ORDER

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REQUIRING FEDERAL AGENCIES TO ESTABLISH PROCEDURES
TO FACILITATE THE PROVISION OF REASONABLE ACCOMMODATION

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Rehabilitation Act of 1973 (29 U.S.C. 701 *et seq.*), as amended, and in order to promote a model Federal workplace that provides reasonable accommodation for (1) individuals with disabilities in the application process for Federal employment; (2) Federal employees with disabilities to perform the essential functions of a position; and (3) Federal employees with disabilities to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities, it is hereby ordered as follows:

Section 1. Establishment of Effective Written Procedures to Facilitate the Provision of Reasonable Accommodation. (a) Each Federal agency shall establish effective written procedures for processing requests for reasonable accommodation by employees and applicants with disabilities. The written procedures may allow different components of an agency to tailor their procedures as necessary to ensure the expeditious processing of requests.

(b) As set forth in *Re-charting the Course: The First Report of the Presidential Task Force on Employment of Adults*

with Disabilities (1998), effective written procedures for processing requests for reasonable accommodation should include the following:

- (1) Explain that an employee or job applicant may initiate a request for reasonable accommodation orally or in writing. If the agency requires an applicant or employee to complete a reasonable accommodation request form for recordkeeping purposes, the form must be provided as an attachment to the agency's written procedures;
- (2) Explain how the agency will process a request for reasonable accommodation, and from whom the individual will receive a final decision;
- (3) Designate a time period during which reasonable accommodation requests will be granted or denied, absent extenuating circumstances. Time limits for decision making should be as short as reasonably possible;
- (4) Explain the responsibility of the employee or applicant to provide appropriate medical information related to the functional impairment at issue and the requested accommodation where the disability and/or need for accommodation is not obvious;
- (5) Explain the agency's right to request relevant supplemental medical information if the information submitted does not clearly explain the nature of the disability, or the need for the reasonable accommodation, or does not otherwise clarify how the requested accommodation will assist the employee to perform the essential functions of the job or to enjoy the benefits and privileges of the workplace;
- (6) Explain the agency's right to have medical information reviewed by a medical expert of the agency's choosing at the agency's expense;
- (7) Provide that reassignment will be considered as a reasonable accommodation if the agency determines that no other reasonable accommodation will permit the employee with a disability to perform the essential functions of his or her current position;
- (8) Provide that reasonable accommodation denials be in writing and specify the reasons for denial;
- (9) Ensure that agencies' systems of recordkeeping track the processing of requests for reasonable accommodation and maintain the confidentiality of

medical information received in accordance with applicable law and regulations; and

(10) Encourage the use of informal dispute resolution processes to allow individuals with disabilities to obtain prompt reconsideration of denials of reasonable accommodation. Agencies must also inform individuals with disabilities that they have the right to file complaints in the Equal Employment Opportunity process and other statutory processes, as appropriate, if their requests for reasonable accommodation are denied.

Sec. 2. Submission of Agency Reasonable Accommodation Procedures to the Equal Employment Opportunity Commission (EEOC). Within 1 year from the date of this order, each agency shall submit its procedures to the EEOC. Each agency shall also submit to the EEOC any modifications to its reasonable accommodation procedures at the time that those modifications are adopted.

Sec. 3. Collective Bargaining Obligations. In adopting their reasonable accommodation procedures, agencies must honor their obligations to notify their collective bargaining representatives and bargain over such procedures to the extent required by law.

Sec. 4. Implementation. The EEOC shall issue guidance for the implementation of this order within 90 days from the date of this order.

Sec. 5. Construction and Judicial Review. (a) Nothing in this order limits the rights that individuals with disabilities may have under the Rehabilitation Act of 1973, as amended.

(b) This order is intended only to improve the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, its employees, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
July 26, 2000.

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**PRESIDENT CLINTON AND THE FIRST LADY:
COMMEMORATING THE 10TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT**
July 26, 2000

"If we could just remember a few basic things: that everybody counts, everybody deserves a chance, everybody has a role to play, we all do better when we help each other. That's what this Memorial represents, that's what the ADA represents, that's America at its best."

President Bill Clinton
July 26, 2000

Today, at the Franklin Delano Roosevelt Memorial in Washington, DC, President Clinton and First Lady Hillary Rodham Clinton joined leaders of the disability community in celebrating the 10th anniversary of the Americans with Disabilities Act (ADA). The President announced several new actions to further the goals of the ADA, including increasing federal employment opportunities for people with disabilities; ensuring that federal programs are free from disability-based discrimination; and reducing the barriers that Social Security beneficiaries face when they return to work. The First Lady announced a series of initiatives to increase opportunities for young people with disabilities to successfully transition to work and achieve independence. Yesterday, Vice President Gore announced initiatives to provide home- and community-based options for people with disabilities who face institutionalization.

Increasing Employment Opportunities for Individuals with Disabilities. President Clinton took new action to further increase job opportunities within the federal government for people with disabilities. Today, the President:

- Issued an Executive Order calling on federal agencies to hire 100,000 people with disabilities over five years;
- Directed federal agencies to establish effective procedures for processing requests for reasonable accommodation by employees and job applicants with disabilities; and
- Directed federal agencies to ensure that federal programs are free from disability-based discrimination.

Reducing Barriers to Work for Social Security Beneficiaries. The President proposed to reduce the barriers that Social Security beneficiaries face when they return to work by:

- Automatically adjusting the amount that Social Security disability beneficiaries can earn while continuing to receive their benefits, relative to annual increases in the national average wage index; and
- Increasing the minimum amount of monthly earnings that count toward a monthly trial work period for Social Security beneficiaries who go to work.

Supporting the Family Opportunity Act. The President announced his support of the bipartisan Grassley-Kennedy-Sessions-Waxman Family Opportunity Act of 2000, which will help thousands of children with disabilities who lose their Medicaid coverage because of increased family income due to employment.

Unveiling "Access America" Website. The President announced a new website – *Access America for People with Disabilities* at www.disAbility.gov – that will provide a wide range of useful information for people with disabilities and their families.

Helping Youth With Disabilities Transition To Employment. The First Lady announced a series of steps to help young people with disabilities successfully transition from education to employment, including:

- A plan to increase the amount that students can earn and still receive Supplemental Security Income;
- A new interagency Youth to Work Initiative to help young people make the transition from school to work; and
- The Able to Work Consortium, a public-private partnership to help youth access job opportunities.

Urging Congress to Act Now on National Priorities. The President urged Congress to act now on national priorities that affect individuals with disabilities, including affordable, accessible Medicare prescription drug coverage for all beneficiaries, and a strong, enforceable Patients' Bill of Rights.

**PRESIDENT CLINTON AND VICE PRESIDENT GORE
WORKING ON BEHALF OF AMERICANS WITH DISABILITIES
ACCOMPLISHMENTS AT A GLANCE**

July 26, 2000

Creating the Presidential Task Force on Employment of Adults with Disabilities - Two

years ago, President Clinton created the Presidential Task Force on Employment of Adults with Disabilities, chaired by Secretary of Labor Alexis Herman, and charged the Task Force with developing a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate that is as close as possible to that of the general adult population. The heads of 18 cabinet and sub-cabinet agencies sit on the Task Force, and President Clinton and Vice President Gore have given its work the highest priority through accepting all the recommendations in the first and second reports from the Task Force.

Signing the Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA)

President Clinton supported and signed this important bill, making health insurance available and affordable when an individual with disabilities goes to work or develops a significant disability while working, and giving people with disabilities more choices and greater access to employment services and training.

*Dec.
1999* **Signing the Workforce Investment Act (WIA) of 1998** - President Clinton signed WIA, which provides the framework for a unique national workforce preparation and employment system designed to meet both the needs of the nation's businesses and the needs of job seekers and those who want to further their careers. It also included reauthorization of the Rehabilitation Act, adding stronger linkages between the vocational rehabilitation system and the general workforce development system so that people with disabilities have increased employment training and job options. Changes to Section 508 of the Rehabilitation Act also strengthened the obligations of the Federal government to provide accessible information technology to their employees and customers, thus enabling the Federal government to use its considerable purchasing power to move private industry toward developing universally designed technology that is accessible to almost everyone.

Reauthorizing the Individuals with Disabilities Education Act (IDEA) to Support Quality

Education for Children with Disabilities - In 1997 President Clinton enacted an improved and stronger IDEA, and during the Clinton -Gore Administration funding for the basic IDEA grant program has increased by 100%.

Making the Federal Government a Model Employer - President Clinton directed Federal

agencies to increase efforts to recruit and hire people with disabilities which resulted in OPM issuing "Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government" to serve as a framework for Federal departments and agencies to use in creating strategies and initiatives to recruit, hire, develop, and retain more persons with disabilities. President Clinton also signed an Executive Order ensuring that individuals with psychiatric disabilities are given the same Federal hiring opportunities as persons with significant disabilities and mental retardation. Furthermore, the President directed OPM to make mental

health coverage more affordable and accessible for all Federal employees by ensuring that by 2001 Federal Employee Health Benefit Program (FEHBP) plans provide coverage for mental illness in a manner identical to coverage for other medical conditions.

**SUMMARY OF EXECUTIVE ORDERS AND PRESIDENTIAL
MEMORANDUMS RELATED TO PERSONS WITH DISABILITIES**

July 26, 2000

Executive Order: Increasing the Opportunity for Individuals with Disabilities to be Employed in the Federal Government

- Federal agencies will be able to hire at least 100,000 individuals with disabilities by September 30, 2005, into the full range of levels and occupations in the Federal government. This is a 60% increase over the current hiring rate.
- To ensure that individuals with disabilities are given the same employment opportunities as are afforded to non-disabled individuals, the President has directed Federal agencies to:
 - Use all available hiring authorities;
 - Expand their outreach efforts; and
 - Increase efforts to accommodate individuals with disabilities
- The Director will be issuing a guidance memorandum for agencies to assist them in their outreach and recruitment efforts, and to ensure that they comply with this Executive Order.

Executive Order: Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation

- Federal agencies will establish written procedures for the processing of reasonable accommodation requests.
- These procedures will:
 - inform disabled individuals how to make a request for reasonable accommodation;
 - explain the types of information that an individual must provide for the agency to make a decision on such a request; and
 - advise individuals of their rights if an agency denies a reasonable accommodation request.
- This Order is designed to eliminate the great variation that currently exists in each agency's reasonable accommodation procedures. The EEOC will be issuing guidance on this order.

Presidential Memorandum: Employing People with Significant Disabilities to Fill Federal Agency Jobs that can be Performed at Alternate Work Sites, Including the Home

- As a result of recent technological advances, customer service representatives can work from their homes or other off-site locations just as if they were working in the “call/contact” center at the agency. Therefore, the President has directed each agency that operates customer service call/contact centers to identify positions that can be relocated to home-based or other off-site facilities.
- There are other activities, such the processing of insurance claims and financial transactions, that can also be performed at an off-site location. All agencies must determine the appropriateness of using home-based or other off-site positions to carry out these types of work activities.
- When an agency determines that it is feasible to establish home-based or off-site positions for a particular work activity, the agency must develop a plan that focuses on recruiting and hiring individuals with significant disabilities for these positions.

Presidential Memorandum: Renewing the Commitment to Ensure that Federal Programs are Free from Disability-Based Discrimination

- This memorandum reaffirms the federal government’s commitment to ensuring that agencies’ programs are free from discrimination, and are readily usable by persons with disabilities.
- Agencies must make all programs offered on their Internet and Intranet sites accessible to persons with disabilities by July 27, 2001.

Presidential Memorandum: Assistive Technology and Universal Design

- To accelerate the development of assistive technology and technology that enables universal design, the Interagency Committee on Disability Research will publish a report identifying priority areas for the advancement of such technology.
- After this report is published, each agency that participates in the Small Business Innovation Research program will develop a strategy for enhancing the development of this technology.

**ADA DISABILITY EVENT
SOCIAL SECURITY DISABILITY INITIATIVES**

July 26, 2000

DRAFT – July 24, 2000

President Clinton Announces Two Important Proposals to Assist Social Security Beneficiaries who are Working or Want to Work

1. Automatically adjust the SGA level for individuals with impairments other than blindness, based on any annual increases in the national average wage index. Since the beginning of the Social Security disability program in 1956, there have been no regularly scheduled increases in SGA.

- Both the Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) programs have a very strict definition of disability. The disability must be expected to last for at least 12 months or to result in death.
 - The Social Security Administration (SSA) uses a technical term called “substantial gainful activity” (SGA) to determine if work is substantial enough to make a person ineligible for benefits. Currently, monthly earnings of \$700 or more are considered SGA and will make a person ineligible for benefits. SSA has special rules for blind persons.
 - Disability benefits will continue unless the disabling condition improves or the disabled person returns to performing “substantial” work.

These changes truly represent the spirit of the Americans with Disabilities Act. These proposals will reduce the barriers that Social Security beneficiaries face when they return to work. Last year, the Administration increased the amount that Social Security disability beneficiaries can earn and continue to receive their benefits. This increase has made it possible for disability beneficiaries across the country to lead more productive self-sufficient lives. Now, through regulation, the President is proposing to increase annually the Substantial Gainful Activity (SGA) level. This will ensure that persons with disabilities who return to work will be able to count on having a limit that accurately reflects increases in wages.

2. Increase from \$200 to \$530 the minimum amount of monthly earnings for a month to count during a trial work period for individuals who are Social Security beneficiaries and work. The President is also proposing to automatically adjust the amount thereafter based on any annual increases in the national average wage index.

- A Trial Work Period (TWP) allows a disabled individual receiving Social Security disability benefits to test their ability to work for at least 9 months. During the TWP, an individual will receive full disability benefits regardless of how high their earnings might be so long as they continue to have a disabling impairment.

how many
will benefit?

- The TWP continues until the individual accumulates 9 months (not necessarily consecutive) of “services” that they performed within a rolling 60-consecutive-month period.
- A trial work month is any month in which an individual’s total earnings are more than \$200 or, if self-employed, they earn more than \$200 (after expenses) or spend more than 40 hours in their own business.
- When nine trial work months are successfully completed within 60 months, SSA reviews the work to see if the earnings are “substantial.” Generally, \$700 per month is considered “substantial” earnings. If earnings do not average more than \$700 a month, benefits will generally continue. If earnings average more than \$700 a month, benefits will continue for three more months before they stop.
- For 36 months after a successful TWP, if a person is still disabled, they will be eligible to receive a monthly disability benefit without a new application for any month earnings drop below \$700.

Many beneficiaries are leery of attempting to work for fear of inadvertently earning too much and losing critically important cash and medical benefits. Now, through regulation, the President is proposing that the amount a beneficiary can earn in a month before it will be counted toward the 9-month trial work period be increased from \$200 to \$530. In addition, he is proposing that we index this amount annually. This increase will encourage beneficiaries with disabilities to contribute their talent and energy to the workforce.

The First Lady will Announce an Important Proposal to Assist Disabled Students who Receive SSI

Increase the maximum monthly earned income exclusion for students who receive SSI from \$400 to \$1,290 and the yearly exclusion from \$1,620 to \$5,200. The President is also proposing to automatically adjust these amounts thereafter based on any annual increases in the cost-of-living index.

- If a person receiving SSI is under age 22, not married or head of household, and regularly attending school, SSA does not count up to \$400 of earned income per month when figuring that person’s SSI payment amount. The maximum yearly exclusion is \$1,620.

Young people with disabilities face enormous challenges when attempting to enter the workplace. We must find ways to bridge the transition from education to employment. The First Lady is proposing to increase the amount that students who receive SSI can earn while continuing to receive the important protection that SSI provides. In addition, we are proposing that this increase be indexed to reflect the annual increase in the cost-of-living.

Background

SSA administers two disability programs, Social Security Disability Insurance and

Supplemental Security Income.

- **Social Security benefits are an earned benefit.** Workers pay taxes into the system, and when they become disabled, they may be eligible to receive benefits based on their earnings. Their spouses and dependent children may also qualify.
- **SSI is a federal program that makes monthly payments to disabled people who have limited income and resources.** The program is administered by the Social Security Administration but the funds do not come from the Social Security trust funds. Benefits are paid from the general revenue. There are no benefit provisions for spouses and dependent children.
 - Whether a person can get SSI also depends on what they own and how much income they have. Income includes wages, Social Security benefits and pensions. Income also includes non-cash items received, such as food, clothing or shelter.
 - For students receiving SSI, some wages or scholarships may not count.

THE PRESIDENT'S EXECUTIVE ORDER ON INCREASING THE OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES EMPLOYED BY THE FEDERAL GOVERNMENT

"Seventy-five percent of Americans with disabilities remain unemployed, and of those, 72% say they want to go to work. This is not just a missed opportunity for Americans with disabilities -- it is a missed opportunity for America."

- President Bill Clinton, June 4, 1999 -

On July 26, 2000, President Clinton will sign an Executive Order directing federal agencies to increase their efforts to hire individuals with disabilities at all levels of the government. This will continue his objective of making the federal government a model employer and an example to private employers.

