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Federal Plan on Hiring People with Disabilities Radio Address, October 16, 1999

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CLINTON-GORE ADMINISTRATION TAKES NEW STEPS TO INCREASE THE EMPLOYMENT OF PEOPLE WITH DISABILITIES

October 16, 1999

In his Saturday radio address, President Clinton will take action to increase employment of people with disabilities, issuing a landmark plan to make the Federal government a model employer. This action will enable the federal government to benefit from a broader pool of job applicants and help sustain the nation's record economic growth by bringing more people with disabilities into the work force. The President will also call upon Congress to pass the bipartisan Work Incentives Improvement Act to help people with disabilities who wish to join the workforce overcome one of their most significant barriers – the fear of losing health care coverage. Today, the President will:

DIRECT FEDERAL AGENCIES TO IMPLEMENT PLAN FOR HIRING PEOPLE WITH DISABILITIES.

Since the beginning of the Clinton-Gore Administration, the American economy has added more than 19 million new jobs, and unemployment is at a 29-year low. Yet over 75 percent of individuals with severe disabilities are unemployed. Last year, Vice President Gore asked the Office of Personnel Management to develop a model plan to bring more adults with disabilities into the Federal workforce.

Today, the President will release that action plan and direct the Federal government to implement it immediately. The plan, *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, along with a companion Employment Guide, provides detailed resources for federal employees as they recruit, hire, train and promote people with disabilities. Under this plan, the Federal government – the nation's largest employer with almost 1.8 million workers – will do more to:

- Recruit people with disabilities for positions at all levels of government;
- Provide opportunities for students with disabilities;
- Ensure career opportunities for people with disabilities;
- Collect and maintain data to monitor success of people with disabilities in the federal workforce; and
- Provide reasonable accommodations for applicants and employees with disabilities.

CHALLENGE THE CONGRESS TO PASS THE BIPARTISAN WORK INCENTIVES IMPROVEMENT ACT.

Under current law, people with disabilities often become ineligible for Medicaid or Medicare if they work, forcing many to choose between health care and employment. The bipartisan Work Incentives Improvement Act helps address this problem by giving workers with disabilities more options. President Clinton today will call on the House, which is scheduled to vote on this legislation next week, to finish the job so that people with disabilities who want to work do not have to wait another day.

On Thursday, the House Ways and Means Committee passed its version of this legislation. While an improvement over the version passed by the House last year, it still does not guarantee funding for vital health care and employment incentives. In particular, it does not include: (1) mandatory funding for infrastructure grants which

provide an incentive for states to adopt the Medicaid buy-in portion of the legislation; (2) a mandatory demonstration that allows people who are not yet too disabled to work to buy into Medicaid; and (3) a guarantee of Medicare coverage for eligible individuals returning to work. In contrast, the bill that has passed the Senate 99-0, as well as the bill voted unanimously out of the House Commerce Committee, provide mandatory funding of the grant and demonstration provisions within this legislation. Under the leadership of Senators Jeffords, Kennedy, Roth and Moynihan, and Representatives Bliley, Dingell, Lazio and Waxman, this version of the bill has received broad bipartisan support.

CALL ON CONGRESS TO PASS RESPONSIBLE, LONG OVERDUE HEALTH AND BUDGET LEGISLATION THIS YEAR. The President today will also reiterate the call he made in his press conference to pass a strong, enforceable Patients' Bill of Rights and enact a responsible budget that strengthens Social Security, strengthens and modernizes Medicare, and pays down the debt by 2015, keeping interest rates low and the economy growing.

THE CLINTON-GORE ADMINISTRATION'S LONGSTANDING COMMITMENT TO INCREASE OPPORTUNITY FOR PEOPLE WITH DISABILITIES. Today's action is the latest of many executive actions taken by the President and Vice President to increase the employment of people with disabilities, including: issuing an executive order in June expanding hiring opportunities for people with psychiatric disabilities; putting in place new regulations in February to make work pay for people with disabilities receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI), by allowing them to earn more and still receive critical cash and medical benefits; creating the Task Force last year to create coordinated national policy to increase employment of people with disabilities in all sectors of the economy; including in his budget a historic \$2 billion initiative to provide a \$1,000 tax credit for work-related expenses for people with disabilities, invest in technology to help more people with disabilities work, and provide better health care and employment options for people who work by fully funding the Work Incentives Improvement Act.

PRESIDENT CLINTON AND VICE PRESIDENT GORE:
Increasing Opportunities for Americans with Disabilities

"Increased access to health care, more assistance at home and in the workplace, remarkable new technologies made more available: This is how we can make sure that all Americans can take their rightful place in our 21st century workplaces."

President Clinton
January 13, 1999

President Clinton and Vice President Gore are committed to expanding opportunities for Americans with disabilities and demonstrating to all Americans that people with disabilities -- given access to the workplace, health care, community services, and technology -- make significant contributions to our society and economy.

EXPANDING EMPLOYMENT OPPORTUNITIES

Fighting to Enact the Work Incentives Improvement Act (WIIA) -- The Work Incentives Improvement Act is an historic bill produced through the bipartisan efforts of Senators Jeffords, Kennedy, Roth and Moynihan in collaboration with leaders in the disability community and staff throughout the Administration. On January 13, 1999, the President announced one of his FY2000 budget initiatives, committing to the full funding of the WIIA. The Administration's budget initiative, which invests \$1.2 billion over five years, will help provide better health care options for people with disabilities who work.

