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Disabilities - Edits to Task Force Report

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Chapter Two

A Status Report on Task Force Recommendations Endorsed and Acted Upon by the Clinton Administration

Since the creation of the Task Force, both President Clinton and Vice President Gore have consistently attended to the recommendations of the Task Force. This chapter highlights the progress and current status of those action items recommended by the Task Force which the President and the Vice President of the United States have fully accepted and acted upon.

Work Incentives

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STATUS: On January 28, S.331 was introduced in the Senate, and on March 18, H.R. 1180 was introduced by Representatives Lazio, Bliley, Waxman, and Dingell. On June 16, S.331 was passed unanimously by the Senate, and on October 19, the House passed H.R. 1180. On November 18, 1999, the House of Representatives passed the conference report accompanying H.R. 1180, the *Ticket to Work and Work Incentives Improvement Act of 1999*, by a vote of 418-2. The Senate passed the conference report, by a vote of 95-1, on November 19, 1999. The President has indicated that he will sign the legislation. The bill contains the following provisions:

- * Access to health care coverage /Medicaid “buy-in” - two new state options to extend Medicaid coverage to persons with disabilities who earn more than the limit of 250% of the Federal poverty level - or approximately \$21,000 - and meet the SSI definition of disability and to persons with disabilities who would otherwise lose their SSDI/SSI eligibility because of medical improvement, but who still have a medically-severe impairment and are working. **FINAL LEGISLATION: Both options enacted allow states to set higher income, unearned income, and resource limits.**
- * Building infrastructure to support Medicaid “buy-in” - \$150 million in grants to encourage states to take advantage of the above two Medicaid “buy-in” options. **FINAL LEGISLATION: Fully Funded.**
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demonstration program allowing states to extend Medicaid equivalent coverage to workers who have a disability that, without health care access, would become severe enough to qualify them for SSDI or SSI. **FINAL LEGISLATION: Enacted as a \$250 million demonstration to test whether early intervention, now made accessible by Medicaid equivalent coverage, will enable people with disabilities such as muscular dystrophy, Parkinson's, or diabetes to stay healthier and continue working.**

- * Continuing access to Medicare coverage - creation of a ten-year trial period allowing SSDI beneficiaries who return to work to continue receiving Medicare coverage. **FINAL LEGISLATION: Enacted as a four-and-a-half year period for people in the disability insurance system who return to work.**
- * "Ticket to Work Program" - establishment of a new program to increase choice in employment services, by allowing SSI and SSDI beneficiaries to deposit a "ticket" with the public or private provider of their choice. **FINAL LEGISLATION: Enacted as a voucher-like system that permits recipients to purchase job training and rehabilitation services to help them return to work.**

FINAL LEGISLATION changed the title of the bill to the "Ticket to Work and Work Incentives Improvement Act of 1999."

- ☐ The President announced that his FY 2000 budget provided for a new \$1,000 tax credit to cover work-related expenses for people with disabilities.

STATUS: There was no Congressional action in support of this initiative.

- ☐ The President, in his FY 2000 budget presentation, also announced a \$50 million "work incentives" grant program to foster interdisciplinary consortia and service integration at the state and local level to augment One-Stops Career system mandated by the *Workforce Investment Act of 1998*.

STATUS: On November 19, 1999, the Senate agreed to H.R. 3194 conference report, containing appropriations for the Departments of Labor; Health and Human Services; Education; and Related Agencies. The conference agreement provides \$20 million of the \$50 million request for the Work Incentive Assistance Grants program. *was this included in budget*

Health Care

- ❑ The President announced that he would continue to work with Congress to pass a “strong, enforceable patients’ bill of rights.”

STATUS: There was no final Congressional action this year to enact a patients’ bill of rights.

- ❑ The Vice President announced that the Commissioner of the Social Security Administration would be publishing in the *Federal Register* new regulations to increase - from \$500 to \$700 a month - the amount of income that recipients of Supplemental Security Income/SSI and Social Security Disability Insurance/SSDI could earn without losing critical cash and medical benefits under Social Security.

STATUS: On April 15, 1999, SSA published final rules that raise, from \$500 to \$700, the average monthly earnings guidelines that SSA uses to determine whether work done by persons with impairments other than blindness is substantial gainful activity. The rule became effective on July 1, 1999.

- ❑ The President announced the release of a letter from the Health Care Financing Administration (HCFA) to all state Medicaid directors clarifying the ADA’s obligation with respect to states offering appropriate community-based services.

STATUS: The Administration’s position on the ADA’s “integration mandate” was confirmed by subsequent court rulings and ultimately by the Supreme Court in its June 22, 1999 *Olmstead v. L.C.* (holding that states must provide Medicaid services to people with disabilities “in the most integrated setting appropriate,” when it would not result in a “fundamental alteration” to the program or in excessive new costs.)

Upon learning of the Supreme Court’s decision, the President issued a statement reaffirming his Administration’s commitment to “finding affordable ways to enable people who need long-term services and support to remain in the community if they choose and are able to do so.” He added that the best way to continue progress toward this goal is for state governments, the Federal Government, and the affected communities to work together to develop cost-effective ways to provide these services. “We must ensure that the quality of these services is excellent and that they are available to persons with disabilities of all ages,” he stated, “[therefore] I am asking Secretary Shalala and Attorney General Reno to work with all interested parties to carry out today’s decision in a fair and effective manner.”

- ❑ The President released an Executive Memorandum which directed the Secretary of the Department of Health and Human Services (DHHS) to ensure that Governors, state legislators, and state Medicaid directors work with consumer organizations to increase public information about state "Medicaid buy-in," a new option for states that became available as a result of the *Balanced Budget Act of 1997* (BBA). Under Section 4733 of the BBA, states now have the option to allow individuals with disabilities who start, or return, to work the ability to purchase Medicaid coverage as their earnings increase up to 250% of the poverty level.

STATUS: The Secretary of DHHS wrote a letter to each Governor and each state Medicaid director, informing them of the new option, and urging their serious consideration of this "critical opportunity to provide real assistance to many people living with disabilities who want to work." The Secretary also reaffirmed that the Central and Regional Office staff of the Health Care Financing Administration (HCFA) would be prepared to respond to states' inquiries and to provide technical assistance on a case by case basis.

Currently, the HCFA has received and approved amendments to six State Medicaid Plans: South Carolina, Oregon, Wisconsin, Minnesota, Alaska, and Mississippi. These states have exercised the new option, choosing to extend Medicaid coverage to eligible working individuals with disabilities.

The Federal Government as a Model Employer

- ❑ The Vice President directed the Office of Personnel Management to develop a model plan to increase the representation of adults with disabilities at all levels throughout the Federal workforce.

STATUS: In an October 16, 1999 radio address to the Nation, President Clinton released that plan, "Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government," along with a companion employment guide also prepared by the Office of Personnel Management (OPM). These documents give Federal agencies detailed and practical information on ways to recruit people with disabilities for positions at *all levels* of Government; provide opportunities for students with disabilities; collect and maintain data to monitor their success; and provide reasonable accommodations for applicants and employees with disabilities.

The President directed all Federal agencies to implement the plan "immediately."

- ❑ The President directed the Office of Personnel Management (OPM) to explore

ways to eliminate the stricter standards applied to Federal job applicants who have psychiatric disabilities.

STATUS: On June 4, 1999, President Clinton signed Executive Order 13124, amending civil service rules relating to Federal employees with “psychiatric disabilities.” Prior to this change, although the Federal Government could hire individuals with: (1) mental retardation; (2) severe physical disabilities; or (3) “psychiatric disabilities” under a special noncompetitive appointing authority, only those with mental retardation and those with severe physical disabilities could convert to competitive status without an examination after a minimum of two years of satisfactory service. Individuals with psychiatric disabilities could be hired only into *temporary* jobs that *ended after two years*, requiring them to compete for permanent Federal employment.

Now, as a result of the Executive Order, agencies are required to apply the **same hiring rule** to persons with “psychiatric disabilities,” as is applied to persons with mental retardation and to persons with severe physical disabilities.

OPM is in the process of drafting regulations to implement the Executive Order. The proposed regulations are expected to be published early next year.

Technology

- The President announced that his FY 2000 budget would provide approximately \$35 million for a national investment in “assistive technology,” expanding access to communication and information technologies for adult working-age people with disabilities.

STATUS: Congress acted on only two small portions of the President’s “assistive technology” initiative. Thus,

*** the Administration requested \$8 million for the General Services Administration (GSA) to enable it to procure assistive technology for the larger Federal agencies, and to better ensure that these agencies are able to fulfill their responsibilities in making the Federal Government a “model employer;” **Congress authorized and GSA received \$2.5 million;**

*** the Administration requested \$2 million for GSA to test hardware and software to make assistive technology more affordable for working adults with disabilities, and to help fully implement Section 508 of the *Rehabilitation Act of 1973, as amended* in 1998; **Congress appropriated**

and GSA received \$1 million;

*** the Administration requested \$2 million for the DoD to help support the assistive technology needs of small Federal agencies through extension of its highly-regarded Computer/Electronics Accommodations Program (CAP); ***Congress did not authorize any amount;*** and

*** the Administration requested \$23 million for the National Institute on Disability and Rehabilitation Research (NIDRR) for technology initiatives. The first included \$8 million for three initiatives related to information technology and telecommunications. The second included \$15 million for grants to States to establish alternative loan financing programs; ***Congress appropriated \$5 million for the technology initiative and \$4 million for the state grant program.***

Small Business and Entrepreneurship

- ❑ The President signed an Executive Memorandum directing the Attorney General at the Department of Justice, the Chair of the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration to expand public education about the requirements of the *Americans with Disabilities Act* (ADA) to employers, employees, and others whose rights may be affected. The memorandum directed special attention to small businesses and under-served populations.

STATUS: In April of 1999, a partnership between the Small Business Administration (SBA) and the U.S. Department of Justice (DOJ) resulted in the production of 15,000 copies of a pamphlet entitled, "ADA Guide for Small Businesses." The pamphlet contains information on the ADA and accommodations, architectural barriers, tax credits, and sources of additional information. A first printing was delivered to SBA field offices in August for distribution to small business clients, and a Spanish version was released in September. The pamphlet is now in its fourth printing.

In response to the President's directive, the Equal Employment Opportunity Commission (EEOC) stepped up its education and outreach efforts to employers. On March 1, 1999, for example, the EEOC released a comprehensive policy guidance document entitled, "Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act." This guidance provides "plain language" answers to the most frequently asked questions concerning what reasonable accommodations are, when they must be provided, and when employers

may refuse to provide them.

On March 22, the EEOC announced a new Small Business Initiative to improve customer service and to expand education, outreach, and technical assistance to the employer community. For this initiative, the Commission issued a shorter version of its March 1, 1999 guidance under the title, "Small Employers and Reasonable Accommodation."

- ❑ The Vice President directed the SBA to launch a new outreach campaign to help those Americans with disabilities who already owned their own small businesses, and to help those who wanted to start their own small businesses.

STATUS: The SBA entered into an agreement with the President's Committee on Employment of People with Disabilities (PCEPD) and the Task Force to increase entrepreneurial opportunities for people with disabilities. The agreement calls for the development of local networks of Federal, state, and local agencies with various private sector entities that promote and finance small businesses involving or serving people with disabilities. Funding support for technical assistance through a nationwide series of workshops is being made available through commitments from agencies such as the PCEPD, SBA, the Social Security Administration (SSA), the U.S. Department of Housing and Urban Development (HUD), as well as the Task Force.