- In five years, federal agencies will be able to hire 100,000 people with disabilities.
- This is a 60% increase over the current hiring rate and reflects President Clinton and Vice President Gore's strong commitment to making the Federal Government a model employer by recruiting a diverse and well qualified workforce.
- Currently, there are 122,000 federal employees with disabilities, which make up 7.2% of the workforce. Of the entire federal workforce, 1.2% are severely disabled. It is highly likely that these counts are low because employees either fail to, or choose not to, self-identify as having a disabling condition.
- The Executive Order specifically calls on agencies to recruit for the full range of levels and occupations in the federal government.
- Each agency will be asked to submit a plan by September 25, 2000. OPM will work with agencies to assure the overall success of the initiative.
- An employee is considered disabled if he or she has a physical or mental impairment, which substantially limits one or more major life activities. For example, speech, vision, hearing and orthopedic impairments, missing extremities, paralysis, mental illness, diabetes and heart disease.
- If current hiring trends continue without change, Federal agencies would hire approximately 62,500 people with disabilities over the next five years. Approximately 8,000 of those people would have severe disabilities.
- The Federal Government is our nation's largest employer with 1.8 million employees. Each year the Government hires approximately 200,000 each year and of those 12,000 (5.9%) are people with disabilities. If we do nothing, Federal hires will be 1,082,000 over the next five years and 62,5000 will have a disability. 100,000 new hires represents 9.2 percent of all new Federal hires.

**PRESIDENT CLINTON COMMEMORATES THE 10TH ANNIVERSARY OF THE
AMERICANS WITH DISABILITIES ACT (ADA) AND TAKES FURTHER ACTION TO
STRENGTHEN THE ADA AND PROVIDE OPPORTUNITIES AND EQUALITY FOR
INDIVIDUALS WITH DISABILITIES**

**July 26, 2000
DRAFT**

Today at the FDR Memorial, President Clinton and the First Lady celebrated the 10th Anniversary of the Americans with Disabilities Act (ADA) and announced a number of executive actions that build on the foundation of the ADA by creating new opportunities for individuals with disabilities and strengthening protections that ensure equality.

In the decade after its enactment, the ADA has begun to transform the social fabric of our nation. It has brought the principle of disability civil rights into the mainstream of our Nation's public policy and has fundamentally affected the way Americans perceive disability. It has created increased recognition and understanding of the manner in which the physical and social environment can pose discriminatory barriers to people with disabilities and it continues to be a unifying focus for the disability rights movement.

This Administration has constantly asserted its strong support for the civil rights of people with disabilities. Since the law took effect the combined efforts of this Administration and the Department of Justice, the Equal Employment Opportunity Commission, the Department of Transportation and the Federal Communications Commission has resulted in hundreds of settlements improving access across the country and each has engaged in extensive efforts to educate the public about the ADA.

To further the goals of the ADA, which include equality and opportunity, the President is taking a number of actions that would increase federal employment opportunities for people with disabilities. President Clinton also announced important changes that will reduce the barriers that Social Security beneficiaries face when they return to work. In addition, the President took executive actions to ensure that federal agencies establish written procedure for addressing reasonable accommodation requests, and to ensure that Federal programs are free from disability-based discrimination. The President also announced the Access America for People with Disabilities website (www.disability.gov) created to provide quick access to services and other resources for people with disabilities and their families.

The First Lady also announced new important initiatives to address the barriers for youth with disabilities. These proposals are aimed at increasing access to educational and training opportunities youth with disabilities need to transition to work and achieve independence.

Yesterday, Vice President Gore announced a number of steps to help people with disabilities live and work in their communities. The Vice President's actions focused on steps needed to move people with disabilities out of institutions and nursing homes and into their own homes and communities with the supports they need. In addition, the Vice President took action to

accelerate the development and transfer of assistive technologies that will facilitate the development of products that will enable people with disabilities to work and participate in society.

The announcements made by the President, Vice President and the First Lady are all important steps that build on this Administration's commitment to advancing the rights of people with disabilities as full participants in all of society and preserving the spirit and intent of the ADA.

ASSISTING DISABLED SOCIAL SECURITY BENEFICIARIES WHO ARE WORKING OR WANT TO GO TO WORK. The two proposals announced by the President and one announced by the First Lady truly represent the spirit of the ADA. These proposals will reduce the barriers that Social Security beneficiaries face when they return to work.

- Automatically adjust the Substantial gainful Activity (SGA) level for individuals with impairments other than blindness, based on any annual increases in the national average wage index. Since the beginning of the Social Security disability program in 1956, there have been no regularly scheduled increases in SGA. Last year, the Administration increased the amount that Social Security disability beneficiaries can earn – from \$500 to \$700 per month - and continue to receive their benefits. The increase has made it possible for disability beneficiaries to lead more productive self-sufficient lives. Annually increasing the SGA will now ensure that persons with disabilities who return to work will be able to count on having a limit that accurately reflects increases in wages.
- Increase from \$200 to \$530 the minimum amount of monthly earnings for a month to count during a trial work period for individuals who are Social Security beneficiaries and work. The President is also proposing to automatically adjust the amount thereafter based on any annual increases in the national average wage index. Many beneficiaries are leery of attempting to work for fear of inadvertently earning too much and losing critically important cash and medical benefits. This increase will encourage beneficiaries with disabilities to contribute their talent and energy to the workforce.

INCREASING THE OPPORTUNITY FOR INDIVIDUALS WITH DISABILITIES TO BE EMPLOYED IN THE FEDERAL GOVERNMENT. The President issued an Executive Order directing Federal agencies to hire 100,000 people with disabilities over a five-year period. If current hiring trends continue without change, Federal agencies would hire approximately 62,500 people with disabilities over the next five years. Approximately 8,000 of those people would have severe disabilities. The new number is more than 60% higher than current trends, and reflects this Administration's strong commitment to making the Federal Government a model employer by recruiting a diverse and well-qualified workforce. The President believes that the Federal government is ready to meet this challenge.

Despite their qualifications for employment, persons with disabilities, and most notably person with severe disabilities, are not sought after by potential employers. This is often because employers fail to understand the many ways that disabilities can be accommodated on the job. Therefore, President Clinton and Vice President Gore have made a commitment that the Federal

government will take the lead in demonstrating that individuals with disabilities can successfully compete and perform in a wide range of jobs. With this Executive Order, the Administration is directing agencies to adjust their recruitment efforts to tap into the talented pool of individuals with disabilities. The Executive Order specifically calls on agencies to recruit individuals with disabilities for positions in the full range of levels and occupations in the Federal government.

ESTABLISHING EFFECTIVE PROCEDURES TO ADDRESS REASONABLE

ACCOMMODATION. The President issued an Executive Order requiring that all Federal agencies establish effective procedures for processing requests for reasonable accommodation by employees with disabilities and applicants for employment with disabilities. A reasonable accommodation is any change in the work environment or in the way a job is performed that enables a person with a disability to enjoy equal employment opportunities. Although many individuals with disabilities can apply for and perform jobs without any reasonable accommodations, workplace barriers may keep others from performing jobs which they could do with some form of accommodation. These barriers may be physical obstacles (such as inaccessible buildings or computer equipment), or they may be procedural obstacles (such as rules concerning when work is performed, when breaks are taken, or how job tasks are performed). Reasonable accommodation removes workplace barriers for individuals with disabilities.

RENEWING THE FEDERAL GOVERNMENT'S COMMITMENT TO ENSURING THAT FEDERAL PROGRAMS ARE FREE FROM DISABILITY-BASED

DISCRIMINATION. The President issued an Executive Memorandum for the heads of all Federal Executive Departments and Agencies. The Directive's core requirement is that all agencies engage in a plan to ensure that today's federal programs are free from disability-based discrimination. It contains specific steps designed by the Department of Justice and the Equal Employment Opportunity Commission (EEOC) to reach this important goal. As we celebrate the 10th anniversary of the ADA, we should take this opportunity to renew our commitment to ensure that people with disabilities have equal employment opportunities within the Federal government and are fully able to participate in all Federal government programs.

EMPLOYING PEOPLE WITH SIGNIFICANT DISABILITIES TO FILL FEDERAL JOBS THAT CAN BE PERFORMED AT ALTERNATIVE WORKSITES.

The increasing use of off-site work stations to carry out significant and competitive work activities provides a critical new source of employment opportunities for individuals with significant disabilities. It's in the interest of the Federal government to utilize the skills of people with significant disabilities by recruiting them for appropriate off-site, home-based employment opportunities. To harness the power of new technologies to promote employment of people with significant disabilities, the Executive Memorandum calls on Federal Agencies that already operate customer service centers to identify positions that could be relocated to home-based or off-site facilities and be filled with people who have significant disabilities. If the Agencies determine that it is feasible and appropriate to establish home-based positions, they are then required to develop a plan and guidelines that encourages the recruitment and employment of individuals with disabilities for such positions. Vocational rehabilitation counselors estimate that approximately 12% of the individuals with disabilities in their caseload could, and would, succeed if enabled to work from

home, but would not succeed in the same jobs if required to travel to distant and central locations on a daily basis.

ACCESS AMERICA FOR PEOPLE WITH DISABILITIES WEBSITE. In keeping with the President's and Vice President's vision of using information technology to increase and improve customer service, the President announced a new website, *Access America for People with Disabilities* - www.disAbility.gov. - that will serve as "one-stop" electronic link to an enormous range of useful information to people with disabilities and their families. The website contains information relating to children and youth; employment, self employment, and entrepreneurship; transportation; health care and long term services and supports; choice and self-determination; recreation and travel; civil rights and protections; college, adult and vocational education; housing; technology; income supports; tax credits and deductions; disability statistics; and emergency preparedness. There are also special features, including "success stories" of individuals with disabilities; a "hot topics" corner discussing the newest disability issues and employment trends.

ADDRESSING BARRIERS FOR YOUTH WITH DISABILITIES

FLOTUS – announcements (Ann/Vicky – please fill in and make any changes)

HELPING TO BRIDGE THE TRANSITION FROM EDUCATION TO EMPLOYMENT BY HELPING YOUNG PEOPLE WHO ARE STUDENTS WITH DISABILITIES. The First lady announced an increase the maximum monthly earned income exclusion for students who receive SSI from \$400 to \$1,290 and the yearly exclusion from \$1,620 to \$5,200. The Administration is proposing to automatically adjust these amounts thereafter based on any annual increases in the cost-of-living index. Young people with disabilities face enormous challenges when attempting to enter the workplace. We must find ways to bridge the transition from education to employment. The Administration is proposing to increase the amount that students who receive SSI can earn while continuing to receive the important protection SSI provides.

YOUTH TO WORK INITIATIVE

ABLE TO WORK CONSORTIUM

YOUTH COUNCILS

(VP)HELPING DISABLED INDIVIDUALS LIVE AND WORK IN THEIR COMMUNITIES. Yesterday, Vice President Gore announced a number of steps to help disabled individuals live and work in their communities. The President and Vice President strongly believe that no one should have to live in an institution or nursing home if they can live in the community with the proper supports. The Vice President also took a number of steps to make it easier for disabled individuals to own their own home. In addition, the Vice President took action to accelerate the development and transfer of assistive technologies that will facilitate the development of products that will enable people with disabilities to work and participate in society. **[Everything**

below is place-holder language that will be replaced as the VPs package comes together on Monday]

GRANTS TO STATES TO ENGAGE IN SYSTEM CHANGE ACTIVITIES DESIGNED TO BUILD AND ENHANCE THEIR CAPACITY TO PROVIDE PERSONAL ASSISTANCE SERVICES AND SUPPORTS TO PEOPLE WITH DISABILITIES IN THE MOST INTEGRATED SETTING APPROPRIATE. No one should have to live in an institution or nursing home if they can live in the community with the right support. The Vice President announced \$50 million in new funding for States to work with their disability and aging communities to develop comprehensive, effective plans for placing qualified persons with disabilities in the most integrated setting appropriate to their needs. Each State could use the funds for a variety of system change, capacity building and outreach activities designed to enable people with disabilities to have a real choice in where they want to live and receive services, whether in their own homes and communities or in an institutional setting.

POLICY GUIDANCE ON MEDICAID THAT WILL HELP STATES OFFER INDIVIDUALS WITH DISABILITIES THE SERVICES AND SUPPORTS THEY NEED TO LEAD MEANINGFUL LIVES IN THEIR COMMUNITIES. The Vice President announced new policy guidance to States to clarify Medicaid benefits available to persons in the community and additional flexibility to provide home and community based care services. The guidance will help States: 1) assist people with disabilities to make a successful transition from nursing homes and other institutions into the community; 2) expand access to home and community based services; and 3) assure that people receive comparable Medicaid services whether they are living in an institution or in the community.

ACCESS HOUSING 2000 – A PUBLIC-PRIVATE PARTNERSHIP TO ASSIST PEOPLE WITH DISABILITIES TO TRANSITION FROM INSTITUTIONS TO THE COMMUNITY BY PROVIDING AFFORDABLE HOUSING AND NECESSARY SUPPORTS. The Vice President announced that the Departments of Housing and Urban Development and Health and Human Services, in conjunction with the National Program Office on Self-Determination, a Project of the Robert Wood Johnson Foundation at the Institute on Disability, a University Affiliated Program, University of New Hampshire (NPOSD) are launching a unique public/private partnership, entitled Access Housing 2000, to assist individuals with disabilities in making the transition from nursing homes and other institutional settings into community living. They jointly committed resources to assist States in their efforts to expand the availability of accessible, affordable housing and to assure that individuals with disabilities receive the personal assistance and supports necessary to successfully transition from institutions to the community.

This national demonstration project will provide a model for a coordinated response to the Supreme Court's decision in Olmstead v. L.C.. The partners will launch a five-year national demonstration project to create a model for facilitating individuals with disabilities' transition from institutional settings to community living. The project will begin with approximately 400 beneficiaries residing in targeted regions, with a goal, depending upon available resources, of reaching 2000 persons at full implementation. Participants will include individuals with disabilities who have very low incomes and who currently reside in nursing homes, state institutions, Intermediate Care Facilities

for the Mentally Retarded, group homes, their parents' homes, and other community-based residential programs. The goal is to reach a broad geographic sweep, with a target of up to forty states and territories at full implementation. The demonstration project will use Section 8 housing vouchers, Nursing Home Transition Grants, Ticket to Work and Work Incentive Improvement Act grants, and other resources in a targeted manner to help individuals with disabilities make this transition. Access Housing 2000 will also reach out to other potential public and private partners to encourage them to bring additional resources to this effort. In addition, the partners will explore ways to increase the use of individual development accounts (IDAs) for low- to moderate-income individuals with disabilities and their families.

INCREASING HOME OWNERSHIP FOR PERSONS WITH DISABILITIES. The Vice President announced that a letter entitled “Single Family Loan Production - Increasing Home Ownership Rates for Persons with Disabilities” will be sent to all approved FHA mortgagees, re-emphasizing HUD’s commitment to promoting home ownership for persons with disabilities. The letter encourages HUD’s lender partners to make the dream of home ownership possible for individuals with disabilities through increased, but prudent flexibility when underwriting their loan applications.

EXTENSION OF WORK INCENTIVES FOR PERSONS WITH DISABILITIES TO A BROADER RANGE OF HOUSING ASSISTANCE PROGRAMS. The Vice President announced that the Administration will take action to extend employment incentives for persons with disabilities to a broader range of HUD’s housing assistance programs.

NATIONAL MENTAL HEALTH COALITION TO PROMOTE COMMUNITY-BASED CARE FOR INDIVIDUALS WITH MENTAL ILLNESSES AND SUBSTANCE ABUSE DISORDERS. Millions of people with disabilities can lead full, productive lives in their communities. But to live in the community, people need to be able to access not only the medical and mental health services they need, but also the housing, vocational rehabilitation, and employment services that enable them to support themselves in the community. The Vice President announced that the Center for Mental Health Services at the Substance Abuse and Mental Health Services Administration (SAMHSA) will work with a broad-based group of public and private organizations, constituencies and consumers to create state and local coalitions to assist persons with disabilities in accessing the services they need to live in the community.

The goal of the broad-based coalition is to bring together all of the service delivery providers needed to empower individuals with disabilities to return to their communities. SAMHSA intends to demonstrate that this national level effort can serve as a model for State, County, and local governments in improving the quality of life for persons with mental health and substance abuse disorders. The partners comprising the national coalition will include both traditional partners in the mental health and substance abuse treatment fields, such as professional organizations representing State mental health and substance abuse directors and protection and advocacy organizations, as well as non-traditional partners such as private industry councils, civil rights groups, housing and employment organizations and agencies, hospital administrators, and others.

DEVELOPMENT AND DEPLOYMENT OF ASSISTIVE TECHNOLOGY AND TECHNOLOGY THAT ENABLES UNIVERSAL DESIGN.

The Vice President announced an Executive Memorandum requiring that the Interagency Committee on Disability Research (ICDR) publish a report identifying priority areas for the development and advancement of assistive technologies and universal design capabilities, and that Federal agencies then develop a strategy for transferring such technology for the benefit of people with disabilities. The development and transfer of assistive technologies will facilitate the development of products that will enable people with disabilities to work and participate in society.

Assistive technology is used to maintain or improve the functional capabilities of people with disabilities. Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. The development of assistive technologies and products that incorporate universal design principles can significantly improve the quality of life for people with disabilities, and increase their ability to participate in the workplace. Technology transfers are important because they stimulate economic growth and a better quality of life for all Americans.