The Work Incentives Improvement Act will improve access to health care by: (1) expanding states' ability to provide a Medicaid buy-in to people with disabilities who return to work; (2) extending Medicare coverage, for the first time, for people with disabilities who return to work; and (3) creating a new Medicaid buy-in demonstration to help people with a specific physical or mental impairment that is not severe enough to qualify for health assistance, but is likely to lead to a severe disability in the absence of medical treatment. In addition, WIIA will modernize the employment services system by creating a "ticket" that will enable Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) beneficiaries to go to any of a number of public or private providers for vocational rehabilitation. If the beneficiary goes to work and achieves substantial earnings, providers would be paid a portion of the benefits saved. And WIIA creates a Work Incentive Grant program to provide benefits planning and assistance, facilitating access to information about work incentives, and better integrate services to people with disabilities working or returning to work.

Providing a \$1,000 Tax Credit for Work-Related Expenses for People with Disabilities -- On January 13, 1999, the President announced a new proposal that will allow workers with significant disabilities to receive an annual \$1,000 tax credit to help cover the formal and informal costs that are associated with employment, such as special transportation and technology. Like the Jeffords-Kennedy-Roth-Moynihan Work Incentive Act, this tax credit, which will assist 200,000 to 300,000 Americans, will help ensure that people with disabilities have the tools they need to return to work.

Establishing the Task Force on Employment of Adults with Disabilities -- On March 13, 1998, President Clinton signed an Executive Order establishing a National Task Force on Employment of Adults with Disabilities, charged with creating 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.

Taking Action on All of the Task Force's Formal Recommendations -- In December 1998, the Vice President accepted the report of the President's Task Force on the Employment of Adults with Disabilities. Alexis M. Herman, Secretary of Labor, chairs the Task Force and Tony Coelho, Chairman of the President's Committee on Employment of People with Disabilities, serve as Vice-Chair. The Administration has taken action on all the Task Force formal recommendations: work to pass the Work Incentive Improvement Act; work to pass a strong Patients' Bill of Rights; examine tax options to assist with expenses of work; foster interdisciplinary consortia for employment services; accelerate development and adoption of assistive technology; direct Small Business Administration to expand outreach; remove Federal hiring barriers for people with mental illness and direct the Office of Personnel Management to develop model plan for Federal hiring of people with disabilities (see below).

Signing an Executive Order Expanding Hiring Opportunities for People with Psychiatric Disabilities -- In January 1999, Tipper Gore announced that the Office of Personnel Management (OPM) would explore measures to eliminate the stricter standards that are currently applied to federal job applicants who have psychiatric disabilities. On June 4, 1999, President Clinton signed an executive order ensuring that individuals with psychiatric disabilities are given the same hiring opportunities as persons with severe physical disabilities or mental retardation. The executive order also permits people with psychiatric disabilities the same opportunity to acquire competitive civil service status after two years of successful service.

Signing the Workforce Investment Act of 1998, Improving Worker Training and Placement Options for People with Disabilities -- Last year, the President signed the Workforce Investment Act (WIA), which included the Rehabilitation Act Amendments of 1998. The new Act establishes better links between the vocational rehabilitation (VR) system and the general workforce development system. Job seekers with disabilities will have improved options for service through the mainstream worker training and placement system, as well as through the disability-specific VR system. The U.S. Department of Labor, with assistance from the Department of Education, has been providing valuable technical assistance to the network of one-stop career centers on how to provide nondiscriminatory and accessible services to people with disabilities. In addition, the Rehabilitation Act has also been strengthened to give increased options to individuals with disabilities in developing employment plans.

Helping More Americans with Disabilities Return to Work. On February 12, 1999, the Vice President announced new regulations that will increase the amount of income Americans with disabilities receiving Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI), can earn from \$500 to \$700 per month – and still receive critical cash and medical benefits. These regulations went into effect on July 1, 1999. This was an important step that will improve economic opportunities for at least 250,000 Americans with disabilities.

Working on Innovative Strategies to Improve Employment of Adults with Disabilities --

Agencies within the Clinton Administration continue to work on innovative strategies to employ Americans with disabilities. The Social Security Administration, the Department of Health and Human Services, the Department of Labor and the Department of Education are all participating in inter-agency demonstration projects to expand employment opportunities for persons with disabilities. For instance, the Department of Education has awarded six systems-change grants to establish models of improved cooperation and coordination between State Vocational Rehabilitation programs, public employment/ employment training programs, and other related programs. The grants will assist in reducing barriers to employment and increasing the capacity of the State's overall employment system to serve individuals with disabilities. The focus of these systems change projects is increasing the employment rate of individuals with disabilities who are currently receiving support through public programs.

Supporting Families -- President Clinton fought for and enacted the Family and Medical Leave Act (FMLA) making workplaces more accommodating for many families that include a child or adult with a disability. In his 1999 State of the Union, the President proposed to extend the benefits of the Family and Medical Leave Act to ten million more American workers. Currently, only workers who are employed at businesses with 50 or more employees are protected. By covering workers in businesses with 25 or more workers, 10 million more American workers will be covered by the FMLA. The President also called for expanding the law to allow FMLA-eligible workers to take up to 24 hours of additional leave each year to meet specified family obligations, such as accompany one's child to dental or medical appointments.