Through a Memorandum of Understanding (MOU) between the SBA and the SSA, staff of the two agencies are being encouraged to form *local* partnerships, thereby making SBA services available to SSA beneficiaries who want to explore "entrepreneurship," and similarly, making SSA information available to local SBA staff about "employment supports" that may be crucial to SSA beneficiaries as they make the transition into the competitive workforce.

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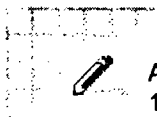
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Alison Perkins-Cohen
12/01/99 04:43:51 PM

Record Type: Record

To: Ogle Becky <ogle-becky@dol.gov> @ inet
cc: See the distribution list at the bottom of this message
Subject: more comments on directives

Attached are informal HUD comments - - these have not been cleared through the Department.

on p. 6 are two recommendations calling upon the President to have HUD "explore" certain actions. At least one action proposed for HUD overlooks some actions already required of, and taken by, HUD

The second recommendation on p. 6 recommends that HUD, Treasury, and other relevant Departments "explore the feasibility of developing financial incentives to encourage voluntary new construction or renovations . . . that would allow access for visiting family members or other visitors with disabilities." Exploring the feasibility of developing such financial incentives could well prove worthwhile, but perhaps recognition should also be made of the fact that Section 504 already sets requirements on the percentage or number of units that must be made accessible in new construction as well as in substantial rehabilitation."

Message Copied To:

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

LABOR BRANCH FAX SHEET

DATE: 12/1

TO: B. Doyle C. Rice, G. Chough &
E. Gould

FROM: A. Perkins-Chow

COMMENTS:

NUMBER OF PAGES (INCLUDING COVER) 2

CONFIRMATION: (202) 395-3262
FAX NUMBER: (202) 395-1596



Alison Perkins-Cohen
12/01/99 04:28:24 PM

Record Type: Record

To: Debra J. Bond/OMB/EOP@EOP, Susan M. Carr/OMB/EOP@EOP, John E. Thompson/OMB/EOP@EOP
cc: Larry R. Matlack/OMB/EOP@EOP, Cynthia A. Rice/OPD/EOP@EOP, Eugenia Chough/OPD/EOP@EOP, J. Eric Gould/OPD/EOP@EOP
Subject:

As you know, on Monday LRD circulated a number of Presidential Directives from the Disability Task Force for clearance. Following is a revision proposed by DOL to the directive related to strengthening Federal contractor compliance. As originally proposed, this item directed Labor to strengthen its implementation of Federal contractor compliance with affirmative action. The below DOL comment expands this initiative to apply to DOJ and EEOC as well. Attached at the bottom (for reference) is the original version of the directives that DOL was commenting on (circulated under LRM CJB129 on 11/29). I have forwarded the DOL comment to DOJ and EEOC for review. Please review the DOL proposal as soon as possible and let me know if you have any comments.

DOL PROPOSED SUBSTITUTE FOR RECOMMENDATION ON BOTTOM OF PAGE 5 OF PTFEAD REPORT RELATING TO COMPLIANCE

The Task Force recommends that:

The President directs the Departments of Justice and Labor and the Equal Employment Opportunity Commission to collaborate in exploring methods for strengthening enforcement of employment-related nondiscrimination provisions of the Americans with Disabilities Act and the Rehabilitation Act. Such efforts should include providing increased technical assistance to employers, strengthening compliance investigations, sharing complaint/compliance activity data and enhancing data collection. These and other efforts would provide a clear and unequivocal message that expanded employment opportunities for individuals with disabilities are a high priority of the Administration.

Effective enforcement of employment-related nondiscrimination requirements is crucial to increasing employment opportunities for individuals with disabilities. The enforcement agencies must continue to explore new and more effective approaches for increasing compliance with laws requiring equal opportunity for job applicants and employees with disabilities. The enforcement agencies should develop and disseminate technical assistance guides to assist employers in understanding and implementing nondiscrimination requirements. These agencies should also develop educational tools with which to inform individuals with

disabilities of the full panoply of protections under the ADA and the Rehabilitation Act. The enforcement agencies also should explore methods to strengthen their investigation processes. For example, the Department of Labor, through OFCCP, should utilize compliance evaluation procedures that allow the agency to focus on systemic barriers to the employment of individuals with disabilities during an investigation. The Equal Employment Opportunity Commission, in coordination with the Departments of Justice and Labor, should explore enhancing data collection efforts with respect to the employment and the availability of persons with disabilities in the workforce, possibly through new regulations. Consistent with their shared responsibilities for enforcement, the EEOC and OFCCP should explore joint enforcement strategies through use of EEOC's complaint inventory and OFCCP's compliance evaluation procedures.



Task Force Directives.

**TREASURY COMMENTS RE PRESIDENTIAL TASK FORCE ON EMPLOYMENT OF
PERSONS WITH DISABILITIES DIRECTIVES TO ACCOMPANY DRAFT REPORT TO
THE PRESIDENT**

Comments from the Office of Tax Policy:

Tax Policy opposes the following recommendation of the task force:

The President direct the Department of the Treasury, the Department of Housing and Urban Development and other relevant federal agencies to explore the feasibility of developing financial incentives to encourage voluntary new construction or renovations to housing properties that would allow access for visiting family members or other visitors with disabilities.

Proposing tax incentives for construction or renovation to a residence to allow access for disabled persons, regardless of whether the disabled person is a resident, is a poorly designed and poorly targeted tax incentive that would create complexity, be difficult if not impossible to administer, and would compete for attention in Congress with the already proposed disability tax credit, which is targeted directly to disabled persons. We strongly urge the task force to drop this recommendation.

EGP: Heris Directives
& comments
-60

From: Constance J. Bowers on 11/29/99 10:20:14 AM

Record Type: Record

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

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

Subject: LRM CJB129 - - Presidential Task Force of Employment of Persons with Disabilities "Directives", to accompany Draft Report to the President Report on "Re-charting the Course: If Not Now, When: Second Report"

Please provide comments on these "Directives" to accompany the Presidential Task Force report, which was circulated previously, by: cob, Tues., Nov. 30, 1999.

Please respond to Alison Perkins-Cohen (see "OMB contact "on LRM below.)

click here for text of Directives:



Task Force Directives.

----- Forwarded by Constance J. Bowers/OMB/EOP on 11/22/99 05:30 PM -----
LRM ID: CJB129

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001**

Monday, November 29, 1999

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: Janet R. Forsgren (for) Assistant Director for Legislative Reference

OMB CONTACT: Alison Perkins-Cohen
PHONE: (202)395-7753 FAX: (202)395-1596

SUBJECT: **Presidential Task Force of Employment of Persons with Disabilities
"Directives", to accompany Draft Report to the President Report on
"Re-charting the Course: If Not Now, When: Second Report"**

DEADLINE: **cob Tuesday, November 30, 1999**

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. **Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.**

COMMENTS: This material will accompany the draft Presidential Task Force report circulated for your review on November 8, 1999 (LRM CJB126).

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51-General Services Administration - William R. Ratchford - (202) 501-0563

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Ronald F. Matzner
Katherine K. Wallman
Edward W. Correia
Janet R. Forsgren
James J. Jukes
Constance J. Bowers

LRM ID: CJB129 **SUBJECT:** Presidential Task Force of Employment of Persons with Disabilities "Directives", to accompany Draft Report to the President Report on "Re-charting the Course: If Not Now, When: Second Report"

**RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM**

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

(1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or

(2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Alison Perkins-Cohen Phone: 395-7753 Fax: 395-1596
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-3262

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

 Concur

 No Objection

No Comment

_____ See proposed edits on pages _____

Other: _____

FAX RETURN of _____ pages, attached to this response sheet

Message Sent To: _____

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justice.lrm@usdoj.gov @ inet
oliafcc@fcc.gov @ inet
kirbym@arts.endow.gov @ inet
johnson@access-board.gov @ inet
info@jwod.gov @ inet
ca.legislation@gsa.gov @ inet

Message Copied To:

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James J. Jukes/OMB/EOP@EOP
Constance J. Bowers/OMB/EOP@EOP

Chapter One

Recommendations to the President from the Presidential Task Force on Employment of Adults with Disabilities

The Task Force wishes to recognize the outstanding work by the Clinton Administration in acting on the Task Force recommendations made to the President in last years' report – "Re-charting the Course: First Report of the Presidential Task Force on Employment of Adults with Disabilities." Prompt action and strong support by the Administration on these recommendations has resulted in significant achievements that will to lead increased employment for persons with disabilities, including the passage of the Workforce Improvement Incentive Act, funding of the Work Incentive Grant program, and issuance of the "Model Plan" and "Employment Guide" for employing persons with disabilities in the federal government. (See Chapter two for a complete review of the status of last years' recommendations)

The Task Force also wishes to acknowledge the efforts of Task Force members, particularly those who chaired the various committees that were established this past Spring to guide and focus the work of the Task Force. The Task Force has received a report from each Committee on their activities in 1999, which largely have focused on putting in place plans for more specific activity in 2000 and beyond. The Task Force will be reviewing and using these reports as the basis for future activities as appropriate. We have included a snythesis of these reports in Chapter five.

The Task Force respectfully submits the following recommendations to the President of the United States of America for immediate consideration:

The Task Force recommends that:

The President continue to work with Congress to pass a strong, enforceable Patients' Bill of Rights.

It is critically important to people with disabilities that we enact a strong, enforceable Patients' Bill of Rights. This must include: guaranteed access to needed health care specialists; access to emergency room services when and where the need arises; continuity of care protections so that patients will not have an abrupt transition in care if

their providers are dropped; access to a fair, unbiased and timely internal and independent external appeals process, to address health plan grievances and to help govern decisions about medically necessary treatments; an enforcement mechanism that ensures recourse for patients who have been harmed as a result of a health plan's actions; and protections for all Americans in all health plans.

The Task Force recommends that:

The President continue to work with Congress to pass the tax credit he proposed in 1999, in order to assist adults with disabilities pay for expenses related to work.

Working-age adults with disabilities often have a disincentive to work because of the high cost of personal attendant services and other services or technologies required for employment. Similarly the cost of employers of hiring an individual requiring personal attendant services can be prohibitive. Tax credits provide a flexible way to assist people with disabilities in defraying these expenses.

The Task Force recommends that:

The President continue to work with Congress to secure adequate funding for his program to accelerate the development and adoption of information and communication technologies that can be used by the 54 million Americans with disabilities.

The President should continue to push for his initiative which would: (1) help make the federal government a "model user" of assistive technology; (2) support new and expanded state loan programs to make assistive technology more affordable for Americans with disabilities; and (3) invest in research, development and technology transfer in areas such as "text to speech" for people who are deaf, speech recognition, and eye tracking for people who cannot use a keyboard.

The President should also continue to develop standards under Section 508 of the Rehabilitation Act of 1973, which requires that the Federal government's electronic and information technology is accessible to individuals with disabilities.

The Task Force recommends that:

The President convene a White House Conference on Employment of Adults with Disabilities that will include representatives from the Administration, Congress, elected officials from state and local governments, small and large businesses, the disability community and other related entities regarding employment of people with disabilities.

This Conference could provide visibility to the issue of employing persons with disabilities and build partnerships between public and private sectors.