Alexander N. Gertsen
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Subject: EXECUTIVE ORDER: Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 26, 2000

EXECUTIVE ORDER

- - - - -

REQUIRING FEDERAL AGENCIES TO ESTABLISH PROCEDURES
TO FACILITATE THE PROVISION OF REASONABLE ACCOMMODATION

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as amended, and in order to promote a model Federal workplace that provides reasonable accommodation for (1) individuals with disabilities in the application process for Federal employment; (2) Federal employees with disabilities to perform the essential functions of a position; and (3) Federal employees with disabilities to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities, it is hereby ordered as follows:

Section 1. Establishment of Effective Written Procedures to Facilitate the Provision of Reasonable Accommodation. (a) Each Federal agency shall establish effective written procedures for processing requests for reasonable accommodation by employees and applicants with disabilities. The written procedures may allow different components of an agency to tailor their procedures as necessary to ensure the expeditious processing of requests.

(b) As set forth in *Re-charting the Course: The First Report of the Presidential Task Force on Employment of Adults*

with Disabilities (1998), effective written procedures for processing requests for reasonable accommodation should include the following:

- (1) Explain that an employee or job applicant may initiate a request for reasonable accommodation orally or in writing. If the agency requires an applicant or employee to complete a reasonable accommodation request form for recordkeeping purposes, the form must be provided as an attachment to the agency's written procedures;
- (2) Explain how the agency will process a request for reasonable accommodation, and from whom the individual will receive a final decision;
- (3) Designate a time period during which reasonable accommodation requests will be granted or denied, absent extenuating circumstances. Time limits for decision making should be as short as reasonably possible;
- (4) Explain the responsibility of the employee or applicant to provide appropriate medical information related to the functional impairment at issue and the requested accommodation where the disability and/or need for accommodation is not obvious;
- (5) Explain the agency's right to request relevant supplemental medical information if the information submitted does not clearly explain the nature of the disability, or the need for the reasonable accommodation, or does not otherwise clarify how the requested accommodation will assist the employee to perform the essential functions of the job or to enjoy the benefits and privileges of the workplace;
- (6) Explain the agency's right to have medical information reviewed by a medical expert of the agency's choosing at the agency's expense;
- (7) Provide that reassignment will be considered as a reasonable accommodation if the agency determines that no other reasonable accommodation will permit the employee with a disability to perform the essential functions of his or her current position;
- (8) Provide that reasonable accommodation denials be in writing and specify the reasons for denial;
- (9) Ensure that agencies' systems of recordkeeping track the processing of requests for reasonable accommodation and maintain the confidentiality of

medical information received in accordance with applicable law and regulations; and

(10) Encourage the use of informal dispute resolution processes to allow individuals with disabilities to obtain prompt reconsideration of denials of reasonable accommodation. Agencies must also inform individuals with disabilities that they have the right to file complaints in the Equal Employment Opportunity process and other statutory processes, as appropriate, if their requests for reasonable accommodation are denied.

Sec. 2. Submission of Agency Reasonable Accommodation Procedures to the Equal Employment Opportunity Commission (EEOC). Within 1 year from the date of this order, each agency shall submit its procedures to the EEOC. Each agency shall also submit to the EEOC any modifications to its reasonable accommodation procedures at the time that those modifications are adopted.

Sec. 3. Collective Bargaining Obligations. In adopting their reasonable accommodation procedures, agencies must honor their obligations to notify their collective bargaining representatives and bargain over such procedures to the extent required by law.

Sec. 4. Implementation. The EEOC shall issue guidance for the implementation of this order within 90 days from the date of this order.

Sec. 5. Construction and Judicial Review. (a) Nothing in this order limits the rights that individuals with disabilities may have under the Rehabilitation Act of 1973, as amended.

(b) This order is intended only to improve the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, its employees, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
July 26, 2000.

#

.....
Marty J. Hoffmann
.....

07/25/2000 09:12:33 PM
.....

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: FINAL: MoCs attending ADA Ceremony

The following is a final list of Members (current & former) attending the ADA ceremony.
Sen. Specter & Rep. Payne have been added to the list.

EVENT: Americans with Disabilities Act 10th Anniversary
DATE: Wednesday, July 26, 2000
TIME: 10:30 AM-11:30 PM
Location: Franklin D. Roosevelt (FDR) Memorial
PRESS: Open
Participants: The First Lady
 Sen. Harkin
 Sen. Hatch
 Justin Dart
 The President

Members are invited to arrive at 10:10 AM and enter through the Main Entrance of FDR Memorial. Parking is available on West Basin Road. Members will be seated in VIP seating.

MEMBERS ATTENDING (19):

Sen. Tom Harkin (D-IA)
Sen. Orrin Hatch (R-UT)
Sen. James Jeffords (R-VT)
Sen. Ted Kennedy (D-MA) + Mrs. Kennedy and son, Ted Kennedy, Jr.
Sen. Carl Levin (D-MI)
Sen. Arlen Specter (R-PA)

Rep. Benjamin Cardin (D-MD)
Rep. Eliot Engel (D-NY)
Rep. Steny Hoyer (D-MD)
Rep. Sander Levin (D-MI)
Rep. Jim McDermott (D-WA)
Rep. Michael McNulty (D-NY)
Rep. Connie Morella (R-MD)
Rep. Major Owens (D-NY)
Rep. Donald Payne (D-NJ)

Former Members Attending:

Former Sen. Howard Metzenbaum
Former Rep. Tony Coelho
Former Rep. Lowell Weicker

Former Rep. Steve Bartlett

Message Sent To: _____

Wednesday, July 26, 2000

**SCHEDULE OF THE PRESIDENT
FOR
WEDNESDAY, JULY 26, 2000**

Draft Schedule

SCHEDULING DIRECTOR:

STEPHANIE STREETT

HOME: 202-332-5651

OFFICE: 202-456-2823

WHCA PAGER: 4824

PRESS DESK:

KAREN BURCHARD

HOME: 703-243-3656

OFFICE: 202-456-7193

WHCA PAGER: 4769

EVENT COORDINATOR:

LAURA SCHWARTZ

HOME: 202-331-4339

OFFICE: 202-456-5655

WHCA PAGER: 4293

EVENT COORDINATOR:

TIMOTHY EMRICH

HOME: 202-265-2332

OFFICE: 202-456-5306

WHCA PAGER: 4161

WEATHER:

WASHINGTON, D.C.

July 24, 2000 (2:38 PM)

Wednesday, July 26, 2000

SCHEDULE OF THE PRESIDENT
FOR
WEDNESDAY, JULY 26, 2000
Draft Schedule

*Staff
Van*

DOWN UNTIL 10:00 A.M.

10:00	am-	MEETING
10:15	am	OVAl OFFICE
		Staff Contact: John Podesta
10:15	am-	BRIEFING
10:20	am	OVAl OFFICE
		Staff Contact: Mary Beth Cahill
10:20	am	THE PRESIDENT departs The White House via motorcade en route FDR Memorial [drive time: 10 minutes]
10:30	am	THE PRESIDENT arrives FDR Memorial
10:35	am-	AMERICANS WITH DISABILITIES ACT ANNIVERSARY EVENT
11:35	am	FDR MEMORIAL
		Remarks:
		Staff Contact: Mary Beth Cahill
		Event Coordinator: Heather Davis
		OPEN PRESS
		Note: There will be approximately 1500 guests in attendance.
11:40	am	THE PRESIDENT departs FDR Memorial via motorcade en route The White House [drive time: 10 minutes]
11:50	am	THE PRESIDENT arrives The White House

*Nat'l Anthem
blind woman from
Arkansas*

** No torch*

*Stage
Program
Apl. for background
(4)*

*Program
Nat'l Anthem
FLOTUS
Harkin
R*

*Justin Dart → present ceremonial
torch*

POTUS

July 24, 2000 (2:38 PM)

Wednesday, July 26, 2000

12:00 pm-
12:30 pm

PROMOTION CEREMONY FOR DR. CONNIE MARIANO
STATE DINING ROOM
Staff Contact: Joseph Simmons
WHITE HOUSE PHOTO ONLY

Note: There will be approximately 100 guests in attendance.

- Dr. Tubb makes brief opening remarks and introduces Colonel Joseph Simmons.
- Colonel Joseph Simmons makes remarks and introduces the President.
- The President makes remarks.
- Dr. Tubb calls "Attention to order" reads orders, shoulder boards exchange, oath of office.
- Dr. Mariano makes remarks.

12:45 pm-
12:55 pm

BRIEFING
OVAL OFFICE
Staff Contact: Lisel Loy, Gene Sperling

12:55 pm-
1:00 pm

VETO STATEMENT FOR BILL
OVAL OFFICE
Staff Contact: Lisel Loy, Gene Sperling
CLOSED PRESS

Note: There will be approximately 2 guests in attendance.

July 24, 2000 (2:38 PM)

Wednesday, July 26, 2000

1:00 pm-
1:30 pm

**STATEMENT
ROSE GARDEN**

Remarks:

Staff Contact: Gene Sperling, Joe Lockhart

Event Coordinator: Laura Schwartz

OPEN PRESS

- **The President**, accompanied by John Podesta and Real Person TBD proceeds to the Rose Garden.
- **The President** places vetoed legislation on stack of other legislation passed by Congress.
- John Podesta makes brief remarks and introduces Real Person TBD.
- Real Person TBD makes brief remarks and introduces **the President**.
- **The President** makes remarks and departs.

1:30 pm-
1:35 pm

**MEETING
OVAL OFFICE**
Staff Contact: Stephanie Streett

1:35 pm-
2:05 pm

**MEETING
OVAL OFFICE**
Staff Contact: Stephanie Streett, Minyon Moore

2:05 pm-
5:30 pm

**PHONE AND OFFICE TIME
OVAL OFFICE**

5:30 pm-
5:45 pm

**PHOTO OPPORTUNITY WITH SUMMER 2000 WHITE HOUSE
INTERNS
OEOB STEPS**
Staff Contact: Mark Lindsay, Capricia Marshall
Event Coordinator: Laura Schwartz
WHITE HOUSE PHOTO ONLY

5:50 pm-
5:55 pm

**PHOTO OPPORTUNITY WITH YWCA'S DOROTHY I. HEIGHT
RACIAL JUSTICE AWARDEE(S)
OVAL OFFICE**
Staff Contact: Mary Beth Cahill
WHITE HOUSE PHOTO ONLY

Note: There will be approximately tbd guests in attendance.

July 24, 2000 (2:38 PM)

Wednesday, July 26, 2000

6:00 pm-
7:00 pm

**PRESS PICNIC
SOUTH LAWN**

Staff Contact: Capricia Marshall, Joe Lockhart

Event Coordinator: Laura Schwartz

CLOSED PRESS

Note: Casual Attire.

Note: There will be approximately 3,000 guests in attendance.

-- Off-stage announcement of the President.

-- The President makes remarks, works a ropeline and departs.

7:00 pm-
7:45 pm

**DOWN TIME
RESIDENCE**

7:50 pm

THE PRESIDENT departs The White House via motorcade en route
Museum of Women in the Arts
[drive time: 5 minutes]

7:55 pm

THE PRESIDENT arrives Museum of Women in the Arts

Greeters: Terry Lierman
Abe Pollin, Campaign Chair
Derek Walker, Campaign Manager
Nancy Risque-Rohrbach, Director, Museum of Women
in the Arts

8:00 pm-
8:20 pm

**PHOTO RECEIVING LINE
ROOM TBD**

Museum of Women in the Arts

Staff Contact: Minyon Moore

Event Coordinator: Timothy Emrich

CLOSED PRESS

Note: There will be approximately 80 guests in attendance.

July 24, 2000 (2:38 PM)

Wednesday, July 26, 2000

8:25 pm-
9:05 pm

LIERMAN RECEPTION
ROOM TBD
Museum of Women in the Arts
Remarks: Josh Gottheimer
Staff Contact: Minyon Moore
Event Coordinator: Timothy Emrich
POOL PRESS

Note: There will be approximately 250 guests in attendance.

- Off-stage announcement of Senator Barbara Mikulski, Senator Paul Sarbanes, Senator Thomas Daschle, Representative Patrick Kennedy, and Representative Richard Gephardt.
- Off-stage announcement of **the President**, accompanied by Terry Lierman and Abe Pollin.
- Abe Pollin makes brief welcoming remarks and introduces Terry Lierman.
- Terry Lierman makes brief remarks and introduces **the President**.
- **The President** makes remarks, works a ropeline, and departs.

9:10 pm

THE PRESIDENT departs Museum of Women in the Arts via motorcade en route The White House
[drive time: 5 minutes]

9:15 pm

THE PRESIDENT arrives The White House

DOWN FOR THE EVENING

BC RON

THE WHITE HOUSE
WASHINGTON, D.C.

HRC RON

TBD

July 24, 2000 (2:38 PM)

ADA Event Mtg.

7/27/00

FDR Memorial

10³⁵ - 11³⁵ am

looking for rain site

Audience: 1500 (mostly seated)

Program

Universe: POTUS

HRC

Harkin

Hoyer

Real Person

Justin Dart

Marka Runyan

Kennedy?

Bush?

HRC

Real Person (young)

~~SECRET~~

ADA Rollout

VP : Political speech

- Put out paper that morning w/ technology preview @ residence

- No leaks

POTUS : Leak SSI + Fed. hires # where?

↳ include HRC portion + peg to her

1 press paper for POTUS, HRC, VP
(VP will do sep. release day before)

Groups → Tuesday night for POTUS → ind. calls

- Monday night 2 leaders heads-up

Cong → Tues. night. cong. call

Cabinet → trying to do events
at least, paper releases

ADA Event

FDR Memorial

Rooms 4 + some of Room 3

- overflow also in rm. 3 w/no view

Could do 500 seated, 1500 standing, w/no overflow
possibly 1000 seated, 1000 standing

Audience : 1500 total

Leg. 100

Cabinet 100

IGA 20

OPL ~1300

9:30am → Doors Open
Call Time → 10:00am

11:30am Start Time

7/13/00

ADA Anniversary Event

East Room

or

* FDR Memorial

- outside entrance

- tour on new site

Audience: 750-1000

Message: - Celebrate ADA, but tout huge accomplishments under POTUS Admin.

Participants:

Members (R + D)

invite fmrr. Pres. Bush?

Dole

Thomburg

Wicker

Coelho

Harkin

Hoyer

Other former officials
that had a role
(ie, Bush admin.)

Program:

POTUS

Harkin

HRC

Bush?

Hoyer?

Possible R?

Real Person + Community Leader

Do something w/ the torch

Paper

Accomplishments (2 pages + comprehensive)

Chronology

Deliverables

Deliverables for the ADA Events July 25 & 26

President

Theme: Employment Opportunities and Equality

SUBJECT	DESCRIPTION	FORMAT	STATUS	ANNOUNCE
Increase the number of individuals with disabilities employed in the federal government.	The Federal Government shall hire 100,000 qualified individuals with disabilities over 5 years into all levels and occupations of the Government, to the maximum extent feasible.	Executive Order	DPC	July 26, 2000
Requiring Federal agencies to establish effective written procedures for processing requests for reasonable accommodation.	Federal agencies shall establish effective written procedures for processing requests for reasonable accommodations for people with disabilities.	Executive Order	DPC	July 26, 2000
Section 504 Enforcement	Federal agencies will work with the Department of Justice and EEOC to develop plans to evaluate agency programs, activities and facilities for compliance with sections 501 and 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in federal programs and activities.	Executive Memo	DPC	July 26, 2000
Encourage Federal Agencies with Customer Service Call Centers to Explore Ways to Hire People with Disabilities (TF '99)	Agencies operating customer service centers shall examine the feasibility and appropriateness of using home-based employees as customer service representatives. If it is appropriate to establish home-based positions, agencies shall implement procedures that encourage the recruitment and employment of people with significant disabilities for such positions.	Executive Memo	DPC	July 26, 2000

Adjust the Substantial Gainful Activity Levels to Encourage Work Efforts (Note: These proposals do not address the “SSI Earned Income Exclusion.” One of the proposals on the First Lady’s list deals with the student version. We are not addressing the adult recipients at this time.)	SSA is proposing significant changes to the amounts that disabled adults can earn and be eligible for DI or SSI benefits. Under these proposals, the amounts would be adjusted annually based on the national average wage index. • <u>Indexing the Substantial Gainful Activity Level.</u> Annually adjust per the average wage index, the earnings level used to determine whether work done by persons with impairments other than blindness is substantial gainful activity. Currently, the SGA level is changed on an ad hoc basis through regulation. (SSI and DI) • <u>Increase (from \$200 to \$530) the Monthly Trial Work Period (TWP) Service Level.</u> During the TWP DI beneficiaries can test their ability to work without fear of losing benefits. Any month’s earnings that exceed the TWP service amount counts as a TWP month. In addition, the TWP service amount would be annually adjusted based on the national average wage. (DI Only)	Regulatory Change 27 27 27-30,000 10/Jan Ken 410 965-3988	OMB	July 26, 2000
Create “Access America for People with Disabilities” Web Site – SSA/DOL (TF’99)	Provide information and services offered by virtually every major federal government agency, by linking to an abundance of helpful Federal agency sites, programs and services.	Announcement of Website	Done	July 26, 2000
Strong, Enforceable Patient’s Bill of Rights (TF ’99)		Legislation	In Congress	Pending
Tax Credit to Assist Adults with Disabilities with Expenses Related to Work (TF ’99)	Provide flexible ways to assist people with disabilities in defraying the costs of personal attendant services, technologies and other services required for employment.	Budget Proposal	In Congress	Pending