Helping Move People from Welfare to Work -- Some of those who are having the hardest time moving from welfare to work are people with disabilities. Recognizing the special needs of this and other hard-to-place populations, the 1997 Balanced Budget Act included \$3 billion to assist long-term welfare recipients obtain jobs. In addition, the FY99 budget included a number of measures designed to expand welfare to work activities. The final budget included \$283 million for 50,000 new vouchers exclusively for people who need housing assistance to make the transition from welfare to work and \$75 million to assist states and localities in developing flexible transportation alternatives, such as van services. For FY 2000, the President announced that he will propose an additional \$1 billion for his Welfare-to-Work program to ensure that those remaining on the welfare rolls who face the greatest challenges can succeed in the workforce and to increase the employment of fathers of children on welfare so they can better support their children.

Funding a Disability Research Institute -- The Vice President recently announced that the Social Security Administration will fund a Disability Research Institute to help provide policy-makers with information and research data in the Social Security and Supplemental Security Income disability policy area, including ways to assess work ability and return-to-work strategies.

EXPANDING EDUCATIONAL OPPORTUNITIES FOR CHILDREN WITH DISABILITIES

Enacting a Stronger Individuals with Disabilities Education Act (IDEA) -- In 1997, the President signed into law a stronger Individuals with Disabilities Education Act. In FY 2000,

IDEA will serve 6.2 million children with disabilities. The expanded IDEA reaffirms and strengthens our national commitment to provide a world class education for all our children. It ensures that our nation's schools are safe and conducive to learning for children, while scrupulously protecting the rights of our disabled students. This bill makes it clear once and for all that children with disabilities have a right to be in the classroom and to be included in school activities like work experience, science clubs and field outings. IDEA also helps all classroom teachers get the full range of teaching skills that they need to teach children with disabilities. Teachers are now required to be involved in the development of individual education plans to help disabled children succeed. In addition, President Clinton has proposed requiring that states establish performance goals for special education.

Opposing Amendments to IDEA -- In the 105th Congress, the Administration, working with parents, successfully opposed amendments to the IDEA that could have resulted in inappropriate exclusion of large numbers of students with disabilities and denial of appropriate services.

Enforcing the Individuals with Disabilities Education Act -- The Clinton Administration has supported the rights of children with disabilities under IDEA in the following Federal Court cases:; *Marie O. v. Edgar*; *Sacramento City Unified School District v. Holland*; *Hartmann v. Loudon County Board of Education*. In addition, in March 1999, the Supreme Court ruled in *Cedar Rapids Community School District v. Garrett F.* Before the Court, the Administration argued that students like Garrett should receive the services necessary to ensure access to an appropriate education. IDEA guarantees this, and the courts have made this guarantee clear. The Administration believes that the Individuals with Disabilities Education Act provides the mechanisms to assist school districts to tap other available financial resources when necessary.

EXPANDING THE ROOSEVELT MEMORIAL

Adding a New Statue to the FDR Memorial -- On May 2, 1997, President Clinton dedicated the Franklin Delano Roosevelt Memorial to honor the thirty-second President of the United States. On July 2, 1998, Vice President Gore announced that the FDR Memorial will soon include an additional outdoor room at the main entrance that will depict FDR in the small wheelchair he invented. Thanks to the efforts of the disability community, the Clinton-Gore Administration has selected a specific design that will show how FDR became one of our greatest presidents while he had a disability and used a wheelchair.

INCREASING ENFORCEMENT OF CIVIL RIGHTS LAWS

Vigorously Enforcing the Americans with Disabilities Act -- President Clinton has led the fight for vigorous enforcement of the Americans with Disabilities Act (ADA), the Fair Housing Act, the IDEA and other critical civil rights laws that prohibit discrimination against people with disabilities in housing, schools, workplaces and public areas across the nation.

Working to Stop Discrimination Against People With AIDS -- President Clinton supports the Supreme Court's decision in *Bragdon v. Abbott*, which reinforces the protections offered by the landmark Americans With Disabilities Act for Americans living with HIV and AIDS. The President directed the Justice Department and the Equal Employment Opportunity Commission

to vigorously prosecute those who discriminate against people with AIDS, leading to actions against health care providers and facilities that violate the Americans with Disabilities Act.

Reducing Backlog and Expanding Alternative Dispute Resolution at Equal Employment Opportunity Commission (EEOC) -- Thanks to President Clinton, the FY99 budget included \$279 million -- a \$37 million increase over the previous year -- to significantly expand EEOC's alternative dispute resolution program and reduce the backlog of private sector discrimination complaints. The final budget fully funds the President's request -- providing the first real increase for EEOC in several years. This increase, the first since EEOC took responsibility for investigating violations of the ADA, will help give the EEOC the resources it needs to investigate claims of discrimination under the ADA. The President's FY2000 budget request provides \$312 million for the EEOC, a 12 percent increase over 1999.

Working for Fair Housing -- In response to the increase in reported cases of serious fair housing violations, the U.S. Department of Housing and Urban Development (HUD) has committed to doubling the number of its civil rights enforcement actions by the year 2000. In addition, the President proposed and won a major expansion of HUD's Fair Housing programs. The FY99 budget expands HUD's Fair Housing programs to \$40 million -- a \$10 million increase over FY98 funding. That 33-percent increase includes \$7.5 million for a new audit-based enforcement initiative proposed by the Administration.

Increasing Outreach -- In July 1998, the President directed key Federal civil rights agencies to increase their outreach efforts to individuals with disabilities, including those in diverse cultural communities, including immigrants, racial and ethnic minorities and rural residents.

SAVING SOCIAL SECURITY NOW

Saving Social Security -- In his State of the Union address, the President outlined his plan to save Social Security and extend the life of the Social Security Trust Fund through 2055. The President would devote 62% of the Budget surplus and increase the return on Social Security funds through private investment. The President has also committed to reserve the entire budget surplus until Congress passes a bipartisan plan to save Social Security and Medicare.