The conference could also provide the opportunity to showcase best practices and innovative strategies for employment of people with disabilities, as well as highlight actions taken by Task Force member agencies and Departments. Finally, it could commemorate the 10th anniversary of the ADA, the 25th anniversary of IDEA, and the 35th anniversary of the Equal Employment Opportunities Commission.

The Task Force recommends that:

The President direct the Department of Labor to consider development of Office of Disability Policy, Evaluation and Technical Assistance (ODPET). ODPET functions could include:

- ***Ensuring ongoing efforts to integrate people with disabilities into the Department of Labor's mainstream employment and training programs;***
- ***Continuing the principal functions of the President's Committee on Employment of People with Disabilities (PCEPD) through a National Disability Business Development Board within ODPET; and***
- ***Assisting the Presidential Task Force on Employment of Adults with Disabilities in implementing a coordinated and aggressive national employment strategy for persons with disabilities.***

An Office of Disability Policy could provide a long-term, permanent force to continue the work needed to ensure that persons with disabilities are integrated with the mainstream employment and training programs within the Labor Department. The Presidential Task Force would continue to be responsible in the short-term for developing, refining and monitoring the implementation of an aggressive, national employment strategy for persons with disabilities.

The Task Force recommends that:

The President direct the Departments of Labor, Education, Health and Human Services, the Social Security Administration and other appropriate Task Force member agencies to construct and coordinate, under the leadership of the Presidential Task Force on Employment of Adults with Disabilities, a Youth to Work Initiative.

Each year, nearly 40,000 eighteen-year-olds become eligible for SSI cash assistance. On average, these young adults will remain on SSI for 27

years. Many youth with disabilities spend a significant portion of their time in poverty, dependent upon public assistance programs and relegated to the margins of society. Compared to students without disabilities, students with disabilities drop out of school much more frequently and enroll in post-secondary education less frequently.

Barriers to employment for youth with disabilities include the following: low educational attainment, low educational and employment expectations, and confusing governmental programs with conflicting eligibility criteria and goals. As a result, many youth with disabilities transition from youth welfare to adult welfare without accessing the education and training opportunities needed to make a transition to work and achieve independence. This *Youth to Work Initiative* will test alternative approaches to helping youth with disabilities access needed education and training opportunities and overcome barriers to employment.

The Task Force recommends that:

The President direct the Task Force members' departments and agencies to collaborate on the development and implementation of multimedia, inter-agency Public Awareness Campaign to eliminate the negative and erroneous stereotypes about employment of people with disabilities. This campaign shall focus on the benefits of employing people with disabilities.

There is a need for immediate leadership to address negative attitudes and prejudices against people with disabilities. An aggressive public awareness campaign, conducted in partnership with the disability community, businesses, and other influential entities would help to eliminate erroneous and prejudicial thinking about disability that limits opportunities.

The Task Force recommends that:

The President direct Social Security Administration and Department of Labor to create an "Access America for People with Disabilities" website targeting individuals with disabilities.

In February, Vice President Gore announced "Access America for Seniors," an Internet site providing a wide range of services to older Americans -- an example of his vision of one-stop Internet access to government services. A new web site, "Access America for People with Disabilities," would likewise provide information and services offered by

virtually every major Federal government agency, civilian and the military by linking to an abundance of helpful federal agency sites, information, programs and services.

The Task Force recommends that:

The President direct all federal agencies with customer service call centers and other appropriate services to explore ways to encourage hiring of people with disabilities.

Research has shown that the percentage of individuals with significant disabilities who are employed is among the lowest among disadvantaged groups in the nation. It is critical that we seek out as many strategies as possible to change this picture.

Cutting edge telecommunications technology has recently made it possible for Customer Service Centers to send voice and data to home-based customer service representatives who work just as if they were in a call center. Many agencies in the Federal Government, such as the Internal Revenue Service and the U.S. Postal Service, operate significant Customer Service Call Center activities. The purpose of this recommendation is to bring this cutting-edge technology into the Federal government and to use this new technology to increase the employment rate of individuals with disabilities as much as possible.

The Task Force recommends that:

The President direct the Department of Labor to strengthen the implementation of federal contractor compliance with affirmative action requirements under Section 503 of the Rehabilitation Act of 1973. Such efforts should include providing technical assistance to federal contractors; strengthening compliance reviews of disability employment; and enhancing data collection.

Federal contractors employ approximately 26 million or nearly 22% of the total civilian workforce. Based on a general analysis of employment data, the employment rate of people with disabilities in the Federal contractor sector (civilian work force) remains well below the employment rate of the general population. Under Section 503, Federal contractor affirmative action requires companies doing business with the Federal government to take pro-active measures that go beyond nondiscrimination requirements of the Americans with Disabilities Act.

In order to place a greater emphasis on the enforcement of affirmative action requirements for employing persons with disabilities, the Department of Labor

needs to disseminate an adapted “Model plan” and “Employment Guide” to all Federal contractors. This will provide a clear signal that the affirmative action requirements for persons with disabilities have become a high priority for the Administration. Second, the Department, through OFCCP, should strengthen compliance reviews of disability employment by including focused reviews of disability employment in a significant proportion of all on-site compliance reviews. And finally, the Department needs to begin enhancing data collection efforts with respect to the employment of persons with disabilities by federal contractors and the local workforce availability of persons with disabilities, possibly through new regulations.

The Task Force recommends that:

The President direct HUD to explore steps needed to establish: (1) an earned income disregard for tenants with disabilities living in other-than-PHA housing who return to work; and (2) a provision which exempts any disability related expenses incurred when a tenant goes to work from the countable income used to determine rents.

HUD has promulgated rules under recently enacted legislation aimed at providing additional incentives for low-income individuals in public housing to work or work more. Current rules however, do not provide sufficient incentives for employment of people with disabilities who are assisted by HUD subsidies but do not live in PHA housing. HUD should explore ways to extend similar incentives to all HUD-subsidized tenants with disabilities.

The Task Force recommends that:

The President direct the Department of the Treasury, the Department of Housing and Urban Development and other relevant federal agencies to explore the feasibility of developing financial incentives to encourage voluntary new construction or renovations to housing properties that would allow access for visiting family members or other visitors with disabilities.

The economic price of segregation and isolation caused by inaccessible housing is enormous and adversely impacts on the employment of people with disabilities. One of the primary means by which people with disabilities gain employment is through word of mouth and social contact. Inaccessible housing limits such social contact and limits employment opportunities for persons with disabilities.

The current IRS code allows a tax deduction for some renovations only if needed for the homeowner or a dependent with a disability who has shown medical necessity, based on a restrictive medical model. However, there is no incentive in federal law for homeowners to make their housing accessible to visitors with disabilities.

The concept of “visitability” involves voluntarily making private homes accessible enough so that individuals with disabilities can visit. This would allow family members who may live in a nursing home to visit or allow other people with disabilities to attend meetings, social gatherings, etc. People who are aging or living with a disability face problems of inaccessibility on a daily basis that results in segregation and isolation.

The Task Force recommends that:

The President direct the Social Security Administration to explore options for raising the SSI Earned Income Exclusion, for both adults and students, in order to increase work incentives and encourage work effort.

SSI is a means tested program, but beneficiaries are able to have nominal earnings before experiencing any reduction in benefit amounts. Allowing such earnings not only increases overall income security, but also provides an incentive to work. The earned income exclusions for both adults and students, however, have not been raised since the early 1970's, even though the SSI Federal benefit rate is indexed annually for inflation. The Earned Income Exclusion remains at \$65 per month for adults set in 1972 and at \$133 per month for students set in 1974. As a result, SSI beneficiaries with non-SSI income do not receive full indexing of their benefits, and work effort is less rewarded than it was previously.

The Task Force recommends that:

The President direct the Department of Health and Human Services to develop a proposal to allow the Maternal and Child Health Programs for Children with Special Needs to provide services to youth with disabilities who are under the age of 16.

The Maternal and Child Health Programs for Children with Special Needs (Title V of the Social Security Act) provides services to youth with disabilities that are essential to preparing them for continued education and training, but are restricted to serving only youth 16 years and older. As a result, many youth with disabilities are ready to drop out of the education stream just at a time when they become eligible to receive services that would enable them to benefit from continued education. There is a clear need to provide these services to youth with disabilities at an earlier age.

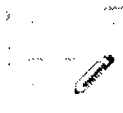
The Task Force recommends that:

The President direct the Department of Transportation to work with the Departments of Labor, Education, Health and Human Services, the Social Security Administration and other relevant Task Force members

to develop a comprehensive plan of action to address the lack of transportation services and systems for persons with disabilities. As part of this plan, the Department of Transportation should explore the steps needed to ensure the full access and participation of people with disabilities in its Job Access and Reverse Commute Program.

The lack of available public transportation is a major employment barrier for persons with disabilities. This factor is cited by many persons with disabilities, at recent town hall meetings held by the Task Force and at other events, as being the major impediment to finding and keeping a job.

The Job Access and Reverse Commute program provides competitive grants to local governments and non-profit organizations to develop transportation services to connect welfare recipients and low-income persons to employment and support services. In its grant award process, DOT should consider access to employment and service agencies serving people with disabilities as an important component when examining whether grant applicants can demonstrate the need for additional services grant award criteria.

 Alison Perkins-Cohen
11/30/99 06:46:16 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP@EOP, Eugenia Chough/OPD/EOP@EOP, J. Eric Gould/OPD/EOP@EOP
cc: Joanne Cianci/OMB/EOP@EOP, Larry R. Matlack/OMB/EOP@EOP, David Rowe/OMB/EOP@EOP
Subject: RE: LRM CJB129 - - Presidential Task Force of Employment of Persons with Disabilities
"Directives", to accompany Draft Report to the President Report on "Re-charting the Course: If
Not Now, When: Second Report"

Attached are the first comments on the directives that I forwarded to Becky. I am continuing to read through those I have received and, as per my conversation with Genie, will cc' you as I fax or email other comments to Becky. I will call if I come across any that seem controversial enough that we need to discuss them before they go to Becky.

You will see below that NCD has proposed deleting the directive to HUD and Treasury to develop financial incentives encouraging people to make their homes accessible to the disabled. They do not provide a rationale for this recommendation - - I have left a message asking for their rationale (perhaps it is the same concern that we had relating to the potential for abuse). Obviously, the opinions of HUD and Treasury will weigh-in more significantly on this one and I have yet to hear from them. I'll let you know when I do.

Thanks

----- Forwarded by Alison Perkins-Cohen/OMB/EOP on 11/30/99 06:31 PM -----

 Alison Perkins-Cohen
11/30/99 10:36:27 AM

Record Type: Record

To: Ogle Becky <ogle-becky@dol.gov> @ inet
cc:
Subject: RE: LRM CJB129 - - Presidential Task Force of Employment of Persons with Disabilities
"Directives", to accompany Draft Report to the President Report on "Re-charting the Course: If
Not Now, When: Second Report"

A comment from the Architectural Transportation Barriers Compliance Board follows...