Deliverables for the ADA Events July 25 & 26

President

Theme: Employment Opportunities and Equality

SUBJECT	DESCRIPTION	FORMAT	STATUS	ANNOUNCE
Increase the number of individuals with disabilities employed in the federal government.	The Federal Government will hire 100,000 qualified individuals with disabilities over 5 years into all levels and occupations of the Government.	Executive Order	DPC	July 26, 2000
Requiring Federal agencies to establish effective written procedures for processing requests for reasonable accommodation.	Federal agencies shall establish effective written procedures for processing requests for reasonable accommodations for people with disabilities.	Executive Order	DPC	July 26, 2000
Section 504 Enforcement	Federal agencies will work with the Department of Justice and EEOC to develop plans to evaluate agency programs, activities and facilities for compliance with sections 501 and 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in federal programs and activities.	Executive Memo	DPC	July 26, 2000
Encourage Federal Agencies with Customer Service Call Centers to Explore Ways to Hire People with Disabilities (TF '99)	Agencies operating customer service centers shall examine the feasibility and appropriateness of using home-based employees as customer service representatives. If it is appropriate to establish home-based positions, agencies shall implement procedures that encourage the recruitment and employment of people with significant disabilities for such positions.	Executive Memo	DPC	July 26, 2000

Pcar

* Raise SSI Earned Income Exclusion to Encourage Work Efforts – SSA (TF'99)	SSA is proposing significant changes to the amounts that disabled adult beneficiaries can earn while remaining eligible for benefits under various circumstances. Under these proposals, future increases to these amounts would be linked to the national average wage or the consumer price index. The proposed changes may affect as many as 500,000 Social Security beneficiaries with disabilities. • Raising the earnings amount under the trial work period. Annually adjust per the average wage index the earnings guidelines that shows whether work done by persons with impairments other than blindness is substantial gainful activity, rather than by current rules that set the SGA level through regulation. • Increase (from \$200 to \$530) the amount of monthly earnings that is currently considered work during the trial work period, during which DI beneficiaries can receive full benefits regardless of how high their earnings might be. In addition, the amount of monthly earnings would be annually adjusted based on increases in the national average wage.	Regulatory Change	OMB	July 26, 2000
Create “Access America for People with Disabilities” Web Site – SSA/DOL (TF'99)	Provide information and services offered by virtually every major federal government agency, by linking to an abundance of helpful Federal agency sites, programs and services.	Announcement of Website	Done	July 26, 2000
Strong, Enforceable Patient's Bill of Rights (TF '99)		Legislation	In Congress	Pending
Tax Credit to Assist Adults	Provide flexible ways to assist people with	Budget Proposal	In Congress	Pending

with Disabilities with Expenses Related to Work (TF '99)	disabilities in defraying the costs of personal attendant services, technologies and other services required for employment.			
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Vice President

Theme: Integration and Technology

SUBJECT	DESCRIPTION	FORMAT	STATUS	ANNOUNCE
Technology: - Development/ Adoption of Information and Communication Technologies Used by People with Disabilities (TF '99) - Reiterate the \$35 million in our 2001 budget for accessible technology	This would accelerate the development and deployment of assistive technology and technology that enables universal design. Assistive technology is used to maintain or improve the functional capabilities of people with disabilities. Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. The development of assistive technologies and products that incorporate universal design principles can significantly improve the quality of life for people with disabilities, and increase their ability to participate in the workplace.	Executive Order	Pending	? July 25, 2000 July 25, 2000
Systems Change Capacity Building Grants	This initiative would fund states to engage in system change activities designed to build and enhance their capacity to provide personal assistance services and supports to people with disabilities of all ages. These letters would provide guidance to states clarifying additional flexibility that	Grant - \$50 million over 5 years None	Pending (OMB searching for funding)	July 25, 2000

• SMD letters clarifying Olmstead decision • Medicaid Technical Assistance Consortia • Support for Kennedy/Grassley Bill	exists for providing home and community based care services and reiterates current policy on eligibility for benefits. Kids version of the Jeffords – Kennedy Bill	Partnership – TF, Educ, SAMHSA, HHS/HCFA Pending	Close to resolution.	
Incentives for Employment	Issuing regulatory change to extend incentives for persons with disabilities to all of HUD's housing assistance, including Section 8, 811, 202, the Rental Supplement program, and the Rental Assistance program.			
Access Housing 2000	This initiative through cooperative agreement between HHS/HUD and Robert W. Johnson would expand accessible, affordable housing to enable individuals currently residing in a nursing home or institution to move into the community.	Bob Williams/ Henry Claypool/ Nestor Davidson and Becky Ogle	Discussion: OMB/HCFA	July 25, 2000
Homeownership	HUD will send a letter from Assistant Secretary for Housing William Apgar to all approved FHA mortgagees entitled "Single Family Loan Production – Increasing Home Ownership Rates for			

	Persons with Disabilities”. This Mortgagee Letter will re-emphasize the Department’s commitment to make home ownership a reality for persons with disabilities and encourage its lender partners to make this dream possible through increased, but prudent flexibility when underwriting their loan applications.			
Creating of a National Mental Health Coalition to Promote Community-Based Care	SAMHSA will support the creation of this coalition. Key organizations and constituencies will come together to work in partnership with the States to develop a plan for the coalition, working with consumers. This technical assistance effort will link with the Private Industry Councils looking at employability, housing authorities, case managers, professional organizations, social security services and Access Housing 2000 Initiative.			

First Lady
Theme: Youth

SUBJECT	DESCRIPTION	FORMAT	STATUS	ANNOUNCE
Develop Youth to Work Initiative – DOL, Education, HHS, SSA, OPM, TF and Others (TF '99)	To ensure improvement in the education, transition, employment, health and independent living outcomes of young people with disabilities, all Federal agencies will coordinate and cooperate with the Task Force to: (1) strengthen interagency research, demonstration, and training activities; (2) create a public awareness campaign focused on young people with disabilities; (3) ensure that young people with disabilities are included in all youth programs mandated under the Workforce Investment Act; (4) increase access to health care and resources through an Interagency Council on Health and Ready to Work; (5) increase participation in postsecondary education and training; and (6) create a Youth Advisory Council to assist the Task Force in conducting these and other appropriate activities.	Amend Task Force Executive Order		July 26, 2000
Partnership between Task Force and Able to Work Consortium	This initiative would be a public/private partnership to ensure that youth with disabilities are afforded the opportunity to have meaningful internships that lead to real careers	Task Force and Able to Work Consortium talks		
SSI Regulation – Student Earned Income Exclusion	Increase the maximum monthly (from \$400 to \$1,290) and yearly (from \$1,620 to \$5,200) Student Earned Income Exclusion amounts used in determining SSI eligibility and payment amounts, and then annually adjust these amounts per the CPI.			

Youth Councils	The Department of Labor will issue guidance to the Workforce Investment partners on the creation of newly authorized Youth Councils under the Workforce Investment Act. This guidance, among other things, will call for the inclusion of young people and other parties representing the interests of youth with disabilities on these councils. (August)	DOL Guidance		
Significant Disability	The Department of Labor will issue guidance to the Workforce Investment partners on the following: • Emphasizing need for states to be aggressive in ensuring that WIA structures address the concerns of people with disabilities in their programs; and • Encouraging outreach to and inclusion of state MR/DD Directors and state Medicaid Directors on state Workforce Investment Boards.			
Guidance on Non-Harassment of Students with Disabilities – Education	The Department of Education will issue a “Dear Colleague Letter” to offer schools guidance to address student harassment based on disability.	Dear Colleague Letter from Education	Done	July 26, 2000
Improving Education: The Promise of Inclusive Schooling	The Department of Education has just published through one of its grantees the National Institute on Urban School Improvement, a pamphlet designed to facilitate the unification of current general and special education.			
Youth Leadership Project	The Department of Education will publish a grant announcement in late August to establish a Youth with Disabilities Leadership Development project. This project, to be awarded in October, is jointly funded with the Task Force, the Department of Labor and Health and Human Services, the Social Security Administration, and the President’s Committee on Employment of People with			

	Disabilities and the National Council on Disability.			
High States Testing Guide and Guidance on District Assessments of Students with Disabilities	The Department of Education recently published for public comment a guide to high stakes assessment which includes a small section that discusses the “Testing of Students with Disabilities: (Final version-September). In addition, the Department of Education will issue guidance in the form of commonly asked questions and answers around the inclusion of students with disabilities in statewide and district assessment. (Late July or early August)			

HUD

SUBJECT	DESCRIPTION
Consolidated Planning For Community Development	• HUD is requiring all states and localities that have already developed a Consolidated Plan to create a new plan during the year 2000. To encourage recipients to specifically address assisting adults and families with disabilities in this plan, the Office of Community and Planning Development (CPD) will distribute a publication entitled "Piecing it All Together in Our Community: Learning to Use HUD's Consolidated Plan to Expand Housing Opportunities for People with Disabilities."
Tax Credits	• HUD is entering into a Memorandum of Understanding (MOU) with the Departments of Treasury (including the Internal Revenue Service) and Justice that sets forth the reporting and other responsibilities of each Department when a multifamily project constructed and operated using Low-Income Housing Tax Credits (LIHTC) is found to be possibly or actually in violation of the Fair Housing Act.
Data Collection	• HUD is modifying its Tenant Rental Assistance Certification System (TRACS) to enable the Department to identify which units of the 30,000 assisted projects in the Department's multifamily inventory are accessible to persons with disabilities.
Outreach and Information on Regulatory Enforcement	• HUD will issue a notice to reemphasize the responsibility of Community Development Block Grant recipients to further affirmatively fair housing and to assess compliance with the requirements of the Fair Housing Act (the Act) concerning accessible multifamily design and construction.
Neighborhood Network Centers	• Over the next year, HUD will review and modify the current Neighborhood Network Center's evaluation form to include questions regarding the Centers' accessibility and what needs there might be to make the Centers accessible.

HHS/ SAMHSA/ HCFA

SUBJECT	DESCRIPTION
Improving Employability	• <u>Providing Employers with the Tools and Knowledge</u> – HHS/SAMHSA is planning to conduct a “National Summit on Employment of People with Psychiatric Disabilities.” This summit will provide businesses with the tools and knowledge they need to make informed decisions in increasing efforts to hire people with psychiatric disabilities and implement workplace policies to support such hiring.

TRANSPORTATION

SUBJECT	DESCRIPTION
Comprehensive Plan of Action	DOT has conducted the initial interagency coordination, and has completed its "Comprehensive Plan of Action," addressing the lack of transportation services and systems for persons with disabilities, as directed by the President and recommended by the President's Task Force on Employment of Adults with Disabilities. The Plan, designed specifically to address barriers to "finding and keeping jobs," will issue shortly.
New Regulations	Announce the issuance of two new regulations: one on DOT's adoption of Access Board's Updated Accessibility Guidelines and one extensive supplemental rule on safety standards for platform lifts and for motor vehicles using platform lifts.
Report on "Designing Sidewalks and Trails for Access: A Best Practices Guide"	Announce the impending issuance of volume Two of "Designing Sidewalks and Trails for Access: A Best Practices Guide." This highly-anticipated guidance will provide much-needed technical advice on creating and adapting sidewalks and trails for use by all, including persons with mobility impairments, visual impairments, and other disabilities.
Report to Congress on Commercial Drivers Licenses for Insulin-dependent Diabetics	Working to complete a number of other deliverables, including issuance of a Report to Congress on Commercial Drivers Licenses for insulin-dependent diabetics; completion of an interagency Air Carrier Access Act outreach plan for travelers with a disability; issuance of a new Departmental policy statement and plan on Section 501 and Affirmative Action for Persons with a Disability; and the announcement of a biennial "Secretary's Excellence in Accessibility Award."
Plan of Action to Address Transportation Services and Systems for People wit Disabilities (TF '99)	This comprehensive plan would be to concentrate federal efforts on developing an interagency action plan that addresses the lack of public transportation as a major employment barrier for people

	with disabilities.
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DOL

SUBJECT	DESCRIPTION
Create Office of Disability Policy Headed by Assistant Secretary – DOL (TF'99)	This office headed by an Assistant Secretary would bring a permanent and heightened focus on disability employment issues at the DOL
Strengthen Enforcement of Employment – related Nondiscrimination Provisions of ADA and Rehabilitation Act – DOJ, Labor, EEOC (TF '99)	Supplements the comprehensive compliance reviews with a variety of different means for assessing a contractor's compliance with Section 503 and its implementing regulations. Section 503 of the Rehabilitation Act of 1973 requires government contractors and subcontractors to take affirmative action to employ and advance in employment individuals with disabilities.

FCC

SUBJECT	DESCRIPTION
The Use of N11 Codes and Other Abbreviated Dialing Arrangements (CC Docket No. 92-105)	The Commission will consider a Second Report and Order concerning the nationwide implementation of 711 access to telecommunications relay services (TRS).
The Implementation of Video Description of Video Programming (MM Docket No. 99-339)	The Commission will consider a Report and Order concerning rules requiring certain broadcast stations and multi-channel video programming distributors to provide programming with video description.
Closed Captioning Requirements for Digital Television Receivers (ET Docket No. 99-254); and Closed Captioning and Video Description of Video Programming, Implementation of Section 305 of the Telecommunications Act of 1996, Video Programming Accessibility (MM Docket No. 95-176)	The Commission will consider a Report and Order concerning technical standards for the display of closed captions on digital television (DTV) receivers.

- The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Friday, July 21, 2000, they are all expected to pass 5 – 0.

EEOC

SUBJECT	DESCRIPTION
Issuance of guidance on “Employers’ access to medical information about their employees.”	This guidance will help to ensure that qualified workers are not discriminated against because of medical conditions they have or medications they are taking that are unrelated to job performance, or because an employer thinks the worker may acquire some condition in the future.
Issuance of guidance to explain Executive Order prohibition on genetic discrimination in federal employment.	The EO protects the federal civilian workforce; it prohibits discrimination based on genetic test results of the employee, family medical history, and genetic test results of family members.

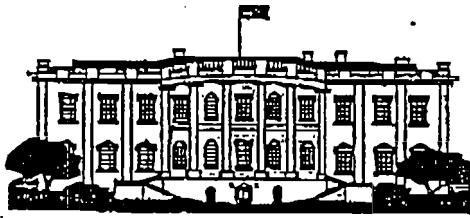
- * EEOC will hold a full Commission meeting on July 27, 2000 on the Americans with Disabilities Act.
- * EEOC published on their website the Accomplishment and Highlights of EEOC actions.

DOJ

SUBJECT	DESCRIPTION
AG will announce initiative to ensure that local government programs are accessible to people with disabilities.	
Release "Enforcing the ADA: Looking Back On a Decade of Access."	Report highlighting the enforcement and technical assistance activities, will be posted on the DOJ website and will be mailed to the 8,000 disability rights activists on the mailing list.

OPM

SUBJECT	DESCRIPTION
Showcase success stories of the Federal government as a model employer.	Last October, the President released “Assessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government, which the VP asked OPM to develop. OPM is compiling success stories from federal agencies and departments, which showcase stories of the Federal Government as a model employer.
Announce final regulation to make it easier for agencies to hire people with psychiatric disabilities.	This regulation will level the playing field for those with psychiatric disabilities by giving them the same hiring opportunities as other people with disabilities.



THE WHITE HOUSE
OFFICE OF CABINET AFFAIRS

Date: 7/19/00

To:

KARIN

From:

ANNE

Facsimile:

67028

Telephone:

Subject:

ADA

Pages:

3

(Including this cover sheet)

Comments:

OLD EXECUTIVE OFFICE BUILDING ♦ ROOM 160 ♦ WASHINGTON, DC 20502

TELEPHONE (202) 456-2572 ♦ FACSIMILE (202) 456-6704

07/20/00 THU 13:27 FAX 39509

CAMP SUMMIT PRESV

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Call 704

ADA ASSIGNMENTS
July 2000

ENERGY

Tallahassee
Tampa-St. Petersburg
Orlando
Miami/Ft. Lauderdale

GSA

Portland, Oregon
Sacramento
San Diego

HUD

Minneapolis-St. Paul
Atlanta
Charlotte, NC
Memphis

JUSTICE

Spokane
Seattle/Tacoma
San Francisco/San Jose
Milwaukee

LABOR

Chicago
Indianapolis
Detroit (radio or TV only)
Lansing, MI

OPM

Maine
Vermont
Delaware

SBA

St. Louis, MO
Springfield, IL
Kansas City
Louisville, KY

SSA

Baltimore
Philadelphia
Boston
Pittsburgh

Rainbow Park event
7/27 Chicago

Holder
7/27 Chicago
Bill LAM HEE (Howard, CT on Thurs)
RENO

7/27 Chicago

7/27-7/28

7/28 Chicago

Holder
Det. Admin. McCabe
S. O'Neil

- More -

07/20/00 THU 13:27 FAX 39509

CAMP SUMMIT PRESV

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ADA MARKETS
PAGE 2

TRANSPORTATION

Cleveland
Columbus
Cincinnati
Toledo

7/24/00

TREASURY

New York
Newark
Hartford/New Haven, CT
Denver

7/27 NYC

USDA

Baton Rouge, LA
New Orleans, LA
Omaha, NE
Lexington, KY

7/28/00

###

● J. Eric Gould

07/17/2000 12:42:48 PM

Record Type: Record

To: Karin Kullman/OPD/EOP@EOP, Anna Richter/OPD/EOP@EOP
cc: Andrea Kane/OPD/EOP, Christina S. Ho/OPD/EOP@EOP
Subject: ADA Event on the 26th

See Marsha's memo below - I love this idea. Can we push it? The Lincoln Memorial totally ramps up the stature of this important event. Some selling points include:

President Clinton could be recognized for the most powerful image in disability community history. The National Council on Independent Living, which is sponsoring the March to Capitol Hill, first hoped (over a year ago) that they could host their rally at the Lincoln and then march to the Hill, but apparently they were instructed that they would be unable to secure the Lincoln Memorial. They wanted to host an event at the Lincoln Memorial to link the disability rights movement to other civil rights movements. They were struck by the conspicuous absence of a disability rights photo in the Lincoln exhibit. A large-scale and truly inclusive Anniversary celebration at the Lincoln Memorial could instantly become *the* ADA photo.