Protecting Supplemental Security Income Benefits -- In 1995, the President vetoed a budget bill that would have significantly cut cash assistance to most families with disabled children on Supplemental Security Income -- families who are struggling to care for a child at home and face extra costs for home modifications, equipment and income lost because a parent is unable to work full-time. In addition, the 1997 Balanced Budget Act ensured that 30,000 disabled children losing SSI because of the new tighter eligibility criteria kept their Medicaid coverage.

HELPING TO ENSURE THAT PEOPLE WITH DISABILITIES HAVE ACCESS TO QUALITY HEALTH CARE

Fighting to Pass a Strong, Enforceable Patients' Bill of Rights -- President Clinton has called on the Congress to pass a strong, enforceable patients' bill of rights that assures Americans the quality health care they need. The bill should include important patient protections such as: assuring direct access to specialists; real emergency room protections; continuity of care

provisions that protect patients from abrupt changes in treatment; a fair, timely, and independent appeals process for patient grievances; and enforcement provisions to make these rights real.

Strengthening Medicare -- President Clinton is working to modernize and strengthen Medicare to prepare it for the challenges the program faces in the 21st Century. This historic initiative would make Medicare more competitive and efficient; modernize and reform Medicare's benefits, including a long-overdue prescription drug benefit and cost-sharing protections for preventive benefits; and make an unprecedented long-term financing commitment to the program that would extend the life of the Medicare trust fund to 2027.

Proposing New Initiatives to Improve Prevention and Treatment and Fairness for People with Mental Illnesses -- The President and Vice President advocated for and enacted the Mental Health Parity Act of 1996, which took steps to end discrimination based on mental illnesses. On January 14, 1999, Mrs. Gore unveiled three new major initiatives, including: an unprecedented \$70 million increase in the mental health services block grant, a 24 percent increase, totaling \$358 million for FY2000, which will enable states to target particularly-hard-to-reach adults and children with severe mental illnesses; the announcement of a White House Conference on Mental Health to be held this spring; and a Presidential request to the Office of Personnel Management (OPM) to explore measures to eliminate the stricter standards currently applied to federal hiring practices for adults with psychiatric disabilities (see page 2 for more).

Held the First-Ever White House Conference on Mental Health -- On June 7, 1999, the first-ever White House Conference on Mental Health was held, chaired by the President's Mental Health Advisor Tipper Gore. The Clinton-Gore Administration unveiled unprecedented measures to improve mental health including ensuring that the Federal Employees Health Benefits Plan (FEHBP), the nation's largest private insurer, implements full mental health and substance abuse parity for FEHBP's beneficiaries. This, and the other proposals announced, will provide parity, improve treatment, bolster research and expand community responses to help those with mental illnesses.

Increasing Home and Community-Based Programs -- In June 1999, the Supreme Court in the *Olmstead* case upheld the purposes of the ADA by recognizing that unjustified isolation of institutionalized persons with disabilities is prohibited discrimination. This decision will increase access to home- and community-based long term care services and support for these persons. On July 29, 1998, the anniversary of the ADA, President Clinton announced that the Health Care Financing Administration was directing State Medicaid Directors to provide services to people with disabilities in the most integrated setting appropriate to their needs and in conjunction with the Americans with Disabilities Act. State Medicaid Directors are being urged to conduct self-evaluations to ensure that their practices and procedures encourage rather than inhibit integration into communities. The Clinton Administration's flexibility in granting state waivers has spurred an increase in home and community-based services; since he took office, the President has approved over 300 such waivers. As a result, the number of people with developmental disabilities served in home and community waiver programs has increased significantly.

Increasing Access to Health Care and Supporting Employment for Disabled Americans -- The Balanced Budget Act of 1997 created an optional program whereby States could allow people

with disabilities who were earning up to 250 percent of poverty to purchase Medicaid coverage. Oregon is the first state to take advantage of this policy, and they have created a program that will let individuals go to work and get or keep Medicaid. Secretary of Health and Human Services Donna Shalala has asked every governor to seriously consider this program.

Passing Meaningful Health Insurance Reform -- President Clinton signed the Health Insurance Portability and Accountability Act of 1996 which limits exclusions for pre-existing conditions, makes coverage portable and helps individuals who lose jobs maintain coverage.

Protecting the Medicaid Guarantee for People with Disabilities -- The Clinton Administration refuses to go backwards on health care coverage for Americans with disabilities -- rejecting proposals to end the Medicaid guarantee to meaningful health benefits for people with disabilities. The President vetoed the Republican's proposal in the 104th Congress to block grant the Medicaid program, preserving Medicaid coverage for six million persons with disabilities. Medicaid is often the only form of health care available to people with disabilities and allows many children and adults to receive services at home rather than in institutions. Thanks to President Clinton, the 1997 Balanced Budget Act preserved the Federal guarantee of Medicaid coverage for populations who depend on it.

INCREASING ACCESSIBILITY

Increasing Public Transportation Accessibility -- The Department of Transportation and the Access Board have issued final regulations implementing the Americans with Disabilities Act (ADA) provisions for over-the-road bus (OTRB) accessibility and provides a definition of what constitutes discriminatory action. The regulation requires large fixed-route operators to achieve 50% of full fleet accessibility by October 2006 and 100% by October 2012. The Department has strengthened the regulations by including provisions making OTRB operators individually and collectively accountable for providing accessible service. Additionally, in 1998, President Clinton signed the Transportation Equity Act for the 21st Century (TEA-21), legislation that provides significantly increased resources to make our Nation's surface transportation systems accessible. The Act included increased funding for the Elderly Individuals and Individuals with Disabilities grant program.

