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Folder Title:
Disability--3rd Annual Task Force Report [2]

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Alejandra O. Ceja

 12/19/2000 07:21:01 PM

Record Type: Record

To: Christina S. Ho/OPD/EOP@EOP

cc:

Subject: Re: Task Force Report---Extended Deadline

fyi

----- Forwarded by Alejandra O. Ceja/OMB/EOP on 12/19/2000 07:22 PM -----



PEGGY MASTROIANNI <Peggy.Mastroianni@EEOC.GOV>

12/19/2000 06:10:47 PM

Record Type: Record

To: Alejandra O. Ceja/OMB/EOP, "christina s.ho"@opd.eop.gov

cc: Carol.Miaskoff@EEOC.GOV, Christopher.Kuczynski@EEOC.GOV, Ellen.Vargyas@EEOC.GOV, LLOPEZ@EEOC.GOV

Subject: Re: Task Force Report---Extended Deadline

Attached are the comments of the EEOC.



- 2000report.wpd

Francis S. Redburn

12/26/2000

02:55:13 PM

Record Type: Record

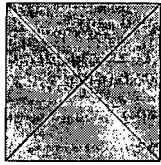
To: Margy Waller/OPD/EOP@EOP

cc: stephen w. ruszczyk/omb/eop@eop, alejandra o. ceja/omb/eop@eop, Christina S. Ho/OPD/EOP@EOP

Subject: Re: Presidential Task Force on Employment of Adults with Disabilities--Third Report 

Re. page 31, you should note that H.R. 5640, which is on the President's desk for signature no later than tomorrow, includes a provision that would "establish a pilot program under which Section 8 vouchers may be used for the purchase of a home that will be owned and occupied by one or more members of a disabled family. Specifically, the enrolled bill would require that eligible disabled families meet certain requirements to qualify for the pilot program that include: (1) purchasing of the property within three years of enactment of this Act; (2) demonstrating an eligible income level; and (3) participating in a housing counseling program provided by PHA."

Quote is from the enrolled bill memo.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C. 20507

Office of
Legal Counsel

December 20, 2000

MEMORANDUM

TO : Rebecca Ogle, Executive Director
President's Task Force on Employment of Adults with Disabilities

FROM : Peggy R. Mastroianni
Associate Legal Counsel

SUBJECT : EEOC's Comments on the Draft Task Force Report

The Commission has the following comments. Revisions/additions are in bold.

1. On page 6 of the Draft Report, the last bullet describes DOT's July 2000 Report to Congress on the licensing of individuals who use insulin to control diabetes. The characterization of DOT's report in the last three lines of the bullet would be more accurate if modified as follows:

The report concluded, **among other things**, that an individualized assessment protocol governing the licensing of individuals who use insulin to treat diabetes is feasible and is consistent with ensuring safety.

2. On page 8 of the Draft Report, the last bullet recommends continuing to support DOT's efforts under TEA-21 to implement an individualized assessment protocol for individuals who use insulin to control diabetes. Since the procedures for such a protocol are still being finalized, we believe that the bullet should make clear that there should be a truly individualized assessment. The bullet should be modified as follows:

Continuing support of the Department of Transportation's efforts under TEA-21 to implement a **true** (alternatively, **fair**) individualized assessment protocol governing individuals who use insulin to treat diabetes, while ensuring safety.

3. On page 10 of the Draft Report, at the end of the second complete bullet, add the

requirements of the Executive Order.

4. We suggest that the less significant ceremonial events be deleted from draft Time Line 2000, e.g., the item on p.23 noting that the EEOC celebrated National Disability Employment Awareness Month. Items like these detract from the truly important events described in the Time Line.
5. On page 3 of the draft Status Report on 1999-2000 Recommendations, the fifth full paragraph describes the final rule issued by EEOC in the wake of Sutton. The issue addressed by Sutton, and by this final rule is how to assess the impact of mitigating measures, not how to assess their existence. Therefore the first sentence of this paragraph should be modified as follows:

The EEOC published a final rule clarifying the legal standard to be used in examining the **impact** of mitigating measures.

6. On page 3 of the draft Status Report on 1999-2000 Recommendations, the sixth full paragraph describes a proposed final rule governing federal sector equal employment opportunity that the EEOC is preparing for publication. For greater accuracy and clarity, the bullet should read as follows:

The EEOC also is preparing for publication the final rule amending its regulation governing federal sector equal employment opportunity to **incorporate ADA standards under** the 1992 amendment of section 501 of the *Rehabilitation Act of 1973, as amended*. **EEOC published this as a proposed rule on March 1, 2000. The final rule will conform federal sector standards to those already governing the private sector.**

Thank you for the opportunity to comment.

Overview

General Comments: Capitalize Administration throughout, and Welfare-to-Work generally only refers to the grants that are given out to help in the transitioning of people from Welfare to work. PRWORA is generally referred to not as the Welfare-to-Work legislation, but as the Welfare Reform Act. I've tried to note below when I believe the report's language needs to be changed. Because you said that someone would clean it up, I've left off most comments about the writing which I understand is rough because this is a first draft.

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In the Second sentence, do you mean budget support for task force, or for employment issues?

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do we usually say just Attorney General, or do we have to add "of the Department of Justice"

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Should include Becky Ogle as well!

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2000 Recommendations

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Therefore these recommendations should not be viewed as any formal Administration statement of policy or plans of action adopted at this time."

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Also, instead of regs by HHS, maybe use the word guidance. The Welfare to Work final rule is about to go out the door, and since the program has not received new \$, it may be unrealistic to do another reg. Also, by law, HHS is prohibited from regulating on TANF except where expressly authorized, so this may not be feasible to do a reg. However, guidance is certainly possible.

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Last line—change "issues" to "changes"

Main Body of Report

p. 4

May want to add others items, such as

- directing Federal agencies to establish effective procedures for processing requests for reasonable accommodation by employees and job applicants with disabilities.
- A new \$50 million investment in FY 2001 to help states more easily offer service to people with disabilities in the most integrated setting appropriate to their needs
- New guidance to state Medicaid directors on Medicaid coverage of home and community based services to help them reply with the recent Olmstead Supreme Court ruling
- directed The Interagency Committee on Disability Research identify priority areas and strategies for the advancement of assistive technologies and universal design capabilities.

Also, could include the FLOTUS announcements (mention her in second to last par. on p. 3):

- First Lady announced a new interagency Youth to Work Initiative. This Initiative would be created by amending the Executive Order that established the Presidential Taskforce on Employment of Adults with Disabilities to focus the mission on the important issue of helping young people make the transition from school to work. Youth with disabilities who want to enter the workforce face many barriers to employment, including low educational attainment, as well as low educational and employment expectations.
- Worked with several major corporations to begin the **Able to work consortium**, a public-private partnership that will help ensure that youth with disabilities are afforded the employment opportunities needed to lead to meaningful careers.

In general, I would suggest putting dates to all the things listed in the 2000 activities, not just in the Civil Rights section, but in all the sections.

p. 5

bullet 3: I would suggest listing a date. Also this bullet, along with the second, third, and 4th full bullets on p. 6 should be combined together, since they're all from the same EM.

p. 7, bullet 4—another general comment, of which this bullet is just an example. It's not clear why some of the recommendations got listed as planned Task Force activities, and why others were listed as Recommendations up front in the report. For instance, isn't this bullet something that either the Task Force could do on its own, or could ask the Administration to lead on? In the same vein, does the first bullet on p. 8 qualify as a recommendation to the Administration, or a 2001 plan of the Task Force. May need just a paragraph at the front of the main report body, or at the front of the recommendations explaining the difference in status between the recommendations and the Task Force 2001 activities.

p. 11, 5th full bullet

same comment as above—this was a recommendation (#4 in the front section) but it's also listed as something the Task Force will do. Is the Task Force doing it unilaterally, or is the Task Force recommending that other agencies do it, or recommending that the Administration direct agencies to do it.

p. 12, second par. from the bottom

line 2—it's the Work Opportunity TAX Credit.

And take the next sentence, and insert it at the beginning of the last sentence in that par., crossing out “Unfortunately, the WOTC is underutilized.” [Also, Alex, maybe Carol Kitti should look at this section]

p. 12 last par.

line 3, add, after the word “intended” the phrase, “to help make work pay”

line 4, after “individuals”, add, “and families”

[also, Alex has Jack Smalligan reviewed this?]

p. 15, first par.

line 2 from top--it’s Temporary Assistance FOR Needy Families (not TO needy families)

line 3, at the end of the sentence, add “for most families” after the word “assistance.”

Line 4, add “may” between “who” and “have”. Cross out had.

Rest of par, Welfare-to-Work should have capital W’s

10th line from top—after “Welfare to Work,” add “and TANF”

p. 15, 3rd par.

By Welfare-to-Work (WtW), do you mean the DOL WtW grants, or also TANF more broadly?

p. 16, full bullet 2

Reconcile language with Recommendation #13. Have we published final or not? If not, lets say “Interim Final Regulations”.

p. 18, bullet 2

first 2 lines should read, “Eliciting input from states, communities, and individuals who are successfully using WIA, TWWIIA, TANF, Welfare-to-Work...”

p. 19, last bullet under 2000 activities for Lifelong Learning

delete this bullet. It’s already under Welfare-to-Work.

p. 20, bottom

should read: “2000 Activities—Welfare to Work/TANF”

same change for p. 21, the bold-faced underlined line starting “2001 focus”

and after this, do not capitalize or hyphenate welfare to work if you’re talking about

welfare to work generically, but do capitalize, and hyphenate, if discussing the Welfare-to-Work grants that were proposed and passed.

p. 21, under “2001 focus”

first par., last line—add “and TANF” after Welfare to Work

first bullet—replace “of” with “for States to” and change “utilizing” to “utilize” and insert “federal” before “TANF” and replace “in the” with “move from”, delete the hyphens, and delete “system.”

Second bullet—could be controversial since TANF data collection is already set in final TANF rule, and in WtW, we’ve agreed to collect the minimum necessary.

4th bullet—replace “the Welfare-to-Work system” with “welfare to work efforts”, and add “TANF agencies” after “vocational rehabilitation programs”

5th bullet—replace “rules incorporating” with “guidelines similar to”

p. 22

first bullet—replace “role” with “for people with disabilities”

p. 30 and 31—the first bullet under p 30 2000 Activities Housing is referring to the same thing as the third subbullet on p. 31. Can the language on p. 30 be deleted and moved to the subbullet on p. 31.

p. 32

third full bullet--Again, see p. 19, and recommendation #8? Should this include health too?

Last bullet—see comments on IDA’s above under 2000 Recommendations, p. 8 last par., line 5.

p. 33, second to last sentence in the opening paragraph on Transportation, does this meant that both ED and HHS together spent \$3 B, or just HHS alone?

p. 31, 2001 focus

These items need Transportation to review [Alex—we should probably push DOT for comments by COB today]

p. 35, 7th full bullet

Again, should health be included?

p. 36, 2000 Activities, first bullet

instead of 25 states, it should be 24 states and the District of Columbia

p. 40, first full bullet

The rule has not yet been published—are we sure we can say the states publicly?

p. 41 and 42

the second to last bullet on p. 41 is the same as the last bullet on p. 42, scrolling onto p. 43. I would keep the later version of the write-up and delete the bullet on p. 41.



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

200 Constitution Avenue, NW
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FACSIMILE TRANSMITTAL FORM

Date: 1/4/00

Total Pages: 9

To: Christina Ho

From: Becky Ogle

Fax#: 456-7431

Tel#: 202-693-4939

Org/Ofc: _____

Subj: _____

Distribution:

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Comments:

CHRISTINA,

We're also making the health congruent. } Here are the changes and we collapsed the First Lady's issue, we changed deleted the W+ W TANF data collection, we're clarifying Recommendation 13 and we are searching out ALL References to Administration

Put Ability to Work!

OK change
we can

done
10.40
duplicate

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ate: 1/3/01

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o: Michelle Aronwitz

From: Bill McKinnon

ax#: 456 2256

Tel#: 202 6934939

Org/Ofc: _____

Subj: President's Disability
Employment Partnership
Board

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LK

12/28
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refers

p. 41 and 42

the second to last bullet on p. 41 is the same as the last bullet on p. 42, scrolling onto p. 43. I would keep the later version of the write-up and delete the bullet on p. 41.

?

And take the next sentence, and insert it at crossing out "Unfortunately, the WOTC is Kitti should look at this section]

p. 12 last par.

line 3, add, after the word "intended" the g
line 4, after "individuals", add, "and family
[also, Alex has Jack Smalligan reviewed t

p. 15, first par.

line 2 from top—it's Temporary Assistance FOR Needy Families (not TO needy families)
line 3, at the end of the sentence, add "for most families" after the word "assistance."

Line 4, add "may" between "who" and "have". Cross out had.

Rest of par, Welfare-to-Work should have capital W's

10th line from top—after "Welfare to Work," add "and TANF"

p. 15, 3rd par.

By Welfare-to-Work (WtW), do you mean the DOL WtW grants, or also TANF more broadly?

p. 16, full bullet 2

Reconcile language with Recommendation #13. Have we published final or not? If not, let's say "Interim Final Regulations".

p. 18, bullet 2

first 2 lines should read, "Eliciting input from states, communities, and individuals who are successfully using WIA, TWWIA, TANF, Welfare-to-Work..." ✓

p. 19, last bullet under 2000 activities for Lifelong Learning
delete this bullet. It's already under Welfare-to-Work.

p. 20, bottom

should read: "2000 Activities—Welfare to Work/TANF"

same change for p. 21, the bold-faced underlined line starting "2001 focus" and after this, do not capitalize or hyphenate welfare to work if you're talking about welfare to work generically, but do capitalize, and hyphenate, if discussing the Welfare-to-Work grants that were proposed and passed. OK

p. 21, under "2001 focus"

first par., last line—add "and TANF" after Welfare to Work

first bullet—replace "of" with "for States to" and change "utilizing" to "utilize" and insert "federal" before "TANF" and replace "in the" with "move from", delete the hyphens, and delete "system."

Second bullet—could be controversial since TANF data collection is already set in final TANF rule, and in WtW, we've agreed to collect the minimum necessary.

4th bullet—replace "the Welfare-to-Work system" with "welfare to work efforts", and add "TANF agencies" after "vocational rehabilitation programs"

There are two strict

Not done
if now
says
interim

+

Yes
17 days
Sta. 1

Linda's Comments

- Vice President Gore announced that the Center for Mental Health Services at the Substance Abuse and Mental Health Services Administration (SAMHSA) will work with a broad-based group of public and private organizations, constituencies and consumers to create state and local coalitions to assist persons with mental illnesses and substance abuse disorders in accessing necessary services.
- The Vice President announced an Executive Memorandum requiring that the Interagency Committee on Disability Research publish a report identifying priority areas for the development and advancement of assistive technologies and universal design capabilities, and that Federal agencies then develop a strategy for transferring such technology for the benefit of people with disabilities.

p. 16

The first two bullets under FLOTUS announcements should be collapsed into one.

p. 18, second to last line.

It looks like it should be the "Workforce Investment Act," not just "the Act."

Status Report on the 1999-2000 recommendations

The wording of the items could be more consistent—some of them just say that the Task Force recommended something while others are worded to say what the President did in response. And some of them

In general the report should be updated to reflect whether the budget proposals passed

p. 3-4

Funding for 29 additional ADA enforcement personnel was included in the final budget, so we can say it passed, rather than just saying it was included in our budget proposal.

p. 6, rec. 8

I think that one of the HUD rules may still be in the pipeline. [check with Margy Waller]

p. 7 1st par.—reflect that the 106th Congress did not pass PBR.

2000 Recommendations

p. 1, par. 3

Reword the disclaimer to somewhat. Perhaps-- "These recommendations represent the views of the Task Force, and have not yet been endorsed by the Administration. Therefore these recommendations should not be viewed as any formal Administration statement of policy or plans of action adopted at this time."

General comment—shouldn't all the recommendations be changed to say or "should" instead of "shall"? That might better reflect the nature of the recommendations as not yet adopted by the next Administration. Also, this seems like a lot of recommendations—have you considered cutting down the number somewhat?

This HUD
was updated
by Nestor
Davidson
12/18/00
LK

cannot
relate this
comment to
anything
LK

I was told
on 12/19 that
the final
budget
included
"a third"
so we
have
not
removed
all refer
LK

The Task Force recommends that:

- 1. All cabinet level Departments should implement an organizational structure within their agencies that elevates issues related to disability agency-wide. Strategy for achieving this goal should include designating an individual responsible for overseeing disability issues at an Assistant Secretary level within each Agency. This may include establishing an Assistant Secretary for Disability.**

As the Task Force works to implement its charge to increase employment of adults with disabilities to a level as close as possible to that of the general adult population, it has become clear that issues related to disability need to be elevated more formally across the federal government. Individuals with disabilities have tremendous potential for contribution; yet continue to be denied opportunities to demonstrate their competency. Barriers exist in every cabinet level Department that must be addressed if this is to change. Accordingly, the Task Force recommends that each Department review their organizational structure and implement a structure that elevates disability organizationally across agency jurisdiction. Each agency should report to the Task Force by September 30, 2001, the result of their review and their plan of action to elevate issues related to disability.

For example, because of critical needs related to activities of the Department of State and the Department of Housing and Urban Development, the Task Force recommends that both of these agencies consider whether there is a need to establish new offices headed by an Assistant Secretary specifically charged with elevating issues related to disability. The U.S. maintains thousands of international programs administered by a number of agencies at a cost billions annually. Estimates of disability range from 5 to 15 percent of the worlds population. The actions and activities of U.S. foreign policy agencies and their programs should reflect our nation's consensus that people with disabilities are fully equal and should be allowed to make their maximum possible contribution to society.

In addition, the Federal government currently subsidizes more than four million housing units. Currently, some 550,000 people with disabilities are receiving federal housing assistance, but it is estimated that as many as 1.8 million additional SSI recipients who have disabilities may be in need of such assistance (Technical Assistance Collaborative, 1998). As individuals with disabilities continue to seek employment in their communities, obtaining affordable and accessible housing that is close to available jobs becomes a critical factor in their success. There is an urgent need for leadership from HUD in order to address the housing needs of people with disabilities in a comprehensive manner.

- Release by FCC of new rule that adopt technical standards for the display of closed captioning in digital television (DTV) receivers as industry moves from analog to digital programming.

- Release of new FCC rules on Video Description requiring large television broadcast stations and program distributors to provide video description for people with visual disabilities to make analog television more accessible through audio description of key action elements.

- Release of new FCC Emergency Information rules for any broadcast station or video programming distributor that provides local emergency information in a regular newscast, or in an emergency interruption of programming, that they must make the critical details of the emergency information accessible to persons with hearing and visual disabilities by means of a crawl or scroll or other caption that must be accompanied with an aural tone to alert persons with visual disabilities.

NOTE: We believe you should include these television rulemakings as consumers with disabilities inform us that television is an important medium through which they receive employment/socialization information.

IN TIMELINE DOCUMENT

5. YOUR TEXT:

February 17 William Kennard, Chair of the Federal Communications Commission (FCC), amends its rules governing the delivery of Telecommunications Relay Service to expand and improve the quality of relay services available to consumers with hearing and speech disabilities.

CORRECTED TEXT:

February 17 FCC Overhauled 1992 ADA Telecommunications Relay Service (TRS) rules to improve access to telephone service for people with hearing and speech disabilities, requiring quality standards and new services such as Speech-to-Speech relay, and permitting funding mechanism for video relay service.

6. YOUR TEXT:

March 10 FCC holds a public forum to discuss concerns about Telecommunications Relay Services (TRS) and variations among states' approaches to TRS.

CORRECTED TEXT:

March 10 FCC holds a public forum to discuss concerns about new relay services technologies and states' approaches to Telecommunications Relay Services (TRS) provision.

7. YOUR TEXT:

July 21 William Kennard, FCC Chair, announces: (1) the adoption of rules and guidelines regarding improved access to the Telecommunications Relay Service (TRS), which facilitates telephone conversations between people who do and those who do not hear and/or speak; (2) technical standards designed to facilitate the display of closed captioning on digital television receivers; and (3) the provision of video description on television programming.

CORRECTED TEXT:

July 21 William Kennard, FCC Chair, announces rules for: (1) use of 711 for nationwide access to Telecommunications Relay Service (TRS), to facilitate telephone conversations between people who do and those who do not hear and/or speak; (2) technical standards designed to facilitate the display of

closed captioning on digital television receivers; and (3) the provision of video description on television programming.

8. ADD 2 ITEMS FOR SEPTEMBER IN YOUR TIMELINE TEXT

September 21 FCC Commissioner Susan Ness speaks in Flint, MI on need for bridging the digital divide for Americans with disabilities, stressing importance of incorporating access during the design stage to eliminate need for expensive retrofits later on.

September 22 FCC, in a Public Notice, reminds telecommunications manufacturers and providers of voice mail and interactive voice menu products and services of their disability accessibility obligations under Section 255 of the Telecommunications Act.

8. ADD NEW ITEM TO NOVEMBER TIMELINE TEXT:

November 30 FCC issues notice seeking members with disabilities for a new Consumer/Disability Telecommunications Advisory Committee to provide guidance to Commission.

9. ADD NEW ITEM TO DECEMBER TIMELINE TEXT:

December 14 FCC requires digital wireless phone service providers to make their services TTY compatible by June 30, 2002 so callers can make 911 calls using TTY devices now that technology is available for this access.