----- Forwarded by Alison Perkins-Cohen/OMB/EOP on 11/30/99 10:36 AM -----

From: Constance J. Bowers on 11/30/99 10:21:21 AM

Record Type: Record

To: Alison Perkins-Cohen/OMB/EOP@EOP

cc:

Subject: RE: LRM CJB129 - - Presidential Task Force of Employment of Persons with Disabilities
"Directives", to accompany Draft Report to the President Report on "Re-charting the Course: If
Not Now, When: Second Report"

----- Forwarded by Constance J. Bowers/OMB/EOP on 11/30/99 10:21 AM -----



Kathy Roy Johnson <johnson@ACCESS-BOARD.GOV>

11/30/99 10:07:29 AM

Record Type: Record

To: Constance J. Bowers/OMB/EOP

cc: James Raggio <raggio@ACCESS-BOARD.GOV>, Lawrence Roffee <roffee@ACCESS-BOARD.GOV>, David Capozzi <capozzi@ACCESS-BOARD.GOV>

Subject: RE: LRM CJB129 - - Presidential Task Force of Employment of Persons with Disabilities
"Directives", to accompany Draft Report to the President Report on "Re-charting the Course: If
Not Now, When: Second Report"

Dear Ms. Bowers; On page 2 of Chapter One the Task Force Report states that, "The President should also continue to develop standards under Section 508 of the Rehabilitation Act of 1973, which requires that the Federal government's electronic and information technology is accessible to individuals with disabilities." It would be helpful if this paragraph acknowledged that these standards are being developed by the U.S. Architectural and Transportation Barriers Compliance Board.

Thank you for your assistance with this matter. Please let me know if I can be of further assistance.

Sincerely,

Kathy Roy Johnson
Legislative Analyst
U.S. Access Board
(202) 272-5434 Ext. 115

> -----Original Message-----

> From: Constance_J._Bowers@omb.eop.gov
> [SMTP:Constance_J._Bowers@omb.eop.gov]
> Sent: Monday, November 29, 1999 10:20 AM
> To: dol-sol-leg@dol.gov; ogc_legislation@ed.gov; valrm@mail.va.gov;
> lrm@os.dhhs.gov; hq.oc.lrm.ssa@ssa.gov; llr@do.treas.gov;
> clrm@doc.gov; dot.legislation@ost.dot.gov; ola@opm.gov; cla@sba.gov;
> EEOC.OCLA@EEOC.gov; aimparato@ncd.gov; info@pcep.gov;
> HUD_LRM@hud.gov; justice.lrm@usdoj.gov; oliafcc@fcc.gov;

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> ca.legislation@gsa.gov
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> Alison_Perkins-Cohen@omb.eop.gov; Jack_A._Smalligan@omb.eop.gov;
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> Daniel_J._Chenok@omb.eop.gov; Eugenia_Chough@opd.eop.gov;
> Janet_R._Forsgren@omb.eop.gov; James_J._Jukes@omb.eop.gov;
> Constance_J._Bowers@omb.eop.gov
> Subject: LRM CJB129 - - Presidential Task Force of Employment of
> Persons with Disabilities "Directives", to accompany Draft
> Report to the President Report on "Re-charting the Course: If Not Now,
> When: Second Report"
>
> Please provide comments on these "Directives" to accompany the
> Presidential
> Task Force report, which was circulated previously, by: cob, Tues.,
> Nov.
> 30, 1999.
> Please respond to Alison Perkins-Cohen (see "OMB contact "on LRM
> below.)
>
> click here for text of Directives:
> (See attached file: Task Force Directives.doc)
>
>
> ----- Forwarded by Constance J. Bowers/OMB/EOP on
> 11/22/99
> 05:30 PM -----
> LRM ID: CJB129
> EXECUTIVE OFFICE OF THE PRESIDENT
> OFFICE OF MANAGEMENT AND BUDGET
> Washington, D.C. 20503-0001
>
> Monday, November 29, 1999
>
> LEGISLATIVE REFERRAL MEMORANDUM
>
> TO: Legislative Liaison Officer - See Distribution below
>
> FROM: Janet R. Forsgren (for) Assistant Director for
> Legislative
> Reference
> OMB CONTACT: Alison Perkins-Cohen

> PHONE: (202)395-7753 FAX: (202)395-1596

> SUBJECT: Presidential Task Force of Employment of Persons with
 > Disabilities "Directives", to accompany Draft Report to
 > the
 > President Report on "Re-charting the Course: If Not
 > Now,
 > When: Second Report"

> DEADLINE: cob Tuesday, November 30, 1999

> In accordance with OMB Circular A-19, OMB requests the views of your
 > agency
 > on the above subject before advising on its relationship to the
 > program of
 > the President. Please advise us if this item will affect direct
 > spending
 > or receipts for purposes of the "Pay-As-You-Go" provisions of Title
 > XIII of
 > the Omnibus Budget Reconciliation Act of 1990.

> COMMENTS: This material will accompany the draft Presidential Task
 > Force
 > report circulated for your review on November 8, 1999 (LRM CJB126).

> DISTRIBUTION LIST

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> 52-HEALTH & HUMAN SERVICES - Sondra S. Wallace - (202) 690-7760

> 110-Social Security Administration - Judy Chessner - (202) 358-6030

> 118-TREASURY - Richard S. Carro - (202) 622-0650

> 25-COMMERCE - Michael A. Levitt - (202) 482-3151

> 117 & 340-TRANSPORTATION - Tom Herlihy - (202) 366-4687

> 92-Office of Personnel Management - Harry Wolf - (202) 606-1424

> 107-Small Business Administration - Jane P. Merkin - (202) 205-6700

> 31-Equal Employment Opportunity Commission - William J. White Jr. -
 > (202)
 > 663-4900

> 71-National Council on Disability - Andrew Imparato - (202) 272-2112

> 100-President's Committee on the Employment of People With Disabilities -
 > John
 > Lancaster - (202) 376-6200

> 54-HOUSING & URBAN DEVELOPMENT - Mike Moran - (202) 708-1793

> 61-JUSTICE - Robert Raben - (202) 514-2141

> 36-Federal Communications Commission - Sheryl Wilkerson - (202)
 > 418-1900

> 75-National Endowment for the Arts - Richard Woodruff - (202) 682-5434

> 16-Architectural and Transportation Barriers Compliance Board -
 > Kathleen
 > Roy Johnson - (202) 272-5434

> 98-Committee Purchase From Blind or Severely Disabled - Beverly L.
 > Milkman -
 > (703) 603-7740

- > 51-General Services Administration - William R. Ratchford - (202)
- > 501-0563
- >
- > EOP:
- > Cynthia A. Rice
- > J. Eric Gould
- > Lisa M. Brown
- > Larry Matlack
- > Alison Perkins-Cohen
- > Jack A. Smalligan
- > Joanne Cianci
- > Wayne Upshaw
- > David Rowe
- > Alexander S. Keenan
- > Jonathan D. Breul
- > Susan M. Carr
- > Randolph M. Lyon
- > David E. Tornquist
- > David J. Haun
- > Richard J. Turman
- > Mark E. Miller
- > Toni S. Hustead
- > Lisa B. Fairhall
- > Mathew C. Blum
- > John F. Morrall III
- > Theresa M. O'Malley
- > Joseph F. Lackey Jr.
- > Ronald F. Matzner
- > Katherine K. Wallman
- > Edward W. Correia
- > Janet R. Forsgren
- > James J. Jukes
- > Constance J. Bowers
- > LRM ID: CJB129 SUBJECT: Presidential Task Force of Employment of
- > Persons
- > with Disabilities "Directives", to accompany Draft Report to the
- > President
- > Report on "Re-charting the Course: If Not Now, When: Second Report"
- > RESPONSE TO
- > LEGISLATIVE REFERRAL
- > MEMORANDUM
- >
- > If your response to this request for views is short (e.g.,
- > concur/no
- > comment), we prefer that you respond by e-mail or by faxing us
- > this
- > response sheet. If the response is short and you prefer to call,
- > please
- > call the branch-wide line shown below (NOT the analyst's line) to
- > leave a
- > message with a legislative assistant.
- >
- > You may also respond by:
- > (1) calling the analyst/attorney's direct line (you will be

> connected
> to voice mail if the analyst does not answer); or
> (2) sending us a memo or letter
> Please include the LRM number shown above, and the subject shown
> below.
>
>
> TO: Alison Perkins-Cohen Phone: 395-7753 Fax: 395-1596
> Office of Management and Budget
> Branch-Wide Line (to reach legislative assistant): 395-3262
>
> FROM: _____ (Date)
>
> _____ (Name)
>
> _____ (Agency)
>
> _____ (Telephone)
>
>
> The following is the response of our agency to your request for
> views on
> the above-captioned subject:
>
> _____ Concur
>
> _____ No Objection
>
> _____ No Comment
>
> _____ See proposed edits on pages _____
>
> _____ Other: _____
>
> _____ FAX RETURN of _____ pages, attached to this response sheet
> << File: Lotus Manuscript 1.0 >>

----- Forwarded by Alison Perkins-Cohen/OMB/EOP on 11/30/99 06:31 PM -----



Alison Perkins-Cohen
11/30/99 02:18:59 PM

Record Type: Record

To: Ogle Becky <ogle-becky@dol.gov> @ inet

cc:

Subject: NCD comments on Directives

Following are the comments from the NCD on the directives:

Date: November 30, 1999

Reference: LRM ID: CJB129

Subject: Presidential Task Force on Employment of Adults with Disabilities "Directives," to accompany Draft Report to the President Report on "Re-charting the Course: If Not Now, When: Second Report"

Pages: Two

The National Council on Disability (NCD) commends the important work of the Presidential Task Force on Employment of Adults with Disabilities. NCD has reviewed the Task Force's Directives' to accompany Draft Report to the President Report on Re-charting the Course: If Not Now, When: Second Report. NCD suggests the following edits.

On Page 4 of Chapter 1, the Task Force recommends that:

The President direct the Task Force members' departments and agencies to collaborate on the development and implementation of multimedia, inter-agency Public Awareness Campaign to eliminate the negative and erroneous stereotypes about employment of people with disabilities. This campaign shall focus on the benefits of employing people with disabilities.

NCD recommends that this public awareness campaign recommendation have a dual focus to include informing people with disabilities and covered entities of the civil rights protections afforded by ADA, as well as eliminating negative and erroneous stereotypes. We further recommend that special emphasis be placed on reaching minority and other people from culturally diverse populations.

On July 26, 1999, NCD joined with the White House Office of Public Liaison to release the executive summary of NCD's report Lift Every Voice: Modernizing Disability Policies and Programs to Serve a Diverse Nation at a White House celebration of the ninth anniversary of ADA. NCD recommends that the Task Force broaden their public awareness campaign with special emphasis on people from culturally diverse populations. NCD recommends that the Task Force focus on minority owned and minority-targeting media outlets.

NCD's primary recommendation at the July 26 meeting was the formulation of an interagency team comprised of representatives from the Departments of Education, Labor, Health and Human Services, Justice, and Housing and Urban Development, along with the Equal Employment Opportunity

Commission, Small Business Administration, and Federal Communications Commission, develop and implement a large-scale outreach and training program targeted to people with disabilities from diverse cultural backgrounds and their families that will provide such information directly to the target audiences through a series of trainings, forums, and seminars across the country. These trainings should be repeated periodically so that new people are trained each year and materials are routinely updated.

By having a dual focus on the public awareness campaign, the Task Force affords the President the opportunity to deliver on an important, high-profile issue to this community.

On Page 6 of Chapter 1, the Task Force recommends that:

The President direct the Department of the Treasury, the Department of Housing and Urban Development and other relevant federal agencies to explore the feasibility of developing financial incentives to encourage voluntary new construction or renovations to housing properties that would allow access for visiting family members or other visitors with disabilities.

I recommend that the Task Force delete this recommendation.

Once again, we commend the Task Force for its hard work in focusing on these important issues.