Expanding Accessibility to the Parks and Wilderness -- In October 1997, a memorandum of understanding was signed by the Federal wilderness management agencies and a nonprofit organization called Wilderness Inquiry, Inc. (WI), to coordinate their policies to "establish a general framework of cooperation between the agencies and WI for increased opportunities for people of all abilities to use and enjoy the programs, facilities, and activities of the agencies." On November 10, 1998, President Clinton signed legislation (H.R. 4501) that requires the Secretary of Agriculture and the Secretary of the Interior to conduct a comprehensive study to improve the access for persons with disabilities to outdoor recreational opportunities (such as fishing, hunting, trapping, wildlife viewing, hiking, boating, and camping) made available to the public on the Federal lands in the National Forest System, the National Park System, the National Wildlife Refuge System, and the Bureau of Land Management.

Increasing Housing Options -- The Clinton-Gore Administration took a number of significant actions in 1998 that advanced housing policy for people with disabilities. First, HUD issued a

statement supporting the view that institutional living does not constitute real housing for people with disabilities. On April 28, 1998, Fannie Mae announced the publication of "A Home of Your Own Guide," the first manual specifically created to provide step-by-step home buying guidance for people with disabilities. And in February, HUD Secretary Cuomo issued a directive encouraging communities to use community development block grant funds for home modifications for people with disabilities. Also, in HUD's recent Notices of Funding Availability, the agency included bonus points for developers when they seek to build structures that include "visitability" by people with disabilities.

Increasing Section 8 Funding in HUD Appropriations -- President Clinton supported the inclusion of \$40 million in Section 8 funding for people with disabilities, in part to offset the displacement likely to occur as a result of "elderly-only" designation of public housing formerly occupied by people with disabilities.

Reinventing Government -- Under the leadership of Vice President Gore, the Clinton-Gore Administration is making government smaller, better managed and more efficient, creating a government that works better and costs less. The Administration is dramatically improving customer service to give all Americans the best service they've ever experienced with the government.

PROVIDING ACCESSIBLE TECHNOLOGY

Expanding the Availability of Assistive Technology -- President Clinton is working to expand the information and communications technologies that help people with disabilities work. He has proposed a \$35 million investment in developing technologies such as "text to speech" for people who are blind, automatic captioning for people who are deaf, and speech recognition and eye tracking for people who cannot use a keyboard. The plan would also make these technologies more affordable by supporting new and expanded state loan programs. And in 1998, President Clinton supported and signed the Assistive Technology Act of 1998, which reauthorized State Assistive Technology Centers to provide assistive devices to needy individuals with disabilities.

Requiring the Federal Government to Provide Accessible Technology and Information -- The administration fought for and won changes to Section 508 of the Rehabilitation Act that will require Federal agencies to provide more provide accessible technology and information to their employees and customers. With these changes, the Federal government can use its considerable purchasing power to spur development of universally designed technology that is accessible to almost everyone.

Guaranteeing that the Telecommunications Revolution Benefits All -- In June 1998, the Federal Communications Commission (FCC) proposed rules that require telecommunications equipment and services be accessible to individuals with disabilities where readily achievable. The FCC has also required closed captioning of video programs for Americans with hearing disabilities; proposed improvements on Telecommunications Relay Services (TRS) to ensure that TTY users have access to telecommunications network; and proposed a requirement to expand TRS so that persons with speech disabilities have access to telecommunications.

CREATING AN ADMINISTRATION THAT LOOKS LIKE ONE AMERICA

Appointed the Most Diverse Administration in History --President Clinton has appointed a highly talented and the most diverse Administration in history, including the appointment of record numbers of people with disabilities in the White House and throughout the Clinton-Gore Administration. The Federal government now employs more than 100,000 employees with some type of disability. President Clinton's Administration appointees include: Judith Heumann, Assistant Secretary for Special Education and Rehabilitation Services; Paul Miller, Commissioner of the Equal Employment Opportunity Commission; and Fredric Schroeder, Commissioner of the Rehabilitation Services Commission. People with disabilities serve in the Departments of Education, Health and Human Services, Housing and Urban Development, Justice, State and Transportation. President Clinton has also appointed people with disabilities to positions in such independent agencies as the National Council on Disability and the Social Security Administration, as U.S. District Court Judges and to various Presidential Committees, Commissions and Task Forces. In the White House, Charles Ruff until recently served as Counsel to the President. And Jonathan Young, Associate Director of Disability Outreach, is the first person with a disability ever appointed to do disability outreach in the White House Office of Public Liaison.

Disabilities Directive
Radio Address
Q&A
October 16, 1999

Directive to Federal Agencies in Hiring People with Disabilities

Q: What did the President direct the agencies to do and why?

A: Today, the President will release *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, along with a companion *Employment Guide*, providing detailed resources for federal employees to use as they recruit, hire, train and promote people with disabilities. Under this plan, the President will direct the Federal government – the nation’s largest employer with over 1.8 million workers – to immediately implement this plan and:

- Recruit people with disabilities for positions at all levels of government;
- Provide opportunities for students with disabilities;
- Ensure career opportunities for people with disabilities;
- Collect and maintain data to monitor success of people with disabilities in the federal workforce; and
- Provide reasonable accommodations for applicants and employees with disabilities.

Q: Will agencies be subject to hiring quotas?