Selected Disability Community leaders love the idea of a Lincoln Memorial event. OPL has spoken with the disability organization leaders. They agree that an event at the Lincoln is the most promising message opportunity for the President and the community -- *perhaps even more than the White House*. If we could secure an event at the Lincoln, we would circumvent all but the slightest grumbling about not holding an event on the South Lawn.

A Lincoln Memorial event focusing on the ADA could be a venue for the President to highlight his broader civil rights commitments. An event at the Lincoln could underscore that symbolism, giving the President an opportunity to talk about such issues as Hate Crimes and Patients' Bill of Rights. This would build on the Anniversary event from last year, in which we had broad participation among the greater civil rights community.

A Lincoln Memorial event could command tremendous media attention. Martin Luther King, III lit the "Spirit of ADA" Torch in Atlanta from the MLK, Jr., "Eternal Flame," and he has expressed an interest in participating in events in Washington. We could, for example, have M. L. King, III and Justin Dart present the torch to the President. The Lincoln Memorial would symbolize the unity of all the civil rights communities, and their support for the Administration.

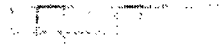
President Lincoln's themes of Liberty and Equality resonate powerfully in the Disability Community. People with disabilities often use the language of emancipation to describe their

situations. Moreover, many in the disability community recognize Lincoln as a President with a disability -- he is widely known for struggling with depression.

If for these and other reasons we were able to secure an event at the Lincoln Memorial instead of the FDR Memorial, a few possible ideas come to mind:

- The paved area at the base of the Lincoln Memorial would be ideally suited for comfortably accommodating for people using wheelchairs, as opposed to lawn areas.
- The need for complex staging could be eliminated by using the steps.
- The Lincoln Memorial is much easier to get to compared with the FDR Memorial. The disability community is already in discussions about in-kind transportation donations, and drop-offs by bus at the Lincoln would be comparatively simple.

----- Forwarded by J. Eric Gould/OPD/EOP on 07/17/2000 12:32 PM -----





Marsha Scott
07/14/2000 08:37:04 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc: Jonathan M. Young/WHO/EOP@EOP, J. Eric Gould/OPD/EOP@EOP

Subject: ADA Event on the 26th

Jonathan uncovered a very important historical fact concerning the original signing ceremony 10 years ago. Ginny Thornburgh, wife of Dick, had proposed that the signing take place at the Lincoln Memorial because many people could attend with and without disabilities and it symbolically encompassed the many civil rights groups that are allies of the disability communities. It was nixed and moved to the East Room (sound familiar!!!!) However, even then they were thinking; and the congressional sponsors joined with the community in demanding a larger venue. That is how it ended up on the south lawn. So why don't we go to the original site? We've been to the FDR memorial and the Lincoln has a much broader appeal and is a more easily accessed and recognizable symbol. What do you think? I really like it!!!!

I'm leaving for LA Monday morning but will stay in touch and want to be conferenced into any further planning meetings. Thanks.

Message Sent To:

Loretta M. Ucelli/WHO/EOP@EOP
Lisa M. Brown/OVP/EOP@EOP
Mary E. Cahill/WHO/EOP@EOP
Minyon Moore/WHO/EOP@EOP
Stephanie S. Streett/WHO/EOP@EOP

SPIRIT OF THE ADA TORCH RELAY SCHEDULE:

Last updated: June 28, 2000

<u>DATE</u>	<u>SITE</u>	<u>ADMIN. CONFIRMED</u>	<u>LOCAL CONTACT</u>
June 11	Houston, TX (kick-off event)		Douglas Drey (713) 284-1973
June 13	Austin, TX	Dep. Sec. Morton Downey DOT	Ron Lucey (512) 377-0577
June 17	San Francisco, CA	Asst. Sec. Judy Heumann OSERS DOEd	Deborah Kaplan (510) 251-4347
June 19	Los Angeles, CA	Chairman William Kennard, FCC	Chet Cooper/Deborah Saroyan (949) 854-8700
June 21	Phoenix, AZ		Donna Redford (602) 296-0520
June 24	Salt Lake City, UT		Stephen Mikita (801) 538-1151
June 27	Denver, CO	Dep. Secretary Saul Ramirez HUD	Dawn Russell/Ron Noiles (303) 733-9324
June 30	Topeka, KS		Vicki Nelson/Susan Briggs (785) 233-4572
July 4	St. Louis, MO		Colleen Starkloff (314) 567-1558
July 7	Madison, WI	Director Janice Lachance, OPM Dep. Commissioner Bill Halter SSA	Marcia Carlson (608) 263-3021
July 9	Chicago, IL		Marca Bristo (312) 226-5900, x615
July 11	Memphis, TN		Judy Neal (901) 726-6404
July 13	Jackson, MS		Mark Smith (601) 969-0601
July 15	Montgomery, AL	Bill Lann Lee, DOJ	Barbara Futral Crozier (334) 353-4663
July 17	Tallahassee, FL	Commissioner Ken Apfel SSA	Mark Ravenscraft (850) 488-5363
July 19	Warm Springs, GA	Attorney General Reno DOJ	Joe Lyttle (706) 655-5715
July 20-21	Atlanta, GA	Administrator Aida Alvarez SBA (July 20) Dep. Commissioner Bill Halter SSA (July 21)	Mark Johnson (404) 350-7490

July 22	Columbia, SC		Maris Parmerter (803) 731-1607
July 29	Philadelphia, PA		Linda Richman (215) 634-2000, x227
July 31	Auburn Hills & Detroit, MI	Chairwoman Ida Castro, EEOC	Marva Ways (313) 277-0390
August 3	Boston, MA	Secretary Alexis Herman, DOL	April Holly (617) 298-7671 Bill Henning (508) 775-8300
August 6-7	New York, NY (U.N.)	Secretary Rodney Slater, DOT (August 6) Secretary Richard Riley, DOEd (August 7)	Susan Burstein (718) 658-8956

“SPIRIT OF ADA” TORCH RELAY

Event Summaries & Confirmed Speakers

Last Updated: June 16, 2000

June 17–San Francisco, CA

Theme(s):

- Birth of Independent Living Movement

Main Event(s):

- 10:30 to 11:15 AM, Opening Ceremony, PacBell Park
- 2:00 to 2:50 PM, Closing Ceremony, Jack London Square, Oakland

Torch Relay:

- Begins at PacBell Park Opening Ceremony
- Appears at SF Giants pre-game in new ballpark
- Mayor takes torch and is boated across river by disabled sailors
- Mayor Brown of Oakland receives torch and conveys to Jack London Square

Confirmed Speakers:

- ❖ Asst. Sec. Judy Heumann, OSERS, DOEd

Contact(s):

Deborah Kaplan (Co-Chair)
World Institute on Disability
510 16th Street, Suite 100
Oakland, CA 94612-1500
(510) 251-4347
FAX (510) 763-4109
dkaplan@wid.org
www.wid.org

June 19 – Los Angeles, CA

Theme(s):

- General celebration of ADA

Main Event(s):

- 6:00 to 10:00 PM, Convention Center celebration with celebrities and arrival of torch

Torch Relay:

- Starts in morning at LAX airport
- Jet ski park
- Western Center for Independent Living
- Culmination at LA Convention Center

Confirmed Speakers:

- Governor Grey Davis (or wife)
- Mayor Richard Riordan (invited)
- ❖ Chairman William Kennard, FCC

Contact(s):

Chet Cooper (Co-chair)
Deborah Saroyan (Co-Chair)
ABILITY Magazine / Job Access
1001 W. 17th St. Costa Mesa, CA 92627
(949) 854-8700
FAX (949) 548-5966
ability@pacbell.net
www.abilitymagazine.com / www.jobaccess.org

Wednesday, June 21 – Phoenix, AZ**Main Event(s):**

- Morning: Patriots Park
- Evening: BankOne Ballpark pregame ceremony

Scheduled Events:

- 7:30-9:00 AM, Recognition Ceremony and Torch Kickoff at Patriots Park, downtown, 6 blocks from ballpark.
- 6:45 to 7:00 PM, Pre-game Ceremony at BankOne Ballpark, 30,000-50,000 attendees, TV coverage

Confirmed Speakers:

- Phoenix Mayor Skip Remsa
- ❖ [DOD?]

Contact(s):

Donna Redford
ABIL
1229 E. Washington
Phoenix, AZ 85034
(602) 296-0520
(800) 280-2245 x520
FAX (604) 254-6407
donnar@abil.org
www.abil.org

Saturday, June 24 – Salt Lake City, UT**Theme(s):**

- Celebration of the ADA and the 2002 Paralympic Games

Main Event(s):

- 10:00 AM Ceremony, City and County Building

Confirmed Speakers:

- Orrin Hatch (invited)
- Utah A.G. Jan Graham (invited)
- Paralympic Athlete
- ❖ Dep. Comm. Susan Daniels, SSA

Contact(s):

Stephen Mikita

Utah Attorney General's Office
(801) 538-1151

Tuesday, June 26-27 – Denver, CO

Theme(s):

- Transportation/Celebration of Civil Rights/birthplace of ADAPT

Main Site: Civic Center Park Rally and Coors Field–Colorado Rockies Baseball Game (June 26)

Main Event(s):

- 10 AM, Opening Ceremony, kickoff at the court building downtown.
- 12 PM, Recognition ceremony tentatively planned during a lunch gathering
- 4:30 to 6:30 PM, Meeting at headquarters of Atlantis Adapt

Torch Relay:

- June 26 appearance at Colorado Rockies game
- Two torches will depart after the kickoff event -- one going east and one going west

Confirmed Speakers:

- Mayor Wellington Webb
- Congresswoman Diana DeGette
- Speaker from AAPD
- ❖ Deputy Secretary Saul Ramirez, HUD

Contact(s):

Ron Noiles
Atlantis / ADAPT
201 S. Cherokee St.
Denver CO 80223
(303) 733-9324
FAX (303) 733-6211
adaptden@plinet.com

Friday, June 30 – Topeka, KS

Theme(s):

- "Hands Together For Diversity"

Main Event(s):

- 9:30 AM to 10:00 AM, ceremony on Statehouse grounds

Torch Relay:

- Torch begins at Statehouse grounds and finishes at Felker Park with an additional celebration

Confirmed Speakers:

- Mayor
- Governor
- Kevin Saunders from President's Council for Physical Fitness
- ❖

Contact(s):

Vicki Nelson
Topeka Independent Living Resource Center

501 S.W. Jackson St.
Topeka, KS 66603-3300
(785) 233-4572
FAX (785) 233-5072
kairos@tilrc.org

Tuesday, July 4 – St. Louis, MO

Theme(s):

Main Event(s):

- St. Louis Fair (4th of July – huge event)
- 1:00 PM, Pregame Ceremony, Cardinals vs. Reds game at Busch Stadium.
- Four Tops concert

Torch Relay:

- 1:00 PM, torch leads a “march to the arch” promotion
- 2:30 PM, torch appears on the main stage
- Torch lights fireworks at night

Confirmed Speakers:



Contact(s):

Colleen Starkloff
ParaQuad
311 N. Lindbergh
St. Louis, MO 63141
(314) 567-1558 ext.230
cstarkloff@paraquad.org

Friday, July 7 – Madison, WI

Theme(s):

- Recreation, both participation and spectatorship, for the disabled

Main Event(s):

- 10:00 AM Opening Ceremony

Torch Relay:

- Begins at Capitol
- Moves to Frank Lloyd Wright Civic Center
- Through town bike routes

Confirmed Speakers:

- Senator Cole
- Representative Baldwin
- Mayor
- County Executive
- Chancellor of U of W
- Host sponsor- 10 minutes
- ❖ Director Janice Lachance, OPM

❖ Dep. Commissioner Bill Halter, SSA

Contact(s):

Marcia Carlson (Co-chair)
Madison Chamber of Commerce / ADA Wisconsin Partnership
WARF Building, 9th Floor
610 Walnut Street
Madison, WI 53705
(608) 263-3021
FAX (608) 265-3139
TTY (608) 265-5147

Sunday, July 9 - Chicago, IL

Theme(s):

- "Every Day with the ADA," promoting everyday places improved by the ADA

Main Event(s):

- 1:20 PM, Cubs-White Sox game w/ national anthem sung by wheelchair-user
- 2:30 to 4:30 PM, Ceremony at Jackson Park, near Museum of Science and Industry, South side of Chicago

Torch Relay:

- Begins at Cubs-White Sox game
- Finishes at Jackson Park

Confirmed speakers:

- Jess Jackson (invited)
- Sen. Paul Simon (invited)
- Mayor (invited)
- Governor (invited)

❖

Contact(s):

Marca Bristo
Access Living of Metropolitan Chicago
310 South Peoria, Suite 201
Chicago, IL 60607
(312) 226-5900 ext. 615
FAX (312) 226-2030
mbristo@aol.com

Tuesday, July 11 - Memphis, TN

Theme(s):

- "Pro-Se—doing it for ourselves" (private litigation without use of professional attorneys)

Main Event(s):

- 10:00 AM, Opening Ceremony, Pyramid Plaza
- 4:00 to 6:00 PM, Closing Ceremony, Overton Park Shell (band and barbeque)

Torch Relay:

- Start at Pyramid and proceeds past sites of past pro se victories

- Down River Walk
- Through Downtown and Midtown
- Finishes in Park

Confirmed speakers:

- County Mayor Jim Brown
- City Mayor Willy Harrington
- State Rep Roscoe Dixon
- Rep. Catherine Bowers

**Contact(s):**

Judy Neal
Memphis Center for Independent Living
163 Angelus
Memphis, TN 38104
(901) 726-6404
FAX (901) 726-6521
judy@mcil.org
www.mcil.org

Thursday, July 13 – Jackson, MS**Theme(s):**

- The ADA providing New Opportunities in the Old South

Main Event(s):

- 9:00 AM to 9:15 AM, Opening Ceremony on the steps of the State Capitol
- Prayer ceremony with Charles Evers (Medgar's brother) at Freedom Corner
- 4:00 PM to 5:30 PM, Closing Ceremony at Jackson Medical Mall

Torch Relay:

- Begins at opening ceremony
- Finishes at Jackson Medical Mall
- Governor, Lt. Governor, Sec. of State, and Mayor of Jackson are expected to carry torch briefly

Confirmed Speakers:

- Governor
- US Attorney for Southern District Greg Pigott

**Contact(s):**

Mark Smith
Coalition for Citizens with Disabilities
754 North President St.
Jackson, MS 39202
(601) 969-0601
Markuncle@aol.com
www.ccd-life.org

Saturday, July 15 – Montgomery, AL**Theme(s):**

- Commonality of disability and civil rights struggles; *inclusion* for all

Main Event(s):

- 12:00 to 1:30 PM, Official Ceremony in front of the Capitol building, including Frank M. Johnson Award, Spirit of ADA Employment Recognition Award and a Spirit of ADA Accessible Business Award for those who have “willingly and caringly” made accessibility a priority
- 1:30 to 3:00 PM, “Spirit of ADA” street celebration featuring food, music, crafts, and activities, around Capitol building
- 3:00 to 5:00 PM, reception inside Capitol Building, Old Archives Room

Torch Relay:

- 8:30 AM, Starts in Selma on the Edmund Pettus Bridge
- 10:00 to 10:30 AM, Travels into City of Montgomery and along Dexter Avenue (including Dexter Avenue Baptist Church and MLK Memorial)
- 12:00 PM, Finishes on Washington Avenue in front of Capitol
- 1:30 PM, mini-relay for children with disabilities (using smaller torch with mag light)

Confirmed Speakers:

- State Senator Wendell Mitchell (Chair of Torch Steering Committee)
- Barbara Crozier, Governor’s Office on Disability
- Mayor Bobby Bright
- AAPD Spokesperson
- Volkswagen Spokesperson
- ❖ DOJ Asst. A.G. Bill Lann Lee

Contact(s):

Barbara Futral Crozier
Governor's Office on Disability (GOOD)
100 North Union Street Suite 586
Montgomery, AL 36130-2761
(334) 353-4663
FAX (334) 353-0333
bcrozier@good.state.al.us

Monday, July 17 – Tallahassee, FL**Main Event(s):**

- 10:00 AM, Kickoff Ceremony, Center for Independent Living
- Civic Center gathering with music including Van Gogh (musical duo) at close of Relay
- ADA Celebration -- Unveiling a “Wall of Fame” honoring Floridians.