This concludes NCD's suggestions and recommendations.

----- Forwarded by Alison Perkins-Cohen/OMB/EOP on 11/30/99 06:31 PM -----



Alison Perkins-Cohen
11/30/99 05:55:40 PM

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To: Ogle Becky <ogle-becky@dol.gov> @ inet

cc:

Subject: LRM ID - CJB129

----- Forwarded by Alison Perkins-Cohen/OMB/EOP on 11/30/99 05:56 PM -----



Janice Coleman <jcoleman@jwod.gov>
11/30/99 03:49:42 PM

Record Type: Record

Page: 1

Subject: COL:WH TE: Employing the disabled rpt: Chap 1

<http://ccweb7.doi.gov/ccm/HBI>
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

LABOR BRANCH FAX SHEET

DATE: 11/30

TO: ~~D. G. L. E.~~ L. Rice, G. Chongh + E. Gould

FROM: A. Perkins Cohen

COMMENTS:

NUMBER OF PAGES (INCLUDING COVER)

16 25

CONFIRMATION: (202) 395-3262
FAX NUMBER: (202) 395-1596

OPM

2

their providers are dropped; access to a fair, unbiased and timely internal and independent external appeals process, to address health plan grievances and to help govern decisions about medically necessary treatments; an enforcement mechanism that ensures recourse for patients who have been harmed as a result of a health plan's actions; and protections for all Americans in all health plans.

The Task Force recommends that:

The President continue to work with Congress to pass the tax credit he proposed in 1999, in order to assist adults with disabilities pay for expenses related to work.

Working-age adults with disabilities often have a disincentive to work because of the high cost of personal attendant services and other services or technologies required for employment. Similarly the cost of employers of hiring an individual requiring personal attendant services can be prohibitive. Tax credits provide a flexible way to assist people with disabilities in defraying these expenses. ✓

The Task Force recommends that,

The President continue to work with Congress to secure adequate funding for his program to accelerate the development and adoption of information and communication technologies that can be used by the 34 million Americans with disabilities.

The President should continue to push for his initiative which would: (1) help make the federal government a "model user" of assistive technology; (2) support new and expanded state loan programs to make assistive technology more affordable for Americans with disabilities; and (3) invest in research, development and technology transfer in areas such as "text to speech" for people who are deaf, speech recognition, and eye tracking for people who cannot use a keyboard.

The President should also continue to develop standards under Section 508 of the Rehabilitation Act of 1973, which requires that the Federal government's electronic and information technology is accessible to individuals with disabilities.

The Task Force recommends that:

The President convene a White House Conference on Employment of Adults with Disabilities that will include representatives from the Administration, Congress, elected officials from state and local governments, small and large businesses, the disability community and other related entities regarding employment of people with disabilities.

This Conference could provide visibility to the issue of employing persons with disabilities and build partnerships between public and private sectors.

The conference could also provide the opportunity to showcase best practices and innovative strategies for employment of people with disabilities, as well as highlight actions taken by Task Force member agencies and Departments. Finally, it could commemorate the 10th anniversary of the ADA, the 25th anniversary of IDEA, and the 35th anniversary of the Equal Employment Opportunities Commission.

The Task Force recommends that:

The President direct the Department of Labor to consider development of an Office of Disability Policy, Evaluation and Technical Assistance (ODPET). ODPET functions could include:

- *Ensuring ongoing efforts to integrate people with disabilities into the Department of Labor's mainstream employment and training programs;*
- *Continuing the principal functions of the President's Committee on Employment of People with Disabilities (PCEPD) through a National Disability Business Development Board within ODPET; and*
- *Assisting the Presidential Task Force on Employment of Adults with Disabilities in implementing a coordinated and aggressive national employment strategy for persons with disabilities.*

An Office of Disability Policy could provide a long-term, permanent force to continue the work needed to ensure that persons with disabilities are integrated with the mainstream employment and training programs within the Labor Department. The Presidential Task Force would continue to be responsible in the short-term for developing, refining and monitoring the implementation of an aggressive, national employment strategy for persons with disabilities.

The Task Force recommends that:

The President direct the Departments of Labor, Education, Health and Human Services, the Social Security Administration and other appropriate Task Force member agencies to construct and coordinate, under the leadership of the Presidential Task Force on Employment of Adults with Disabilities, a Youth to Work Initiative.

Each year, nearly 40,000 eighteen-year-olds become eligible for SSI cash assistance. On average, these young adults will remain on SSI for 27

virtually every major Federal government agency, civilian and the military, by linking to an abundance of helpful federal agency sites, information, programs and services. ✓

The Task Force recommends that:

The President direct all federal agencies with customer service call centers and other appropriate services to explore ways to encourage hiring of people with disabilities.

Research has shown that the percentage of individuals with significant disabilities who are employed is among the lowest among disadvantaged groups in the nation. It is critical that we seek out as many strategies as possible to change this picture.

Cutting edge telecommunications technology has recently made it possible for Customer Service Centers to send voice and data to home-based customer service representatives who work just as if they were in a call center. Many agencies in the Federal Government, such as the Internal Revenue Service and the U.S. Postal Service, operate significant Customer Service Call Center activities. The purpose of this recommendation is to bring this cutting-edge technology into the Federal government and to use this new technology to increase the employment rate of individuals with disabilities as much as possible.

The Task Force recommends that:

The President direct the Department of Labor to strengthen the implementation of federal contractor compliance with affirmative action requirements under Section 503 of the Rehabilitation Act of 1973. Such efforts should include providing technical assistance to federal contractors; strengthening compliance reviews of disability employment; and enhancing data collection.

Federal contractors employ approximately 26 million or nearly 22% of the total civilian workforce. Based on a general analysis of employment data, the employment rate of people with disabilities in the Federal contractor sector (civilian work force) remains well below the employment rate of the general population. Under Section 503, Federal contractor affirmative action requires companies doing business with the Federal government to take pro-active measures that go beyond nondiscrimination requirements of the Americans with Disabilities Act.

check number

In order to place a greater emphasis on the enforcement of affirmative action requirements for employing persons with disabilities, the Department of Labor

needs to disseminate an adapted "Model plan" and "Employment Guide" to all Federal contractors. This will provide a clear signal that the affirmative action requirements for persons with disabilities have become a high priority for the Administration. Second, the Department, through OFCCP, should strengthen compliance reviews of disability employment by including focused reviews of disability employment in a significant proportion of all on-site compliance reviews. And finally, the Department needs to begin enhancing data collection efforts with respect to the employment of persons with disabilities by federal contractors and the local workforce availability of persons with disabilities, possibly through new regulations.

acknowledged?

The Task Force recommends that:

The President direct HUD to explore steps needed to establish: (1) an earned income disregard for tenants with disabilities living in other-than-PHA housing who return to work; and (2) a provision which exempts any disability related expenses incurred when a tenant goes to work from the countable income used to determine rents.

HUD has promulgated rules under recently enacted legislation aimed at providing additional incentives for low-income individuals in public housing to work or work more. Current rules however, do not provide sufficient incentives for employment of people with disabilities who are assisted by HUD subsidies but do not live in PHA housing. HUD should explore ways to extend similar incentives to all HUD-subsidized tenants with disabilities.

The Task Force recommends that:

The President direct the Department of the Treasury, the Department of Housing and Urban Development and other relevant federal agencies to explore the feasibility of developing financial incentives to encourage voluntary new construction or renovations to housing properties that would allow access for visiting family members or other visitors with disabilities.

The economic price of segregation and isolation caused by inaccessible housing is enormous and adversely impacts on the employment of people with disabilities. One of the primary means by which people with disabilities gain employment is through word of mouth and social contact. Inaccessible housing limits such social contact and limits employment opportunities for persons with disabilities.

The current IRS code allows a tax deduction for some renovations only if needed for the homeowner or a dependent with a disability who has shown medical necessity, based on a restrictive medical model. However, there is no incentive in federal law for homeowners to make their housing accessible to visitors with disabilities.

The concept of "visitability" involves voluntarily making private homes accessible enough so that individuals with disabilities can visit. This would allow family members who may live in a nursing home to visit or allow other people with disabilities to attend meetings, social gatherings, etc. People who are aging or living with a disability face problems of inaccessibility on a daily basis that results in segregation and isolation.

The Task Force recommends that:

The President direct the Social Security Administration to explore options for raising the SSI Earned Income Exclusion, for both adults and students, in order to increase work incentives and encourage work effort.

SSI is a means tested program, but beneficiaries are able to have nominal earnings before experiencing any reduction in benefit amounts. Allowing such earnings not only increases overall income security, but also provides an incentive to work.

The earned income exclusions for both adults and students, however, have not been raised since the early 1970's, even though the SSI Federal benefit rate is indexed annually for inflation. The Earned Income Exclusion remains at \$65 per month for adults set in 1972 and at \$133 per month for students set in 1974. As a result, SSI beneficiaries with non-SSI income do not receive full indexing of their benefits, and work effort is less rewarded than it was previously.

The Task Force recommends that:

The President direct the Department of Health and Human Services to develop a proposal to allow the Maternal and Child Health Programs for Children with Special Needs to provide services to youth with disabilities who are under the age of 16.

The Maternal and Child Health Programs for Children with Special Needs (Title V of the Social Security Act) provides services to youth with disabilities that are essential to preparing them for continued education and training, but are restricted to serving only youth 16 years and older. As a result, many youth with disabilities are ready to drop out of the education stream just at a time when they become eligible to receive services that would enable them to benefit from continued education. There is a clear need to provide these services to youth with disabilities at an earlier age.

The Task Force recommends that:

and
The President direct the Department of Transportation to work with the Departments of Labor, Education, Health (an) Human Services, the Social Security Administration and other relevant Task Force members

✓

their providers are dropped; access to a fair, unbiased and timely internal and independent external appeals process, to address health plan grievances and to help govern decisions about medically necessary treatments; an enforcement mechanism that ensures recourse for patients who have been harmed as a result of a health plan's actions; and protections for all Americans in all health plans.

The Task Force recommends that:

The President continue to work with Congress to pass the tax credit he proposed in 1999, in order to assist adults with disabilities pay for expenses related to work.

Working-age adults with disabilities often have a disincentive to work because of the high cost of personal attendant services and other services or technologies required for employment. Similarly the cost of employers of hiring an individual requiring personal attendant services can be prohibitive. Tax credits provide a flexible way to assist people with disabilities in defraying these expenses.

The Task Force recommends that:

The President continue to work with Congress to secure adequate funding for his program to accelerate the development and adoption of information and communication technologies that can be used by the 54 million Americans with disabilities.

The President should continue to push for his initiative which would: (1) help make the federal government a "model user" of assistive technology; (2) support new and expanded state loan programs to make assistive technology more affordable for Americans with disabilities; and (3) invest in research, development and technology transfer in areas such as "text to speech" for people who are deaf, speech recognition, and eye tracking for people who cannot use a keyboard.

~~The President should also continue to develop standards under Section 508 of the Rehabilitation Act of 1973, which requires that the Federal government's electronic and information technology is accessible to individuals with disabilities.~~

The Task Force recommends that:

The President convene a White House Conference on Employment of Adults with Disabilities that will include representatives from the Administration, Congress, elected officials from state and local governments, small and large businesses, the disability community and other related entities regarding employment of people with disabilities.