A. No. Each agency’s employment opportunities differ. Therefore, the plan asks agency and department heads to review their hiring of people with disabilities and to implement efforts to increase employment of people with disabilities. The fact is almost 75 percent of working-age Americans with disabilities are unemployed, but that does not mean they are unemployable, nor does it mean that they have nothing to offer our federal government or society.

Q: What will the cost of implementation be to agencies?

A: There is no direct cost associated with the issuance of the guidance. In implementing the provisions outlined in OPM’s plan, federal agencies are being given access to a number of resources that will make their recruitment efforts and their career development planning more effective. OPM has specifically designed the plan and the guide to provide for the sharing of information and resources regarding the hiring of individuals with disabilities.

Q: What’s the difference between the OPM plan and the guide?

A. The plan provides a framework for departments and agencies to help them develop strategies and initiatives designed to employ and retain persons with disabilities. Its companion piece, the guide, is a resource tool to help Federal human resource specialists,

supervisors, and co-workers, understand the issues surrounding employment of people with disabilities.

Q: Doesn't this plan favor people with disabilities over other individuals such as veterans?

A. No. The plan does not direct agencies to favor those with disabilities over other applicants. It does encourage agencies to recruit people with disabilities for positions at all levels of government; provide opportunities for students with disabilities; ensure career opportunities for people with disabilities; collect and maintain data to monitor their success; and provide reasonable accommodations for applicants and employees with disabilities. The plan should be part of an overall agency strategy to address underrepresentation of individuals, including those with disabilities, in the workforce.

Q: How many persons with disabilities are currently employed by the Federal government?

A. As of September 30, 1998, there were over 1.8 million federal employees in the non-postal Federal executive branch, and just over 7 percent identified themselves as having a disability.

Unemployment Among People with Disabilities

Q: How many people with disabilities are unemployed?

A: Census Bureau data indicate 75 percent of people with severe disabilities are unemployed. Nationwide, some 54 million American have a disability, and about 26 million of them have disabilities characterized as severe.

Administration Efforts to Increase Employment of People with Disabilities

Q: Besides the else has the Administration done to increase employment of people with disabilities?

A: Today's action, recommended by the President's Task Force on Employment of Adults with Disabilities, is the latest of many executive actions taken by the President to increase the employment of people with disabilities, which include: issuing an executive order in June expanding hiring opportunities for people with psychiatric disabilities by eliminating the federal government's stricter hiring and promotion standards for people with those disabilities; putting in place new regulations in February to make work pay for people with disabilities receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI), allowing them to earn more and still receive critical cash and medical benefits; creating the Task Force last year to create coordinated national policy to increase employment of people with disabilities in all sectors of the economy; including in his budget a historic \$2 billion initiative to provide a \$1,000 tax credit for work-related expenses for people with disabilities, invest in technology to help more

people with disabilities work, and provide better health care and employment options for people who go to work by fully funding the Work Incentives Improvement Act.

For more on these and other actions taken by the President and Vice President to increase opportunities for Americans with disabilities, please see the attached nine page summary.

Work Incentives Improvement Act (Kennedy-Jeffords)

Q: Yesterday, the full Ways and Means Committee passed their version of the Work Incentives Improvement Act by a bipartisan vote of 33 to 1. What is your response?

A: We are extremely pleased that the Ways and Means Committee acted on this important legislation. The President included – and fully funded – this proposal in his FY 2000 budget and strongly endorsed the Senate-passed and House Commerce Committee versions, which closely resembled it.

However, the Ways and Means bill falls short on funding for health care components which are essential incentives to returning to work. This bill does not include: (1) mandatory funding for infrastructure grants which provide an incentive for states to adopt the Medicaid buy-in portion of the legislation; (2) a mandatory demonstration that allows people who are not yet too disabled to work to buy into Medicaid; and (3) a guarantee of Medicare coverage. The lack of funding for these critical health options would extend the status quo, which requires people with a disability to eventually choose between work and health care. We hope that the bill that the full House votes on includes these important provisions, and that Congress enacts this legislation this year.

Q: Some in Congress are saying that there are not enough offsets for the bill. Indeed, neither the Senate- or Commerce Committee-passed bills had offsets. Would you support this bill if it uses the Social Security surplus?

A: The President fully paid for this bill in his FY 2000 budget, and the Finance Committee included a financing source as well. There is no excuse for the House to fail to act on this bill because it cannot agree on enough offsets to pay for it responsibly, consistent with Administration policy.

Q: Senator Kennedy has indicated that the President made a commitment to find the offsets to pay for this legislation. Republicans are still waiting for the entitlement offsets you promised. Why aren't you living up to this commitment?

A: The President's commitment to the Work Incentives Improvement Act and its financing is and has been clear since the beginning of this debate. Financing for this legislation was included in the President's budget, and he indicated his support for the financing passed by the Senate Finance Committee. We are committed to working with the Congress to ensure adequate offsets, and our work over the last year clearly demonstrates this commitment.

Patients' Bill of Rights

Q: What is the President's position on the Patients' Bill of Rights?

A: The President called upon Congress to pass a strong, enforceable Patients' Bill of Rights. Last week, a strong bipartisan majority in the House passed the Norwood-Dingell Patients' Bill of Rights, a major victory for every family in every health plan – but there is still more work to be done. Republican leaders should resist weakening the patient protections guaranteed in the Norwood-Dingell bill or undermine the bill's bipartisan support in conference.

Americans with Disabilities Act

Q: What does the Administration think of the decisions made by the Supreme Court earlier this year on the Americans with Disabilities Act? Does the Administration plan to take new action in this area?