CORRECTION TO TEXT IN RECOMMENDATIONS DOCUMENT:

YOUR TEXT:

10. The Federal Communications Commission (FCC) shall implement an extensive outreach and technical assistance campaign designed to educate consumers, employers, and the general public about: (a) the new 7-1-1 Telephone Relay Service and its potential benefit to people with disabilities and employers, and (b) accessible telecommunications products and services.

Accessible telecommunications products and services have significant implications in the workplace for people with disabilities. A technical assistance and outreach campaign conducted by the FCC could have far reaching implications in informing the general public about critical new services, such as the recently announced 711 relay service, speech-to-speech relay services, and other important relay services available to assist people with disabilities to access employment. A technical assistance and outreach campaign could include publishing an updated Section 255 Market Monitoring Report to update previously collected information and include critical information about new and emerging telecommunications technologies.

CORRECTED TEXT:

12. The Federal Communications Commission (FCC) shall expand its outreach and technical assistance campaign designed to educate consumers, employers, and the general public about: (a) the new 7-1-1 Telephone Relay Service and its potential benefit to people with disabilities and employers, and (b) its rules for accessible telecommunications products and services.

Accessible telecommunications products and services have significant implications in the workplace for people with disabilities. An expanded technical assistance and outreach campaign conducted by the FCC could have far reaching implications in informing the general public about critical new regulations,

such as the recently announced 711 relay service, speech-to-speech and other relay services, as well as access to other communications technologies to assist people with disabilities to access employment. This technical assistance and outreach campaign could include publishing an updated Section 255 Market Monitoring Report to update previously collected information and include critical information about new and emerging telecommunications network technologies.

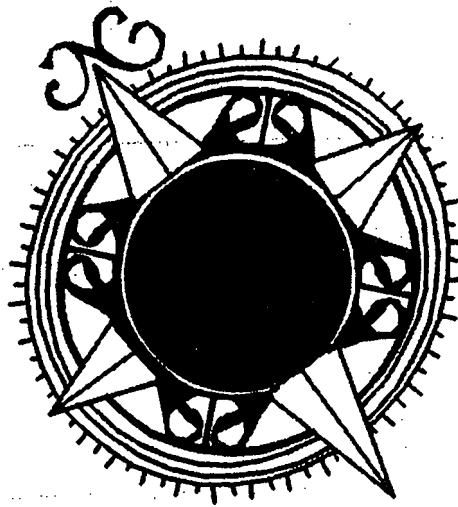
NO OTHER REVISIONS OR CHANGES SEEN FOR THE OVERVIEW OR APPENDICES document.

Margy - question
for you on
this
report

RE-CHARTING THE COURSE:

Turning Points

call me
when you
have
a moment
→ Christina



THE THIRD REPORT
OF THE PRESIDENTIAL
TASK FORCE ON EMPLOYMENT
OF ADULTS WITH DISABILITIES

Sent red
flagged
pages to
JMB's
Steve
Redburn
on 12/26

PRESENTED
TO THE
PRESIDENT OF THE
UNITED STATES

NOVEMBER 15, 2000

all my
thoughts
are in
I can't reach
anyone to
clarify.

McCormick
& Schmick's
5:00 5:30
224-6545

Overview

Re-Charting the Course –Turning Points

This year our nation celebrated the tenth anniversary of the Americans with Disabilities Act (ADA) and the 25th anniversary of the Individuals with Disabilities Education Act (IDEA), landmark civil rights laws ensuring equality of opportunity, full participation, independent living and economic self-sufficiency as key goals for all people with disabilities. This year also marks the halfway point in the life of the Presidential Task Force on the Employment of Adults with Disabilities, the start of a new millennium, and the end of the Clinton-Gore Administration. These events taken together beg that we stop and reflect. We are at a crossroads-- a turning point of sorts-- a time to think about where we were, where we are now and what course we should set.

Back in 1996, as our country commemorated the sixth anniversary of the signing of the ADA, the National Council on Disability (NCD) released their report, *Achieving Independence: the Challenge for the 21st Century*. This report included recommendations developed by a diverse group of 300 participants at NCD's National Summit on Disability Policy, which took place in Dallas, April 1996. At this gathering, people with and without disabilities representing the grassroots and national leaders alike, formulated policy objectives that built upon the fundamental principles of the ADA and the Clinton-Gore Administration: inclusion, independence and empowerment.

An important outcome of that grassroots meeting was recognition of the urgent need to address the staggering rate of non-employment of adults with significant disabilities. Next, in July 1996, the Presidential appointees with disabilities, many of whom attended the Dallas meeting, met and decided ^{to promote} upon the promotion of the development of a task force with budgetary support targeted specifically to employment issues for people with disabilities. During the ensuing months, Clinton-Gore Administration officials continued to meet and draft what would become Executive Order 13078, signed by President Clinton on March 13, 1998, establishing the Presidential Task Force on the Employment of Adults with Disabilities.

we usually capitalize Administration - see throughout doc.

The overall mission of the Task Force is to develop a strategy to ensure that people with disabilities are employed at a rate as close as possible to that of the general adult population. The President appointed Alexis M. Herman, Secretary of the U. S. Department of Labor, to serve as Chair of the Task Force, and Tony Coelho, Chair of the President's Committee on Employment of People with Disabilities, to serve as Vice Chair. The Task Force currently consists of eighteen cabinet level and other agencies and includes the Secretary of Labor, Secretary of Education, Secretary of Veterans Affairs, Secretary of Health and Human Services, Commissioner of Social Security, Secretary of the Treasury, Secretary of Commerce, Secretary of Transportation, Director of the Office of Personnel Management, Administrator of the Small Business Administration, the Chair of the Equal Employment Opportunity Commission, the Chair of the Federal Communications Commission, the Chairperson of the National Council on Disability, the Chair of the President's Committee on Employment of People with Disabilities, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Agriculture and the Attorney General of the Department of Justice.

do you mean budget support for task force or for empl. issues
CH - pls circ.
~~CH - at Cab Affairs~~ do we
not say "Attorney General" or
"... of the D. - of - J"

In the first report of the Task Force to the President, *Re-charting the Course*, issued on November 15, 1998, we outlined the current barriers to employment for people with disabilities that have persisted for decades, a vision of a nation where individuals with disabilities are empowered with choice, where employers are helped to facilitate employment by eliminating barriers to workforce entry, and where creativity and innovation are the basis for organizing jobs to meet both the needs of employers and employees. This report also included eight initial recommendations, all of which were acted upon by President Clinton and Vice President Gore.

When history is written, the Clinton-Gore administration will no doubt figure prominently for the many contributions it has made toward making the Task Force's vision a reality. From the creation of the Task Force pursuant to Executive Order 13078, to the acceptance of all its recommendations, to the recent expansion of its mandate to focus on helping young people with disabilities successfully transition from school to work, to steadfastly protecting and promoting the rights of individuals with disabilities, to the creation of an office of disability policy at the Department of Labor to be headed by an Assistant Secretary, to the passage of the Ticket to Work and Work Incentives Improvement Act (TWWIA) and so much more, this administration has demonstrated unwavering commitment to ensuring that people with disabilities have the opportunity to achieve the

Legislative and regulatory efforts passed during this administration's watch, and with their active support, have proved instrumental in moving the progressive disability agenda being developed by the Task Force forward. Because of TWWIA, people with disabilities today need no longer make the untenable choice between working and losing their health insurance. Because of the Workforce Investment Act of 1998 (WIA), which included re-authorization of the Rehabilitation Act, and the Department of Labor's issuance of strong implementing nondiscrimination regulations, people with disabilities have become more empowered to direct and choose between available employment and training options and providers. Last year's increase in the monthly Substantial Gainful Activity (SGA) amount from \$500 to \$700 will encourage more people with disabilities to return to work, as will the automatic future adjustments to the SGA tied to the national average wage index, and the increase to the minimum amount of monthly earnings counted during a trial work period proposed by the Clinton-Gore administration during the celebration of the tenth anniversary of the ADA. Changes made to Section 508 of the Rehabilitation Act will soon ensure that Federal agencies' electronic and information technology is fully accessible to people with disabilities, while amendments made in 1997 to IDEA ensure that record numbers of children with disabilities are now learning alongside their non-disabled peers in public schools.

In addition, although yet to be acted upon by Congress, on several occasions the Clinton-Gore administration has proposed health care and work incentive legislation of particular importance to people with disabilities. This proposed legislation has included a Medicare prescription drug benefit, a strong, enforceable Patients' Bill of Rights; a \$1,000 tax credit for work-related expenses for people with disabilities and a \$3,000 long term care tax credit for Americans with long-term care needs. The Task Force intends to keep these important issues in the forefront of its work for the coming year.

Tom
Kahil

Bethanne
Little

Darrah

The "Federal Government as a Model Employer" initiative presents perhaps the clearest illustration of the Clinton-Gore administration's dedication to increasing employment opportunities for people with disabilities. This effort was evident at all levels, beginning with President Clinton amassing a highly talented and extremely diverse Administration which included record numbers of people with disabilities. In the White House, Jonathan Young was the first person with a disability ever appointed to serve as Associate Director for Disability Outreach in the Office of Public Liaison. Other Clinton Administration appointees with disabilities included: Judith Heumann, Assistant Secretary for Special Education and Rehabilitation Services; Paul Miller, Commissioner of the Equal Employment Opportunity Commission; Fredric Schroeder, Commissioner of the Rehabilitation Services Administration; and Bob Williams, Deputy Assistant Secretary for the Office of Disability, Aging and Long-Term Care Policy. In addition, presidential appointees with disabilities served in the Departments of Education, Health and Human Services, Housing and Urban Development, Justice, Labor, State, and Transportation. They also served in independent agencies such as the National Council on Disability and the Social Security Administration, as U.S. District Court Judges, and on various Presidential Committees, Commissions, and Task Forces.

what about
Becky?

Because of the Clinton-Gore administration's insistence that the Federal government lead by example, and the hard work of the Task Force member agencies, in particular the Office of Personnel Management (OPM), the Federal government now has a model plan: *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, developed for the specific intent of increasing the representation of adults with disabilities at all levels throughout the Federal workforce. In addition, individuals with psychiatric disabilities now stand on equal footing to persons with significant disabilities and mental retardation in terms of Federal hiring opportunities. Furthermore, as of 2001, mental health coverage will be more affordable and accessible to Federal employees because President Clinton directed that OPM ensure that the Federal Employee Health Benefits Program (FEHBP) plans provide for mental health parity.

mental
health
devon

Moreover, and significantly, the Administration embraced the establishment of an Office of Disability Policy (ODP) within the Department of Labor, to be headed by an Assistant Secretary of Disability, to ensure that issues related to disability are elevated throughout all programs and services of the DOL nationally. In conjunction with recent executive orders and executive memoranda which call upon Federal agencies to hire 100,000 people with disabilities over the next five years, to establish effective procedures for processing requests for reasonable accommodation, to develop plans for ensuring that programs are free from disability-based discrimination, and to utilize the skills of people with significant disabilities for appropriate off-site home-based employment opportunities, the new ODP will soon lead the national effort down the road to inclusion in employment for people with disabilities.

Consistent with other recommendations made by the Task Force, the Clinton-Gore Administration has denounced forced institutional living as an acceptable form of housing. Instead, it focused its energy on promoting the delivery of home and community-based services and support for people with disabilities through a series of initiatives including a new \$50 million investment in FY 2001 to help states offer services to people with disabilities in the most

Devon



integrated setting appropriate to their needs, the issuance of new guidance to state Medicaid directors on Medicaid coverage of home and community-based services to help them comply with the Supreme Court's recent ruling in Olmstead, and a new public-private partnership between the Administration and the National Program Office on Self-Determination to help individuals with disabilities in institutions transition into community-based settings. It has also taken action to increase home ownership and to expand work incentives by extending earned income exclusions for individuals with disabilities to a broader range of HUD housing assistance programs.

Mary
OK

Another integral part to these and many other of the Task Force and Administration's disability initiatives is the **Comprehensive Plan of Action to Remedy Lack of Transportation Services and Systems for Persons with a Disability** developed by the Department of Transportation, in consultation with other relevant Federal and Task Force member agencies, to increase transportation options and supports for Americans with disabilities.

Mobilizing public and private efforts, the Administration has likewise undertaken measures at the request of the Task Force to bridge the digital divide and create opportunities for people with disabilities. Administration initiatives to ensure that information and communications technologies are usable by and available to the 54 million Americans with disabilities, and promote the development of new assistive technology include: securing commitments from technology companies, research firms, and non-profit organizations to help improve the accessibility and affordability of technology for persons with disabilities; the creation of the www.disAbility.gov website which serves as a "one-stop" electronic link to a wide range of information relevant to people with disabilities, their families, and potential employers; the creation of a Task Force to examine Medicare/Medicaid coverage of assistive technology; and a large number of hiring and service commitments and grant-related activities.

check
Jen

Over the past three years, the Task Force has ^{ep} ~~been~~ working vigorously to fulfill its mandate. In an effort to engage all interested stakeholders in a national dialogue on what changes were needed, Town Hall meetings were convened, and two national Summits were held—one focusing on increasing choice, employment and wages for people with the most significant disabilities, and another focusing on improving transition results for young people with disabilities. As a result of these activities, and research conducted by the Task Force, many specific and innovative recommendations were developed. The recommendations made by the Task Force in 1999 have all been acted upon, and over the past year the Task Force has developed many additional recommendations to address barriers to employment caused by inadequate health care, transportation, and housing; inadequate access to technology; barriers faced by people with the most significant disabilities, young people with disabilities transitioning from school to work, and other minority groups including Native Americans. Issues of coordination, accountability, and access have proven critical across the board, as has the early intervention promised by the Youth to Work Initiative announced by the First Lady during the celebration of the tenth anniversary of the ADA.

Ann
O'Leary

Because of the Administration's acceptance of the Task Force's prior recommendations and the many ~~resultant~~ Administration initiatives, a solid foundation has been laid. The pieces are beginning to fall into place for what is an emerging strategy for ensuring that people with

resulting

check
Jen

integrated setting appropriate to their needs, the issuance of new guidance to state Medicaid directors on Medicaid coverage of home and community-based services to help them comply with the Supreme Court's recent ruling in Olmstead, and a new public-private partnership between the Administration and the National Program Office on Self-Determination to help individuals with disabilities in institutions transition into community-based settings. It has also taken action to increase home ownership and to expand work incentives by extending earned income exclusions for individuals with disabilities to a broader range of HUD housing assistance programs.

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Ann
Kali

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Ann
O'Leary

Because of the Administration's acceptance of the Task Force's prior recommendations and the many ~~resultant~~ Administration initiatives, a solid foundation has been laid. The pieces are beginning to fall into place for what is an emerging strategy for ensuring that people with

resulting

disabilities are employed at a rate as close as possible to that of the general adult population. Over the next two years, the Task Force will evaluate the effect of the changes which have occurred thus far, explore barriers to target populations and areas it has not addressed previously, and effectuate other changes as necessary to ensure that the ADA's promises of equality of opportunity, full participation, independent living, and economic self-sufficiency are fulfilled.

In closing, because of the foresight and leadership of the Clinton-Gore Administration, Americans with disabilities today are more knowledgeable, more empowered, and more likely to achieve their full potential than they have been at any other time previously. Robert F. Kennedy once said: "*Few will have the greatness to bend history itself; but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation.*" Due to the many changes which have occurred during this Administration, and other changes which have been set in motion by virtue of the creation of the Task Force, history is being written, not only for this generation, but for future generations. History will show a nation where individuals with disabilities are increasingly empowered with choice, where employers are being helped to facilitate employment by eliminating barriers to workforce entry, and where creativity and innovation are the basis for organizing jobs to meet both the needs of employers and employees.

Accordingly, consistent with the mandate of Executive Order 13078, the Task Force proudly submits this year's report to the President and the public. The report, *Recharting the Course: Turning Points*, lays out numerous points that have emerged over the two and one-half years of Task Force activities around which a strategy for change is emerging. It contains a *2000: Year at a Glance* outline of the Task Force member agencies' activities, and highlights issues where the Task Force has focused its attention, the accomplishments made and challenges remaining. In addition, it provides an update on past recommendations made by the Task Force, sets forth new recommendations for President Clinton and Vice President Gore, and provides insight into what the Task Force is planning for the future. Finally, it ~~attempts to~~ articulate the early parameters of the evolving strategy being developed by the Task Force for increasing the employment rate of people with disabilities to the extent possible to that of the general adult population.

- seems odd given timing.
Better just to say
"... for the future." ?

OMB
Alex Cejala
Steven R. Kohn
Andrea
Margo
Michelle Aronovitch

TIME LINE 2000 - DRAFT

JANUARY 2000

- January 7 Kenneth Apfel, Commissioner of the Social Security Administration (SSA), announces publication of a new Social Security Ruling (SSR), *Disability Insurance Benefits - Claims Filed Under Both the Social Security Act and the Americans With Disabilities Act*, implementing the U.S. Supreme Court's decision in *Cleveland v. Policy Management Systems Corporation*, stating that individuals with disabilities can receive Social Security disability benefits and still exercise their rights under the Americans with Disabilities Act (ADA).
- Ida Castro, Chair of the Equal Employment Opportunity Commission (EEOC), announces settlement of a major disability discrimination lawsuit against Wal-Mart Stores, Inc., with Wal-Mart paying monetary damages to the plaintiffs and making corporate-wide changes in the hiring and training of new employees who are deaf or hard of hearing.
- January 14 Donna Shalala, Secretary of the Department of Health and Human Services (HHS), issues guidance to State Medicaid directors on how to make their programs responsive to people with disabilities who want to live in the community, pursuant to the 1999 U.S. Supreme Court decision in *Olmstead v. L.C.*
- January 20 Marca Bristo, Chair of the National Council on Disability (NCD), announces the release of *From Privileges to Rights: People with Psychiatric Disabilities Speak for Themselves* as a response to *Mental Health: A Report of the Surgeon General*, issued by U.S. Surgeon General David Satcher in December 1999.
- Andrew Cuomo, Secretary of the Department of Housing and Urban Development (HUD), announces an award of \$9.3 million in 40 states through its *Resident Opportunities Self-Sufficiency Program* to help low-income people with disabilities and elders get the health care and other supportive services they need to continue living independently in subsidized housing.
- January 30 HUD publishes *Strategies for Providing Accessibility and Visitability for HOPE VI and Mixed Finance Homeownership*, including information for public housing agencies on universal design strategies that may be incorporated into rental and homeownership units.

FEBRUARY 2000

- February 2 Presidential Task Force, SSA, DOL, Department of Education's Rehabilitation Services Administration (RSA), and Health and Human Services' Health Care Financing Administration (HCFA) cosponsor the *first* regional public education forum on the implementation and coordination of the Workforce Investment Act (WIA) and Ticket to Work and Work Incentives Improvement Act (TWWIA) in Kansas City, Missouri.
- February 4 Rodney Slater, Secretary of the Department of Transportation (DOT), announces a new National Highway Traffic Safety Administration publication, *Adapting Motor Vehicles for People with Disabilities*, DOT's first consumer brochure with information on evaluating, selecting, and modifying vehicles for use by drivers and passengers with disabilities.
- February 7 The Clinton-Gore Administration announces FY 2001 budget, with funding for specific recommendations made in *Recharting the Course: If Not Now, When?*, the second report of the Presidential Task Force, including:
- \$20.56 million for a new Office on Disability Policy in the Department of Labor, headed by an Assistant Secretary and charged with increasing the employment rate of people with disabilities;
 - A renewed proposal for a \$1,000 tax credit for work-related expenses for people with disabilities; and
 - \$100 million for disability and technology research at the National Institute on Disability and Rehabilitation Research.
- Alexis M. Herman, Secretary of the Department of Labor (DOL), announces the Department's proposed 2001 budget, highlighting the agency's commitment to increasing employment opportunities for people with disabilities by proposing establishment of the new Department of Labor Office on Disability Policy.
- February 17 William Kennard, Chair of the Federal Communications Commission (FCC), amends its rules governing the delivery of Telecommunications Relay Service to expand and improve the quality of relay services available to consumers with hearing and speech disabilities.

- February 24 HUD publishes new Notice of Funding Availability for the HOPE VI Revitalization Program, giving points to applicants who state they will make at least 5% of "for sale" units accessible to individuals with mobility disabilities and 2% accessible to individuals who have visual or hearing impairments.
- February 29 Department of Education (DoEd) and SSA cosponsor the conference *Stepping Stones to Increase Employment of American Indian Women with Disabilities* with the World Institute on Disability at the Fort Mojave Indian Reservation in Laughlin, Nevada.
- February Nancy Ann DeParle, HCFA Administrator, announces the launch of HCFA's new Web site on the Ticket to Work and Work Incentives Improvement Act (TWWIA), providing information to States, beneficiaries and advocacy groups concerning implementation of the Act.
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MARCH 2000

- March 1 Ida Castro, EEOC Chair, announces issuance of a Notice of Proposed Rulemaking clarifying application of the employment provisions of the ADA to federal government workers.
- March 2 Janice Lachance, Director of the Office of Personnel Management (OPM), issues a memorandum to all Federal agency directors of personnel that effective immediately Federal employers must include language in vacancy announcements stating that reasonable accommodations will be made for qualified applicants or employees with disabilities.
- March 3-4 Presidential Task Force, Department of Justice (DOJ), and the National Mental Health Association convene *Addressing the Training and Employment Needs of Youth with Mental Health Disabilities in the Juvenile Justice System*, a working meeting attended by key stakeholders and experts in special education, disability law, juvenile justice, mental health policy, youth employment and advocacy, to develop policy recommendations for the Presidential Task Force's Youth Subcommittee.
- March 6-7 DoEd cosponsors with the Hawaii University Affiliated Program the 16th Annual Pacific Rim Conference on Disability, *Creating Futures: Kaleidoscopes of Opportunity for People with Disabilities*, in Honolulu, Hawaii.