**ATTACHMENT
LRM CJB129****GSA***ignore this*

By Legislative Referral Memorandum dated November 29, 1999, your office requested comments of the General Services Administration (GSA) regarding the Presidential Task Force of Employment of Persons with Disabilities "Directives", to accompany Draft Report to the President Report on "Re-charting the Course: If Not Now, When: Second Report". GSA has the following comment:

We have no comments on the merits of the Report or on the Task Force's Recommendations. However, we recommend that the Task Force's recommendations concerning the "Youth to Work Initiative" and "inter-agency Public Awareness Campaign" be revised to specify a single "lead agency." Changing the recommendations to specify a lead Federal agency will prevent future problems in funding the initiatives. We note that Federal law prevents interagency financing of boards, committees and similar interagency entities which do not have prior and specific statutory authority to receive financial support from more than one agency. See, for example, Public Law 106-58, 113 Stat. 467, Sec. 610.

LRM ID: CJB130 SUBJECT: "A Status Report on Task Force Recommendations Endorsed and Acted Upon by the Clinton Administration" -- Chapter Two of Presidential Task Force of Employment of Persons with Disabilities Draft Report to the President Report on "Re-charting the Course: If Not Now, When: Second Report"

**RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM**

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

(1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or

(2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Alison Perkins-Cohen Phone: 395-7753 Fax: 395-1588
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-3262

FROM:

11/30/99 (Date)
Judy Chazan (Name)
Social Security (Agency)
358-6081 (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

☐ Concur

☐ No Objection

☐ No Comment

☐ See proposed edits on pages _____

☒ Other: COMMENTS FOR BOTH CHAPTERS 1 + 2 attached

☒ FAX RETURN of 6 pages, attached to this response sheet

November 30, 1999

NOTE TO ALISON PERKINS-COHEN

SUBJECT: Recommendations to the President from the Presidential Task Force on Employment of Adults with Disabilities--ACTION

SSA's comments on the above-referenced report are as follows:

On page 3 of Chapter One, the Task Force recommends that DOL, HHS, SSA and other appropriate Task Force member agencies "construct and coordinate, under the leadership of the Presidential Task Force on Employment of Adults with Disabilities, a Youth to Work Initiative." To the extent that such an initiative would fall within the scope of SSA's mission, as provided by the Social Security Act, we would be authorized to "construct and coordinate" a Youth to Work, however, we would not be authorized to delegate our authority in this area to the Presidential Task Force, nor, for that matter, would DOL or HHS. We suggest that the language of the recommendation be changed to something like "in coordination with the Presidential Task Force. . ." instead of "under the leadership of the Presidential Task Force."

On page 7 of Chapter 1 of the report, several revisions are needed. The first two sentences of the section should state that "SSI is a means tested program, but beneficiaries are able to have limited earnings without impact on their eligibility or reduction in their benefit amounts. Allowing such earnings not only increases overall income security, but also provides an incentive to work, in addition to other work incentive programs under title XVI of the Social Security Act." In addition, the reference to a \$133 per month earned income exclusion for students is incorrect. The regulations, 20 CFR 416.1112(c)(3), state that the amount of the exclusion for is "[u]p to \$400 per month, but not more than \$1,620 in a calendar year." Additionally, the following facts should be reported to OMB:

*included
fms*

- The SSI earned income exclusion of \$65 and one-half of the remainder is set by SSI statute.
- The student earned income exclusion is at the discretion of the Commissioner--i.e., he can change by regulation.
- Options to raising both of these exclusions were considered by SSA during the development of SSA's FY 2001 legislative and regulatory proposals.
- SSA's FY 2001 legislative and regulatory package that was sent to OMB on 10/7/99 included a legislative proposal to raise the current \$65 earned income exclusion to one-half the Federal benefit rate, which would currently be \$250 a month (increased each year by increase in FBR). The package also includes a regulatory proposal for the COSS to increase the student earned income exclusion to \$5,200 a year from the current \$1,290.

The Administration is already looking at specific proposals that would implement this Task

Force's recommendation. However, if comments are intended for outside of OMB, we recommend that we just say that SSA is seriously considering the issue of increasing the earnings exclusions as the Task Force recommends.

Finally we recommend that these recommendation be numbered for ease of reference.

We also reviewed the recommendations and have annotated comments on attached page.

Margy

Chapter One

Recommendations to the President from the Presidential Task Force on Employment of Adults with Disabilities

The Task Force wishes to recognize the outstanding work by the Clinton Administration in acting on the Task Force recommendations made to the President in last years' report - "Re-charting the Course: First Report of the Presidential Task Force on Employment of Adults with Disabilities." Prompt action and strong support by the Administration on these recommendations has resulted in significant achievements that will lead increased employment for persons with disabilities, including the passage of the Workforce Investment Act, [?] ~~Improvement Incentive Act~~ funding of the Work Incentive Grant program, and issuance of the "Model Plan" and "Employment Guide" for employing persons with disabilities in the federal government. (See Chapter two for a complete review of the status of last years' recommendations)

The Task Force also wishes to acknowledge the efforts of Task Force members, particularly those who chaired the various committees that were established this past Spring to guide and focus the work of the Task Force. The Task Force has received a report from each Committee on their activities in 1999, which largely have focused on putting in place plans for more specific activity in 2000 and beyond. The Task Force will be reviewing and using these reports as the basis for future activities as appropriate. We have included a synthesis of these reports in Chapter five.

The Task Force respectfully submits the following recommendations to the President of the United States of America for immediate consideration:

The Task Force recommends that:

The President continue to work with Congress to pass a strong, enforceable Patients' Bill of Rights.

It is critically important to people with disabilities that we enact a strong, enforceable Patients' Bill of Rights. This must include: guaranteed access to needed health care specialists; access to emergency room services when and where the need arises; continuity of care protections so that patients will not have an abrupt transition in care if

November 30, 1999

NOTE TO ALISON PERKINS-COHEN

SUBJECT : Chapter Two: A Status Report on Task Force Recommendations Endorsed and Acted upon the Clinton administration--ACTION

SSA has the following comments:

On page 9 of Chapter 2 of the report, the status should state: "On April 15, 1999, SSA published final rules that raise, from \$500 to \$700, the average monthly earnings guidelines that SSA uses to determine whether work done by persons with impairments other than blindness is substantial gainful activity. The rules became effective on July 1, 1999."

References to the "Work Incentives Improvement Act" in the report should be to the "Ticket to Work and Work Incentives Improvement Act of 1999," the title of the bill as passed. The House and Senate have both passed the bill and it was cleared to the White House for the President's signature on November 19.

The description of the ticket to work program in the enacted bill section is inaccurate. He suggests the first description of the ticket to work program should be repeated under the enacted bill section.

We also reviewed the recommendations and have included an insert (see attached) for the status of the RTW legislation (page 4). Also, note that the legislation has not been enacted as of this writing so it is premature to reflect ?enacted bill.?

Please let me know if you have any questions.

Attachment

Margy LaFond

January 13, 1999 --- President Clinton, speaking at a disability event in the East Room of the White House, endorsed all remaining *Re-charting the Course* recommendations in his FY 2000 budget. This budget initiative would invest approximately \$2 billion over five years specifically targeted to removing barriers for people with disabilities.

- The President announced that his budget would fully fund the Work Incentives Improvement Act (WIIA) being introduced by Senators Jeffords, Kennedy, Roth, and Moynihan.

STATUS: On January 28, S.331 was introduced, and on March 18, H.R. 1180 was introduced by Representatives Lazio, Billey, Waxman, and Dingell. On June 16, S.331 was passed unanimously by the Senate, and on October 19, the House passed H.R. 1180. Key provisions of the House and Senate bills included: *see insert*

- ▶ Access to health care coverage /Medicaid "buy-in" - two new state options to extend Medicaid coverage to persons with disabilities who earn more than the limit of 250% of the federal poverty level - or approximately \$21,000 - and meet the SSI definition of disability; and to persons with disabilities who would otherwise lose their SSDI/SSI eligibility because of medical improvement, but who still have a medically-severe impairment and are working. **ENACTED BILL:** Both options enacted along with the removal of the 250% limit, allowing states to set higher income, unearned income, and resource limits.
- ▶ Building Infrastructure to support Medicaid "buy-in" - \$150 million in grants to encourage states to take advantage of the above two Medicaid

INSERT ONE

On November 18, 1999 the House of Representatives passed the conference report accompanying H.R. 1180, the Ticket to Work and Work Incentives Improvement Act of 1999, by a vote of 418-2. The Senate passed the conference report, by a vote of 95-1, on November 19, 1999. The President has indicated that he will sign the legislation. The bill contains the following provisions



PRESIDENT'S
COMMITTEE
ON EMPLOYMENT
OF PEOPLE
WITH DISABILITIES

Fax 395-1596 3 pages

To: Allison Perkins-Cohen, OMB *Allison*
From: John A. Lancaster, Executive Director, PCEPD *[Signature]*
Subject: Comments on CJB 129 & 130
Date: 30 November 1999
CC: Tony Coelho, Chairman, PCEPD & Vice-Chair, PTFEAD

As to CJB 129, PCEPD recommends that the directive on page 3 pertaining to the proposed ODPET read as follows:

The President should include in his budget for FY 2001 legislative language and appropriate funding to support the creation of the Office of Disability Policy, Evaluation and Technical Assistance (ODPET) within the Department of Labor. ODPET functions are to include:

- Ensuring ongoing efforts to integrate people with disabilities into the Department of Labor's mainstream employment and training programs;
- Establishing the President's Committee on Employment of People with Disabilities (PCEPD) as an advisory body to ODPET and maintaining PCEPD's principle functions within ODPET; and
- Assisting the Presidential Task Force on Employment of Adults with Disabilities in implementing a coordinated and aggressive national employment strategy for persons with disabilities.

The rest of CJB 129 is ok, other than a strong editorial comment that much of this sounds like "watered down" weakened language written by apprehensive bureaucrats. It does not sound like the strong assertive sort of language that one would want to read from a Presidential Task Force. It almost sounds like OMB has already been editing this document. If we had gotten this with sufficient notice we could have assisted in writing a much more powerful set of recommendations to the President. Assuming, of course, that OMB and everyone else involved wants to move these issues forward in a major way.

As to CJB 130, we support the current language.

1331 F Street, N.W.
Washington, DC 20004-1107

202-376-6200 (Voice)
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401-5391

FACSIMILE TRANSMISSION COVER SHEET

DATE: 11/30/99

TO: ALISON PERKINS COHEN

FAX NO: 395-1596

FROM: Randy Hansen

NUMBER OF PAGES INCLUDING COVER SHEET: 17

COMMENT: PERSONS w/ DISABILITIES
PRESIDENTS TASK FORCE RECOMMENDATION
Chapters ONE + TWO

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Chapter One

Recommendations to the President from the Presidential Task Force on Employment of Adults with Disabilities

The Task Force wishes to recognize the outstanding work by the Clinton Administration in acting on the Task Force recommendations made to the President in last years' report - "Re-charting the Course: First Report of the Presidential Task Force on Employment of Adults with Disabilities." Prompt action and strong support by the Administration on these recommendations has resulted in significant achievements that will to lead increased employment for persons with disabilities, including the passage of the Workforce Improvement Incentive Act, funding of the Work Incentive Grant program, and issuance of the "Model Plan" and "Employment Guide" for employing persons with disabilities in the federal government. (See Chapter two for a complete review of the status of last years' recommendations)

The Task Force also wishes to acknowledge the efforts of Task Force members, particularly those who chaired the various committees that were established this past Spring to guide and focus the work of the Task Force. The Task Force has received a report from each Committee on their activities in 1999, which largely have focused on putting in place plans for more specific activity in 2000 and beyond. The Task Force will be reviewing and using these reports as the basis for future activities as appropriate. We have included a synthesis of these reports in Chapter five.