Torch Relay:

- July 16th Candlelight Vigil to Welcome the Torch Arrival
- Community College
- FSU (Florida State University)
- State Capital–Center for Government Dignitaries

- FAMU (Florida Agriculture & Mechanics University)
- Final Civic Center Celebration

Confirmed Speakers:

- Gov. Bush delivering remarks from Brazil
- Lt. Gov. will officiate
- Sen. Boyd
- ❖ Commissioner Ken Apfel, SSA

Contact(s):

Mark Ravenscraft
Division of Vocational Rehabilitation
2002 Old St. Augustine Road A212
Tallahassee, FL 32399-0696
(850) 488-5363, ext. 115
FAX (850) 921-7216
theraven@rollstuhl.com

Wednesday, July 19 -- Warm Springs, GA**Theme(s):**

- General celebration of the ADA

Main Event(s):

- 2:30 PM to 3:00 PM, Ceremony featuring arrival of torch in the main campus quad of the Roosevelt Warm Springs Institute for Rehabilitation (RWSIR)

Torch Relay:

- Begins in Manchester, GA, at the Horizons Medical Corporation
- Eternal Flame
- Manchester High School
- Warm Springs-Manchester Presbyterian Church
- Warm Springs National Fish Hatchery
- Warm Springs Welcome Center
- Georgia Baptist Hospital and Nursing Home
- FDR's Little White House
- Finishes at the Roosevelt Institute.

Confirmed Speakers:

- GA Lieutenant Governor (invited)
- Roosevelt Institute Executive Director and other community representatives
- ❖ Attorney General Janet Reno, DOJ

Contact(s):

Joe Lytle
Roosevelt Warm Springs Institute for Rehabilitation (RWSIR)
P.O. Box 1000
Warm Springs, GA 31830
(706) 655-5715
FAX (706) 655-5718
JFLytile@dhr.state.ga.us

www.rooseveltrehab.org

Thursday & Friday, July 20 & 21—Atlanta, GA

Theme(s):

- Civil Rights (connecting with MLK Center)

Main Event(s):

- 10:00 AM, Opening Ceremony (July 20)
- Afternoon, Closing Celebration/Festival in Centennial Olympic Park will include speakers & performances (July 21)

Torch Relay:

- Thursday: Kickoff at the Shepherd Center followed by visits to a church, Piedmont Park, the Carter Center, the King Center, downtown Atlanta, and conclude at the State Capitol at 3:00 PM
- Friday; starts at Turner Stadium (Braves), and then visits the Arts-For-All Gallery, Georgia Tech University, and finally to Centennial Olympic Park.

Confirmed Speakers:

- Mayor
- Governor
- County Commissioners
- Dexter King
- MLK, III
- ❖ Administrator Aida Alvarez, SBA (July 20)
- ❖ Dep. Commissioner Bill Halter, SSA (July 21)

Contact(s):

Mark Johnson
745 Paddock Court
Alpharetta, GA 30004
(404) 350-7490
mark_johnson@shepherd.org

Saturday, July 22 – Columbia, SC

Theme(s):

- Celebrating the ADA

Main Event(s):

- 11AM to 4PM, ADA Celebration Picnic/Rally in Finley Park (downtown) with booths and vendors
- 3:00 To 3:30 PM, Closing Ceremony

Torch Relay:

- 9:00 AM Kickoff at airport (small)
- Large kickoff at Barrier Free Home on Vocational Rehabilitation Campus
- Travel downtown (West Columbia and Columbia)
- Finish

Confirmed Speakers:

**Contact(s):**

Deeann Jones
South Carolina Independent Living Council
810 Dutch Square Blvd. Suite 214
Columbia, SC 29210
(803) 731-1607
FAX (802) 731-1439
scilcdir@usit.net

Friday, July 29 – Philadelphia, PA**Theme(s):**

- Accessible Transportation for All, 10 points of what is positive about the ADA (one for each year).

Main Event(s):

- 11:00 AM, Opening Ceremony, Penn Treaty Park, downtown Philadelphia
- 2:00 PM, Closing Ceremony, Penn Treaty Park

Torch Relay:

- Relay around perimeter
- Joined by "Rolling Justice" marchers

Confirmed Speakers:

- Ginny Thornburgh, National Organization on Disability (Wife of Dick Thornburgh), keynote for Closing Ceremony
- Representative of Philadelphia Mayor's Commission on People With Disabilities
- Senator Specter (invited)

**Contact(s):**

Linda Richman
1341 N. Delaware Ave. Suite 105
Philadelphia, PA 19125-4314
(215) 634-2000 ext. 227
(888) 634-2155
FAX (215) 634-6628
TTY (215) 634-6630
ladrk@libertynet.org

Monday, July 31 – Auburn Hills/Detroit, MI**Theme(s):**

- Highlight Advances made in Private Transportation/Strength of Disability Marketplace to Affect Change

Main Event(s):

- 10:00 AM to 12:00 PM, Opening Ceremony in Hart Plaza
- 3:30 to 4:30 PM, Closing recognition ceremony planned in Hart Plaza downtown

Torch Relay:

- Begins at Volkswagen opening ceremony outside city (Auburn Hills)
- Finishes in downtown Detroit for closing ceremony

Confirmed Speakers:

- State Senator Leland Burton (from Lansing) who has worked intensely on transportation
- Councilwoman Maryanne Mahaffy
- ❖ Chairwoman Ida Castro, EEOC

Contact(s):

Marva Ways
ADAPT
26023 South River Park Drive
Inkster, MI 48141
(313) 277-0390
FAX (313) 274-5661
mlways@aol.com

Thursday, August 3--Boston, MA**Main Event(s):**

- 4:00 PM, Ceremony at JFK Library (location may change)

Torch Relay:

- Starts at 10:00 AM at Old North Church
- Brought down Charles River
- Ends at JFK Library

Confirmed Speakers:

- Senator Kennedy (invited)
- ❖ Secretary Herman, DOL

Contact(s):

April Holley
Massachusetts Rehabilitation Commission
(617) 204-3638
HOME (617) 298-7671
FAX (617) 727-1354
aprileholley@hotmail.com

Sunday-Monday, August 6-7 -- New York City, NY**Theme(s):**

- The ADA on the international stage

Main Event(s):

- Monday, August 7, Ceremony at the U.N.

Confirmed Speakers:

- ❖ Secretary Slater, DOT (August 6)
- ❖ Secretary Riley, DOEd (August 7)

Contact(s):

Susan Burstein
NYC Consortium for Independent Living c/o Queens Independent Living Center

140-40 Queens Blvd.
Jamaica, NY 11435
W (718) 658-8956
FAX (718) 658-5295
TTY(718) 658-4720
NYCADA2000@AOL.com
www.nycilc.org

President of the United States Directives

Recommendation	Description	Format	Status	Announce
Tax Credit to Assist Adults with Disabilities with Expenses Related to Work (TF '99)		Budget Proposal	In Congress	Pending
Strong, Enforceable Patient's Bill of Rights (TF '99)		Legislation	In Congress	Pending
Create "Access America for People with Disabilities" Web Site – SSA/DOL (TF'99)	Webcast	Announcement of Web	Done	July 26, 2000
Plan of Action to Address Transportation Services and Systems for People with Disabilities (TF '99)			Being Negotiated	July 26, 2000
Encourage Federal Agencies with Customer Service Call Centers to Explore Ways to Hire People with Disabilities (TF '99)		Executive Order	DPC	
* Raise SSI Earned Income Exclusion to Encourage Work Efforts – SSA (TF'99)	Link? USA Today? Map w/ Cabinet events	Regulatory Change	OMB	July 26, 2000
* OPM Hiring Goal	Link? Post?	Executive Order	DPC	July 26, 2000
Reasonable Accommodation		Executive Order	DPC	July 26, 2000
Section 504		Executive Order and Memorandum	DPC	July 26, 2000

Vice President Directives

Recommendation	Description	Format	Status	Announce
White House Conference on Employment of Adults with Disabilities (TF'99)		TBD	TBD	
Increased Funding for HHS/ OCR		Budget	Discussion – OMB	July 26, 2000
Technology:				
• Development/ Adoption of Information and Communication Technologies Used by People with Disabilities (TF '99)		Budget proposal	Pending	?
• Technology/ General		Pending – Curtis	Pending – Curtis	July 26, 2000
• Technology/ Section 508		Pending – Curtis	Pending – Curtis	July 26, 2000
Olmstead/ Home and Community-Based Services:				
• Medicaid Income Disregards for HCBS		Regulation	Discussion: OMB/HCFA	July 26, 2000
• Systems Change Capacity Building Grants		Grant - \$50 Million over 5 years	Discussion: Jeanne/ Chris	July 26, 2000
• Medicaid Technical Assistance Consortia		Partnership – TF, Educ, SAMHSA, HHS/HCFA	Done	July 26, 2000

First Lady Directives

Recommendation	Description	Format	Status	Announce
Develop Youth to Work Initiative – DOL, Education, HHS, SSA, OPM, TF and Others (TF '99)		First Lady Initiative		
Develop Proposal to Allow MCH/ CSHN Healthy and Ready to Work Services to Cover Youth with Disabilities Age 16 and Older – HHS (TF '99)		Executive Order/ First Lady Initiative ???	DPC	
Guidance on Non-harassment of Students with Disabilities – Education		Dear Colleague Letter from Education	Done	July 26, 2000

HHS Secretary Donna Shalala Directives

Recommendation	Description	Format	Status	Announce
Olmstead/ Home and Community-Based Services: • Helping People with Disabilities Transition from Nursing Homes to Communities • Expanding Availability and Quality of Home and Community – based Services • Reducing Unnecessary Medicalization of Home and Community-based Services • Maximizing Personal Dignity and Autonomy of People with Disabilities		Letter to Medicaid Directors – Policy Guidance / clarification	Done	July 26, 2000

No Designation Directives

Recommendation	Description	Format	Status	Announce
Create Office of Disability Policy Headed by Assistant Secretary – DOL (TF'99)		Budget Proposal	Congress	
Strengthen Enforcement of Employment – related Nondiscrimination Provisions of ADA and Rehabilitation Act – DOJ, Labor, EEOC (TF '99)		OFCCP Regulation	OMB	
Direct Workforce Investment Board liaisons re: • Participation of youth with disabilities on youth councils • Need for states to be aggressive in ensuring that WIA structures address concerns of people with disabilities in their programs • Outreach to, and inclusion of, state MR/DD directors and state Medicaid directors on state WIBs		DOL Guidance (TIEN)		
15% set aside for technical assistance to workforce system promoting employment of people with disabilities at minimum wage or above		Letter from Secretary Herman		

ADA Anniversary Meeting

7/10/00

- Torch travelling thru country
 - with Cabinet/sub-Cabinet events

Events

- 7/25 - VP & MEG - many activities; lead up to anniv. event
 - evening event @ VP residence → featuring new technologies
- 7/26 - POTUS & HRC → WH Event
 - Cab. sec'y roles

Deliverables

① OPM - POTUS?

- Fed. gov't will hire 100,000 ppl. w/ disabilities over next 5 yrs.
- No specific target #s for each agency
- 60-90 days to report back w/ plan to hire
- 25% of total will be in targeted disabilities

② DDT - POTUS?

③ SSA - 3 reqs → working thru OMB

④ HUD

⑤ Technology package

- tech lab
- IT training & research center → published, ppl. applying now

⑥ DoEd

⑦ EEOC

- guidance on genetic discrimination
- Policy guidance to implement POTUS Exec. Order } MEG

⑧ SAMSA

⑨ HHS - get w/ healthcare team

⑩ DoC Commerce

- statistics on hiring of ppl w/ disab

⑪ Labor - still tbd

⑫ Treasury → to submit

POTUS

OPM

DOT

SSA

HMD ~~keep it~~ incentives

VP

Holmstead HMD

Tech. Assis. Package

HRC

Disab. Harass. Guide

Youth to Work

MEG

· EEOC

· JANSA?

**DEPARTMENT OF EDUCATION
ADA-RELATED
DELIVERABLES
(10 July 00)**

1. ADA Success Stories Fact Sheet: 10 Examples of Successful Efforts to Educate Americans with Disabilities.
- *
POTUS? 2. Disability Harassment Guidance: The Department is preparing a "Dear Colleague letter" to offer schools guidance to address student harassment based on disability.
3. *High Stakes Testing Guide*: Includes a section that discusses the "Testing of Students with Disabilities." The Testing Guide was just published in the Federal Register for public comment and will likely be published in final form in September.
4. Charter Schools and Students with Disabilities: The final report of this study is scheduled for a late summer/early fall release. The study examined, in part, the reasons parents enroll students with disabilities in charter schools, the nature of services provided, and the outcome goals charter schools have for students with disabilities.
5. Self-Employment Guide: Publication of a Technical Assistance Guide on self-employment and business ownership for individuals with disabilities is anticipated in late July.
6. Guide to Vocational Rehabilitation: Publication of a layman's guide to the Federal/state vocational rehabilitation program is anticipated in late July.
7. Consumer Choice Guidance: The Rehabilitation Services Administration will issue guidance promoting consumer choice in the vocational rehabilitation program.

8. Disability Community Leadership in a Post-Olmstead Environment: The Department of Education will fund a disability community empowerment project, in conjunction with the Department of Health & Human Services and the Task Force.
9. Information Technology: The Department will award a contract, in conjunction with the General Services Administration, to create an Information Technology Demonstration Center. It will also award grant to create an Information Technology Technical Assistance and Training Center. Both are anticipated for late August or early September.
10. IEP Guide: Published an easy-to-understand guide on the requirements for a student's Individualized Education Program to be used by teachers and parents. Released on July 4th by Secretary Riley.

DEPARTMENT OF EDUCATION
ADA-RELATED
ACCOMPLISHMENTS
(10 July 00)

- Through reform efforts such as Goals 2000, the Department has promoted a national commitment to enabling *all* students to learn to high standards. Programs that direct elementary and secondary school reforms positively impact students with disabilities as well as their peers. Initiatives like Class Size Reduction, Smaller Learning Communities and 21st Century Community Learning Centers help create opportunities for individual attention and a learning environment conducive to multiple learning styles and a diverse student body. Title I funds served over 1 million children with disabilities in the 1996-97 school year. Further, the Department has raised public awareness about the needs for school construction and renovation, including addressing facilities and technology accessibility issues.
- Learning Disabilities One-Stop Learning Centers Project: This initiative provides the latest diagnostic, assessment, instructional strategies, and research findings to assist adults with learning disabilities.
- Collaborating with the Department of Justice in a five year project for Youth with Disabilities: The program focuses on three broad areas of prevention programs, education programs, and reintegration and transition programs for youths between the ages of 16 and 22 who are in county, state or federal correctional facilities.
- Collaboration with the National Institute for Literacy on the Welfare-to-Work System for Learning Disabled Adults: One product of this effort is *Bridges to Practice*, a comprehensive research-based guide to serving adults with Learning Disabilities (LD). In addition, four LD hubs have been funded that provide training and technical assistance in the use of *Bridges to Practice* as a tool for improving services and results. Thus far 37 States and District of Columbia have been trained.
- Initiated a new demonstration program designed to increase college graduation rates of students with disabilities through improved faculty development.