- March 7-9 National Institute of Health (NIH), and the organization, Deaf and Hard of Hearing in Government, host the *2000 National Training Conference on Employment of Federal Employees who are Deaf or Hard of Hearing*, focusing on the employment, advancement, retention, and culture of Federal employees who are deaf or hard of hearing.
- March 9 Presidential Task Force, SSA, DOL, RSA, and HCFA cosponsor the *second* regional public education forum on the implementation and coordination of the WIA and TWWIA in Durham, North Carolina.
- March 9-10 SSA cosponsors with the National Academy of Social Insurance a *National Dialogue on SSI Childhood Disability* in Washington, D.C., with nearly 400 national experts, advocates and interested individuals attending.
- March 10 FCC holds a public forum to discuss concerns about Telecommunications Relay Services (TRS) and variations among states' approaches to TRS.
- March 14 Andrew Cuomo, HUD Secretary, announces a *second* round of grants under the *Resident Opportunities Self-Sufficiency Program*, awarding \$5.2 million to help more than 5,500 low-income people with disabilities and elders obtain the health care and other supportive services they need to continue living independently in subsidized housing.
- March 15 Ida Castro, EEOC Chair, announces that a Federal court in Wisconsin has rejected the company Chuck E. Cheese's efforts to overturn a November 1999 jury verdict that found the company liable under the ADA for firing an employee with developmental disabilities and imposed the maximum monetary damages allowed under the Law (*EEOC and Donald Perki v. CEC Entertainment, Inc., D/B/A Chuck E. Cheese's*).
- Tony Coelho, Chair of the President's Committee on Employment of People with Disabilities (PCEPD), and the Department of Defense (DOD) announce the availability of the *2000 Workforce Recruitment Program for College Students with Disabilities* database, containing names of job candidates with disabilities skilled in a wide variety of fields.
- March 17 Janice Lachance, OPM Director, announces the issuance of proposed regulations creating a new Government-wide "excepted appointing authority," allowing people with psychiatric disabilities to noncompetitively convert to the competitive service once they have successfully completed two years of Federal government service.

- March 20 President Clinton and the First Lady announce the launching of a public-private campaign to ensure that children with emotional and behavioral conditions are appropriately diagnosed and treated by qualified health care professionals, parents, and educators, building on last year's White House Conference on Mental Health and the recent Surgeon General's Report on Mental Health.
- March 29 Rodney Slater, DOT Secretary, announces a settlement with Continental Airlines, which was found to have violated the Air Carrier Access Act and federal regulations prohibiting discrimination against passengers with disabilities.
- Nancy Ann DeParle, HCFA Administrator, announces issuance of HCFA's first letter of guidance to State Medicaid directors about the TWWIA, providing general information about the legislation, an overview of plans for implementing the two new Medicaid eligibility groups, and a description of plans for issuing grants to assist States with infrastructure and demonstration projects.
- March 30 Presidential Task Force, SSA, DOL, RSA and HCFA cosponsor the *third* regional public education forum on the implementation and coordination of the WIA AND TWWIA in Phoenix, Arizona.
- March 31 Architectural and Transportation Barriers Compliance Board (Access Board) proposes new accessibility standards for electronic and information technology.
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APRIL 2000

- April 5 President Clinton signs the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21), which includes improvements in protections for air travelers with disabilities.
- April 6 Presidential Task Force, SSA, DOL, and HCFA cosponsor the *fourth* regional public education forum on the implementation and coordination of the WIA and TWWIA in New York, New York.
- April 7 Presidential Task Force convenes summit, *Real Choice, Real Jobs, Real Pay: Employment for the 21st Century*, to discuss practices and strategies to increase choice, employment, and wages for individuals with the most significant disabilities.

- April 11 Alexis M. Herman, DOL Secretary, hosts the National Skills Summit to develop and exchange innovative, practical, and cost-effective strategies and to develop partnerships for satisfying employers' immediate needs for skilled workers, including a specific focus on workers with disabilities.
- April 12 Alexis M. Herman, DOL Secretary, announces the issuance of a Training and Employment Information Notice providing information to assist One-Stop service delivery systems in developing accessible infrastructures and programmatic access for people with disabilities.
- April 13 William Kennard, FCC Chair, announces the adoption of a rule requiring broadcasters, cable operators, and other multichannel video programming distributors to make emergency information accessible to persons with hearing disabilities and issues a Notice of Proposed Rulemaking on compatibility and accessibility of Digital Television receivers and cable systems.
- April 13-14 DoEd cosponsors, with the University of Montana's Rural Institute on Disabilities, a national forum on *Self-Employment for People with Disabilities* in Missoula, Montana.
- April 18 Janet Reno, Attorney General of the United States, gives the keynote address at the Federal Office Systems Exposition (FOSE 2000), the largest information technology exposition serving the government marketplace, and announces the release of a new Department of Justice report, *Information Technology and People with Disabilities: The Current State of Federal Accessibility*, detailing the extent to which all Federal agencies and departments' electronic and information technology is accessible to and usable by people with disabilities.
- April 18 Presidential Task Force, Small Business Administration (SBA), and hold their *first* nationwide workshop in Little Rock, Arkansas to (1) increase partnerships between the disability community and local public and private small business resources and (2) to educate potential entrepreneurs with disabilities about small business options, procedures and resources. Cosponsors include SSA, HUD, and the Department of Veterans Affairs (VA).
- April 20 Presidential Task Force, Small Business Administration and the President's Committee on Employment of People with Disabilities hold their *second* workshop on increasing partnerships between the disability community and local public and private small business resources and educating potential entrepreneurs with disabilities about small business options and resources in New Orleans, Louisiana.
- April William Kennard, Chair of the Federal Communications Commission, announces the launching of a beta version of in-house real-time Internet captioning, making FCC meetings and public forums accessible to Internet users with hearing disabilities.

MAY 2000

- May 1 Presidential Task Force holds Think Tank with leaders in the disability community to follow up on the April 7 summit, *Real Choice, Real Jobs, Real Pay: Employment for the 21st Century*, and develop policy recommendations for increasing choice, employment, and wages for individuals with the most significant disabilities.
- May 1-2 DoEd and DOL cosponsor the *School to Work: Youth with Disabilities* conference in San Antonio, Texas.
- May 2 Andrew Cuomo, HUD Secretary, announces a *third* round of grants through its *Resident Opportunities Self-Sufficiency Program*, awarding \$2.5 million in 22 states to help low-income people with disabilities and elders obtain the health care and other supportive services they need to continue living independently in subsidized housing.
- DoEd announces the award of nine state grants, totaling \$7.5 million, to help improve special and general education services for students with disabilities in Alaska, Connecticut, Illinois, Montana, Minnesota, Nebraska, North Carolina, North Dakota and Oklahoma.
- May 4 Alexis M. Herman, DOL Secretary, announces the issuance of a Training and Employment Information Notice to One-Stop service delivery systems regarding the Ticket to Work and Work Incentives Improvement Act and its potential in serving people with disabilities.
- May 15 Marca Bristo, NCD Chair, announces the issuance of their report *National Disability Policy: A Progress Report* with recommendations designed to advance inclusion, empowerment, and independence of people with disabilities of all ages from diverse backgrounds.
- May 17 Presidential Task Force, SSA, DOL, RSA, and HCFA cosponsor the *fifth* regional public education forum on the implementation and coordination of the WIA and TWWIA in Austin, Texas.
- May 18-20 NCD holds *Think Tank 2000: Coalitions for Advancing the Civil and Human Rights of People with Disabilities from Diverse Cultures* to highlight common causes and identify key strategies for eliminating barriers to civil and human rights for people with disabilities from diverse ethnic, racial, and cultural groups.
- May 21 - 24 RSA cosponsors annual conference on *Native Americans with Disabilities* at the

Choctaw Reservation in Philadelphia, Mississippi.

- May 24 Presidential Task Force holds a Town Hall meeting in Hartford, Connecticut on expanding employment opportunities for persons with psychiatric disabilities, *Recovering Our Dreams: Persons with Psychiatric Disabilities in Search of Opportunities and Careers*.
- May 25 Alexis M. Herman, DOL Secretary, announces the availability of \$20 million in competitive grants designed to enhance the employability, employment and career advancement of people with disabilities through enhanced service delivery in the new One-Stop delivery system established under the WIA.
- May 26 Kenneth Apfel, SSA Commissioner, announces the launching of a new Web site, *The Work Site*, with information and support for individuals who receive Social Security and Supplemental Security Income disability benefits, employers, service providers, advocates and others whose goal is to help those persons with disabilities work: www.ssa.gov/work
- May 31 Marca Bristo, NCD Chair, announces the issuance of a new report, *Federal Policy Barriers to Assistive Technology*, describing the barriers in federal assistive technology policy, and recommendations for increasing availability of and access to assistive technology devices/services for people with disabilities.
- Kenneth Apfel, SSA Commissioner, announces a grant solicitation directed at State and local governments and disability agencies to fund benefits planning, assistance, and outreach projects to disseminate accurate information to beneficiaries with disabilities about work incentives programs and issues related to such programs, to enable them to make informed choices about work.
- Nancy Ann DeParle, HCFA Administrator, announces: (1) the award of \$2 million to assist States in developing processes and infrastructure for transitioning beneficiaries out of nursing homes and into the community and; (2) available funding for eligible States under TWWIA to assist them in developing infrastructures to support the competitive employment of people with disabilities.
- May William Kennard, FCC Chair, announces: (1) a proposed rule regarding ultra-wideband transmission systems to pave the way for new types of products, including assistive technologies and; (2) a new *Consumers' Guide to Telecommunications Relay Services* on their Disabilities Rights Office Web page; and (3) a letter to all Federal agency heads reminding them of the obligation to caption public service announcements that are funded in whole or in part by Federal agencies.

JUNE 2000

- June 1 Rodney Slater, DOT Secretary, notifies foreign carriers serving the United States that

they are now subject to the Air Carrier Access Act (ACAA) which protects airline passengers with disabilities.

June 5 Tipper Gore announces the formation of the National Mental Health Awareness Campaign, a public education campaign designed to reduce stigma attached to mental illness, on the one-year anniversary of the White House Conference on Mental Health.

June 6 Presidential Task Force, SBA and PCEPD hold their *third* workshop in increasing partnerships between the disability community and local public and private small business resources and educating potential entrepreneurs with disabilities about small business options and resources in Phoenix, Arizona.

Presidential Task Force coordinates with DOL, SSA, and HCFA to host the first of three technical assistance conferences for organizations and government agencies interested in applying for DOL's Work Incentive Grants, SSA's benefits planning and outreach grants, and HCFA's Medicaid infrastructure grants in Kansas City, Missouri.

June 7 Nancy Ann DeParle, HCFA Administrator, issues a letter to State Medicaid Directors inviting them to participate in the Demonstration to Maintain Independence and Employment, established by TWWIA.

June 8 Richard Riley, DoEd Secretary, announces a new Web site to showcase the government's efforts to help America's infants and preschoolers with disabilities and their families: www.fed-icc.org.

Presidential Task Force, SBA, and PCEPD hold their *fourth* workshop in increasing partnerships between the disability community and local public and private small business resources and educating potential entrepreneurs with disabilities about small business options and resources in Las Vegas, Nevada.

Ida Castro, EEOC Chair, announces the issuance of a final rule clarifying the legal standard for determining when a person who uses mitigating measures meets the ADA's definition of disability to be consistent with 1999 Supreme Court rulings in *Sutton v. United Air Lines, Inc.*, *Murphy v. United Parcel Serv. Inc.*, and *Albertsons, Inc. v. Kirkingburg*.

Presidential Task Force coordinates with the DOL, and HCFA to host the *second* of three technical assistance conferences for organizations and government agencies interested in applying for DOL's Work Incentive Grants, SSA's benefits planning and outreach grants, and HCFA's Medicaid infrastructure grants in Oakland, California.

June 11 *Spirit of ADA 2000 Torch Relay* -- organized by the Presidential Task Force, the American Association of People with Disabilities (AAPD), Volkswagen of America, Inc., and

other sponsors -- officially begins in Houston, Texas. The *Relay*, celebrating the 10th anniversary of the ADA, will travel through 25 cities for almost two months, working to renew America's commitment to equality of opportunity, full participation and economic self-sufficiency for all people with disabilities.

- June 12 HHS and DoEd cosponsor the *Conference on the National Health Interview Survey on Disability*.
- June 12-14 RSA sponsors its first strategy forum, *Enhancing the Delivery of Vocational Rehabilitation Services within the Workforce Investment Act*, for state and federal policy makers, rehabilitation and workforce practitioners, consumers, family representatives, and providers.
- June 13 Presidential Task Force, SSA, DOL, RSA, and HCFA cosponsor the *sixth* regional public education forum on the implementation and coordination of the WIA and TWWIA in Seattle, Washington.
- Mort Downey, DOT Deputy Secretary, speaks at the *Spirit of ADA 2000 Torch Relay* event in Austin, Texas.
- June 14 Alexis M. Herman, DOL, announces the issuance of a Training and Employment Information Notice to One-Stops and other workforce liaisons on the availability of technical assistance on serving customers with disabilities from regional Disability and Business Technical Assistance Centers (DBTACS).
- June 15 Presidential Task Force coordinates with the DOL, SSA, and HCFA to host the *third* of three technical assistance conferences for organizations and government agencies interested in applying for DOL's Work Incentive Grants, SSA's benefits planning and outreach grants, and HCFA's Medicaid infrastructure grants in Washington, D.C.
- June 17 Judith E. Heumann, DoEd Assistant Secretary, speaks at the *Spirit of ADA 2000 Torch Relay* event in San Francisco, California.
- June 19 William Kennard, FCC Chair, speaks at the *Spirit of ADA 2000 Torch Relay* event in Los Angeles, California.
- June 19-21 RSA sponsors a *second* strategy forum, *Enhancing the Delivery of Vocational Rehabilitation Services within the Workforce Investment Act*, for state and federal policy makers, rehabilitation and workforce practitioners, consumers, family representatives, and providers.
- June 20 Presidential Task Force, SBA and PCEPD hold their *fifth* workshop in increasing partnerships between the disability community and local public and private small business

resources and educating potential entrepreneurs with disabilities about small business options and resources in Boston, Massachusetts.

June 20-21 Presidential Task Force holds *National Transition Summit on Young People with Disabilities: Bridging Systems to Improve Transition Results*, exploring policy options for improving the transition results for young people with disabilities and making detailed recommendations for strengthening, linking, aligning, and coordinating Federal, state, and local programs that serve young people with disabilities and their families.

HCFA holds a technical assistance conference for states applying for the Medicaid Infrastructure Grants and the Demonstrations to Maintain Independence and Employment under the Ticket to Work and Work Incentives Improvement Act: *Bridges for Health Care and Employment*.

June 24 Rodney Slater, DOT Secretary, in recognition of the 10th Anniversary of the passage of the ADA, participates in a ceremonial check presentation to the San Francisco Bay Area's Metropolitan Transportation Commission and disability organization leaders for the Ed Roberts Campus, to facilitate a project that will be a model of accessible transit-oriented development.

NCD conducts the first of a series of nationwide community briefings on critical issues for people with disabilities in Puerto Rico.

June 24-28 Presidential Task Force cosponsors with DoEd, SSA, NCD, and HHS, the *2000 National Leadership Conference for Youth with Disabilities*, with 100 young people from all over the country attending, focusing on leadership skills, career development and expanded employment opportunities.

June 26 Presidential Task Force, SSA, RSA, and HCFA cosponsor the *seventh* regional public education forum on the implementation and coordination of the Act (WIA) and TWWIA in Worcester, Massachusetts.

RSA publishes a Notice of Proposed Rulemaking amending its definition of an allowable employment outcome to exclude sheltered work. This change will require state rehabilitation agencies to establish a goal of competitive, integrated employment for all people entering the program.

June 27 Marca Bristo, NCD Chair, announces the release of a new report, *Promises to Keep: A Decade of Federal Enforcement of the Americans with Disabilities Act*.

Saul Ramirez, HUD Deputy Secretary, speaks at the *Spirit of ADA 2000 Torch Relay* event in Denver, Colorado.

June 27-29

NCD convenes a *Civil Rights Retreat* to collaborate on a national enforcement agenda for disability civil rights over the next ten years that address inclusion, empowerment, and access to equal opportunity.

June 28

DoEd and the Rehabilitation Engineering and Assistive Technology Society of North America cosponsor *RESNA 2000: Technology for the New Millennium* in Orlando, Florida, focusing on assistive technology and rehabilitation engineering.

JULY 2000

July 1

President Clinton declares July 2000 as Spirit of the ADA Month.

Janet Reno, Attorney General of the United States, announces the Department of Justice Civil Rights Division's special tenth anniversary status report, *Enforcing the ADA: Looking Back on a Decade of Progress*.

July 2

EEOC celebrates its 35th anniversary.

July 6

National Museum of American History at the Smithsonian Institution opens a new exhibit, *The Disability Rights Movement*, marking the 10th anniversary of the ADA and looking at the history of grass roots activism by people with disabilities, their friends, and families to secure the civil rights guaranteed to all Americans.

July 7

Janice Lachance, OPM Director and William Halter, SSA Deputy Commissioner, speak at the *Spirit of ADA 2000 Torch Relay* event in Madison, Wisconsin.

Janice Lachance, Director of the Office of Personnel Management, announces: (1) the issuance of a final regulation making it easier for federal agencies to hire people with psychiatric disabilities and opening the way for the federal government to recruit from a new pool of qualified potential employees and; (2) a new OPM Web page providing federal employment and other information for people with disabilities.

July 10-12

DOL holds Joint Employment Training and Technology Conference in Albuquerque, New Mexico, including workshops focusing on the employment and training of individuals with disabilities by SSA and RSA.

July 12

Donna Shalala, HHS Secretary, hosts celebration commemorating the 35th anniversary of the Medicare program.

- July 13 Paul Steven Miller, EEOC Commissioner, and Dr. Thomas Garthwaite, Under-Secretary for Health at the VA, speak at the *Spirit of ADA 2000 Torch Relay* event in Jackson, Mississippi.
- Ida Castro, EEOC Chair of the Equal Employment Opportunity Commission, announces release of EEOC's preliminary status report highlighting enforcement of the Americans with Disabilities Act as part of its commemoration of the 10th Anniversary of the ADA.
- Presidential Task Force, SBA and PCEPD hold their *sixth* workshop in increasing partnerships between the disability community and local public and private small business resources and educating potential entrepreneurs with disabilities about small business options and resources in Portland, Oregon.
- July 15 Bill Lann Lee, Assistant Attorney General of the Department of Justice, speaks at the *Spirit of ADA 2000 Torch Relay* event in Montgomery, Alabama.
- July 17 Kenneth Apfel, SSA Commissioner, speaks at the *Spirit of ADA 2000 Torch Relay* event in Tallahassee, Florida.
- July 19 Janet Reno, Attorney General of the United States, speaks at the *Spirit of ADA 2000 Torch Relay* event in Warm Springs, Georgia.
- July 20-21 Aida Alvarez, SBA Administrator, and William Halter, SSA Deputy Commissioner, speak at the *Spirit of ADA 2000 Torch Relay* events in Atlanta, Georgia.
- July 21 Rodney Slater, Secretary of the Department of Transportation hosts DOT's 10th Anniversary of the ADA Celebration and announces (1) new National Highway Traffic Safety Administration standards improving the safety of platform lifts used to enter motor vehicles and (2) a comprehensive new plan to improve transportation services and systems for persons with disabilities, developed in conjunction with the Presidential Task Force.
- William Kennard, FCC Chair, announces: (1) the adoption of rules and guidelines regarding improved access to the Telecommunications Relay Service (TRS), which facilitates telephone conversations between people who do and those who do not hear and/or speak; (2) technical standards designed to facilitate the display of closed captioning on digital television receivers; and (3) the provision of video description on television programming.
- July 22 Susan Daniels, Deputy Commissioner for the Office of Disability and Income Security Programs at the Social Security Administration, speaks at the *Spirit of ADA 2000 Torch Relay* event in Columbia, South Carolina.

July 24

Donna Shalala, HHS Secretary, sends a letter to all the governors regarding TWWIA, encouraging them to increase their "competitive edge" by helping businesses enlist the talents of people with disabilities.

July 24-25

Kenneth Apfel, SSA Commissioner, swears in the newly appointed members of the Work Incentives Advisory Panel, charged with advising the President, the Congress, and Social Security Administration on issues related to work incentives for people with disabilities, and the Advisory Panel holds its first meeting.

July 25

Presidential Task Force joins with the Consortium for Citizens with Disabilities and the National Council on Independent Living in commemorating the 10th Anniversary of the ADA in Washington, D.C., with two days of ceremonies, celebrations, and events on Capitol Hill, the FDR Memorial, Gallaudet University, and the Independence Center of Northern Virginia.

Spirit of ADA 2000 Torch Relay event in Arlington, Virginia; speakers include Frederic Schroeder, RSA Commissioner; Judith E. Heumann, Assistant Secretary for Special Education and Rehabilitation Services at DoED; Norma Cantu, Assistant Secretary for Civil Rights at DoEd; and William E. Leftwich III, Deputy Assistant Secretary for Equal Opportunity at DOD.