The Task Force respectfully submits the following recommendations to the President of the United States of America for immediate consideration:

The Task Force recommends that:

The President continue to work with Congress to pass a strong, enforceable Patients' Bill of Rights.

It is critically important to people with disabilities that we enact a strong, enforceable Patients' Bill of Rights. This must include: guaranteed access to needed health care specialists, access to emergency room services when and where the need arises; continuity of care protections so that patients will not have an abrupt transition in care if their providers are dropped; access to a fair, unbiased and timely internal and independent

So there are two separate processes, internal and external? If so, it's not clear which modifiers apply to which.

Are these "rights" applicable to all patients, or members of a particular provider and with respect to that provider?

external appeals process, to address health plan grievances and to help govern decisions about medically necessary treatments; an enforcement mechanism that ensures recourse for patients who have been harmed as a result of a health plan's actions; and protections for all Americans in all health plans.

against what?

The Task Force recommends that:

The President continue to work with Congress to pass the tax credit he proposed in 1999, in order to assist adults with disabilities pay for expenses related to work.

Working-age adults with disabilities often have a disincentive to work because of the high cost of personal attendant services and other services or technologies required for employment. Similarly, the cost of employers of hiring an individual requiring personal attendant services can be prohibitive. Tax credits provide a flexible way to assist people with disabilities in defraying these expenses.

The Task Force recommends that:

The President continue to work with Congress to secure adequate funding for his program to accelerate the development and adoption of information and communication technologies that can be used by the 54 million Americans with disabilities.

The President should continue to push for his initiative ^{that} which would: (1) help make the federal government a "model user" of assistive technology; (2) support new and expanded state loan programs to make assistive technology more affordable for Americans with disabilities; and (3) invest in research, development and technology transfer in areas such as "text to speech" for people who are deaf, speech recognition, and eye-tracking for people who cannot use a keyboard.

The President should also continue to develop standards under Section 508 of the Rehabilitation Act of 1973, which requires that the Federal government's electronic and information technology ^{be} accessible to individuals with disabilities.

The Task Force recommends that:

The President convene a White House Conference on Employment of Adults with Disabilities that will include representatives from the Administration, Congress, elected officials from state and local governments, small and large businesses, the disability community and other related entities regarding employment of people with disabilities.

^{absent} This Conference ^{would} could provide visibility to the issue of employing persons

We should probably say something in the bold section of this recommendation that indicates that any ODPET should work in concert with other Federal agencies, like the Department of Education, to coordinate efforts and minimize duplication. Transition: DoL's not the only place that houses these programs, and the Task Force isn't trying to override the work of other agencies. In addition, we want to make it point that the ED Crg Ad OSERS structure, providing an integrated office dealing with program and services from early childhood to education to employment and IL is a good one, and proven.

with disabilities and ^{help} build partnerships between public and private sectors. The conference ~~should~~ also provide the opportunity to showcase best practices and innovative strategies for employment of people with disabilities, as well as highlight actions taken by Task Force member agencies and Departments. Finally, it ~~should~~ commemorate the 10th anniversary of the ADA, the 25th anniversary of IDEA, and the 35th anniversary of the Equal Employment Opportunities Commission.

The Task Force recommends that:

The President direct the Department of Labor to consider development of ~~the~~ Office of Disability Policy, Evaluation and Technical Assistance (ODPET).

ODPET functions could include:

- Ensuring ongoing efforts to integrate people with disabilities into the Department of Labor's mainstream employment and training programs;
- Continuing the principal functions of the President's Committee on Employment of People with Disabilities (PCEPD) through a National Disability Business Development Board within ODPET; and
- Assisting the Presidential Task Force on Employment of Adults with Disabilities in implementing a coordinated and ~~aggressive~~ national employment strategy for persons with disabilities.

Is it necessary to recommend a particular name for the office?

vigorous. (when did aggressive become good?)

An Office of Disability Policy ^{help} could provide a long-term, permanent force to continue the work needed to ensure that persons with disabilities are integrated with the mainstream employment and training programs within the Labor Department. The Presidential Task Force would continue to be responsible in the short-term for developing, refining and monitoring the implementation of an ~~aggressive~~ ^{vigorous} national employment strategy for persons with disabilities.

The Task Force recommends that:

The President direct the Departments of Labor, Education, Health and Human Services, the Social Security Administration and other appropriate Task Force member agencies to construct and coordinate, under the leadership of the Presidential Task Force on Employment of Adults with Disabilities, a Youth-to-Work Initiative.

Each year, nearly 40,000 eighteen-year-olds become eligible for SSI cash assistance. On average, these young adults will remain on SSI for 27 years. Many youth with disabilities spend a significant portion of their time in poverty, dependent upon public assistance programs and relegated to the margins of society. Compared to students without disabilities,

Transition should be described in terms of the moving young people to self-support when this becomes possible through education and training. There isn't anything wrong with receiving benefits as a young person, those benefits allow and facilitate education and training.

students with disabilities drop out of school much more frequently and enroll in post-secondary education less frequently.

Barriers to employment for youth with disabilities include the following: low educational attainment, low educational and employment expectations, and confusing governmental programs with conflicting eligibility criteria and goals. As a result, many youth with disabilities *make the* transition from youth welfare to adult welfare without accessing the education and training opportunities needed to make a transition to work and achieve independence. This *Youth-to-Work Initiative* *will* *test* *new* *ways* *to* *help* *them* *access* *needed* *education* *and* *training* *opportunities* *and* *overcome* *barriers* *to* *employment*.

The Task Force recommends that:

The President direct the Task Force members' departments and agencies to collaborate on the development and implementation of a multimedia, inter-agency Public Awareness Campaign to eliminate the negative and erroneous stereotypes about employment of people with disabilities. This campaign shall focus on the benefits of employing people with disabilities. *Orlando*

There is a need for immediate leadership to address negative attitudes and prejudices against people with disabilities. An ~~aggressive~~ *aggressive* public awareness campaign, conducted in partnership with the disability community, businesses, and other influential entities would help to eliminate erroneous and prejudicial thinking about disability that limits opportunities.

The Task Force recommends that:

The President direct Social Security Administration and Department of Labor to create an "Access America for People with Disabilities" website targeting individuals with disabilities. *YAL* *YAL*

In February, Vice President Gore announced "Access America for Seniors," an Internet site providing a wide range of services to older Americans -- an example of his vision of one-stop Internet access to government services. A new web site, "Access America for People with Disabilities," would likewise provide information and services offered by virtually every major Federal government agency, civilian and the military, by linking to an abundance of helpful federal agency sites, information, programs and services. *(2)*

The Task Force recommends that:

The President direct all federal agencies with customer service call centers and other appropriate services to explore ways to encourage hiring of people with disabilities.

Research has shown that the percentage of individuals with significant disabilities who are employed is among the lowest among disadvantaged groups in the nation. It is critical that we seek out as many strategies as possible to change this picture.

Cutting-edge telecommunications technology has recently made it possible for Customer Service Centers to send voice and data to home-based customer service representatives who work just as if they were in a call center. Many agencies in the Federal Government, such as the Internal Revenue Service and the U.S. Postal Service, operate significant Customer Service Call Center activities. The purpose of this recommendation is to bring this cutting-edge technology into the Federal government and to use this new technology to increase the employment rate of individuals with disabilities as much as possible.

The Task Force recommends that:

The President direct the Department of Labor to strengthen the implementation of federal contractor compliance with affirmative action requirements under Section 503 of the Rehabilitation Act of 1973. Such efforts should include providing technical assistance to federal contractors; strengthening compliance reviews of disability employment; and enhancing data collection.

Federal contractors employ approximately 26 million ^{workers,} or nearly 22% of the total civilian workforce. Based on a general analysis of employment data, the employment rate of people with disabilities in the Federal contractor sector (civilian work force) remains well below the employment rate of the general population. Under Section 503, Federal contractor affirmative action requires companies doing business with the Federal government to take pro-active measures that go beyond nondiscrimination requirements of the Americans with Disabilities Act.

In order to place a greater emphasis on the enforcement of affirmative action requirements for employing persons with disabilities, the Department of Labor needs to disseminate an adapted "Model plan" and "Employment Guide" to all Federal contractors. This ^{will} provide a clear signal that the affirmative action requirements for persons with disabilities have become a high priority for the Administration. Second, the Department, through OFCCP, should strengthen

Jan's Title V
ration
than ADA
controlling
for Fed'l
assisted
activity
and
procurement

as well as
compliance reviews of disability employment by including focused reviews of disability employment in a significant proportion of all on-site compliance reviews. And finally, the Department needs to begin enhancing data collection efforts with respect to the employment of persons with disabilities by federal contractors and the local workforce availability of persons with disabilities, possibly through new regulations.

The Task Force recommends that:

The President direct HUD to explore steps needed to establish: (1) an earned income disregard for tenants with disabilities living in other-than-PHA housing who return to work; and (2) a ~~provision which~~ exempt any disability related expenses incurred when a tenant goes to work from the "countable" income used to determine rents.

HUD has promulgated rules under recently enacted legislation aimed at providing additional incentives for low-income individuals in public housing to work or work more. Current rules however, do not provide sufficient incentives for employment of people with disabilities who are assisted by HUD subsidies but do not live in PHA housing. HUD should explore ways to extend similar incentives to all HUD-subsidized tenants with disabilities.

The Task Force recommends that:

The President direct the Department of the Treasury, the Department of Housing and Urban Development and other relevant federal agencies to explore the feasibility of developing financial incentives to encourage voluntary new construction or renovation of housing properties that would allow access for visiting family members or other visitors with disabilities.

The economic price of segregation and isolation caused by inaccessible housing is enormous and adversely ~~impacts~~ impacts on the employment of people with disabilities. One of the primary means by which people with disabilities gain employment is through word of mouth and social contact. Inaccessible housing limits such social contact and limits employment opportunities for persons with disabilities.

The current IRS code allows a tax deduction for some renovations only if needed for the homeowner or a dependent with a disability who has shown medical necessity, based on a restrictive medical model. However, there is no incentive in federal law for homeowners to make their housing accessible to visitors with disabilities.

The concept of "visitability" involves voluntarily making private homes accessible enough so that individuals with disabilities can visit. This would allow family members who may live in a nursing home to visit or allow other people

7

(~~Some~~ ~~Octogenarians~~ don't
face an accessibility
problem.)

with disabilities to attend meetings, social gatherings, etc. People ~~who are aging~~
living with a disability face problems of inaccessibility on a daily basis that
results in segregation and isolation.

The Task Force recommends that:

*The President direct the Social Security Administration to explore options for
raising the SSI Earned Income Exclusion, for both adults and students, in
order to increase work incentives and encourage work effort.*

SSI is a means tested program, but beneficiaries are able to ^{accumulate} ~~have~~ nominal earnings
before experiencing any reduction in benefit amounts. Allowing such earnings
not only ~~increases~~ overall income security, but also provides an incentive to work.

The earned income exclusions for both adults and students, however, have not
been raised since the early 1970's, even though the SSI Federal benefit rate is
indexed annually for inflation. The Earned Income Exclusion remains at \$65 per
month for adults set in 1972 and at \$133 per month for students set in 1974. As a
result, SSI beneficiaries with non-SSI income do not receive full indexing of their
benefits, and work effort is less rewarded than it was previously.