- Developed a Resource Bulletin and other targeted resources for School-To-Work and youth with disabilities.
- Worked with Department of Labor to develop a manual on disability issues in Welfare-to-Work.
- “Applying Federal Civil Rights Laws to Public Charter Schools: Questions and Answers” was recently published by the Department of Education's Office for Civil Rights (OCR) and is available at <http://www.uscharterschools.org>. These Q&As were developed, with input from the Department of Justice's Civil Rights Division, as part of our continuing effort to support innovation and choice within the public school system and in response to increasing requests for technical assistance regarding charter schools.
- **The reauthorization of the Individuals with Disabilities Education Act (IDEA):** With the signing of the 1997 amendments to the IDEA, the focus of IDEA changed from one that merely provided children with disabilities access to an education to one that improves results for all children in our educational system. The IDEA '97 strengthens the role of parents in educational planning and decision making on behalf of their children. It focuses the student's educational planning process on promoting meaningful access to the general curriculum. The new law also reduces the burden of unnecessary paperwork for teachers and school administrators. All of this was accomplished without compromising the Clinton/Gore Administration's fundamental principle of protecting the basic rights of children with disabilities to a free appropriate public education. Through Part D of IDEA four partnership projects were funded to assist educators, parents, and policy makers in the implementation of the re-authorized law.
- **The revamping of the Administration's approach to monitoring the regulatory and statutory requirements of the IDEA:** Over the past five years, OSEP has worked with States, parents, advocates and other key stakeholders to shape its accountability work in a way that drives and supports improved results for infants, toddlers, children and youth with disabilities., without sacrificing protection of individual rights. In order to ensure compliance with IDEA 97 that supports positive results for

children with disabilities, OSEP designed a continuous improvement monitoring system that includes:

- Increased collaboration between the Department of Education, State Educational Agencies and special education stakeholders
 - Providing ongoing technical assistance to the State to support the process
 - A State self-assessment
 - Increased stakeholder involvement in the process including parents, students, and advocacy organizations
 - Continued on-site review of State and local programs
 - An improvement planning process that is driven by the unique needs of the State
- **Expansion of the Part C Infants and Toddlers Program:** The last eight years have seen a dramatic expansion in services to infants and toddlers with disabilities and their families. Since the program is predicated on the belief that earlier intervention leads to better child outcomes, it is especially gratifying that the number of infants and toddlers served has shown steady growth and there is increasing evidence that infants and toddlers are being identified for services at an earlier age. Recognizing the interagency nature of services for young children with disabilities and their families, Congress established a Federal Interagency Coordinating Council (FICC) to coordinate and mobilize all available resources to assure appropriate services for the nation's infants and young children with disabilities and their families. This was done as a part of the reauthorization of P. L. 99-457, which became the Individuals with Disabilities Education Act Amendments (IDEA) of 1991
- **Sustained and effective support of IDEA through the Part D National Activities:** Part D National Programs continue to enhance the capacity of states to develop infrastructures to support the full and effect implementation of IDEA through a variety of strategies including: research, personnel preparation, technical assistance and dissemination, technology, and studies and evaluations. Activities under Part D have improved results for children with disabilities as well as their non-disabled peers in families and schools throughout the United States and abroad. Three areas of significant investment are access to the general curriculum, inclusion in assessments and behavior. Investments in **access to the general curriculum** include a newly funded technical assistance

- Secretary Riley establishes (1993) a Disability Work Group on the Recruitment, Advancement and Access for People with Disabilities to conduct an evaluation of ED's policies and practices for compliance with Section 504 and make modifications, based on recommendations of the Work Group, if current policies and practices are in need of modification(s). (Co-chaired by Assistant Secretary/OSERS).
Outcomes: Many recommendations were made and implemented to strengthen policies covering accessibility, facilities, alternate formatting of materials, technology, training, etc.
- Establishment of a 504 coordinator position for the Department and subsequent hiring of a 504 coordinator in the Office of Management. Assistant Secretary (OSERS) was primary catalyst.
- Establishment of a Department managed Alternate Format Center to provide employees and customers with print materials in alternate format (braille).
- Establishment of a Department wide (annual) central pool of funds to directly support reasonable accommodations hires for individuals with disabilities.
- Development of a Department wide disability awareness training course for all employees that has become part of the Department's 20 hours of core curriculum training for managers.
- Development of Department guidelines and requirements covering information technology accessibility in compliance with section 508 of the Rehabilitation Act.
- Development of a handbook and policy guide for employees and managers covering policies and procedures on providing reasonable accommodations for employees with disabilities.
- Institutionalization of the Work Force Recruitment program for College Students with Disabilities to employ substantial numbers of students with disabilities each summer.

- For some application notices for Discretionary Grant competitions, preference points are awarded for applicants who indicate in their submittal that they will be hiring individuals with disabilities to administer the grant.

Dunham, Nancy

From: Dunham, Nancy
Sent: Friday, July 07, 2000 11:36 AM
To: 'MeganJ.Crowhurst@who.eop.gov'
Cc: Workie, Blane; Brenman, Marc; Rupp, Jeff; McFadden, Nancy; Tochen, David; Day, John
<FTA>
Subject: DOT deliverables

As requested, the following is a list of DOT's anticipated deliverables for the end of July ADA celebration.

a. First, our priority will be to complete Recommendation 12, from the "1999 Recommendations to the President from the PTFEAD." Thus, DOT expects to have an initial "Plan of Action" to comprehensively "address the lack of transportation services and systems for persons with disabilities," especially as it relates to "finding and keeping jobs." At this point, preliminary interagency coordination has been done, and an informal draft Plan has been prepared.

As discussed in the OEOP meeting on 7/5/00, since this is a PTFEAD recommendation, this would likely be one the ADA celebration announcements by the President.

b. Second, we expect to announce the issuance of two new regulations: one on DOT's adoption of the Access Board's Updated Accessibility Guidelines and one extensive supplemental rule on safety standards for platform lifts and for motor vehicles using platform lifts.

c. Third, we will announce the impending issuance of Volume Two of "Designing Sidewalks and Trails for Access: A Best Practices Guide." This highly-anticipated guidance will provide much-needed technical advice on creating and adapting sidewalks and trails for use by all, including persons with mobility impairments, visual impairments, and other disabilities.

d. Last, we are working to complete a number of other deliverables, including, issuance of a Report to Congress on Commercial Drivers Licences for insulin-dependent diabetics; completion of an interagency Air Carrier Access Act outreach plan for travelers with a disability; issuance of a new Departmental policy statement and plan on Section 501 and Affirmative Action for Persons with a Disability; and the announcement of a biennial "Secretary's Excellence in Accessibility Award."

ask DR → Fair Housing Commission
- asked for in EO in 1994 - never implemented
DRAFT

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

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DELIVERABLES

POSSIBLE PRINCIPAL ANNOUNCEMENT:

POTUS
*
INCENTIVES FOR EMPLOYMENT

HUD provides important incentives for individuals with disabilities who receive certain types of HUD housing assistance to enter the workforce. In a new regulation, finalized in March, HUD:

- excludes from annual income certain funds earned by previously unemployed individuals or individuals previously receiving certain types of public assistance, for individuals living in public housing; and
- provides a deduction to adjusted annual income for families with an individual with a disability and also provides a deduction for certain medical expenses of disabled families and certain expenses necessary to enable employment, for individuals living in public housing as well as individuals receiving assistance under §8 programs.

HUD proposes to extend these incentives for persons with disabilities to *all* of HUD's housing assistance, including §8 (to the degree not currently covered), §811, §202, the Rental Supplement program, and the Rental Assistance Program. This would be accomplished through regulatory changes and proposed statutory changes.

POSSIBLE HUD ANNOUNCEMENTS:

CONSOLIDATED PLANNING FOR COMMUNITY DEVELOPMENT

HUD is requiring all states and localities that have already developed a Consolidated Plan to create a new plan during the year 2000. To encourage recipients to specifically address assisting adults and families with disabilities in this plan, the Office of Community and Planning Development (CPD) will distribute a publication entitled "Piecing it All Together in Our Community: Learning to Use HUD's Consolidated Plan to Expand Housing Opportunities for People with Disabilities."

DRAFT

DRAFT

HUD will launch a web page that contains technical assistance letters, court decisions, answers to frequently asked questions and other developments in accessibility issues; permits the public to ask questions and receive answers; directs the public to relevant publications or studies; and provides text of particularly important publications.

ACCESS HOUSING 2000 (more to come in consultation with HHS)

* HUD is planning to send to its housing and community development partners a joint letter with the Department of Health and Human Services to highlight the importance of the *Olmstead* principle and to encourage its partners to find ways to expand accessible, affordable housing for persons with disabilities. The letter will include a copy of HHS guidance to state Medicaid directors and a copy of a letter Secretary Shalala sent to every Governor.

NEIGHBORHOOD NETWORK CENTERS

Over the next year, HUD will review and modify the current Neighborhood Network Center's evaluation form to include questions regarding the Centers' accessibility and what need there might be to make the Centers accessible.

NATIVE eDGE

Hold for larger Native American package
 HUD has agreed to use its Internet-based Native American community resources to disseminate technical information on job development and employment for Native Americans with disabilities. These systems, the Native American Economic Development Access Center (Native eDGE) which links fourteen federal agencies to entrepreneurs and their partners seeking economic development in Indian Country, and CodeTalk, an interagency website for Native American communities, would facilitate the development of opportunities to employ Native Americans with disabilities, particularly through new business enterprises. Partner agencies would provide resources such as disabilities employment and related training to HUD staff, publications and documents to distribute on the Internet, and when necessary cooperative funding for technical enhancements and/or expansion of the services. To support this project, HUD has completed a technical review of Native eDGE and is now working to make the web site fully compliant with ADA requirements.

Ideally, the services would operate in concert with a new, Inter-Agency American Indian Disability Technical Assistance Center established through a multi-agency agreement. Such a Center would assist the 557 Federally recognized American Indian tribes and Alaska Native Villages examine the implication of, and potential for adoption of, culturally appropriate laws, policies, and programs to assist their members with disabilities in living healthy, productive, and integrated lives within their communities.

DRAFT**DRAFT****DATA COLLECTION**

HUD is modifying its Tenant Rental Assistance Certification System (TRACS) to enable the Department to identify which units of the 30,000 assisted projects in the Department's multifamily inventory are accessible to persons with disabilities. Specifically, the Department will be able to determine which units are accessible to persons with mobility impairments, persons with visual impairments, and/or persons with hearing impairments. This system will become operational during the second quarter of Fiscal Year 2001.

TAX CREDITS (to be announced only in conjunction with Treasury and Justice)

* HUD is entering into a Memorandum of Understanding (MOU) with the Departments of Treasury (including the Internal Revenue Service) and Justice that sets forth the reporting and other responsibilities of each Department when a multifamily project constructed and operated using Low-Income Housing Tax Credits (LIHTC) is found to be possibly or actually in violation of the Fair Housing Act.

The MOU encourages substantially equivalent State and local agencies to include State Housing Finance Agencies administering Federal LIHTCs in regularly scheduled fair housing training. Finally, the MOU calls for an annual meeting of interested Federal Departments and agencies to discuss emerging civil rights issues and methods and programs for increasing civil rights compliance in the LIHTC program.

HOMEOWNERSHIP

HUD will send a letter from Assistant Secretary for Housing William Apgar to all approved FHA mortgagees entitled "Single Family Loan Production - Increasing Home Ownership Rates for Persons with Disabilities". This Mortgagee Letter will re-emphasize the Department's commitment to make home ownership a reality for persons with disabilities and encourage its lender partners to make this dream possible through increased, but prudent flexibility when underwriting their loan applications.

OUTREACH AND INFORMATION ON REGULATORY ENFORCEMENT

HUD will issue a notice to reemphasize the responsibility of Community Development Block Grant recipients to further affirmatively fair housing and to assess compliance with the requirements of the Fair Housing Act (the Act) concerning accessible multifamily design and construction. The notice will call upon recipients to give the same attention in their Analysis of Impediments to discrimination based upon disability as they do to other bases of discrimination such as race that have been prohibited by the Act since its inception in 1968. The notice will also encourage local elected officials to examine their building codes for inconsistencies with the design and construction requirements of the Act and find ways to inform builders and architects of the need to comply with those requirements as early as possible in the design phase of a multifamily project.

SSA Planned Activities supporting the PTFEAD and for announcement as part of ADA celebration:

We are continuing to discuss with OMB some regulatory actions that would:

Annually adjust per the average wage index the earnings guideline that shows whether work done by persons with impairments other than blindness is substantial gainful activity;

Increase (from \$200 to \$530) the earnings amount that shows that a person has used one of his/her a trial work months under SSDI, and then annually adjust the amount per the average wage index;

Increase the maximum monthly (from \$400 to \$1,290) and yearly (from \$1,620 to \$5,200) Student Earned Income Exclusion amounts used in determining SSI eligibility and payment amounts, and then annually adjust these amounts per the consumer price index.

Department of Agriculture

The Secretary's Advisory Committee for Employees with Disabilities (SACED) as a best practice that can be replicated at other agencies. The Secretary has approved a full-time staff for the SACED.

- ✓ Established quarterly data collection for SACED review on the amount USDA offices are spending on accommodations, to determine the feasibility of Department-wide central funding. The SACED supports processes to reduce costs and delivery time for employee accommodations.
- ✓ Established a mentor program targeted for USDA employees with disabilities to expand opportunities for employee development and career advancement.
- ✓ Launched a SACED home page as a communications vehicle for employees and applicants with disabilities with a contact list, calendar of events, and an extensive resource list for use by committee members, managers, and employees with links to disability information and Internet resources. The home page offers an easy, accessible method for employees and applicants to contact the committee with their comments and suggestions.
- ✓ Established Employment Subcommittee to develop recruitment strategic plan with Departmental employment goals for hiring of persons with disabilities at all levels in cooperation with the Presidential Task Force on Employment of Adults with Disabilities. Promoted alternative workplace, telecommuting, and work at home programs as a mechanism for accommodating employees with disabilities.
- ✓ Assessed statistical data on representation of employees with disabilities and disabled veterans in the USDA workforce so the SACED can ensure appropriate representation at all levels. Developed and implemented an all-employee survey on employment and service delivery issues that achieved a 30 percent response rate and published a report entitled *Employee Survey on Disability Issues* in January 2000.
- ✓ Held four SACED forums with employees throughout the country to listen to concerns, success stories, and suggestions from the disability community and prepared an action item memo that was signed by the Secretary and distributed to the Subcabinet for action. Periodic progress reports to the Secretary will serve to monitor progress.

The Secretary's Advisory Committee for Employees with Disabilities (SACED): A best practice that can be replicated at other agencies

Secretary Glickman established the Secretary's Advisory Committee for Employees with Disabilities (SACED) in 1997 to provide input and focus on achieving equal access to affirmative employment, advancement, and services for people with disabilities at USDA. The SACED has expended considerable time and in-house resources to provide outreach, raise awareness, and make USDA a model employer of persons with disabilities. This year, the Secretary approved a full-time staff for the SACED. The committee operates at the highest level of executive leadership and is charged with providing advice and direction to the Secretary to:

- eliminate barriers to equal opportunity for employees with disabilities;
- provide accessible facilities, reasonable accommodations, and equal opportunity in hiring and promotions;
- promote affirmative employment opportunities for disabled veterans and persons with severe (targeted) and other (non-targeted) disabilities; and
- provide effective communication, including information in alternative formats, as needed, to all employees.

SACED has the responsibility of reviewing the Department's progress in achieving results and ensuring accountability. The SACED provides oversight for implementation of recommendations resulting from a series of nationwide listening forums for employees with disabilities. Periodic reports to the Secretary will serve to monitor progress.

Departmental Reasonable Accommodation Policy: The Secretary issued a Departmental Reasonable Accommodation policy stating that: "USDA recognizes that all of its employees need the tools necessary to be productive, and that making reasonable accommodations is simply a way of providing the tools needed to accomplish its mission. USDA is committed to a simple and streamlined process for providing reasonable accommodations."

Central Funding: The SACED has established quarterly data collection for review on the amount USDA offices are spending on accommodations to determine costs for Department-wide central funding.

Mentor Program: The SACED established a mentor program targeted for USDA employees with disabilities to expand opportunities for employee development and career advancement.

Communications: The SACED established a SACED home page as a communications vehicle for employees and applicants with disabilities with a contact list, calendar of events, and an extensive resource list for use by committee members, managers, and employees with links to disability information and Internet resources.

Employment: The SACED established an Employment Subcommittee to develop a Department-wide recruitment strategic plan with Departmental employment goals for hiring of persons with disabilities in cooperation with the Presidential Task Force on Employment of Adults with Disabilities.

Department of Agriculture Success Stories

In 1992, USDA established the Technology Accessible Resources Gives Employment Today (TARGET) Center to comply with Section 508 of the Rehabilitation Act. USDA's TARGET Center provides demonstrations of assistive technologies and ergonomic solutions, evaluation of accommodations, and individual and work site needs assessments. USDA has established three TARGET Centers and is preparing for three more nationwide to support the Federal sector as a model employer of people with disabilities.

- ✓ Cited as a best practice in the federal government by the Presidential Task Force on Employment of Adults with Disabilities.
- ✓ Provided services to employees with disabilities nationwide from the seven federal agencies who have provided support to the TARGET Center since 1996.
- ✓ Coordinated the annual Interagency Disability Educational Awareness Showcase (IDEAS) event for the federal government to highlight accessible and cutting-edge technology.
- ✓ Worked to re-accommodate employees whose disabilities change over time to ensure that they can maintain productivity and job performance to meet career goals.
- ✓ Loaned equipment to employees with disabilities nationwide for evaluation at their work site or to attend training.
- ✓ Provided assessments and ergonomic solutions to prevent secondary disabilities from developing due to poor work environment or incorrect positioning.
- ✓ Accommodated Workforce Recruitment Program (WRP) students on first day of employment with high tech, low tech, and low cost solutions to ensure a timely, comfortable, and productive work environment.
- ✓ Conducted sign language classes for managers and co-workers of new WRP students who are deaf to enhance communication and provide a welcoming work environment.
- ✓ Produced or facilitated the production of information in alternative formats such as braille, large print, audio, and video.
- ✓ Educated federal employees through participation in events and presentations on accessibility and ergonomics.
- ✓ Supported technology refreshment of employee accommodations when agencies upgrade their information technology.