Vice President and Mrs. Gore host *A Summer Evening on the Lawn to Celebrate the Tenth Anniversary of the Signing of the Americans with Disabilities Act*.

Vice President Gore commemorates the 10th Anniversary of the ADA by making the following announcements:

- A *Presidential Memorandum* outlining a strategy for the development and transfer of assistive technology and universal design;
- A \$50 million investment to help states develop comprehensive plans to provide services to people with disabilities in the most integrated setting possible;
- New guidance to States on home and community-based Medicaid coverage rules; and
- A new public-private partnership, *Access Housing 2000*, between HUD, HHS and the National Project Office on Self Determination, which will focus on expanding the availability of accessible, affordable housing for people with disabilities and providing necessary supports so individuals with disabilities can transition from institutions to their communities.

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what about MH
Coordination
(see VP release)

-14-

home ownership

VP actually announced
what happened to HUD
rules / work incentives
[see AP release attached]
see p. 17 - listed as memo
announcements

NCD presents Justin Dart Freedom Award to the Leadership Conference on Civil Rights for the pivotal role it played in passage of the ADA.

Nancy Ann DeParle, HCFA Administrator, issues letter to State Medicaid Directors detailing: (1) policy changes/clarifications supporting States' initiatives in assisting people with disabilities as they transition from institutions to the community, and expanding the availability and quality of home and community-based services and; (2) guidance on how States may use the flexibility that Medicaid offers to expand services in a variety of ways.

July 26

President Clinton and the First Lady commemorate the 10th Anniversary of the ADA at the Franklin Delano Roosevelt Memorial in Washington, D.C.

President Clinton announces the following:

- An *Executive Order* stating the Federal Government will hire 100,000 qualified individuals with disabilities over the next five years by using all available hiring authorities, expanding outreach, increasing accommodations, and educating the public. In a related activity, Janice Lachance, OPM Director, issues a memorandum regarding the Order to all Federal departments and agencies.
- An *Executive Order* requiring Federal agencies to establish procedures facilitating the provision of reasonable accommodation.
- A *Presidential Memorandum* to the heads of all Federal departments and agencies regarding the recruitment of qualified people with significant disabilities for appropriate off-site, home-based employment opportunities with Federal agencies.
- A *Presidential Memorandum* to the heads of all Federal departments and agencies renewing the commitment to ensure that Federal programs are free from disability-based discrimination and directing the Department of Justice and EEOC to develop priorities under which agencies will focus on specific programs to ensure that they are readily accessible to persons with disabilities.
- The launching of a new Web site, *Access America for People with Disabilities* (disAbility.gov), providing Americans with disabilities, their families and advocates online access to information and services available throughout the Federal government.
- Additional policy initiatives designed to follow through on the objectives of

the ADA to end discrimination, promote independence and increase access to employment, housing and supports for people with disabilities including (1) indexing the Substantial Gainful Activity (SGA) level annually for people with disabilities who receive Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefits, beginning in 2001 and (2) increasing the "trial work period" amount for individuals who receive SSDI benefits in 2001 and providing automatic yearly increases thereafter.

First Lady Hillary Rodham Clinton announces a series of steps to help young people with disabilities successfully transition from education to employment including:

- Amending the Executive Order that established the Presidential Task Force to focus its mission on helping young people make the transition from school to work.
- Under the leadership of the Presidential Task Force, a new interagency Youth to Work Initiative focusing on research, demonstration projects, and education and training activities for youth to work activities.
- An increase in the Supplemental Security Income (SSI) Student Earned Income Exclusion, the amount that students who receive SSI can earn while continuing to receive important SSI benefits.
- Able to Work Consortium, a public-private partnership that will help ensure that youth with disabilities are afforded the employment opportunities needed to lead to meaningful careers.

The Administration releases *Working on Behalf of Americans with Disabilities: Goals and Accomplishments of President Clinton and Vice President Gore*, a comprehensive summary of its disability-related accomplishments, its 2000 legislative priorities and FY2001 budget initiatives.

Presidential Task Force, SBA and PCEPD hold their *seventh* workshop in increasing partnerships between the disability community and local public and private small business resources and educating potential entrepreneurs with disabilities about small business options and resources in Iowa City, Iowa.

Norman Mineta, Secretary of the Department of Commerce, calls upon the American business community to work with him to ensure that Americans with disabilities are full participants in the nation's digital economy and announces several key initiatives by Commerce, including a joint study with DOL and the Presidential Task Force to test a methodology for accurately determining the number of people with disabilities in the workforce.

Andrew Cuomo, HUD Secretary, makes the following announcements:

- HUD will issue a new mortgage letter, *Single Family Loan Production: Increasing Homeownership Rates for Persons with Disabilities*, emphasizing their commitment to make homeownership a reality for persons with disabilities and encouraging its lender partners to make it possible through increased flexibility when underwriting their loan applications; and

HUD, in fulfillment of the Presidential Task Force's 1999 recommendation, will propose a new rule extending "earned income disregards" to individuals with disabilities, for a broad range of housing assistance (including the Section 8, HOME, Housing Opportunities for People with AIDS, and Supportive Housing for the Homeless programs) and clarifying the applicability of deductions for disability-related expenses, including medical and attendant care expenses.

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July 27

Ida Castro, EEOC Chair, holds a public Commission Meeting to commemorate the 10th Anniversary of the ADA, issues a status report on the enforcement of the employment provisions of the ADA, and announces two new guidances covering genetic discrimination in the Federal workplace and disability-related inquiries and medical examinations of employees.

July 28

Janet Reno, Attorney General of the United States, announces a new DOJ tool to help hospitals communicate with patients who are deaf, *Pictograms for Hospital Communication*, to facilitate communication with individuals using American Sign Language and Contact Language, the two most common sign languages in the United States.

Presidential Task Force, SBA, and PCEPD hold their *eighth* workshop in increasing partnerships between the disability community and local public and private small business resources and educating potential entrepreneurs with disabilities about small business options and resources in Chicago, Illinois.

July 29

Rodney Slater, DOT Secretary, speaks at the *Spirit of ADA 2000 Torch Relay* event in Philadelphia, Pennsylvania.

July 31

White House issues report, *Disability, Medicare and Prescription Drugs*, documenting the need for prescription drugs by Medicare beneficiaries with disabilities and validating the importance of a voluntary, affordable, and meaningful Medicare prescription drug benefit.

Ida Castro, EEOC Chair, speaks at the *Spirit of the ADA Torch Relay* ceremonies in

Detroit, Michigan and holds meetings with local stakeholders representing employers, employees, the disability and civil rights communities, legal organizations, and state and local government officials.

AUGUST 2000

- August 1 Presidential Task Force, SSA, RSA, and HCFA cosponsor the *eighth* regional public education forum on the implementation and coordination of the Act and Ticket to Work and Work Incentives Improvement Act in Chicago, Illinois.
- Rodney Slater, DOT Secretary, announces that the Coordinating Council on Access and Mobility Department, sponsored by DOT and HHS, is releasing for comment *Planning Guidelines for Coordinated State and Local Specialized Transportation Services*, intended for use by states and local communities to coordinate and improve transportation for their citizens with disabilities.
- August 6 Alexis M. Herman, DOL Secretary; Senator Ted Kennedy; Paul Steven Miller, EEOC Commissioner; and Jonathan Young, Associate Director for the White House Office of Public Liaison speak at the *Spirit of ADA 2000 Torch Relay* event in Boston, Massachusetts.
- August 7 Richard Riley, DoEd Secretary, Judith Heumann, DoEd Assistant Secretary, and Richard C. Holbrooke, U.S. Ambassador to the United Nations, speak at the *Spirit of ADA 2000 Torch Relay* event in New York, New York.
- August 7-8 RSA holds its *Choice Conference*.
- August 9-11 DOL's Civil Rights Center cosponsors the 11th annual National Equal Opportunity Training Conference, *Equal Opportunity: The Key to Universal Access*, focusing on making One-Stop centers accessible to people with disabilities.
- August 10 Alexis M. Herman, DOL Secretary, announces the largest settlement the Department's Office of Federal Contract Compliance Programs (OFCCP) has ever obtained for people with disabilities, stating that American Airlines will pay nearly \$1.7 million to 99 people with disabilities who were denied jobs in Nashville, Tennessee and Detroit.
- DOL's Civil Rights Center convenes their annual Equal Employment Opportunity (EEO) personnel, with a specific focus on employing people with mental retardation and other cognitive disabilities.
- August 11 President Clinton issues statement calling for Congress to fully fund the Act, passed in 1998, which provides broad access to employment opportunities by people with

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disabilities and others.

Kenneth Apfel, SSA Commissioner, announces the publication of proposed rules affecting Social Security Disability Insurance(SSDI) and Supplemental Security Income (SSI) beneficiaries who start or return to work: indexing the "substantial gainful activity" amount; raising and indexing the trial work period amount; and increasing and indexing the student earned income exclusion.

- August 14 NCD begins a series of community briefings to share and solicit input on its disability civil rights agenda and strategic action plan for disability civil rights enforcement for the next decade.
- August 15 NCD files an *amicus curiae* brief in support of respondents in the U.S. Supreme Court case of the *University of Alabama v. Garrett*.
- Presidential Task Force, SSA, RSA and HCFA cosponsor the *ninth* regional public education forum on the implementation and coordination of the WIA and TWWIA in Harrisburg, Pennsylvania.
- August 18 Rodney Slater, DOT Secretary, announces that DOT's Inspector General will begin reviewing airline customer service, inviting the flying public to share their air travel experiences in order to evaluate how well U.S. airlines are accommodating the needs of air travelers with disabilities and special needs, and issue a report to Congress by December 31, 2000.
- August 21 HUD publishes a proposed rule extending "earned income disregards" to individuals with disabilities receiving various types of HUD housing assistance and clarifying the applicability of deductions for disability-related expenses.
- August 29 William Kennard, FCC Chair, announces that the new FCC rule increasing accessibility of televised video programming to viewers with hearing disabilities is effective immediately, requiring programmers to make local emergency information accessible to persons with hearing disabilities either through closed captioning or by using a method of visual presentation.
- August 29 Nancy Ann DeParle, HCFA Administrator, announces the issuance of a second guidance letter to State Medicaid Directors regarding implementation of the Ticket to Work and Work Incentives Improvement Act, providing detailed information about the two new Medicaid eligibility groups.
- August 30 Donna Shalala, HHS Secretary, announces issuance of written policy guidance to assist Federal programs and providers in ensuring that persons with limited English skills can effectively access critical health and social services.

August 31

Ida Castro, EEOC Chair, announces settlement of a major lawsuit filed under the ADA against Landers Auto Sales, a large Arkansas auto dealership, for discriminating against a former sales manager who has quadriplegia; settlement includes monetary relief, an accessible van, comprehensive training for management employees in the requirements of the ADA, and maintenance of a wheelchair accessible workplace, including accessible doors, parking facilities, work areas, computers, telephones, and restrooms.

August

Marca Bristo, NCD Chair, announces cooperative agreement with the National Fair Housing Alliance and the Judge David L. Bazelon Center for Mental Health Law to evaluate and comprehensively review the first 12 years of enforcement efforts under the 1988 Fair Housing Amendments Act and related legislation.

SEPTEMBER 2000

September 11-12

HCFA holds a *Technical Assistance Conference for States Implementing Medicaid Buy-Ins Under the Balanced Budget Act of 1997 and the Ticket to Work and Work Incentives Improvement Act of 1999*.

September 13

President Clinton announces the release of a study that demonstrates that hate crimes (which include crimes against persons with disabilities) are greatly under reported, and issues a directive to DOJ to work with state and local law enforcement on strategies to improve hate crimes reporting.

Presidential Task Force, SSA, RSA, and HCFA cosponsor the *tenth* regional public education forum on the implementation and coordination of the WIA and TWWIA in Fort Collins, Colorado.

September 14

Presidential Task Force, SSA, DOL, DoEd, and HCFA cosponsor *Tribal Opportunities under the Act and the Ticket to Work and Work Incentives Improvement Act* for Native American tribal leaders and members with disabilities in Fort Collins, Colorado

Presidential Task Force, NCD, and PCEPD present a disability issue forum at the *Congressional Black Caucus 2000* annual meeting on barriers to employment faced by African-Americans with disabilities.

September 21

President Clinton, as part of his *Disability and the Digital Divide Tour*, travels to Flint, Michigan and announces new commitments by the Administration, businesses, universities and nonprofits to help ensure that people with disabilities can fully participate in the Information Age, including the following:

- HHS, DOL, and others Federal agencies will form an interagency Task Force on Medicare and Medicaid Coverage of Assistive Technologies;
- Over 45 high-tech CEOs pledge to adopt corporate-wide "best practices" on accessibility;
- 25 of the nation's top research universities agree to expand research and education on accessibility;
- SmartForce, an e-learning company, will provide \$20 million of free access to its online training material to at least 5,000 people with disabilities per year for the next three years;
- DoEd announces over \$16 million in grants to promote accessible information technology, and \$1.8 million for an initiative to develop standards for accessible online learning;
- Microsoft and other partners will create a business incubator with an emphasis on the needs of entrepreneurs with disabilities;
- Sun Microsystems will create a lab to make desktop software accessible for people with disabilities;
- PCEPD is expanding their High School High Tech program to four new cities; and
- The Department of Commerce will award a grant to help community-based organizations provide Web-based services to people with disabilities.

Alexis M. Herman, DOL Secretary, announces the Department's first international project focused on disability employment issues: a grant from the International Labor Affairs Bureau to The Trust for the Americas, the private sector arm of the Organization of American States and the Inter-American Agency for Cooperation and Development. The Trust will be implementing the project in El Salvador, working with Salvadoran government agencies and local non-governmental organizations (including disability groups, universities, and businesses) to train Salvadorans with disabilities to use new information and communication technologies to increase their rate of employment. The Presidential Task force will be providing technical guidance and assistance throughout the 21-month project.

September 22

SSA holds research symposium, *Disability, Health and Retirement Age: Challenges for Social Security Policy* for researchers, policy analysts, Congressional Staff, and disability advocates.

- September 24 Andrew Cuomo, HUD Secretary, awards \$4.3 million to *Ability First*, a nonprofit organization that will create apartments for people with disabilities, and to provide rental assistance to people living in the apartments. The grants were awarded under HUD's Section 811 program, which covers housing for people with physical or developmental disabilities or chronic mental illness.
- September 25 SBA hosts the *Economic Development and Entrepreneurship for People with Disabilities Blue Ribbon Roundtable* in Washington, D.C.
- September 26 William Cohen, DOD Secretary, signs a new Air Force hiring plan and sends it to OPM, officially beginning its efforts to hire 7,000 new employees with disabilities by 2005.
- September 27 Rodney Slater, DOT Secretary, and DOT's Deaf Employees Association host Deaf Awareness Week event, *DEAFAbility 2000*.
- September 27-29 SSA, DOL, and PCEPD cosponsor with Disabled Sports USA *Challenge 2000: Disabled Sports Employment Conference*, the first national conference on employment opportunities in the sports and recreation field for people with disabilities.
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OCTOBER 2000

- October 1 President Clinton proclaims October 2000 *National Disability Employment Awareness Month* and calls upon Government officials, educators, labor leaders, employers, and the people of the United States to observe the month with appropriate programs and activities that reaffirm our determination to fulfill the letter and spirit of the Americans with Disabilities Act.
- Executive Order 13163, *Increasing the Number of Individuals with Disabilities Employed in the Federal Government*, takes effect.
- Kenneth Apfel, SSA Commissioner, announces that the new Medicare provisions of TWWIA are now in effect and people who receive Social Security disability benefits and start or return to work can now receive premium-free Medicare coverage for an additional four and a half years.
- October 6 Alexis M. Herman, DOL Secretary, announces issuance of proposed rules implementing Section 503 of the Rehabilitation Act, giving the Department express authority to use the compliance evaluation approach to enforce Section 503.

- October 9 RSA holds conference on *Native Americans in Rehabilitation*.
- October 11 U.S. Supreme Court hears *University of Alabama v. Garrett*, looking at whether Congress had the constitutional authority under the Fourteenth Amendment to enact the Americans with Disabilities Act; the Court's opinion could have a profound impact on the civil rights of all Americans for generations to come.
- Reauthorization of the Developmental Disabilities Act goes to the White House for signature.
- William Cohen, DOD Secretary, hosts DOD's annual National Disability Employment Awareness Month Awards Ceremony, honoring outstanding employees with disabilities and three components of DOD for outstanding achievement in advancing the hiring, promotion, and retention of people with disabilities.
- EEOC celebrates National Disability Employment Awareness Month.
- October 16 General Services Administration (GSA) and the National Science Foundation sponsor *Meeting the 508 Mandate: Today and the Future* covering the Rehabilitation Act's Section 508 technology requirements and challenges.
- October 17 Norman Mineta, Commerce Secretary, begins "Digital Inclusion" tour in San Jose, California and announces release of the new Commerce report *Falling Through the Net*, reiterating his commitment to ensuring digital inclusion for Americans with disabilities.
- October 17-18 Dan Glickman, Secretary of the Department of Agriculture, cosponsors with the Presidential Task Force and GSA the annual *Interagency Disability Educational Awareness Showcase (IDEAS) 2000*, featuring workshops, discussions and exhibits highlighting methods to increase employment of people with disabilities; Janet Reno, Attorney General of the United States, gives the opening keynote address.
- October 17-19 DOL's Welfare-to-Work office sponsors several workshops on including individuals with disabilities in the welfare-to-work system as part of *Beyond 2000: Building the Future*, a national conference for state and local Temporary Assistance for Needy Families (TANF) program caseworkers and administrators.
- October 20 Ida Castro, EEOC Chair, announces issuance of EEOC Policy Guidance explaining the requirements of Executive Order 13164, *Establishing Procedures to Facilitate the Provision of Reasonable Accommodation*, which requires federal agencies to establish effective written procedures for processing requests for reasonable accommodation.

President Clinton announces \$54 million in DOL demonstration grants to fund high-skill training for American workers in areas where companies are facing labor shortages, including four projects that will focus on training individuals with disabilities for existing jobs in the Information Technology industry. These grants are part of the almost \$95 million DOL is investing this year in fees received through the H1-B visa program that allows companies to hire temporary foreign workers, enabling American workers to receive training in such targeted occupations as computer engineering, Internet technology, web design, data communications and networking, computer support specialties, electronics, accounting, e-commerce, and health care occupations.

- October 20-25 SSA and the Disability Rights Education and Defense Fund, in partnership with the Presidential Task Force, sponsor *From Principles to Practice: An International Disability Law and Policy Symposium*, with support from the PCEPD, the Department of State, HHS's Center for Mental Health Services, DoEd's Office of Special Education and Rehabilitative Services (OSERS), and U.S. Agency for International Development.
- October 24 Alexis M. Herman, DOL Secretary, hosts DOL's annual National Disability Employment Awareness Month ceremony, *Building Upon Our ABILITIES*.
- October 24-25 Access Board holds hearings on proposed regulations covering automatic teller machines (ATMs) and captioning equipment for movie theaters.
- October 25 The Presidential Task Force, in conjunction with PCEPD and AAPD sponsor *National Disability Mentoring Day*, a chance for young people with disabilities to gain insight into career options. Mentors at the White House, Federal agencies and businesses across the country hosted students with disabilities for a day and experienced firsthand the contributions this future talent pool can bring to the workplace.
- In conjunction with *National Disability Mentoring Day*, CEOs of major corporations representing a broad diversity of industries – computer hardware and software, consumer products, insurance, entertainment, office products, consulting, marketing, career support, pharmaceuticals, and telecommunications – submit a letter to President Clinton identifying concrete actions that promote the recruitment, hiring and advancement of employees with disabilities.

President Clinton announces that SSA is awarding \$8 million in grants to 43 nonprofit organizations and/or state agencies in 26 states and two territories to provide benefit planning, assistance and outreach for persons with disabilities who are returning to work.

President Clinton announces that DOL is awarding \$20 million in Work Incentive Grants to 23 state and local programs to enhance employment opportunities for people with disabilities in the system's One-Stop Career Centers.

President Clinton announces the award of (1) Medicaid infrastructure grants to 24 states and the District of Columbia, intended to improve the ability of people with disabilities to work and still maintain their health coverage and (2) grants to two states for the Demonstration to Maintain Independence and Employment, intended to see if getting health care to people earlier than traditional Medicaid rules allow will actually lower long term costs and increase a person's work life.

President Clinton makes several technology-related announces that build on his September visit to Flint, Michigan where he highlighted the need to create digital opportunity for people with disabilities:

- The VA has formed a partnership with VERIZON and SAIC to ensure our nation's veterans, particularly veterans with disabilities, have the technology access and training to participate fully in this new digital economy where public services, including VA services, and private business are conducted online.
- The Bureau of Indian Affairs and DOL launch a partnership with the Information Technology Association of America and the Southwestern Indian Polytechnic Institute for increasing technology access for American Indians and Alaskan Natives with disabilities.
- Microsoft's Accessible Technology Group is awarding \$250,000 in grants to nine programs to provide people with disabilities, especially young people, with greater access to technology, employment, and entrepreneurship. These grants include support of two newly-created High School/High Tech projects, which are sponsored by PCEPD.