A: Earlier this year, the Supreme Court decided a number of important cases which interpreted the Americans with Disabilities Act (ADA). Two cases, Sutton v. United Airlines and Murphy v. United Parcel Service, Inc., held that the determination of whether an individual has a disability should take into account the use of mitigating measures. Depending on how these decisions are interpreted and applied by the lower courts, Sutton and Murphy could undermine the goals of the ADA by excluding from the Act's coverage many persons who are discriminated against by employers because of a physical or mental impairment. The most troubling possibility is that employers could refuse to hire individuals because of a physical or mental impairment but escape the Act's coverage by claiming that the individual does not have a disability because of mitigating measures.

The Administration will assess the impact of the Sutton and Murphy decisions by evaluating how they are interpreted and applied by the lower courts. We will also assess how employers are applying these decisions in their employment policies. In appropriate cases, the Administration will argue to the courts that Sutton and Murphy should not be applied to reach unfair results that are inconsistent with the original congressional intent underlying the Act. We are hopeful that the decisions will not have an adverse impact on people with disabilities.

Q: Does the Administration currently have plans to propose or support legislation to clarify the ADA?

A: No. While the lower courts are clarifying the meaning of these decisions, it would be premature to consider legislation.



Cynthia A. Rice

10/05/99 04:08:45 PM

Record Type: Record

To: Karin Kullman/OPD/EOP@EOP
cc: j. eric gould/opd/eop@eop, devorah r. adler/opd/eop@eop
bcc:
Subject: Re: jeffords-kennedy scheduling request

As we discussed, the event would be a push for Jeffords-Kennedy, and the federal hiring announcement would be a way for the President to say he's doing everything we can to increase the employment of people with disabilities in the federal government in the meantime.

Below is a summary we wrote this summer when we thought this announcement would be ready earlier, and a draft of the letter the executive memorandum to the Cabinet the President would sign. Devorah -- can you all look carefully at the letter and tell me if you want any changes?



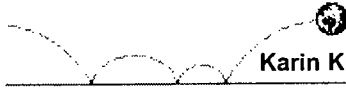
opm1005 POTUS LTR

Directing Federal Agencies to Implement Plan for Hiring People with Disabilities. On December 14th, the Vice President asked the Office of Personnel Management (OPM) to develop a model plan to increase the representation of adults with disabilities in the federal workforce. Today, the President will direct federal agencies and departments to implement this plan to:

- Recruit widely people with disabilities for positions at all levels;
- Provide opportunities for students with disabilities;
- Ensure career opportunities for people with disabilities, including giving full consideration to employees with disabilities for promotions and career development opportunities;
- Collect and maintain data to monitor the success;
- Provide reasonable accommodations for qualified applicants and employees with disabilities;

This plan, *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, will be released with an employment guide -- a compendium of laws, tools and guidance for agencies to use as they recruit, hire, train and promote people with disabilities.

Karin Kullman

 Karin Kullman

10/05/99 03:37:56 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP@EOP, J. Eric Gould/OPD/EOP@EOP, Devorah R. Adler/OPD/EOP@EOP

cc:

Subject: jeffords-kennedy scheduling request

This morning we talked about submitting a scheduling request to do a Jeffords-Kennedy event, at which the President could announce the Federal plan for hiring people with disabilities. Can I get some info. about both the federal plan and what we would want to say about Jeffords-Kennedy so I can draft the scheduling proposal?

Thanks!

October 7, 1999 DRAFT

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: HIRING PEOPLE WITH DISABILITIES IN THE FEDERAL GOVERNMENT

Since I became President, we've created over XX million new jobs and unemployment is as low as it has been in XX years [use new numbers to be released 10/8]. Still, almost 75 percent of working-age Americans with severe disabilities remain unemployed. If this nation is to live up to its promise of equal opportunity, and our economy is to continue to strengthen and expand, we must draw on the untapped energy and creativity of this large and capable segment of our population.

Already Vice President Gore and I have taken a number of steps to increase the employment of people with disabilities. On March 13, 1998, I signed Executive Order 13078 establishing a National Task Force on Employment of Adults with Disabilities to create a coordinated national policy to bring working-age individuals with disabilities into gainful employment. In December, the Task Force presented me with its first report, and I am proud to say we have taken action on all the Task Force's formal recommendations.

One of the most glaring problems is that people with disabilities frequently become ineligible for Medicaid or Medicare if they go back to work, putting them in the untenable position of choosing between health care coverage and work. That's why my budget fully funds the Work Incentives Improvement Act which invests \$1.2 billion in health care and employment services so people with disabilities can work. This legislation was unanimously endorsed by the House Commerce Committee on May 19th and passed the Senate 99-0 on June 16th. It's time for Congress to finish the job, and pass the Work Incentives Improvement Act immediately. Let's not make people with disabilities who want to work wait one more day.

At the same time as we fight to ensure that all people with disabilities have the health care and other assistance they need to go to work, we must do more to help the federal government be a model employer for people with disabilities. That is why in on June 4, 1999 I signed an executive order eliminating the federal government's stricter standards for psychiatric disabilities, an issue highlighted by Mrs. Gore earlier in the year. That is also why in December, the Vice President directed the Office of Personnel Management (OPM) to develop a plan to increase the representation of adults with disabilities in the federal work force.