Dunham, Nancy

From: Dunham, Nancy
Sent: Friday, July 07, 2000 11:36 AM
To: 'MeganJ.Crowhurst@who.eop.gov'
Cc: Workie, Blane; Brenman, Marc; Rupp, Jeff; McFadden, Nancy; Tochen, David; Day, John
<FTA>
Subject: DOT deliverables

As requested, the following is a list of DOT's anticipated deliverables for the end of July ADA celebration.

a. First, our priority will be to complete Recommendation 12, from the "1999 Recommendations to the President from the PTFEAD." Thus, DOT expects to have an initial "Plan of Action" to comprehensively "address the lack of transportation services and systems for persons with disabilities," especially as it relates to "finding and keeping jobs." At this point, preliminary interagency coordination has been done, and an informal draft Plan has been prepared.

As discussed in the OEOB meeting on 7/5/00, since this is a PTFEAD recommendation, this would likely be one the ADA celebration announcements by the President.

b. Second, we expect to announce the issuance of two new regulations: one on DOT's adoption of the Access Board's Updated Accessibility Guidelines and one extensive supplemental rule on safety standards for platform lifts and for motor vehicles using platform lifts.

c. Third, we will announce the impending issuance of Volume Two of "Designing Sidewalks and Trails for Access: A Best Practices Guide." This highly-anticipated guidance will provide much-needed technical advice on creating and adapting sidewalks and trails for use by all, including persons with mobility impairments, visual impairments, and other disabilities.

d. Last, we are working to complete a number of other deliverables, including, issuance of a Report to Congress on Commercial Drivers Licences for insulin-dependent diabetics; completion of an interagency Air Carrier Access Act outreach plan for travelers with a disability; issuance of a new Departmental policy statement and plan on Section 501 and Affirmative Action for Persons with a Disability; and the announcement of a biennial "Secretary's Excellence in Accessibility Award."

Completion of memo tentative



PROPOSED WHITE HOUSE ANNOUNCEMENT ON INCREASING THE FEDERAL GOVERNMENTS' HIRING OF PEOPLE WITH DISABILITIES

Objectives:

- To set a realistic “stretch” goal to increase the number of persons with disabilities hired by Federal department and agencies.
- To increase the representation of persons with disabilities employed at all levels and occupations of the Federal government.

PROPOSED ANNOUNCEMENT

Federal government will hire 100,000 people with disabilities over the next five years

- This represents a **60% increase** in the hiring level of people with disabilities for Federal government
- 100,000 new hires represents **9.2%** of all new Federal hires . . . almost 1 in 10

=====

BACKGROUND

Current State of Play

- Federal government is our nation's largest employer – 1.8 million employees
- Government hires 200,000 employees each year
- Of those, 12,000 are people with disabilities (5.9%)
- 1,600 are people with targeted disabilities (0.8%)

What Happens If We Do Nothing

- Federal new hires over the next five years will be 1,082,000
- Of these, 62,500 will have a disability (5.8% of all hires)
- Of these, 8,000 will have a targeted disability (.7% of all hires)

SSA Planned Activities supporting the PTFEAD and for announcement as part of ADA celebration:

We are continuing to discuss with OMB some regulatory actions that would:

Annually adjust per the average wage index the earnings guideline that shows whether work done by persons with impairments other than blindness is substantial gainful activity;

Increase (from \$200 to \$530) the earnings amount that shows that a person has used one of his/her a trial work months under SSDI, and then annually adjust the amount per the average wage index;

Increase the maximum monthly (from \$400 to \$1,290) and yearly (from \$1,620 to \$5,200) Student Earned Income Exclusion amounts used in determining SSI eligibility and payment amounts, and then annually adjust these amounts per the consumer price index.

Info to Jeanne & Chris

MEMORANDUM

TO: Becky Ogle and Marsha Scott

FROM: Bob Williams (ASPE), Henry Claypool (HCFA), Sheila Foran (OCR) and Lorinda Daniel (SAMHSA)

RE: Possible Directives/Announcements from the White House Regarding Actions HHS Will Take to Aid States' Compliance with the ADA and the Olmstead Decision

DATE: July 10, 2000

The purpose of this memorandum is to outline our collective thoughts regarding possible directives/announcements the White House could make regarding actions HHS will take to help states comply with the ADA and the Olmstead decision. This memo incorporates thoughts and ideas from all four HHS components involved in implementing the Olmstead decision and in planning ADA anniversary events (HCFA, OCR, ASPE and SAMHSA).

1. DIRECT HHS TO DEVELOP AND PUBLISH A REGULATION ALLOWING STATES TO USE SECTION 1902(R)(2) TO EXPAND MEDICAID ELIGIBILITY BY PROVIDING MORE LIBERAL INCOME DISREGARDS THAN WOULD OTHERWISE BE ALLOWED. This would help level the playing field between institutional and community services by allowing States to offer community services to those with low to moderate incomes. States already cover those with similar incomes, if they go into a nursing home.

. STATUS: Discussion between HCFA and OMB (Tim and Jeanne) are taking place and there is said to be a desire to move ahead. Cost estimate: \$785(?) million over 5.

. IMPORTANCE FOR PEOPLE AND STATES: States that take this up would be able to offer people more of a real choice between going into an institution and living in their own homes and communities with needed supports. States like Connecticut and North Carolina have pushed for this change to be made. Absent legislation this is the most this Administration can do to afford States the tools they need and want to offer more people with disabilities of all ages the choice and supports to live meaningful lives in their communities.

2. ANNOUNCE \$50 MILLION TO FUND SYSTEM CHANGE/CAPACITY BUILDING GRANTS TO HELP STATES WORK WITH THEIR DISABILITY/AGING COMMUNITIES TO PURSUE AFFORDABLE STRATEGIES FOR IMPLEMENTING OLMSTEAD. These grants would be the same as those called for in part of MiCASSA.

. STATUS: After meeting with ADAPT Nancy Ann forwarded this proposal to Chris and Jeanne. New Spending: \$250 million/5 years. Resources not identified.

. IMPORTANCE: These grants would fund States to enhance their capacity to provide by working in close coordination with its disability community to develop and implement a

comprehensive, effectively working plan as encouraged by Olmstead. The disability community recognize that to be effective the grants need to be funded and awarded in FY2001.

*list down
HHS*

3. ANNOUNCE INCREASED FUNDING FOR HHS OFFICE FOR CIVIL RIGHTS ACTIVITIES RELATED TO THE AMERICANS WITH DISABILITIES ACT, INCLUDING THOSE PERTAINING TO THE OLMSTEAD DECISION.

STATUS: OCR's FY 2000 budget is \$22 million, which is the same as OCR's budget was in 1980, when HHS was created, and the same as OCR's budget in 1993, when President Clinton entered office. The FY 1980 budget supported 550 employees nationwide, while today's budget supports 225.

IMPORTANCE: OCR's enforcement responsibilities have increased substantially over the past ten years, with passage of the Americans with Disabilities Act. The Supreme Court's decision in Olmstead has increased OCR's ADA workload exponentially, not only due to a large volume of complaints but because of the comprehensive manner in which OCR is seeking to resolve the complaints. OCR has received more than 120 complaints alleging that states and other public entities have failed to provide services to people with disabilities in most integrated settings. OCR is attempting to resolve these complaints by working with all parties in the states to build comprehensive, effectively working plans for placing qualified persons with disabilities in the most integrated setting appropriate.

The Department has played a key role in the development of Olmstead planning coalitions across the nation. In some states, special governor's commissions have been established to head these coalitions. In others, particular disability groups have taken up the challenge of coalition building. In all, some twenty states are engaged in various stages of Olmstead planning.

\$1 million

4. ANNOUNCE CREATION OF A NATIONAL MENTAL HEALTH COALITION TO PROMOTE COMMUNITY-BASED CARE.

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STATUS: SAMHSA will support creation of this coalition. Key organizations and constituencies will come together to work in partnership with the States to develop a plan for the coalition, working with consumers.

IMPORTANCE: This technical assistance effort will link with the Private Industry Councils (PICs), looking at employability, housing authorities, case managers, professional organizations, social security services and others to ensure wrap-around, integrated, community-based services. Particular attention will be paid to including organizations that address the two most critical issues consumers face in trying to live in the community -- finding adequate and affordable housing and identifying employment opportunities.

5. GIVE HIGH VISIBILITY TO THE CHANGES MADE IN MEDICAID POLICY TO BETTER ENABLE STATES TO HELP PEOPLE MAKE A SUCCESSFUL TRANSITION FROM NURSING HOMES AND OTHER INSTITUTIONS INTO THE COMMUNITY.

. STATUS: Changes will be announced in a State Medicaid Director letter. See attached.

. IMPORTANCE: People with disabilities who want to and are able to move out of nursing homes and other institutions often face tremendous barriers to making such a transition. State Medicaid programs face similar barriers of their own. The guidance and policy clarifications in the State Medicaid Directors letters HHS will issue to State Medicaid Director on July xx will help eliminate many of these barriers.

6. GIVE HIGH VISIBILITY TO THE CHANGES MADE IN MEDICAID POLICY TO BETTER ENABLE STATES TO MAXIMIZE THE PERSONAL DIGNITY AND AUTONOMY OF PERSONS WITH DISABILITIES THROUGH SELF DETERMINATION AND CONSUMER DIRECTED SERVICES.

. STATUS: Changes will be announced in a State Medicaid Director letter. See attached.

. IMPORTANCE: Approaches for increasing consumer choice and control over their Medicaid services and supports are having a significant impact on people with developmental disabilities, physical disabilities, and serious mental illness of all ages, including elderly individuals. The new guidance clarifies how all States can use Medicaid to design and implement strategies for enabling people with disabilities to have a say in how the services they support on most to live their lives get provided. THIS IS ALSO LINKED TO THE TASK FORCE'S PROPOSED INITIATIVE ON PEOPLE WITH SIGNIFICANT DISABILITIES AS WELL AS THE PROPOSED ACCESSHOUSING 2000 INITIATIVE.

NOT FOR DISTRIBUTION:

CHANGES AND CLARIFICATIONS HHS IS MAKING IN MEDICAID POLICIES TO HELP STATES CARRY OUT THE SUPREME COURT'S OLMSTEAD DECISION:

In its January letter to States on the Olmstead decision, HHS pledged to begin to review and modify, where necessary, relevant federal Medicaid regulations, policies and previous guidance to assure that they are compatible with requirements of the ADA and facilitate States' efforts to comply with the law.

Toward this end, HHS is issuing two additional letters and related guidance to State Medicaid Directors which provide needed policy clarifications and in some instances, reflect significant changes in policy to support community integration. These letters are responsive to specific issues that have been identified as barriers by both States and the disability community. The letters will support States' efforts:

- . expanding access to home and community based services;
- . assisting people with disabilities make a successful transition from nursing homes and other institutions into the community; and,
- . maximizing the personal dignity and autonomy of persons with disabilities.

Along with the letters, the Department is releasing a set of Questions and Answers regarding the ruling. The Q&A's like the policy clarifications HCFA is issuing are responsive to the questions and concerns that States and the disability community brought to HHS as a result of our invitation to do so in the January letter.

EXPANDING ACCESS TO HOME AND COMMUNITY BASED SERVICES: This letter describes the ways in which States can use the Medicaid program to work toward achieving the following 4 goals:

1. HELPING PEOPLE WITH DISABILITIES MAKE A SUCCESSFUL TRANSITION FROM NURSING HOMES AND OTHER INSTITUTIONS INTO THE COMMUNITY:

People with disabilities who want to and are able to move out of nursing homes and other institutions often face tremendous barriers to making such a transition. State Medicaid programs face similar barriers of their own. The guidance and policy clarifications in the first letter HHS just issued to State Medicaid Director on July xx, will help eliminate many of these barriers.

Accessing Waiver Services: HCFA explains the quickest way a State can begin using Medicaid waiver funds to help a person move out of a nursing home or institution back into their community;

thus cutting down on undue delays.

Community Transition Expenses: HCFA details how Medicaid can be used to pay for services and one-time expenses related to assisting a person to move from institution to the community. This can include paying for up to 6 months of case management to identify and obtain needed services for the person by the time he or she leaves the facility; accessibility assessments and modifications to the home or apartment the person is moving into; and a security deposit on an apartment and other typical moving costs.

Avoiding Reinstitutionalization: HCFA will now allow States to use Medicaid to continue to pay for personal care for a period of up to two weeks, while a person with a disability is hospitalized or absent from his or her home. This will enable a State to help individuals avoid losing their attendants and risk unnecessary institutionalization. Doing this extends the policy of making similar payments to retain the bed of a Medicaid nursing home resident who is hospitalized or otherwise absent to those receiving community services.

2. EXPANDING THE AVAILABILITY AND QUALITY OF HOME AND COMMUNITY BASED SERVICES:

The first letter HCFA recently sent to State Medicaid Director also addresses some of the fiscal and programmatic challenges State face in increasing the availability and quality of home and community based services for people with disabilities of all ages. Some of these can only be addressed over the long term by way of the issuance of new regulations and/or changes to the law itself. HHS is committed to working with States and others identifying and giving serious consideration to best way of effectuating such regulatory and statutory reforms. We believe, however, we have identified and made a series of immediate changes in existing guidance or HCFA's interpretation of the Medicaid statute that States and the disability community will find helpful.

Budget Neutrality: This new policy guidance offers States a more effective way of demonstrating the cost-neutrality of providing Medicaid waiver services to individuals with HIV-AIDS and other illnesses that can lead to episodic periods of institutionalization. It does this by allowing States to factor in costs incurred between institutional stays occurring in the same year.

Habilitation: HCFA makes clear that habilitation services can be provided to individuals with the full range of developmental, physical and mental disabilities under a HCBS waiver. This is important because habilitation services focus on assisting individuals to acquire, retain and improve skills important for living in the community. Traditionally, however, only people with developmental disabilities have been seen to be eligible for these very flexible and individualized services. This important clarification, therefore, opens the doors for many more to benefit from such services.

Out of State Services: HCFA explains how a Medicaid program can pay for services provided to one of its beneficiary in another state when it is in the person's best interest to do so. Examples of when a Medicaid program should consider paying for such services would be the need to access services in rural or other underserved areas, situations when an individual needs to be near their family and young people with disabilities attending college out of State.

3. REDUCING THE UNNECESSARY MEDICALIZATION OF HOME AND COMMUNITY BASED SERVICES:

Some States have traditionally administered home and community based services in ways that have been unnecessarily medicalized and restricted the personal autonomy of individuals with disabilities.

HCFA's guidance to State Medicaid Directors addresses these barriers to independence and community participation in two key areas:

Home Health: The guidance informs States that they may longer require that people be "homebound" in order to receive Medicaid home health services. State policies that impose the requirement that one must be homebound to receive Medicaid home health services create unfair barriers to such participation. States can set reasonable limits that do not arbitrarily deny or reduce the amount, duration, or scope of a required service solely because of a person's diagnosis, type of illness, or condition. However, the guidance will ensure that no one loses access to home health services simply by leaving their homes and spending time in their communities.

Nurse Delegation: This guidance makes clear that States may use Medicaid to pay for services provided by qualified individuals under the supervision of a nurse or its nurse delegation law. In other words, States are not required to use nurses to perform health related tasks (e.g., catheter care) which others can be trained to do just as well. The guidance codifies what HCFA has permitted many States to do for years. It is hoped that this can help other States to eliminate a layer of the unnecessary medicalization of people's lives which many find extremely intrusive.

MAXIMIZING THE PERSONAL DIGNITY AND AUTONOMY OF PERSONS WITH DISABILITIES:

The second letter addresses approaches aimed at increasing consumer choice and control in respect to Medicaid services and supports are having a significant impact on people with developmental disabilities, physical disabilities, and serious mental illness of all ages, including elderly individuals. The new guidance clarifies how all States can use Medicaid to design and implement what are alternatively known as self determination, consumer directed or participant driven approaches to enabling people with disabilities to have a say in how the services they support on most to live their lives get provided. This letter contains guidance and policy clarifications in the following 4 key areas:

Person centered planning: The guidance specifies how Medicaid programs can support and pay for person-centered planning, which focuses on identifying the strengths, capacities and needs of the individual, from the perspective of the person often with the assistance of family and friends.

Individual Budget: It clarifies ways in which permits the use of individual budgets controlled by the person with a disability or their representative. The budget is set by the State in consultation with the person and their team based on the cost of service to meet a documented need and must meet other safeguards.

Service Brokerage : The guidance describes how Medicaid can fund the use of support brokers in

consumer- directed service systems. A support broker is a personal agent freely chosen by the individual who provides assistance with person-centered planning and obtaining both Medicaid and non-Medicaid funded services.

Fiscal Intermediaries: The guidance describes how Medicaid programs can use fiscal intermediaries to foster self determination and consumer directed services. In a self-directed service delivery model, Medicaid beneficiaries may hire/fire, schedule, and supervise their providers to the extent permitted a State. Fiscal intermediaries help relieve individuals of a number of bookkeeping tasks which can be time consuming to perform and create unnecessary barriers to persons with disabilities controlling their services and thus their own lives as well.

Such tasks include Medicaid billing, check writing for provider-generated bills, administration of personnel issues (e.g., employer of record services, tax withholding, worker*s compensation, health insurance) and the management of other taxes and benefits. Some individuals may choose to perform these functions themselves (with the exception of making payments to providers) but the State cannot require them to do so.