- October 26 Tony Coelho, PCEPD Chair, opens the *Business Leadership Network Summit* in Seattle, Washington.
- October 27 President Clinton announces a proposed regulation expanding Medicaid eligibility for people with disabilities and promoting the use of home and community-based services and supports. States will be able to use these rules to move people with disabilities from institutions into the community and to encourage people to start, return to, or continue work by ensuring that they will not lose their health insurance coverage if their income increases slightly.
- October 30-31 HUD holds first regional design training, which includes workshops by disability advocates on accessibility and visitability in HOPE VI, mixed-finance and homeownership communities in Seattle, Washington.
- October 31 HCFA issues proposed rule on income disregards for State Medicaid programs, changes which allow states greater flexibility in determining Medicaid eligibility, thus assisting people with disabilities and families who have children with disabilities to obtain Medicaid coverage while staying in their homes and communities.
- DisAbility.gov launches two new sections: (1) *Employers' Resources*, providing access to information that facilitates recruiting, hiring and making easy, low-cost accommodations for employees with disabilities and ; (2) *Media Resources*, offering journalists and broadcasters information on appropriate language for reporting about people with disabilities, interviewing tips, and a growing bibliography of publications and films that depict the disability experience.'
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NOVEMBER 2000

- November 1 Aida Alvarez, SBA Administrator, announces the formation of the *SBA Committee to Advance Employment and Business Opportunities for People with Disabilities*, a new SBA committee made up of SBA senior-level management from key program, policy, and administrative offices, to focus on ways to enhance business opportunities for people with disabilities
- November 2 PCEPD releases *Getting Down to Business: A Blueprint for Creating and Supporting Entrepreneurial Opportunities for Individuals with Disabilities*, discussing the current

status of small business and self-employment opportunities for people with disabilities and offering recommendations for addressing barriers to business ownership. The findings build upon the proceedings of the *National Blue Ribbon Panel on Self-Employment, Small Business and Disability*, convened in 1998 by PCEPD Committee, the Presidential Task Force, SSA, the World Institute on Disability, and the Association for Enterprise Opportunity.

- November 9 DoEd's Office of Vocational and Adult Ed (OVAE) releases new report *Learning Disabilities and Spanish Speaking Adult Populations*, proposing a national model for diagnosis of learning disabilities in Spanish speaking adults and a joint effort with seven states on development of a validated screening tool for learning disabilities written in Spanish.
- SBA announces an interim rule amending the Federal Acquisition Regulation and establishing federal procurement goals for small businesses owned by veterans with service connected disabilities.
- November 13-15 Second quarterly meeting of the TWWIA Advisory Panel.
- November 16 Task Force holds first of several focus groups for youth with disabilities in New York, New York.
- HHS's Administration for Children and Families, OVAE, and the National Institute for Literacy announce the first round of intensive training on learning disabilities and individuals who receive Temporary Assistance to Needy Families (TANF) in Tennessee, Rhode Island, Oregon and Virginia.
- Kenneth Apfel, SSA Commissioner, announces that under the new Ticket to Work and Self-Sufficiency Program, tickets will be issued to individuals with disabilities who receive Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) in these 13 states beginning in 2001: Arizona, Colorado, Delaware, Florida, Illinois, Iowa, Massachusetts, New York, Oklahoma, Oregon, South Carolina, Vermont, and Wisconsin.
- November 16-17 HUD holds *second* regional design training, which includes workshops by disability advocates on accessibility and visitability in HOPE VI, mixed-finance and homeownership communities in Boston, Massachusetts.
- November 29 President Clinton holds an Oval Office ceremony to celebrate the 25th anniversary of Public Law 94-142, now known as the Individuals with disabilities Education Act; the Consortium for Citizens with Disabilities presents President Clinton with an IDEA Hero Award in appreciation for his Administration's strong advocacy on behalf of

students with disabilities being served under IDEA. Following the Oval Office ceremony, the Department of Education and Consortium for Citizens with Disabilities host a celebration for disability advocates, educators, Congressional staff, and families and students with disabilities.

To celebrate the 25th Anniversary of the Individuals with Disabilities Education Act, OSERS:

- Launches its new *Lessons for All* IDEA 25th anniversary Web site, including information on the history of the act and its impact on improving results for infants, toddlers, children, and youth with disabilities; links to IDEA-funded resources; stories from students and community members who have benefitted from IDEA; and related news and events:
www.ed.gov/offices/OSERS/IDEA25th/; and

- Releases its *22nd Annual Report to Congress on the Implementation of IDEA*, identifying progress made in providing education opportunities to children with disabilities.

DECEMBER

- December 6-8 Presidential Task Force cosponsors with the Departments of Agriculture, Defense, Health and Human Services, Labor, State, Veterans Affairs, and the PCEPD the *19th Annual National Symposium on perspectives on Employment of Persons with Disabilities*, offering federal managers and others updated information on personnel policies and practices, technology, reasonable accommodation and resources that facilitate employment opportunities for people with disabilities throughout the Federal government.
- December 12-13 Presidential Task Force, SSA, RSA, DOL and HHS sponsor the *State Partnership Systems Change Initiative Annual Meeting* in Annapolis, Maryland. The Presidential Task Force's first initiative was establishment of this initiative, designed to support 16 states in the development of innovative effective service delivery systems which increase employment of individuals with disabilities: California, Illinois, Iowa, Minnesota, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oklahoma, Vermont, Wisconsin.
- December 13-15 DOL holds its first meeting for the new Work Incentive Grant grantees.
- December 14-15 Department of Health and Human Services' Administration on Developmental Disabilities (ADD) holds its annual meeting, *Developmental Disabilities Act Reauthorization: Challenges, Opportunities and Future Direction* in Washington, D.C.

December 15

SSA cosponsors with the National Academy of Social Insurance a policy education seminar, *Disability Income Policy: Opportunities and Challenges in the Next Decade* and an evening policy education workshop, *Reflections on the Ticket to Work and Work Incentives Improvement Act: Lessons Learned for Effective Policy Development*.

A Status Report on the 1999-2000 Task Force Recommendations

The Task Force is once again extremely gratified by the consistent and steady support of President Clinton and Vice President Gore. Their strong endorsement and actions to realize the Task Force's 1999-2000 recommendations continue to propel us forward.

Below are the highlights of this past year in terms of the progress and current status of those action items recommended by the Task Force and favorably acted upon by the President and the Vice President.

ACCESS TO EMPLOYMENT, TRAINING AND EDUCATION

1. The President accepted the Task Force's recommendation and directed the Department of Labor to develop a proposal for consideration in the FY 2001 budget process for an Office of Disability Policy to be headed by an Assistant Secretary of Labor.

STATUS: Based upon recommendations and input from the Task Force, the Department of Labor drew up and presented an FY 2001 budget proposal - subsequently approved by the Office of Management and Budget and the President - that included \$21 million for the establishment of an Office of Disability Policy (ODP) within the Department, headed by an Assistant Secretary.

The mission of the office is to improve access for people with disabilities to employment services offered through one-stop career center systems and to dramatically increase the employment rate of people with disabilities by implementing a sustained, coordinated, and aggressive strategy to eliminate barriers and create meaningful employment..

The FY 2001 appropriation for the Departments of Labor, Health and Human Services, and Education and related agencies contains the resources and authority to formally establish an ODP. Under that authority, which is spelled out in the appropriation language, the transition to the new office is underway. In the first quarter of FY 2001, the current staff of the President's Committee on Employment of People with Disabilities is expected to "move into" the ODP office, at least on a temporary basis, thereby both helping to consolidate and "collapse" interrelated efforts, and enhancing coordination of Federal employment programs for people with disabilities. The process of organizing the new office is expected to take approximately six months to complete.

2. The President accepted the Task Force's recommendation and directed all Federal agencies with customer service call centers and other appropriate services to explore ways to encourage hiring people with disabilities.

STATUS: On July 26, the President signed an Executive Memorandum to the heads of executive departments and agencies on *"Employing People with Significant Disabilities to Fill Federal Agency Jobs That Can Be Performed at Alternate Work Sites, Including the Home."* Keeping in mind the Administration's broad national effort to unlock the potential of new technologies - of the "new digital economy"- President Clinton stated that it is in the interest of the Federal Government to utilize the skills of qualified people with significant disabilities by recruiting them for off-site and home-based employment opportunities that are becoming increasingly available as a result of new technologies.

Many such jobs have already become or will soon become both economically and technically feasible for Federal agencies, given the power of recent technologies. Common among current "off-site" jobs are those which support various Federal "customer call" or service centers, "hot lines," and distance learning activities. Federal agencies are in different stages of considering or setting up other types of off-site installations for such work activities as the processing of claims and the handling of various financial transactions.

As a result of the President's directive, agencies and departments which operate call centers and/or which are responsible for other work activities that feasibly could be carried out off-site or at workers' homes are completing the development of agency-specific "plans of action" to encourage the recruitment and employment of qualified individuals with significant disabilities. These plans are being reviewed by the Presidential Task Force on Employment of Adults with Disabilities in order to provide feedback and guidance for their implementation.

Those agencies and departments which, in response to the Memorandum, determine that they do not currently have jobs which could feasibly or appropriately be carried out off-site will also be contacted by the Task Force to find out what technical assistance or other guidance and information might be needed, or helpful to them, as they consider future personnel and staffing plans in the age of "telework."

On October 16, the Secretary of Labor hosted a one-day academic symposium on telework ("Telework and the American Worker in the 21st Century") at Xavier University of Louisiana. The symposium was designed to help frame a national dialogue on the changing American workplace and the impact of technology on how, when, and where Americans work. Part of this dialogue centered around the recognition that, apart from the economic advantages it may confer, telecommuting/telework is an example of "universal design" principles that not only can significantly increase the ability of people with disabilities to participate fully in the workplace, but also can improve the quality of life of *all* people, with and without disabilities.

3. The President accepted the Task Force's recommendation and directed 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 of 1990* and the *Rehabilitation Act of 1973, as Amended*.

STATUS: On July 26, the President signed an Executive Memorandum to the heads of executive departments and agencies on "*Renewing the Commitment to Ensure that Federal Programs are Free from Disability-based Discrimination*." In his memorandum, the President called upon six Federal agencies to assume leadership responsibility to ensure that all Federal agencies, including those that administer programs of employment, work together to maintain their programs in ways that are "readily accessible to and usable by" persons with disabilities, in accordance with the requirements of sections 501, 504, and 508 of the *Rehabilitation Act*.

The Department of Justice (DOJ) and the Equal Employment Opportunity Commission (EEOC), in consultation with the Interagency Disability Co-ordinating Council (IDCC) and the Task Force, have been directed by the President to develop priorities that Federal agencies can use to meet these goals.

The General Services Administration (GSA) and the Secretary of Defense were directed to participate in the IDCC, and the IDCC is directed to "coordinate executive agencies' efforts to make the federal Government's electronic and information technology accessible to persons with disabilities."

In a related action mandated under Section 508(b) of the *Rehabilitation Act of 1973, as amended*, the GSA sponsored a series of nine procurement forums in nine cities over a six-month period ending in January 2001. The purpose of the forums has been to help Federal (as well as State) procurement officials better understand how Section 508 of the *Rehabilitation Act of 1973, as amended* will affect the procurement of electronic and information technology.

The EEOC published a final rule clarifying the legal standard to be used in examining the existence of "mitigating measures." The rule deleted several sentences of EEOC's "Interpretive Guidance" that accompanies the regulations on Title I of the ADA. The EEOC made the change to eliminate any possible conflict with two 1999 Supreme Court rulings: Sutton v. United Airlines, Inc., and Murphy v. United Parcel Service.

The EEOC also is preparing, for publication early next calendar year, the final rule amending its regulation governing Federal sector equal employment opportunity to reflect the 1992 amendment of section 501 of the *Rehabilitation Act of 1973, as amended*. The amended section 501 states that the nondiscrimination standards of Title I of the ADA apply to section 501.

Finally, in furtherance of the recommendation to strengthen enforcement of employment-related nondiscrimination, the President's FY 2001 budget includes funding for an

additional 29 positions for ADA enforcement.

→ did we win?

Att. w/ WB

4. The Task Force recommended that the President convene a White House Conference on Employment of Adults with Disabilities that included representatives from the Administration, Congress, elected officials from State and local governments, small and large businesses, the disability community and other stakeholders.

STATUS: In order to better heighten awareness and focus attention on several critical issues that affect the employment of persons with disabilities, it was decided to hold a series of events, rather than a single conference. The year 2000 was particularly rich in conferences, summit meetings, and in anniversary commemorations relating to the employment of people with disabilities: for example, it was the 10th anniversary of the *Americans with Disabilities Act of 1990*; the 25th anniversary of the *Individuals with Disabilities Education Act*; and the 35th anniversary of the Equal Employment Opportunity Commission.

The President used these various anniversary commemorative events to announce an unprecedented number of executive directives addressing disability employment issues, particularly in the area of IT accessibility, assistive technology, and universal design. (See "Time Line 2000")

TAX POLICY

5. The Task Force recommended that the President continue to work with Congress to pass the tax credit proposed in the Administration's FY 2000 budget, in order to assist adults with disabilities with expenses related to work.

STATUS: The President announced that his new budget would include the FY 2000 tax credit previously proposed but not acted upon by Congress, as well as a second credit. Accordingly, his FY 2001 budget provides:

fix indent

(1) a \$1,000 tax credit to offset the formal and informal employment costs incurred by working people with disabilities. For participants in the Work Incentives Improvement Act's medicaid buy-in, this tax credit can pay for services not covered, e.g., assistive technology and transportation.

(2) a new \$3,000 long-term care tax credit. This credit helps with the diversity of long-term care needs of individuals and the family members who care for them by providing compensation for a range of services in cases where a person experiences three or more limitations in activities of daily living, or has a comparable cognitive impairment.

YOUTH

Ann O'Leary

6. The President accepted the Task Force's recommendation and directed the Departments of Labor, Education, and Health and Human Services, the Social Security Administration, the Office of Personnel Management, and other appropriate Federal agencies to construct and coordinate, under the leadership of the Task Force, a *Youth-to-Work Initiative*.

Relatedly, he also directed 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 Health and Ready-to-Work services to youth with disabilities who are ~~under~~ the age of 16.

over STATUS: In June, 2000, the Youth-to-Work Initiative began taking definitive shape when the Task Force hosted a two-day *National Transition Summit on Young People with Disabilities*, to explore policy options and develop recommendations for improving the transition results for young people with disabilities.

On October 25, as part of the *Second National Disability Mentoring Day* activities, the President issued an amendment to Executive Order 13078. The amendment provides a mandate for the Presidential Task Force on Employment of Adults with Disabilities to significantly focus on young people with disabilities. The amendment states:

"By the authority vested in me as President by the Constitution and the laws of the United States, and in order to provide for improved access to employment and training for youth with disabilities, it is hereby ordered that Executive Order 13078 of March 13, 1998, is amended by adding to section 2 of that order the following new subsection to read as follows: "(h) To improve employment outcomes for persons with disabilities by addressing, among other things, the education, transition, employment, health and rehabilitation, and independent living issues affecting young people with disabilities, executive departments and agencies shall coordinate and cooperate with the Task Force to:..."

Thus, the *Youth-to-Work Initiative*, begun formally in June at the National Transition Summit, will continue under the structure of the Task Force, strengthening interagency research, demonstration projects, and education and training for youth-to-work activities. The Initiative will ensure that youth with disabilities are included in all youth programs funded and administered through Federal agencies. In this connection, the Initiative will, among other things, focus on ways to increase access to health care services for youth preparing to go to work: for example, by formalizing a *Federal Healthy and Ready-to-Work Interagency Council*.

EMPLOYMENT SUPPORTS

7. The Task Force recommended that the President continue to work with Congress to secure adequate funding, proposed in the Administration's FY 2000 budget, for their program to accelerate the development and adoption of information and communication technologies that can be used by the 54 million Americans with disabilities.

STATUS: [update material still under development]

8. The Vice President accepted the Task Force's recommendation and directed the Department of Housing and Urban Development (HUD) to explore steps needed to establish an earned income disregard for tenants with disabilities living in other-than-Public-Housing-Authority housing who return to work; and to exempt from the "countable" income used to determine rents, any disability-related expenses incurred when a tenant goes to work.

STATUS: On July 25, as part of the commemoration for the tenth anniversary of the *Americans with Disabilities Act of 1990*, the Vice President announced that HUD would issue a proposed rule expanding employment incentives for certain people with disabilities, by extending the application of "earned income disregards" currently available only under HUD's public housing program to a broader range of its housing programs, including its Section 8 "tenant-based rental assistance programs." In addition, the new rule would amend existing HUD regulations to add a number of mandatory "expense deductions" used to calculate family adjusted income and determine rental housing payments. These new mandatory deductions would include disability-related expenses such as medical expenses, attendant care expenses, child-care expenses and others that would benefit working persons with disabilities.

On August 21, HUD published its proposed new rule affecting persons with disabilities in the *Federal Register*. Comments were accepted through October 20.

9. The Task Force recommended that the President continue to work with Congress to pass a strong, enforceable Patient's Bill of Rights.

STATUS: Both the President and the Vice President have continued to call and work for

the passage of a strong, bipartisan Patients' Bill of Rights that provides basic patient protections. Although two different bills have passed the House and Senate respectively, it appears unlikely that the 106th Congress will be able, before its adjournment, to agree to a version that meets the criteria of "strong and enforceable."

10. The President accepted the Task Force's recommendation and directed the Social Security Administration and the Department of Labor to create an "Access America for People with Disabilities" web site that targets individuals with disabilities.

STATUS: On July 26, the President announced the launch of a new website - www.disAbility.gov - that serves as a "one-stop" electronic link to an enormous range and wealth of useful information to people with disabilities and their families. The web site contains information relating to children and youth; employment, self-employment, and entrepreneurship; transportation; health care and long-term services and supports; choice and self-determination; recreation and travel; civil rights and protections; college, adult, and vocational education; housing; technology; income supports; tax credits and deductions; disability statistics; and emergency preparedness.

11. The President accepted the Task Force's recommendation and directed the Department of Transportation to work with the Departments of Labor, Education, and 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.

STATUS: The Department of Transportation (DOT) issued its plan, *Comprehensive Plan of Action to Remedy Lack of Transportation Services and Systems for Persons with a Disability*, specifies the actions that DOT will undertake to increase transportation options and supports for persons with disabilities.. The plan emphasizes better enforcement of current law, and the beginning preparations for both expanding upon some of the initiatives already underway, as well as introducing new ideas. The plan contemplates a 2001 completion for the steps spelled out in the plan.

In related actions, the DOT and the Access Board issued final regulations implementing ADA provisions for "over-the-road" bus accessibility (OTRB) that provides a definition of what constitutes discriminatory action. The regulations require large, fixed-route operators to achieve 50 percent of full fleet accessibility by October 2006, and 100 percent by October 2012. The DOT has strengthened the regulations by including provisions making OTRB operators individually and collectively accountable for providing accessible service.

12. The President accepted the Task Force's recommendation and directed the Social Security Administration to explore options for raising the Earned Income Exclusion in the Supplemental Security Income program, for both adults and students, in order to

encourage work efforts.

on July 26, the President announced
will increase
STATUS: The Social Security Administration (SSA) increased the amount that students who receive SSI benefits can earn while continuing to receive the important protection which SSI provides. The maximum monthly earned income exclusion for students who receive SSI was increased from \$400 to \$1,290, and the yearly exclusion was increased from \$1,620 to \$5,200, effective January 2001. In the future, automatic adjustments to these amounts will be made annually, based upon the annual increases in the cost-of-living index.

*did
we go
at
that day
or
on a
different day?*

13. The President accepted the Task Force's recommendation and directed that Task Force member departments and agencies collaborate on the development and implementation of a multimedia, interagency public awareness campaign to eliminate the negative and erroneous stereotypes about employment of people with disabilities.

STATUS: The Task Force completed production of the elements that will form the core of a multimedia, interagency public awareness campaign to eliminate the negative and erroneous stereotypes about employment of people with disabilities. All major television and radio networks, in addition to the print media, have agreed to support the campaign. A distribution plan was also developed.

2000 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-Gore administration in acting on all prior recommendations made to the President and Vice-President. Prompt action and strong support by the Administration on Task Force recommendations has resulted in significant achievement that are leading to increased employment opportunities for people with disabilities.

The Task Force also wishes to acknowledge the work of the Task Force Committee Members, who have helped guide and shape our mission. The Task Force has received a report from each Committee on their activities in 2000 that can be obtained upon request from Task Force staff.

These recommendations represent the views of the Task Force.
It is important to recognize that the Clinton-Gore Administration has yet to endorse these recommendations. These recommendations should not be viewed as any formal statement of policy or adopted plans of action approved or endorsed at this time.

The Task Force respectfully submits the following recommendations to the President for consideration.

The Task Force recommends that:

1. The Department of State and the US Agency for International Development shall develop an FY2002 budget proposal to establish an Office of Disability Policy for Foreign Affairs to be headed by an Assistant Secretary.

The actions and activities of U.S. foreign policy agencies and their programs shall reflect our nation's consensus that people with disabilities are fully equal and should be allowed to make their maximum possible contribution to society. Accordingly, U.S. agencies, and U.S. sponsored foreign service activities operating around the world should be required to apply U.S. disability policy on inclusion and accessibility as they construct and remodel buildings, employ people, and run programs.