The Task Force recommends that:

*The President direct the Department of Health and Human Services to develop
a proposal to allow the Maternal and Child Health Programs for Children with
Special Needs to provide services to youth with disabilities who are under the
age of 16.*

The Maternal and Child Health Programs for Children with Special Needs (Title
V of the Social Security Act) provides services to youth with disabilities that are
essential to preparing them for continued education and training, but are restricted
to serving only youth 16 years and older. As a result, many youth with disabilities
are ready to drop out of the education stream just at a time when they become
eligible to receive services that would enable them to benefit from continued
education. There is a clear need to provide these services to youth with
disabilities at an earlier age.

The Task Force recommends that:

about level of systems?

*The President direct the Department of Transportation to work with the
Departments of Labor, Education, Health and Human Services, the
Social Security Administration and other relevant Task Force members
to develop a comprehensive plan of action to address the lack of
transportation services and systems for persons with disabilities. As part
of this plan, the Department of Transportation should explore the steps
needed to ensure the full access and participation of people with
disabilities in its Job Access and Reverse Commute Program.*

The lack of available public transportation is a major employment barrier for persons with disabilities. This factor is cited by many persons with disabilities, at recent town hall meetings held by the Task Force and at other events, as being the major impediment to finding and keeping a job.

The Job Access and Reverse Commute program provides competitive grants to local governments and non-profit organizations to develop transportation services to connect welfare recipients and low-income persons to employment and support services. In its grant award process, DOT should consider access to employment and service agencies serving people with disabilities as an important component when examining whether grant applicants can demonstrate the need for additional services as grant award criteria.



Alison Perkins-Cohen
12/01/99 01:16:59 PM

Record Type: Record

To: Ogle Becky <ogle-becky@dol.gov> @ inet
cc: See the distribution list at the bottom of this message
Subject: Follow-up to EXOP comment from yesterday

Yesterday I sent the following comment with a promise that we would follow-up when we heard from OPM:

*The section mentions that "the proposed regulations are expected to be published around the same time as this release of this report." OPM has not yet sent these proposed regulations to OMB for our review, so it is highly doubtful that the regs will be published around the same time as this release of this report. We believe the report should give an accurate timeframe of when these proposed regs will be published. We have a call in to OPM's Office of Legislative analysis, who is checking for us OPM's revised time frame for getting the proposed regs to us. **We will notify you as soon as we hear from them, which will likely be tomorrow morning.***

We have heard from OPM that they have not established a timeframe for getting the draft regulations to us. Accordingly, the sentence "these proposed regulations are expected to be published around the same time as the release of this report" should be struck. The preceding sentence should be changed to read, "OPM is in the process of drafting regulations to implement the Executive Order."

Message Copied To:

Cynthia A. Rice/OPD/EOP@EOP
Eugenia Chough/OPD/EOP@EOP
J. Eric Gould/OPD/EOP@EOP
Joanne Cianci/OMB/EOP@EOP
Larry R. Matlack/OMB/EOP@EOP

To: Alison Perkins-Cohen/OMB/EOP

cc:

Subject: LRM ID - CJB129

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

November 30, 1999

MEMORANDUM FOR: OMB Assistant Director for Legislation Reference

FROM: Beverly L. Milkman, Executive Director

SUBJECT: LRM ID: CJB129

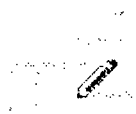
In general, we agree with the recommendations of the Task Force and believe they will improve employment opportunities for individuals with disabilities. We do, however, suggest three changes to the recommendations as currently written. These changes would take into account the opportunities provided through the Javits-Wagner-O'Day (JWOD) Program, a Federal procurement program with the explicit mission of generating employment for persons with severe disabilities. Excluding the JWOD Program would send the wrong signal to hundreds of community-based employment and training organizations throughout the country; the thousands of adults with disabilities they employ through JWOD contracts; and the Federal customers who support the JWOD Program.

1. Page 3: in the paragraph describing the proposed White House Conference on Adults with Disabilities, modify the second sentence to read as follows. *The conference could also provide the opportunity to showcase best practices and innovative strategies for employment of people with disabilities, as well as highlight actions taken by Task Force member [s and other Federal] agencies and Departments.*

2. Page 3: in the recommendation regarding a Youth to Work Initiative, modify the wording to read as follows: *The President direct the Departments of Labor, Education, Health and Human Services, the Social Security Administration and other appropriate [Federal] agencies to construct and coordinate, under the leadership.....Initiative.*

3. Page 5: beginning with the second paragraph describing the proposal involving Federal agencies* customer service call centers, replace the existing language with the following: *Cutting edge telecommunications technology has recently made it possible for Customer Service Centers to send voice and data to home-based customer service representatives who work just as if they were in a call center. [In addition, nonprofit agencies employing persons who are blind or have other severe disabilities have the capacity to operate call centers through service contracts under the Javits-Wagner-O'Day (JWOD) Program.]

Many agencies in the Federal Government, such as the Internal Revenue Service and the U.S. Postal Service, operate significant customer service call center activities. The purpose of this recommendation is to [assure that the Federal Government uses cutting-edge technology and targeted initiatives such as the JWOD Program to generate increased employment of individuals with disabilities in conjunction with Federal customer call service centers.]

 Alison Perkins-Cohen
11/30/99 07:36:06 PM

Record Type: Record

To: Ogle Becky <ogle-becky@dol.gov> @ inet
cc: Cynthia A. Rice/OPD/EOP@EOP, Eugenia Chough/OPD/EOP@EOP, J. Eric Gould/OPD/EOP@EOP,
Joanne Cianci/OMB/EOP@EOP
Subject: More comments on directives

Following are some comments from ED, DOT and from within EXOP.

EXOP

FIRST EDIT

The Task Force recommends that:

The President continue to work with Congress to secure adequate funding for his program to accelerate the development and adoption of information and communication technologies that can be used by the 54 million Americans with disabilities.

The President should continue to push for his initiative which would: (1) help make the federal government a "model user" of assistive technology; (2) support new and expanded state loan programs to make assistive technology more affordable for Americans with disabilities; and (3) invest in research, development and technology transfer in areas such as "text to speech" for people who are deaf, speech recognition, and eye tracking for people who cannot use a keyboard.

The President should also continue to work with industry to develop standards under Section 508 of the Rehabilitation Act of 1973, which requires that the Federal government's electronic and information technology is accessible to individuals with disabilities.

Rationale: The disability community needs to work with the IT industry to get them to move as quickly as possible to implement standards for IT accessibility. Also, the Access Board needs the tempering of industry to keep regulations within reason (both from a technical and an economic perspective).

SECOND EDIT

The Task Force recommends that:

The President direct all federal agencies with customer service call centers and other appropriate services to explore ways to encourage hiring of people with disabilities to the extent practicable -- providing employment opportunities for the significantly disabled, while ~~simultaneously ensuring quality of customer service.~~

Research has shown that the percentage of individuals with significant disabilities who are employed is among the lowest among disadvantaged groups in the nation. It is critical that we seek out as many strategies as possible to change this picture.

Cutting edge telecommunications technology has recently made it possible for Customer Service Centers to send voice and data to home-based customer service representatives who work just as if they were in a call center. Many agencies in the Federal Government, such as the ~~Internal Revenue Service and the U.S. Postal Service~~, operate significant Customer Service Call Center activities. The purpose of this recommendation is to bring this cutting-edge technology into the Federal government and to use this new technology to increase the employment rate of individuals with disabilities as much as possible while at the same time ensuring that the quality of customer service remains positive.

ED

Page 4, l.3, typo.

- > Page 7, l. 2 add "the" after "for".
- > Page 7, 4th "****" (about NIDRR). Delete this entire bullet, it is wrong.
- > In their attempts to discuss several budget items there is perhaps some
- > confusion between approps and authorizations. Is has been a difficult
- > time to talk about funding with the various CRs.
- > Page 8 hiring rule 'graph, typo l.3.

- > Alternatively, the 3rd item on page 7 of Chapter 2 could be
- > rewritten. The Administration did request an additional \$23 million for
- > two technology initiatives--\$8 million in the NIDRR budget and an
- > additional \$15 million for Assistive Technology. Contrary to what they
- > say in Chapter 2, Congress did appropriate some funds for these
- > activities--\$5 of the \$8 we requested in NIDRR and \$4 of th \$15 million we
- > requested for AT for a loan program. I would not characterize the request
- > as continuing the competitive research grants program. The \$8 million was
- > requested for 3 initiatives related to information technology and
- > telecommunications and the \$15 million was for grants to States to
- > establish alternative loan financing programs.

DOT

Check
this
w/ Louis
email

see recommended deletions and rationale below;

the first explanatory paragraph after the recommendation in the report remains. ("The lack of available public transportation...")

Forward Header

Subject: Re: CQI Recommendations suggestions

Author: Linda Lawson at ostnovp

Date: 11/30/1999 12:36 PM

COMMENTS: (Rationale following)

Delete the latter part of last recommendation, "As part of this plan, the Department of Transportation should explore the steps needed to ensure the full access and participation of people with disabilities in its Job Access and Reverse Commute program."

Delete the final paragraph describing the Job Access and Reverse Commute program, reading:

"The Job Access and Reverse Commute program provides competitive grants to local governments and non-profit organizations to develop transportation services to connect welfare recipients and low-income persons to employment and support services. In its grant award process, DOT should consider access to employment and service agencies serving people with disabilities as an important component when examining whether grant applicants can demonstrate the need for additional services grant award criteria."

RATIONALE:

We believe that the lack of available public transportation is a major employment barrier for persons with disabilities and that planning for individuals with disabilities should be a component of every transportation service. Emphasizing the comparably small and targeted Job Access and Reverse Commute program removes the focus on comprehensive planning for transportation for individuals with disabilities.

Furthermore, the Job Access and Reverse Commute program already explicitly includes individuals with disabilities in the program notice and the grant award criteria as follows:

* Persons with disabilities are explicitly included in the grant criteria as stakeholders for inclusion in the community planning process.

The first award criteria, "A coordinated human services/transportation planning process," is evaluated "based on the extent to which the applicant demonstrates a collaborative planning process and the extent to which the organizations listed below demonstrate substantive

support for the projects. The entities include . . . disability groups."

* The notice singles out individuals with disabilities as an area of special emphasis.

The initial program summary says that "FTA is placing special emphasis on coordination and consultation with the individuals in the community to be served, including community-based organizations, migrant workers, and individuals with disabilities."

The description of the planning process includes "disability groups" in the list of additional stakeholders to be included beyond the statutorily established partners.

The application itself requires "A description of the results of the local public involvement process carried out by the MPO or the state and documentation of the consultation with, and the public involvement of, welfare recipients and low income residents and the community to be served, including community and faith-based organizations, migrant worker organizations, disability and tribal groups."

The application also requires that the applicant, for each project, include a description of "how the project will address the mobility needs of persons with disabilities and provide certification tha the ADA requirements will be met."



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

LABOR BRANCH FAX SHEET

DATE: # 12/1

TO:

~~B. Doyle~~ C. Rice, G. Chough &
E. Gould

FROM:

A. Perkins-Cohen

COMMENTS:

NUMBER OF PAGES (INCLUDING COVER) 2

CONFIRMATION: (202) 395-3262
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