Today I am pleased to release *Accessing Opportunity: The Plan for Employment of People with*

Disabilities in the Federal Government and the companion employment guide prepared by OPM to provide information for agencies on how recruit people with disabilities for positions at all levels; provide opportunities for students with disabilities; ensure career opportunities for people with disabilities; collect and maintain data to monitor the success; and provide reasonable accommodations for applicants and employees with disabilities. Today, I direct each and every agency and department to implement this plan immediately and do everything you can to bring qualified people with disabilities into the federal workforce. It is critically important that the federal government benefit from this enormous talent pool of people with disabilities and that the federal government play a leading role in promoting the ability of individuals with disabilities to be a part of our nation's workforce.



Cynthia A. Rice

10/14/99 06:06:23 PM

Record Type: Record

To: Karin Kullman/OPD/EOP@EOP
cc: devorah r. adler/opd/eop@eop, jeanne lambrew/opd/eop@eop
bcc:
Subject: Re: Briefing memo

A couple edits:

BACKGROUND

The VP asked OPM to develop the plan on December 14, 1998 not 1999

The fourth bullet should say

- Collect and maintain data to monitor their success;

And add at the end

You will also urge Congress to pass the Work Incentives Improvement Act, which would remove significant barriers to work for people with disabilities.

PURPOSE

And the new purpose she needs to be edited as follows -- given the call w/Loretta and Joel, we're leading with the executive action and having less on the other two issues

You will announce that you will direct federal agencies to implement a plan for hiring people with disabilities. You will call on Congress to pass the Kennedy-Jeffords Work Incentives Improvement Act to help even more people with disabilities move to work, and will urge Congress to pass a Patient's Bill of Rights and other critical business of the American people.

Karin Kullman

Karin Kullman

10/14/99 04:42:08 PM

Record Type: Record

To: Devorah R. Adler/OPD/EOP@EOP, Jeanne Lambrew/OPD/EOP@EOP, Cynthia A. Rice/OPD/EOP@EOP
cc:
Subject: Briefing memo

Can you review and let me know asap if you have any edits to the press office briefing paper for the radio address?

----- Forwarded by Karin Kullman/OPD/EOP on 10/14/99 04:42 PM -----

 Lisa Ferdinando
10/14/99 03:17:58 PM

Record Type: Record

To: Karin Kullman/OPD/EOP@EOP
cc:
Subject: Briefing memo

Megan says this may be this week's topic. If it is, do you have any additional information for this memo? Do you know who else will be attending the briefing? Thank you.

October 14, 1999

TAPED WEEKLY RADIO ADDRESS

DATE: October 15, 1999
LOCATION: Oval Office
TIME: 2:15 to 2:45pm ET
FROM: Lisa Ferdinando
Deputy Director Radio Services

I. PURPOSE

You will announce that you will direct federal agencies to implement a plan for hiring people with disabilities.

II. BACKGROUND

On December 14, 1999, the Vice President asked the Office of Personnel Management (OPM) to develop a model plan to increase the representation of adults with disabilities in the federal workforce. In the radio address, you will direct federal agencies and departments to implement this plan immediately and:

- Recruit people with disabilities for positions at all levels;
- Provide opportunities for students with disabilities;
- Ensure career opportunities for people with disabilities, including giving full consideration to employees with disabilities for promotions and career development opportunities;
- Collect and maintain data to monitor the success;
- Provide reasonable accommodations for qualified applicants and employees with disabilities;

This plan, *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, will be released with an employment guide -- a compendium of laws, tools and guidance for agencies to use as they recruit, hire, train and promote people with disabilities.

III. PARTICIPANTS

<u>Briefing</u>	2:00 to 2:15 PM ET
THE PRESIDENT	
Loretta Ucelli	

<u>Taping</u>	2:15 PM ET
THE PRESIDENT	
Megan Moloney	
Lisa Ferdinando	
White House Communications Agency (WHCA) Personnel	
White House Television (WHTV)	
White House Photographer	

IV. PRESS PLAN

The ABC, AP, C-SPAN, CBS, NBC, Mutual, Westwood One, Metro, NPR, USA, American Urban, Standard News and Armed Forces Radio networks will carry the address in its entirety to their collective thousands of stations worldwide on Saturday at 10:06 AM ET.

V. REMARKS

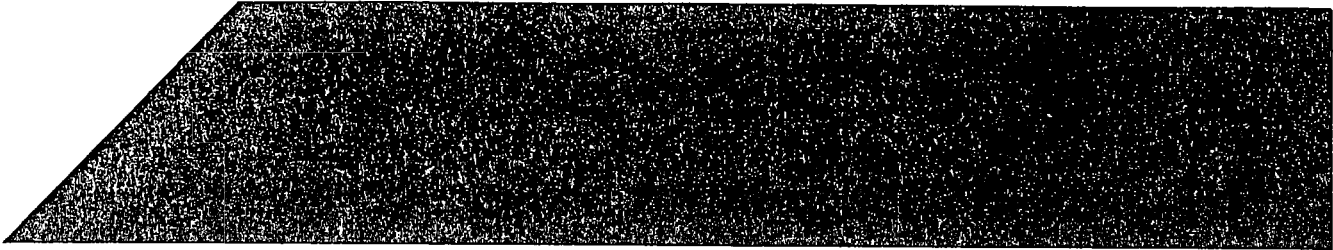
To be provided by the Office of Speechwriting.

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People With Disabilities in the Federal Government



AN EMPLOYMENT GUIDE



United States
Office of
Personnel
Management

Employment
Service

Theodore Roosevelt Building
1900 E Street, NW
Washington, DC 20415-9800

202-606-1059
www.opm.gov

ES DO-05
October 1999

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ACCESSING OPPORTUNITY

The Plan *for* Employment of People With Disabilities in the Federal Government



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ES DO-04
October 1999