At a minimum, this new office will be responsible for ensuring: 1) that all embassies, ambassadorial residences and consular offices, missions and other US nonmilitary property abroad be architecturally and technologically accessible to employees, their dependents, and authorized visitors with physical and/or cognitive disabilities (i.e., mobility, sensory, developmental, and mental impairments) consistent with the requirements of sections 504 and 508 of the *Rehabilitation Act of 1973, as amended*, and the *Americans with Disabilities Act of 1990*) and; 2) that the processes used in the outreach/recruitment and application for, appointment to, and reasonable accommodation and career advancement within the Foreign Service and its affiliated internship programs take into account and equalize opportunities for people with disabilities. In addition, the office will develop, implement, oversee, and maintain accountability for a comprehensive

U.S. foreign development disability policy that ensures that all foreign dev activity for which the U.S. is programmatically responsible or to which it significant monetary contributions is carried out in a manner that : 1) involve consultation with and continuing participation of people with disabilities ; advocates in all aspects of policy development, project design and sustain implementation, and evaluation, and; 2) ensures maximum accessibility, & the fullest possible participation of people with disabilities in the host country specific geographic areas in which the development activities take place.

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2. The Department of Housing and Urban Development shall develop a proposal for consideration in the FY 2002 budget process for the establishment of an Office of Disability headed by an Assistant Secretary.

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A lack of accessible, affordable housing continues to present a major barrier to the participation of people with disabilities in their communities and in the economic life of the nation. For many people, the need to choose between their housing voucher and a job constitutes a significant barrier to employment. This office will be responsible for ensuring the architectural and technological accessibility of all HUD buildings and satellite facilities; for ensuring that individuals with disabilities actively participate in HUD's workforce development initiatives, including community development block grants, empowerment zones and enterprise communities, Bridges to Work, Jobs Plus, and other demonstration projects; and for assuring that HUD staff receive appropriate training and staff development about issues impacting employees and customers with disabilities. In addition, the office will act as a liaison between disability advocacy groups and the Secretary of HUD, and will develop and implement a reliable means of data collection to determine where people with disabilities reside, whether they own, rent or reside with others, the type of housing in which they live and its proximity to major life activity supports.

3. The Office of Personnel Management shall review the Federal government's Personnel Security Program to assess actual or potential adverse consequences for persons with disabilities, particularly those with mental disabilities. Such review should consider matters such as the convergence of "disability," civil rights, security clearances, contractor/grantee access to Federal Employee Assistance Programs (EAPs) occupational regulation, and general personnel security.

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Many Federal government jobs entail, as part of the basic eligibility determination process, national security clearances. All civilian personnel (as well as consultants, contractors/grantees and their employees and others) whose jobs necessitate their having access to "classified" information must satisfy certain requirements that have been established in the Federal Government's Personnel Security Program.

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U.S. foreign development disability policy that ensures that all foreign development activity for which the U.S. is programmatically responsible or to which it makes significant monetary contributions is carried out in a manner that : 1) involves early consultation with and continuing participation of people with disabilities and their advocates in all aspects of policy development, project design and sustainability planning, implementation, and evaluation, and; 2) ensures maximum accessibility, and encourages the fullest possible participation of people with disabilities in the host countries and specific geographic areas in which the development activities take place.

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While these critical personnel security decisions are made on a case-by-case basis, and are the responsibility of individual departments and agencies, they are guided generally by a formal adjudicative process that covers thirteen "issue areas of concern." These areas relate to various kinds of behavior or "conduct", both present and past, and a judgment as to whether such conduct is "inconsistent with national security."

4. **All departments and agencies will review their FY2002 Government Performance and Results Act (GPRA) plans to determine the extent to which their programs and policies are being delivered and conducted in a manner that facilitates and promotes employment of people with disabilities. Based on this review, each agency shall revise their plans to ensure, where appropriate, that people with disabilities are provided meaningful and effective opportunity for participation in and benefit from such programs and services. Each agency shall file a report with the Presidential Task Force on Employment of Adults with Disabilities on the results of this review and proposed plan for revisions by July 26, 2001, consistent with the requirements of Section 2(g) of Executive Order 13078.**

The Government Performance and Results Act of 1993 (GPRA) requires that agencies consult with stakeholders to clearly define their missions, to establish long-term strategic goals (including annual goals), to measure their performance against the goals they have set, and report publicly on how well they are doing (General Accounting Office, 1996). The intent of the Act is to create more accountability and effectiveness in government.

Since GPRA standards drive significant action and activities of federal agencies, issues related to disability must be formally incorporated into the goals set by agencies in order to ensure agency widespread change. This directive is designed to determine the extent to which people with disabilities are considered part of agencies' stakeholder groups in the delivery of government programs and services, and the extent to which agencies measure and report on their effectiveness in extending their programs and policies to people with disabilities.

5. **The Equal Employment Opportunity Commission shall modify the EEO-1 form to provide occupational data on people with disabilities. Concurrently, data on the availability of persons with disabilities in the workforce should be included in the 2000 Census EEO File, to be available in 2003.**

Employers currently rely on the 1990 Census EEO File which compiles detailed local area data on six specific occupations and the sex and race distribution within the occupations to develop recruitment and affirmative action plans. Although not collected previously, including this same information on people with disabilities in the 2000 EEO File would allow for the development of action plans for people with disabilities.

The Department of Labor, through its Office of Federal Contract Compliance Program, has the responsibility for enforcing Section 503 of the Rehabilitation Act of 1973, which

requires Federal contractors to take pro-active measures to hire persons with disabilities that go beyond the nondiscrimination requirements of Section 503 and the Americans with Disabilities Act. Adding disability status to the data base of occupational distributions and to the EEO-1 form would enable firms to evaluate their progress toward their goal of hiring people with disabilities.

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6. The General Services Administration, the Departments of Labor and Defense, and the Small Business Administration shall conduct a comprehensive review of statutory and regulatory authorities dealing with procurement and acquisition of federal contracts, and develop proposals for revisions, as necessary, to ensure increased utilization by, and awarding of contracts to, people with disabilities.

The Federal government currently spends approximately \$180 billion annually procuring goods and services through the private sector. As a potential source of employment, both directly as an employer and indirectly through its procurement practices, there is a need for reevaluating how the Federal government can stimulate greater employment opportunities through these contractual relationships. Building on the work of the Task Force in 2000, such a review of procurement authorities can determine changes needed to ensure increased utilization by and awarding of contracts to people with disabilities.

7. The Department of Treasury's Internal Revenue Service (IRS) shall develop updated materials for and implement a targeted outreach effort on existing provisions of the tax code intended to assist individuals with disabilities to enter and/or maintain employment, and those intended to assist businesses to employ individuals with disabilities. Such outreach shall be for the purpose of educating business, tax preparers, individuals with disabilities and family members on tax code provisions designed to facilitate employment and needed supports for individuals with disabilities.

In concert with this outreach initiative, the IRS will conduct a comprehensive assessment of the success of these existing Federal tax policies in promoting employment opportunities for people with disabilities.

Our existing tax law contains a number of important provisions intended to assist people with disabilities and employers. The intent of these recommendations is both to initiate an information campaign to educate multiple stakeholders about these provisions, and to research what changes, if any, are needed to increase their effectiveness.

8. The Departments of Housing and Urban Development, Labor, Health and Human Services and Transportation shall develop a coordinated plan to facilitate collaboration at the state and local levels between housing, transportation, and employment programs that serve individuals with disabilities.

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major barriers to employment for people with disabilities. There is a tremendous need for coordination of these critical services and supports with employment programs generally. This plan will be developed by various Federal agencies with input from Public Housing Authorities (PHAs), transportation authorities, and housing and disability advocates. In developing this plan, agencies shall in concert with the Task Force, convene a Housing/Transportation Summit on the interrelationship of housing, transportation, and employment to ensure input from the field, including individuals with disabilities.

9. **The Departments of Labor, Education, Health and Human Services, Justice and Treasury, the Social Security Administration, the Equal Employment Opportunity Commission, and the Small Business Administration, in collaboration with the Presidential Task Force, shall develop by July 26, 2001, concrete policy and implementation recommendations specifically focused on increasing employment and wages for people with the most significant disabilities that will result in measurable increases in individualized, integrated employment and increased wages.**

Based upon work conducted by the Task Force during 2000, which resulted in a comprehensive report with recommendations for consideration government wide, the development and implementation of a coordinated action plan should result in measurable increases in individualized employment and wages for persons with significant disabilities, and should encourage similar actions by state and local governments. Such plan will include developing models for expanded use of, and technical assistance about, individual training accounts, "tickets", vouchers, and other mechanisms that provide individual control over securing needed services and supports.

10. **The Department of Education shall develop strategies under existing authorities to expand opportunities for involvement in community college and post-secondary experiences for individuals with disabilities, including individuals with mental retardation and other cognitive disabilities.**

There is a need to impact implementation of the Department of Education's general education authorities, such as Improving America's Schools Act, Higher Education Amendments, student loan authorities and other generic education authorities, in order to better promote transition and postsecondary opportunities for young people and adults with disabilities.

11. **The President direct the Departments of Education, Labor, Health and Human Services and Commerce shall develop a coordinated plan for increasing the participation of individuals with disabilities in high growth industries.**

It is imperative that people with disabilities are equipped with the skills and information needed to actively participate in employment opportunities resulting from the globalization of commerce and the explosion of information technology. A coordinated

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effort can ensure that people with disabilities participate in the high growth industries by developing education technology and curricula and modifying existing training and skills programs, as needed, to specifically address their needs. Pilot programs providing technical skills training for employed and unemployed American workers funded by fees generated under the H1-B visa program need to be available to and accessible by people with disabilities, and funds should be specifically targeted to ensuring that people with disabilities benefit from this skills training initiative.

12. The Federal Communications Commission (FCC) shall implement an extensive outreach and technical assistance campaign designed to educate consumers, employers, and the general public about: (a) the new 7-1-1 Telephone Relay Service and its potential benefit to people with disabilities and employers, and (b) accessible telecommunications products and services.

Accessible telecommunications products and services have significant implications in the workplace for people with disabilities. A technical assistance and outreach campaign conducted by the FCC could have far reaching implications in informing the general public about critical new services, such as the recently announced 711 relay service, speech-to-speech relay services, and other important relay services available to assist people with disabilities to access employment. A technical assistance and outreach campaign could include publishing an updated Section 255 Market Monitoring Report to update previously collected information and include critical information about new and emerging telecommunications technologies.

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13. The Departments of Labor and Health and Human Services shall issue non-discrimination regulations for the Workforce Investment Act, TANF, and Welfare-to-Work that unequivocally protect the rights of people with disabilities.

In November 1999, the Department of Labor issued interim final regulations implementing Section 188 of the Workforce Investment Act, the Act's equal opportunity and nondiscrimination provisions. As there are comparable anti-discrimination statutory provisions in the Temporary Assistance for Needy Families program (TANF) and Welfare-to-Work legislation, the Department of Labor should issue a final rule under WIA, and along with HHS issue parallel nondiscriminating regulations for the TANF and Welfare-to-Work programs. Issuance of the parallel regulations will ensure the highest coordination of programs and services at the state and local levels, eliminate confusion about applicable rules, emphasize the importance of complying with the nondiscrimination requirements, and ensure that people with disabilities can secure the services and supports they need in order to work.

This action will greatly enhance the access to services and effectiveness of these Federally conducted and assisted employment and training programs for people with disabilities.

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how final rule is about to go at me door + since the program has not received new HHS I think it is unrealistic to do another reg. along with the new guidance might be better.

14. **The Office of Personnel Management shall (1) examine existing coverage of assistive technologies by health plans participating in the Federal Employees Health Benefits Plan (FEHBP), and (2) make recommendations on how to best enhance such coverage in order to support independent living and employment for people with disabilities.**

On September 21, 2000, President Clinton issued an Executive Memorandum to the heads of all Federal agencies creating an Interagency Task Force on Health Care Coverage of Assistive Technologies. Although this new Task Force is charged with looking specifically at coverage of assistive technologies by Medicare and Medicaid, it is appropriate that OPM do much the same thing for the health care plans participating in the FEHBP. If the Federal government is to be a model employer, it must set the standard to be followed by other employers and insurers.

It is expected that OPM will participate in the newly created Interagency Task Force on Health Care Coverage of Assistive Technologies; review and assess existing coverage of assistive technology devices by health care plans currently participating in the Federal Employee Health Benefit Program, and determine the cost of providing such coverage; evaluate the Federal government's responsibilities as an employer for providing coverage of assistive technologies under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Assistive Technology Act; and make recommendations on how best to encourage coverage of assistive technologies under FEHBP health care plans, looking at the process used to mandate mental health parity in all participating plans.

15. **The Department of Health and Human Services shall create an interagency, cross-committee *Mental Health Work Group*, with representation from each of the 18 member agencies.**

Based on recommendations following a Task Force-sponsored town hall meeting focusing on mental health issues, as well as last year's White House Mental Health Conference, support arose for a specific, interagency work group to ensure that employment-related issues facing adults and youth with mental disabilities are being adequately addressed. This Work Group will require strong leadership from the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration. Having a specific work group that met regularly, with such strong leadership, would hopefully result in a more aggressive action plan in this area.

16. **The Department of Education, in concert with other agencies as appropriate, shall conduct a national training initiative targeting teaching youth with disabilities about their rights and responsibilities under the Rehabilitation Act, the Americans with Disabilities Act, the Individuals with Disabilities Education Act, and other laws designed to provide equal opportunity.**

Edwin

Health Team

Anthony

As a result of activities conducted by the Task Force, it has become evident that many young people with disabilities do not receive education and training about their civil rights. The IDEA Amendments of 1997 emphasize that young people with disabilities be informed of their civil rights by the age of majority in each State and that the States develop plans and procedures to convey this information.

Research also demonstrates that many young people with disabilities, because of lack of awareness of their rights, are not successful in postsecondary education and employment. Many lack the knowledge of reasonable accommodations necessary for success. This initiative will encourage programs to include this critical training in their activities.

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17. The Department of Housing and Urban Development and the Social Security Administration shall conduct a demonstration in which the Supplemental Security Income (SSI) resource limits are waived or significantly raised so that SSI recipients can participate in Individual Development Account programs for the purpose of purchasing their own homes.

Currently, individuals in many states who receive Temporary Assistance to Needy Families can set up Individual Development Accounts (IDAs) for the purpose of accumulating assets to purchase a home, pursue educational opportunities, and in general become more independent economically. For a variety of policy and regulatory reasons, individuals who receive SSDI and/or SSI benefits cannot set up IDAs. This interagency Work Group will review the relevant issues and propose any legislative and/or policy issues that are needed.

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Changes

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about a small business and for other self-sufficiency purposes -- like buying a car.

pl help straighten this out

This says workgroup

which is it?

my me many says - they can set up IDAs to save resources limit problem for SSI recipients and to check w/ SSA.

They can -- it's just that the individual's contribution to the IDA may count against determining eligibility for SSI/SSDI. May act as deterrent.

unless can use PASS plan

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DRAFT

"The Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency..."

~from the Americans with Disabilities Act of 1990

This Nation has clearly mandated that our public policies and resources encourage and support the full participation of Americans with disabilities in the mainstream of our society, as evidenced by enactment of the Americans with Disabilities Act, the Workforce Investment Act, the Ticket to Work and Work Incentives Improvement Act, the Individuals with Disabilities Education Act, and numerous other authorities. However, the majority of Federal programs and mandates which affect individuals with disabilities are not disability-specific. Instead, they are laws governing generic systems meant for the general population of people across the nation.

For two years, Task Force members have been working collaboratively on a range of issues directly related to reducing employment barriers, increasing employment opportunities, and facilitating coordination at the state and local levels. A particular focus for Task Force agencies charged with monitoring and implementing Federal programs and policies has been looking closely at how best to modify their policies and procedures to ensure that *all* Americans, including people with disabilities, have equal access to the benefits derived from these generic programs and services intended for all people. The Task Force has successfully encouraged adoption of recommendations made to the President in its first two reports, is continuing to work with agencies to develop new and/or revised policies, and is implementing some of its own initiatives designed to expand employment opportunities for people with disabilities.

~~support areas~~
The breadth of the Task Force mandate is wide, and covers areas directly related to employment, as well as those which are indirectly related but essential if people with disabilities are to be included in the workforce at a rate as close as possible to that of the general adult population.

~~areas in need~~
These ~~essentially~~ are those services, supports, or benefits – such as accessible transportation, housing or adequate health insurance – that allow individuals to work. For many Americans with disabilities, the difference between working productively and being unemployed or underemployed is not a matter of whether they have the skills necessary for the job. Instead, it is often a matter of whether they can get to the job; or, once there, whether they can access all of the tools and equipment they need to perform the job.

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For some people with disabilities, employment supports are needed the moment they wake up – with assistance in regular personal care activities, such as dressing and eating. For others, it may be assistance in getting to work. Employment supports cut across all disability categories – a worker who has low vision may require the assistance of a reader, another with hearing loss may use a sign language interpreter. A person with a cognitive disability may need verbal coaching or customized job development while someone with a physical disability may need some assistance in workplace adaptations. Some individuals with disabilities may need several supports on an ongoing basis, while others may just need intermittent assistance in one area. And many individuals with disabilities do not need any assistance.

Handwritten note: *Handwritten note: "HUP" circled, "1/11" and "seems fine" written below it.*

This chapter provides updates on Task Force member actions in multiple areas. It also provides direction about activities to be undertaken as the Task Force members continue to work collaboratively to develop an aggressive, national strategy for increasing the employment rate of people with disabilities.¹ Actions are grouped by content area, and the reader is referred to Task Force Committee reports and research reports for additional information.

Civil Rights

The Americans with Disabilities Act of 1990 (ADA) provides a clear and comprehensive national mandate for elimination of discrimination against individuals with disabilities. In addition, it sets forth strong, enforceable standards addressing discrimination, with the Federal government playing a central role in enforcing these standards. However, the clear intent of this landmark law is to use the influence of public policy to facilitate change in communities across the nation - to stop the continuation of historical, stereotypic and internalized prejudice, widely recognized as the greatest barrier to full participation for people with disabilities. The ADA's basic premise (and promise) of equality and full participation underlies *all* of the efforts of the Task Force as it works to design and implement a coordinated strategy for increasing the employment of people with disabilities.

This year marked the tenth anniversary of the signing of the ADA and President Clinton declared July 2000 *Spirit of ADA Month*. An important and very visible aspect of the nation's celebration of the 10th anniversary of the Americans with Disabilities Act was the *Spirit of ADA Torch Relay* initiated and organized by the American Association of People with Disabilities (AAPD), along with numerous other organizations from the public and private sector.

¹ Readers are referred to the Task Force Committee and research reports for more comprehensive discussions of each area.

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The purpose of the ADA torch relay was to coalesce support for the goals of the ADA by renewing America's commitment to equality of opportunity, full participation and economic self-sufficiency for all people with disabilities. The torch began its official tour on June 11th in Houston and traveled through 25 cities before reaching its final destination in New York City on August 7th, with large grassroots celebrations in each location. Many Task Force members personally participated in these events across the nation, demonstrating their recognition of the importance of this landmark law, and their commitment to furthering its promise.

In addition, on July 25, 2000 Vice President Gore hosted a barbecue at his residence in celebration of the Americans with Disabilities Act. This event featured an exhibit, organized by the Task Force, of the latest advances in assistive technology products, hardware and software.

On July 26, 2000, Task Force members joined President Clinton and the First Lady, individuals with and without disabilities from across the nation, advocacy organizations and elected officials, in celebrating the 10th anniversary of the signing of the ADA at an official event at the FDR Memorial in Washington DC. Prior to the event, a rousing parade of youth with disabilities, organized by the Endependence Center of Northern Virginia, carried the torch across the memorial bridge to the Lincoln Memorial, and on to the FDR Memorial. The theme of the event, "Honoring the Heroes, Celebrating the Future" was a tribute to those whose visionary work secured passage of the ADA and to the youth leaders who will continue to advocate for its implementation.

The President and Vice President announced numerous directives in concert with celebrations of the 10th ADA anniversary. These included the following, which are also discussed in other sections throughout the remainder of this report.

- HUD will expand incentives for employment for people with disabilities by extending earned income disregards, currently applicable only to public housing, to tenant-based Section 8 housing vouchers, the HOME program, the Housing for Opportunities for People with AIDS program, and the Supportive Housing for the Homeless program.

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- HUD will send guidance to all approved FHA mortgagees emphasizing the agency's commitment to promoting home ownership for persons with disabilities, encouraging HUD's lender partners to make home ownership possible for individuals with disabilities through increased, but prudent, flexibility when underwriting loan applications.
- The Center for Mental Health Services at the Substance Abuse and Mental Health Services Administration (SAMHSA) will work with a broad-based group of public and private organizations, constituencies and consumers to create state and local coalitions to assist persons with mental illnesses and substance abuse disorders in accessing necessary services.
- The Social Security Administration will automatically adjust the Substantial Gainful Activity level for individuals with disabilities to reflect the annual increases in the national average wage index. This augments the Administration's action last year, to increase the amount that Social Security disability beneficiaries can earn – from \$500 to \$700 per month – and continue to receive their benefits.
- The Social Security Administration will increase the amount of monthly earning that count during a trial work period for Social Security beneficiaries who go to work. This increase will encourage beneficiaries with disabilities to contribute their talent and energy to the workforce and test their ability to maintain a level of work activity without affecting their disability benefits by increasing from \$200 to \$530 the minimum amount of monthly earnings that count toward a monthly work period. In the future, the amount will be automatically adjusted based on any annual increases in the national average wage index.
- Federal agencies will hire 100,000 people with disabilities over a five-year period.
- Federal agencies will develop a plan to ensure that today's Federal programs are free from disability-based discrimination, using specific steps designed by the Department of Justice and the Equal Employment Opportunity Commission (EEOC) to reach this important goal. *(Do these steps ~~also~~ include GPR review 7 or other 2001 recs)*
- The Executive Order establishing the Presidential Task Force on Employment of Adults with Disabilities will be amended to include addressing barriers encountered by young people with disabilities as they transition from school into post-school activities.
- Creation of an Access America website for people with disabilities,

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www.disAbility.gov, an electronic "one-stop" link to an enormous range of useful information, materials, and resources for people with disabilities, their families, advocates, and prospective employers.

2000 Activities - Civil Rights

Ensuring protection of civil rights are an integral part of Task Force activities across all areas of focus. However, the Task Force has also focused on specific activities related to the civil rights provisions in the ADA and the Rehabilitation Act of 1973, as amended. Some of these activities resulted from Presidential directives made in concert with the 10th anniversary ADA celebrations.

Others are the result of increasing focus of Task Force members on the continued need to address discrimination across a range of areas related directly and indirectly to employment for people with disabilities. The reader is referred to Task Force Committee and research reports for additional information on these actions, which included:

- The Department of Health and Human Services initiated assistance to States in implementing the U.S. Supreme Court's 1999 decision in *Olmstead v. L.C.*, holding that unnecessary segregation and institutionalization of people with disabilities constitutes discrimination and violates the ADA. *check date*
- The Department of Justice, Office of Legal Education, in collaboration with other Task Force member agencies, began design and development of a training program to aid in coordinated enforcement of the ADA. The training program is aimed at providing attorneys and investigators with an overview of the requirements of the Federal disability statutes. The first training is scheduled for March, 2001.
- A Presidential Memorandum was issued instructing Federal agencies to consider accessibility issues as they begin to make online forms available for the top 500 government services used by the public. *when*
- The Department of Justice issued guidance to assist agencies in identifying existing online barriers to persons with disabilities; setting priorities for removing those barriers; and providing alternative ways of making programs accessible to persons with disabilities.
- The Federal Communications Commission (FCC) initiated actions to improve and safeguard electronic communications technologies in the workplace to ensure that Federal employees with disabilities are not disadvantaged. These included a new service which allows callers throughout the country to access their local Telephone Relay Service provider (TRS) simply by dialing 7-1-1 and requiring *check when*

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TRS providers (including the Federal Relay Service which provides relay services to people conducting business with the Federal Government) to offer a wide variety of technologies including video relay interpreting, speech-to-speech relay, speech-to-text relay, and voice and hearing carry-over.

Proactive preparation for full compliance and implementation of Section 508 of the Rehabilitation Act was initiated, led by the Federal Information Technology Accessibility Initiative (FITAI), an interagency initiative co-sponsored by the General Services Administration and the Department of Education, with involvement from many other agencies. FITAI has created a Section 508 website, www.section508.gov, that offers Federal agencies and the public an accessible collection of resources for understanding and implementing the requirements of Section 508. FITAI also established a speakers bureau of experts in accessibility and hosts information technology conferences aimed at reaching the goal of accessibility.

A Presidential Memorandum was issued entitled *Renewing the Commitment to Ensure that Federal Programs are Free from Disability-Based Discrimination*. As part of this, Federal Executive departments and agencies were directed to reaffirm their compliance with Section 504 self-evaluation obligations required under the Rehabilitation Act of 1973. Departments and agencies began resolving deficiencies found during their self-evaluations, and have begun to designate appropriate resources and include the self-evaluation compliance in their agencies performance measures. *(different from GPRR recommendations)*

A Presidential directive was issued to agencies to make their Internet and Intranet sites accessible to persons with disabilities by July 26, 2001.

The Interagency Disability Coordinating Council (IDCC), established under Section 507 of the Rehabilitation Act as a mechanism for coordinating the efforts of Federal agencies to develop priorities to ensure accessibility, was reconvened and charged with coordinating the efforts of executive agencies to make the Federal Government's electronic and information technology accessible.

The Department of Transportation's July 2000 *Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin Treated Diabetes Mellitus to Operate Commercial Motor Vehicles in Interstate Commerce as Directed by the Transportation Equity Act for the 21st Century* was completed. The report concluded that an individualized assessment protocol governing the licensing of individuals who use insulin to treat diabetes is feasible and is consistent with ensuring safety.

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The Department of Labor, Office of Federal Contract Compliance Programs began implementation of a plan to strengthen Federal contractor affirmative action requirements under Section 503 of the Rehabilitation Act. The Department has begun to identify, analyze, and disseminate promising practices in partnership with other Federal agencies, to strengthen enforcement and technical assistance to Federal contractors.

2001 Focus - Civil Rights

In the coming year, Task Force activities will focus on the following areas:

- Utilizing new materials to offer training that provides attorneys and investigators with an overview of ADA requirements and key concepts such as "reasonable accommodation," thus ensuring that Federal agencies are applying the same definitions and have the same understanding of the law's requirements.
- Identifying priority areas where greater coordination is needed between the Departments of Justice, the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP), and the Equal Employment Opportunity Commission to combat disability-based discrimination in state and local government employment.
- Developing and providing expanded technical assistance to employers on non-discriminatory recruitment and hiring, covering topics such as evaluating job functions and writing job descriptions.
- Adopting a coordinated process for evaluating, monitoring, investigating, and possibly prosecuting allegations of discrimination in hiring against individuals with disabilities, to be led by the DOJ, DOL and the EEOC. *Why isn't this among the recommendations*
- Sponsoring multiple research efforts to measure hiring discrimination based upon disability. Organizations or individuals with expertise about disability and the employment of people with disabilities must be a formal part of the planning and implementation of these studies.
- Establishing "end-user supports" in Federal agencies, e.g. computer help desks, as well as support functions that incorporate expertise with technology access and assistive technology; and provide specialized services adequate to ensure that end-users with disabilities receive all needed training and support to fully utilize electronic and information technology, including assistive or specialized technology.

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- Providing Federal financial support for implementation of Section 508 of the Rehabilitation Act, agency self-evaluation guidance, associated collection and manipulation of data, technical assistance and training, and the establishment of assistive technology programs within Federal agencies.
- Further promoting technology access in the Federal Government, including directing Federal agencies to establish assistive technology programs and support functions.
- Developing proposals for amending the Telecommunications Act of 1996 to permit a private right of action on accessibility and usability requirements under Sections 255 and 251(a)(2), thus empowering citizens with disabilities to exercise their rights and protections and fostering greater compliance by manufacturers.
- Increasing public awareness about the new 7-1-1 Telephone Relay Service.
- Creating and implementing a coordinated mechanism consisting of policy, regulatory, and reimbursement considerations designed to improve technological support for persons with disabilities in the Federal Government.
- Ensuring that Federal contractors make their information technology accessible to individuals with disabilities. The Department of Labor (DOL), in consultation with the Department of Justice (DOJ) and the Equal Employment Opportunity Commission (EEOC), should take the lead and provide technical assistance regarding the benefits of accessible technology in eliminating barriers to employment for people with disabilities.
- Conducting a survey of the use of Internet-based recruitment and training by Federal agencies and an assessment of the accessibility of such Internet-based practices.
- Conducting an expert roundtable to identify barriers to, and share best practices for, achieving full accessibility in Federal agencies, bringing together various stakeholders including Federal agencies working to make their programs and activities accessible to employees, customers, representatives of protection and advocacy groups, and persons with disabilities.
- Continuing support of the Department of Transportation's efforts under TEA-21 to implement an individualized assessment protocol governing individuals who use

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insulin to treat diabetes, while ensuring safety.

Federal Government Leadership

Understanding both the practical and symbolic value of starting any major endeavor with a close examination and modification of your own efforts, Task Force members continue to focus on making the Federal Government a "model" for the rest of the country in terms of hiring, accommodating, and promoting people with disabilities. The Task Force began an internal review soon after its creation by establishing a work group to assist in developing a "road map" for Federal government leadership. This work group reported its findings and recommendations in the Task Force's first report to the President in 1998. A preliminary review by agencies of issues to be addressed resulted in an initial list of twenty-four separate recommendations for increasing the employment of and extending the full range of employment-related benefits to adults with disabilities in the Federal government. The Task Force, under the auspices of the Federal Government as a Model Employer Committee, has been hard at work implementing those initial recommendations, and subsequently expanding upon them as new strategies emerge.

2000 Activities - Federal Government Leadership

In *Re-charting the Course: if Not Now, When? The Second Report of the Presidential Task Force on Employment of Adults with Disabilities* (1999), the Task Force recommended establishing a new Office of Disability Policy (ODP) at the Department of Labor (DOL). This recommendation was endorsed by the Administration and included in their budget. The new office, to be headed by an Assistant Secretary for Disability, will be a central and permanent force for elevating issues related to disability across all programs and services of the DOL. It will result in measurable increases in employment for people with disability and represents a major accomplishment in the strategy emerging from Task Force activities for bringing adults with disabilities into gainful employment at a rate as close as possible to that of the general adult population.

Re-charting the Course: If Not Now, When? also included several recommendations were made related to strengthening the recruitment, hiring, and retention of employees with disabilities, developing government-wide policies and procedures for reasonable accommodation, and coordinating agency policy in this area. In addition, the Office of Personnel Management (OPM) published a comprehensive plan for increasing the representation of people with disabilities in the Federal workforce. This Plan, entitled *Accessing Opportunity*, contained a host of commitments and recommendations. These documents, along with additional work of several member agencies, resulted in the Task Force activities described below:

Beginning aggressive implementation of Section 508 of the Rehabilitation Act to

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ensure that Federal departments and agencies are equipped to accommodate employees and customers with disabilities. Section 508 requires that the Federal government procure only that electronic and information technology which is accessible to and useable by people with disabilities.

- Executive Order 13163 was issued stipulating that Federal agencies hire 100,000 employees with disabilities over the next five years. Agencies are currently developing aggressive hiring plans of action to accomplish this goal.
- Executive Order 13164 was issued promoting consistent government-wide policies and procedures for providing reasonable accommodations. *check out ADA event*
- New regulations were issued expanding hiring opportunities for people with psychiatric disabilities by streamlining excepted hiring authorities through new regulations.
- A Presidential Memorandum was issued promoting the availability of reasonable accommodations in Federal agency vacancy announcements. *when?*
- A Presidential Memorandum was issued to all Federal agency heads expanding employment of people with disabilities to fill Federal agency jobs that can be performed at alternative work sites, including the home.
- The Computer/Electronic Accommodations Program (CAP) was granted authority through the National Defense Authorization Bill to "provide assistive technology, devices, and services to any department or agency in the Federal Government upon the request of the head of the agency," and in some instances at no cost to the agency.

2001 Focus - Federal Government Leadership

For the coming year, the following actions are planned by the Task Force to further the strategy of making the Federal Government a model for the nation in terms of hiring, accommodating, and promoting people with disabilities:

- Developing agreed-upon "progress measures" for ensuring federal government accountability in the areas of reasonable accommodation and accessibility, measuring the progress of Federal agencies against their plans and policies.
- Creating a user-friendly summary and analysis of EEOC's annual report on the employment of minorities, women, and people with disabilities in the Federal

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government.

- Coordinating the various "Job Banks" maintained by Federal agencies, determining how best to coordinate, reconcile, and/or combine these independent efforts and resources in order to better promote the employment of people with disabilities in the Federal workforce.
- Reviewing statutory and regulatory provisions related to application for and award of Federal contracts to ensure increased utilization by people with disabilities.
- Expanding content and linkages available through disAbility.gov.
- Investigating issues regarding security clearances in the Federal government and people with disabilities, including a review of the government's Personnel Security Program in terms of actual or potential adverse consequences for people with disabilities, particularly those with mental disabilities.
- Reviewing FY2002 Government Performance and Results Act (GPRA) plans to determine the extent to which programs and policies are being delivered and conducted in a manner that facilitates and promotes employment of people with disabilities *(Task Force will do this? does it duplicate the 2000 rec? #4)*
- Increasing funding for reasonable accommodations and monitoring use of the \$3 million appropriated to the General Services Administration for implementing Section 508 of the Rehabilitation Act.
- Working to increase Federal agency access to interpreters, readers, and personal assistant services, including researching recent technological advances to help fill such needs.
- Monitoring implementation of the new mental health parity provisions in health plans participating in the Federal Employee Health Benefits Program (FEHBP).
- Reviewing Federal Employee Health Benefits Program plans for adequate coverage of durable medical equipment and assistive technology.
- Ensuring retention of employees with disabilities, including looking at how partially disabling medical conditions or the aging process may affect the employability of Federal workers who have not yet stopped working but who may need accommodation in order to continue working.

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- Providing ongoing training of supervisors, managers, executive administrators, and employees regarding accessibility and reasonable accommodation issues.
- Collecting data on the extent to which the current delivery of Federal training is universally accessible and ADA-compliant "reasonable accommodations" are routinely available to trainees with disabilities.
- Expanding access to generic services available to most or all Federal government employees, such as transportation, Federal day care, parking, and exercise facilities.
- Updating Standard Form 256 "Self-Identification of a Handicap to better reflect current terminology and better apprise people of their civil rights.

Federal Tax Policy

The Federal tax code and its administration play an important role in increasing employment opportunities for people with disabilities -- stimulating business, providing work and entrepreneurship incentives, and creating capital. A Task Force's Tax Policy Work Group was established this year to begin work to increase awareness of, and utilization by, people with disabilities and employers of existing tax provisions, as well as begin to explore possible areas in the existing Federal tax code where modifications have the potential for increasing employment opportunities for people with disabilities.

The Federal tax code currently has a number of specific provisions designed to influence the numbers of people with disabilities who are employed. These include the Work Opportunity Tax Credit, the Disabled Access Credit and the Deduction for Architectural Barrier Removal.

Unfortunately, use of these valuable tax incentives has not been as widespread as anticipated.

For example, reluctance to hire an employee with a disability is often due to the erroneous belief that employees with disabilities will cost far more than employees without disabilities. The average cost of accommodating a person with a disability is actually less than \$500, and the Work Opportunity Tax Credit (WOTC) offers employers a way to minimize such costs.

Unfortunately, the WOTC is underutilized, making it difficult to assess what the true effect could be on the employment rate of adults with disabilities.

Individual income tax deductions are also available to people with disabilities who work. These include the impairment-related work expenses, and expenses for mitigating measures under the medical expense deduction. In addition, the Earned Income Tax Credit, which is intended for individuals with low income, is also of great benefit to people with disabilities, who, on average, earn less than individuals without disabilities. While these deductions have provided some

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limited relief in offsetting the costs of working with a disability, under existing tax policy the substantial costs that people with disabilities often incur in getting vocational rehabilitation and personal assistant services, specialized job training, or training in the use of assistive technology often do not qualify for any tax-favored status.

2000 Activities - Federal Tax Policy

This year, the Task Force Tax Policy Work group was established to begin developing a strategy for increasing employment through use of the tax code. The Work Group began outreach to people with disabilities on existing tax code provisions, began analysis of these provisions in terms of their effectiveness, and began research on innovative practices in states in terms of tax policies. Activities included:

- An outreach strategy was initiated by the IRS and SSA:

- The IRS widely distributed a letter to organizations serving people with disabilities informing them about IRS Publication 907, *Tax Highlights for Persons with Disabilities*.
- The IRS and Social Security Administration included an article on the ADA and disability related tax policy in their Fall issue of the joint publication *The SSA/IRS Reporter*. This newsletter is distributed to more than seven million employers.

- An assessment of existing Federal tax policy was initiated to determine the effectiveness of existing tax provisions in promoting employment opportunities for people with disabilities. This assessment includes analysis of: (1) the effectiveness of the Impairment-related Work Expense Deduction in our increasingly technologically-based global economy; (2) the extent to which existing tax credits and deductions encourage private sector employers to hire people with disabilities and (3) whether existing tax credits and deductions serve as economic incentives for encouraging universal and accessible design. This assessment will include identification of areas where changes in the existing Federal tax code could enhance employment opportunities for people with disabilities. The assessment will include researching innovative practices in states where state tax policies may provide useful information to the Task Force as a tax strategy is developed.

2001 Focus - Tax Policy

To build upon its work this year, and to ensure that tax policy is fully leveraged as a means for

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promoting the employment of people with disabilities, the Task Force will conduct the following activities in the coming year:

- Identifying appropriate, fiscally responsible remedial actions for consideration if the review of current tax policies determines that the Federal tax provisions designed to encourage employment of people with disabilities require modification.
- Continuing and expanding outreach to, and education of, businesses and individuals with disabilities regarding existing Federal tax code provisions (e.g., tax credits, deductions and other work incentives) which further the goal of increasing employment of working-age adults with disabilities.
- Continuing to work with Congress to pass the \$1,000 tax credit for people with disabilities to cover work-related expenses and the \$3,000 tax credit for individuals with long-term care needs. These initiatives were proposed by the Administration this year, but have not yet been passed by Congress.

Workforce Development

Administered through the U.S. Department of Labor, the Workforce Investment Act (WIA) represents a response to sweeping transformation that is touching all parts of our society -- changing the way the Federal Government does its business, shifting how systems are organized, and changing how people across the nation work. The WIA is intended to dramatically change the way employment and training services are delivered, with the one stop career center system established under WIA providing the foundation for workforce services. All eligible individuals must be seen as legitimate customers as this emerging workforce system is put into place. For working age adults with disabilities, this creates tremendous opportunity to ensure that doors to employment are opened through generic systems. It is the position of the Task Force that interagency collaboration and cooperation are essential components in this effort.

Inasmuch as people with disabilities have a critical stake in the new, generic workforce development system, the Task Force has made the employment and training provisions of WIA a major priority. Under the leadership of the Employment and Training Administration (ETA) at the DOL, the Rehabilitation Services Administration (RSA) at the Department of Education (DOEd), the Social Security Administration (SSA), and in collaboration with other Federal partners, the Task Force has been working to impact implementation of this critical legislation in a number of areas.

In addition
~~Related to this effort,~~ the Personal Responsibility and Work Opportunity Reconciliation Act of

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1996 represented a complete overhaul of the nation's welfare system. The Temporary Assistance to Needy Families program (TANF), which replaced the Assistance for Families with Dependent Children program (AFDC), included new work requirements and lifetime limits on assistance. These provisions of the law directly impact both TANF recipients with disabilities who have had difficulty finding and maintaining employment, and individuals with disabilities who are family members of TANF recipients. As required by the Executive Order establishing the Task Force, a Task Force Work Group submitted a report on these issues in November 1998. The report included a description of what many of the states were doing with the newly funded welfare-to-work state formula and competitive grants, as well as what each of the major Federal agencies involved in welfare-to-work had planned. The report also contained a number of recommendations, both for the Task Force and for individual agencies, which have become the basis for much of the Task Force actions in this area.

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In addition, ongoing skills acquisition is critical for people with disabilities to compete in the modern economy. While lack of education is often cited as a significant barrier to employment for people with disabilities, without basic and higher level skills, successful employment and career advancement become difficult at best. For a host of reasons, many people with disabilities lack these required skills. It is imperative that efforts to increase the capacity of programs focusing on lifelong learning to serve people with disabilities continue and expand.

In discussing Task Force activities this year related to workforce development, and areas of focus for next year as the strategy for increasing employment continues to unfold, multiple efforts are targeted in the three related, but distinct areas of WIA implementation, Welfare-to-Work, and promotion of lifelong learning.

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2000 Activities - WIA Implementation

A total of \$23 million in Work Incentive Grants (WIGs), recommended by the Task Force in its first report to the President, were awarded by DOL's Employment and Training Administration to state and local governmental and nonprofit organizations (October 2000). Development of the grant solicitations were coordinated with the Social Security Administration's Benefits Planning Assistance and Outreach Grants and the Department of Health and Human Services/Health Care Financing Administration's (HCFA's) grants to State Medicaid agencies to expand state infrastructure capacity for the Medicaid buy-in component of the Ticket to Work and Work Incentive Improvement Act (TWWIIA). The WIG grant program was initiated to explore creative ways of ensuring that people with disabilities have access to all services available under the new workforce development system, including the local one-stop career centers, and it holds great promise for demonstrating innovative successful strategies that can be undertaken to increase employment for people with

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disabilities.

A series of bidders conferences were hosted by the Social Security Administration, the Department of Health and Human Services, and the Department of Labor for their respective grant programs in implementing the Ticket to Work and Work Incentives Improvement Act and the Workforce Investment Act.

Final regulations that implement the nondiscrimination and equal opportunity provisions included in Section 188 of the Workforce Investment Act were issued by the Department of Labor. Section 188 prohibits discrimination on the grounds of disability as well as race, color, religion, sex, national origin, age, political affiliation or belief, and citizenship. These regulations have been lauded as exemplary by the disability community.

Ten regional multi-agency forums on Federal and State employment-related policies and programs for people with disabilities were sponsored by the Task Force, the Social Security Administration, and the Departments of Labor, Education, and Health and Human Services. These sessions (Federal Policy-State Opportunities: Models and Strategies for an Inclusive Workforce), the result of a Task Force recommendation included in last year's report, provided more than 3,000 customers of disability programs, their advocates, and local providers with up-to-date information on TWWIA implementation, work incentives, and exemplary state health care models.

A Technical Assistance Conference for States Implementing Medicaid Buy-Ins Under the Balanced Budget Act of 1997 and the Ticket to Work and Work Incentives Improvement Act of 1999 was sponsored by the Health Care Financing Administration.

The State Partnership Systems Change Initiative, a unique collaboration between the Social Security Administration, the Department of Education's Rehabilitation Services Administration, the Department of Labor, and the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration, continued to assist states in their efforts to improve employment opportunities for individuals with disabilities, specifically those who receive Supplemental Security Income and Social Security Disability Insurance benefits.

Two Technical Employment Information Memoranda (TEINs) were drafted by DOL/ETA to provide important information to state and local Workforce Investment Boards, and to local one-stop career center staff. This technical

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assistance will further encourage meaningful and effective participation of people with disabilities in the workforce development system, and will provide outreach to and involvement of non-mandated partners, such as mental retardation and developmental disabilities agencies, mental health agencies, and Medicaid systems.

- A national conference on increasing consumer decision-making and self determination in the rehabilitation process, entitled *Choices 2000*, was sponsored by RSA. The conference featured information from the previously funded "Choice Demonstration" projects - lessons that can be used as our nation moves forward with implementing Individualized Training Accounts (under WIA), Tickets (under TWWIA), and other means of providing increased control over systems resources and decision making to people with disabilities.
- * Qualitative research was conducted through the Task Force documenting the issues, findings and experiences of participants in the "Choice Demonstration" projects, previously funded by RSA. The research will inform Task Force members and others about issues and findings from these projects about increasing choice in employment from the perspectives of participants and systems personnel.
- Job Corps staff and contractors were directed by DOL to develop working relationships with local centers for independent living, as well as the Job Accommodation Network. They were also directed to revise their admissions processes to be more inclusive of applicants with disabilities.

2001 Focus - WIA Implementation

The new Office of Disability Policy (ODP) within the Department of Labor will have a critical role in ensuring that efforts to integrate people with disabilities into mainstream employment and training programs are elevated and expanded.

- Expansion of the Work Incentive Grant program within DOL in order to maximize innovation and development of and demonstration of successful strategies for serving people with disabilities within the workforce development system.
- Completing the Task Force-sponsored review of state plans submitted under WIA to identify themes and other information regarding disability, and, in collaboration with the new Office of Disability Policy, ETA, RSA and other agencies as appropriate, contribute to further deliberations on WIA implementation.

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- Reviewing annual reports submitted by States to the Secretary of Labor on their progress in achieving performance measures relating to persons with disabilities, and plans developed, maintained, and submitted to the Secretary by governors to satisfy WIA's nondiscrimination and equal opportunity provisions.
- Eliciting input from ^{states, communities, and} individuals who are successfully using WIA, TWWIIA, TANF, Welfare to Work, Adult Literacy and other programs, as well as individuals who have encountered barriers in seeking services through these programs, in order to inform and coordinate activities among relevant Task Force members about implementation issues that need to be addressed. AK
- Researching, producing, and disseminating information describing "best practices" in assisting people with disabilities to become employed, consistent with the Secretary's duty under WIA to provide technical assistance to non-performing states.
- Developing and disseminating guidance by the Department of Labor on employment for persons with significant disabilities through One-Stop Career centers. OK
- Establishing a national technical assistance initiative, coordinated across DOL, HHS, DOE, and SSA, and implemented through the newly established Office of Disability Policy at the Department of Labor, to provide technical assistance and capacity building information and assistance to one-stops on serving people with significant disabilities. a2
- Developing Department of Labor guidance on young people with disabilities for dissemination to the One-Stop Career centers.
- Encouraging states which have not done so previously to submit a State Unified Plan under WIA for improved leveraging and coordination of State and Federal resources.
- Developing a Memorandum of Understanding (MOU) between the Department of Labor, the Social Security Administration, and the Departments of Education and Health and Human Services, on coordination of resources and capacity building efforts at the Federal level; such MOU can serve as a model for state and local coordination.
- Working with the Departments of Housing and Urban Development, Labor, Health and Human Services, and Transportation to develop a joint plan for

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promoting collaboration at the state and local levels ~~between housing, health, transportation, and employment programs which serve individuals with disabilities. A critical element of this plan will be the incorporation of housing, transportation, and other ancillary activities in the One-stop Career Center system.~~

Collaborating with Federal agencies providing employment services to disabled veterans within the one-stop system, as well as those responsible for enforcement of laws protecting employment rights such as the Department of Labor's Federal Contract Compliance Programs (OFCCP), to ensure that available resources are being leveraged and coordinated to best ensure the participation of veterans with disabilities in the workforce.

2000 Activities - Lifelong Learning

- Initiation of a process by the Office of Vocational and Adult Education (OVAE) at the Department of Education to develop learning disability screening tools for persons who are Spanish speaking.
- Development of an extensive training program on disabilities for State directors of Adult Education by the Department of Education.
- A Lifelong Learning Project by the Department of Labor, offering employees access to career development workshops, self-study modules, and courses.
- Guidelines from OVAE concerning the requirements relating to persons with disabilities covered under the Perkins Act.
- Training cosponsored by the Department of Education, Department of Health and Human Services, and the National Institute for Literacy to states on addressing disability issues in the TANF program.

2001 Focus - Lifelong Learning

- Developing interagency memoranda of understanding designed to increase the participation of persons with disabilities in various academic scholarship programs, internships, and other means of accessing education and post education employment.
- Developing strategies under existing education and lifelong learning authorities (such as the Higher Education Amendments of 1998, the Improving America's Schools Act, student loan authorities, and other authorities as appropriate) to

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expand opportunities for transition to post-secondary education for individuals with disabilities, including individuals with mental retardation and other cognitive disabilities.

- Initiating a technical assistance effort to the states to infuse research about reading disabilities into adult literacy programs similar to the America Reads Challenge currently supported by the Administration.
- Expanding and nationally promoting the Spanish and Learning Disabilities Program supported by DOEd.
- Tracking the success rate of job acquisition to length of participation in secondary education.
- Amending the draft National Reporting Systems for Adult Education to include collection of a wide range of demographic and outcome data on people with disabilities, including rates of undiagnosed disabilities. Developing technical assistance tools for States that includes information on how to screen, diagnose, and provide accommodations for individuals with disabilities in State programs.
- Providing policy guidance regarding the American with Disabilities Act and Section 504 of the Rehabilitation Act in State Correctional Education programs.
- Issuing joint (DOEd and DOJ) policy guidance to alternative high school diploma programs (including GED Testing and External Diploma Programs) to assure that people with disabilities receive the accommodations necessary to access, participate, and benefit from these programs.
- Reviewing each state's "self evaluation" and "correction" plans under Title II of the American with Disabilities Act . These plans were required to be submitted in 1994 as they relate to adult literacy, basic education, and adult vocational services.
- Working to increase the understanding of the role of adult education in skills development, and developing information for consumers on how to use "ticket" services to access adult education and literacy programs.

2000 Activities - Welfare-to-Work/DWF

- Drafted a new Department of Labor guidebook, *Employment Success for Persons*

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with Disabilities Under Welfare Reform: An Introduction to Learning Disabilities, Mental Retardation, Psychiatric Disabilities and Addictive Disorders in the context of Welfare-to-Work and TANF, including information for state and local workforce investment system staff on relevant civil rights laws, specific disabilities, useful resources for developing screening tools and other types of technical assistance, and suggestions for supporting individuals with various disabilities in their efforts to make use of the services and supports offered through welfare reform.

- Conducted a national *Welfare-to-Work: Beyond 2000* Department of Labor conference for workforce system staff, highlighting disability-related issues. ✓
- Implemented training cosponsored by the Department of Education, Department of Health and Human Services, and the National Institute for Literacy for states on addressing disability issues in the TANF program. ✓

2001 Focus - Welfare-to-Work

This year, the Task Force will explore additional ways of ensuring that low income individuals with disabilities are able to fully participate in employment opportunities offered through the various Welfare-to-Work initiatives, including:

- Developing ways of more effectively utilizing the flexibility of TANF and Maintenance of Effort (MOE) funds to assist individuals with disabilities in the welfare-to-work system.
for states to e federal more from
- Developing mechanisms for data collection by the Departments of Labor and Health and Human Services of TANF recipients with disabilities and those who have children with disabilities.
could be controversial since not data collection is already set in final rule + in WTW we've agreed to collect the minimum necessary
- Developing ways to increase Federal resources for technical assistance and training for TANF, one-stop career centers, and other local agency staff on disability issues. ✓
- Expanding interagency efforts to maximize state and local cooperation in including individuals with disabilities in the Welfare-to-Work system, including ensuring collaboration between vocational rehabilitation programs and Welfare-to-Work grantees.
welfare to work efforts
not a system
- Adopting TANF rules incorporating the Department of Labor's nondiscrimination regulations developed for the Workforce Investment Act.
guidelines similar to
TANF agencies

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- Exploring the feasibility and necessity for an ombudsman role in the TANF program. *(for people with disabilities)*

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Small Business, Entrepreneurship and Microenterprise Development

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Last year the Task Force report, *Re-charting the Course: If Not Now, When?* identified a staggering array of obstacles confronting people with disabilities interested in self-employment and small business ownership. These barriers exist within and outside the Federal Government, and they are not new. Lack of access to capital, little information on business planning, and Federal programs that do not promote entrepreneurship have all stifled the efforts of people with disabilities who have sought to become self-employed. While small business ownership is not meant for everyone, with or without a disability, but it is critical option that must be available for achieving economic independence for those who choose this path.

Through the Economic Incentives and Entrepreneurship Committee, the Task Force has worked to move beyond analysis of the barriers and has begun to develop strategies for removing some of these obstacles, as well as to identify new directions to promote microenterprise and entrepreneurial opportunities. Though progress has been made this year, much work lies ahead to develop enlightened policies and partnerships that will make microenterprise and small business ownership a reality for people with disabilities.

2000 Activities - Economic Incentives and Entrepreneurship

Throughout the year 2000, Task Force members have been working to develop a strategy to increase entrepreneurship and small business ownership for people with disabilities. The strategy that is emerging is focusing on state and local coordination, training of service providers, accessing microenterprise funds, leveraging Federal government procurement opportunities, and developing mentoring programs to reach people with disabilities.

Eight small business workshops in cities and towns around the country, conducted by the Small Business Administration (SBA) and the President's Committee on Employment of People with Disabilities (PCEPD), brought together, often for the first time, representatives of small business development centers, the Service Core of Retired Executives, and economic development programs, with disability service organizations, such as vocational rehabilitation programs and centers for independent living. Approximately 1,000 individuals participated in these workshops.

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A technical assistance circular from the Rehabilitation Services Administration based on the 1998 reauthorization of the Rehabilitation Act was released that pertains to entrepreneurs with disabilities. This circular clearly stated that small business and self-employment are acceptable outcomes for individual rehabilitation plans.

Self-employment = Customized Employment

Self-employment emerged as a critically important avenue for people with disabilities in the Task Force analysis of the *Choice Demonstration Projects*, previously funded by the Rehabilitation Services Administration. The following self-employment choices were only some of the outcomes of participants in these projects:

- Rare book finding service
- Clowning
- Caterer of kosher foods
- Personal assistance agency
- Espresso cart owner
- Farrier (horse shoer)
- Therapist
- Sign maker
- Custom card maker
- Used clothing store
- Photography service
- Scanning service
- Audio/visual equipment rental and taping service

(Source: *The Meaning of Choice: Implications for Systems and Providers - A Report to the Presidential Task Force*, December, 2000)

A panel of experts in small business development among people with disabilities was convened to identify areas for future initiatives, hosted by SBA Administrator Aida Alvarez, Task Force Vice Chair Tony Coelho and Judy Heumann, Assistant Secretary for the Office of Special Education and Rehabilitation Services.

Getting Down to Business, a report based on the 1998 Blue Ribbon Panel Meeting held in Chicago by the President's Committee on Employment of People with Disabilities (PCEPD), was released. The report provides important insight from people with disabilities across the nation about changes needed to increase small business and entrepreneurship among people with disabilities.

Discussions between Task Force staff and several foundations that provide capital to entrepreneurs with disabilities were held on methods for leveraging sources of capital.

500 small businesses owned by people with disabilities were added to the previous 3,200 in the

Department of Labor's Office of Small Business Program's database of small, small disadvantaged, and women-owned businesses. As procurement opportunities occur, these businesses are provided the information via e-mail.

Community outreach and training between the SBA and SSA was conducted, per their 1999 Memorandum of Understanding. These activities will continue throughout the next year as well.

A Memorandum of Understanding between the Veterans Administration and SBA was signed, targeting veterans with disabilities. As a result, services offered by SBA in the

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areas of pre-business plan workshops, concept assessments, business plan preparation, comprehensive feasibility studies, entrepreneurial training, and mentoring will be advertised to veterans.

- A new, national SBA disability initiative was initiated, headed by a person with a disability knowledgeable about small business development. The initiative is designed to ensure that people with disabilities are included in the broad range of SBA's activities and that outreach activities to the disability community will be conducted.

2001 Focus - Economic Incentives and Entrepreneurship

- Developing a comprehensive and coordinated marketing campaign targeted to all types of lenders to promote the viability of small business ownership for people with disabilities.
- Ensuring that SBA's 8(a) program, which offers government contracting assistance to small businesses that are owned and controlled by one or more socially and economically disadvantaged individuals, includes people with disabilities. This addition is critical, not only to create access to these programs, but because these programs serve as a national model for other public and private programs targeting minorities.
- Identifying and implementing mechanisms for accessing capital for business startups for people with disabilities. This area is the cornerstone to any effort to start a small business.
- Ensuring that people with disabilities are a part of the important mentoring opportunities provided through BusinessLINC. This initiative was established in 1998 to encourage more private sector business-to-business linkages that enhance the economic vitality and competitive capacity of small businesses, particularly those located in economically distressed urban and rural areas.
- Ensuring that Federal partners of the *Partner America* initiative include people with disabilities interested in entrepreneurship. Partner America is a collaborative effort between the U.S. Conference of Mayors and American Management Services, Incorporated, which provides working capital guarantee programs, assists small businesses in accessing Government procurement programs, and provides technical assistance through its mentor-protégé programs.
- Increasing discretionary initiatives targeted to support entrepreneurship for people

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with disabilities (such as the former Handicapped Assistance Loan Program at SBA and the former Microenterprise Grant Program administered by DOL/ETA).

Developing a national outreach campaign to ensure that people with disabilities, and those who serve them, take advantage of technical assistance and training for low-income entrepreneurs (such as the PRIME Act, the SBA Microloan Program, and SBA's Women's Business Centers) and documenting the extent to which people with disabilities currently participate in these programs.

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Technology

The record growth of jobs in the technology industry has the potential to open up to people with disabilities an enormous range of opportunities for meaningful and stable careers. Electronic and information technology has fundamentally changed the workplace, the worker, and the requisite skills and knowledge needed to fully participate in 21st century marketplace. It is estimated that by 2006, half of all jobs will be in information technology. This phenomenon can be directly attributed to market globalization and the reduction, if not eradication, of geographic boundaries.

Companies that were once limited to conducting business in a specific and limited area are now equipped, through technological innovations such as e-mail, the World Wide Web, teleconferencing and fax machines, to compete in markets outside of their traditional boundaries. As companies move to adjust their current way of conducting business to capture or maintain their share of the global market, employees and workers who are skilled in electronic and information technology are in high demand.

In order for people with disabilities to reap the full benefit of the high-tech industry boom and to participate in this rapidly expanding area, there must be comprehensive training and skills development designed specifically to be accessible to, and useable by, people with disabilities. The need to develop, demonstrate, and utilize technology is critical for all people with disabilities, including young people and adults with cognitive disabilities such as mental retardation.

The development and availability of assistive technology and universal design as essential means to increase employment opportunities for people with disabilities was identified at the inception of the Task Force. Task Force members have made significant strides toward developing a strategic plan to ensure that employment opportunities for people with disabilities will not be lost to an inaccessible work environment, to an increasing digital divide, or to the lack of availability or affordability of assistive, information or communication technology.

2000 Activities - Technology

The past year has seen tremendous progress in the area of technology and the recognition of its importance to people with disabilities in finding and maintaining employment. In July and September 2000, technology took center stage during various ADA activities and the Presidential Digital Divide Tour, respectively. This Administration has recognized the need to ensure that people with disabilities are a part of the digital revolution by acknowledging that accessibility for many people with disabilities requires that electronic and information technology be readily available and user-friendly.

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The President's highly successful "Digital Divide" tour stop in Flint, Michigan this year included the announcement of a number of concrete actions by the Administration, companies, universities and non-profits to help ensure that people with disabilities are full participants in our increasingly technological workforce. The commitment to this effort shown by the chief executive officers of over 45 high-tech companies who pledged to adopt "best practices" on accessibility is especially worthy of note. The Task Force will partner, where appropriate, with the Federal agencies and public and private corporations with responsibility for implementing these actions. Other activities for this past year included:

- Development and unveiling of the new Access America for People with Disabilities Web site – www.disAbility.gov. As previously mentioned, this site is serving as a "one-stop" electronic link to an enormous range of useful information for people with disabilities, their families, and prospective employers.
- Development of partnerships between the National Institute on Disability and Rehabilitation Research (NIDRR) and the information technology industry to make the World Wide Web accessible for people with disabilities.
- Expansion of the President's Committee on Employment of People with Disabilities high school/high tech program to four new cities and three new states.
- Award of a Department of Education grant of \$2 million to strengthen community technology centers to make them more accessible for people with disabilities.
- Award of NIDRR grants of \$6.6 million to create and expand state loan programs for assistive technology to bridge the digital divide for children.
- Development of Department of Commerce plans to help small, community-based organizations provide web-based services to people with disabilities.
- Conduct of *Interagency Disability Educational Awareness 2000 Showcase* (IDEAS 2000), a conference which focused on informing Federal agency procurement and information technology personnel about the requirements of Section 508 of the Rehabilitation Act.
- Activities implemented by the Interagency Committee on Disability Research (ICDR) to work with the disability and research communities to identify priority areas for the advancement of assistive technologies and universal design capabilities.

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- Release of Federal Communications Commission regulations requiring that Federal agencies be trained and advised of this accountability to provide accessible electronic and information technology through Section 508 of the Rehabilitation Act.
- Creation of a task force led by the Department of Health and Human Services to examine existing Medicare and Medicaid coverage of assistive technologies and to make recommendations on how to best enhance such coverage in order to support independent living and employment for people with disabilities.
- Proposed increased funding for research and development that will benefit people with disabilities (such as a "seeing eye" computer that could help people who are blind, or technologies that could automatically turn speech into text for people who are deaf), developed as part of the Administration's proposed increase for the National Science Foundation
- Release of new Federal Communications Commission (FCC) rules on implementation of nationwide 711 access to relay services so that users, with and without speech and hearing disabilities, can easily access telephone carriers with same three-digit number in any state.
- Overhaul of the 1992 ADA Rules for Relay Services for individuals with hearing and speech disabilities to include Speech-To-Speech (STS), Spanish Relay, Video Relay Services, and other improvements.
- New Department of Commerce projects of direct relevance for people with disabilities, including:
 - Completion of a survey regarding the use of computers and the Internet among individuals with disabilities.
 - Work with the National Institute of Standards to conduct a workshop with industry and academic experts to examine technologies that may be useful in improving access for persons with disabilities.
 - Secretary Mineta's *Digital Inclusion Tour*, highlighting the need to make technology accessible to people with disabilities.

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Development of low-cost Braille readers for individuals with vision impairments.

2001 Focus - Technology

The Task Force's cross-committee Technology Work Group has developed several recommendations for the coming year as part of a comprehensive Federal strategy to address the broad range of technology issues that affect the employment of people with disabilities:

- Increasing access to the Internet by children and adults with disabilities through investigating ways to improve the delivery and accessibility of electronic and information technology used by public libraries.
- Exploring the feasibility of providing Internet service through local and regional offices of the Departments of Agriculture and Housing and Urban Development, as well as the U.S. Postal Service, that is usable by people with disabilities.
- Developing new guidelines under the Federal contract bidding requirements which allow for hiring based upon either a four-year degree or a skills certification in information technology.
- Collaborating with the Corporation for National Service (AmeriCorps) to encourage State Commissions to expand support of demonstrations that include youth with significant disabilities, and using AmeriCorps volunteers to focus on the "digital divide" to improve information technology skills for youth with disabilities.
- Identifying, reviewing and coordinating ongoing Federal technology activities, including research and development programs, related to accessibility for people with disabilities, looking specifically at where technology devices and services are available to employees with disabilities, the extent to which they are used, and the gaps and barriers which still exist related to employment and employment supports for people with disabilities.

The Administration's FY 2001 Budget proposals for information technology research and technology research at the National Institute on Disability and Rehabilitation Research (NIDRR) and technical assistance to schools on accessible technology for students with disabilities.

\$41 million (a \$7 million increase) for Assistive Technology Act funds to States.

\$15 million for grants to establish or maintain alternative loan financing programs, addressing the concern that many people with disabilities do not have the private financial resources to purchase the assistive technologies they need.

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- Developing written guidance to all Federal agencies to clarify that all grant proposals and solicitations dealing with technology must provide for the inclusion of people with disabilities, and providing specific language for use in grant proposals or solicitations and information on training and educational materials available to staff associated with these programs.
- Continued expansion of the High School/High Tech program and measuring its outcomes.
- Updating guidance from RSA on the provision of technology for people with disabilities seeking employment through state rehabilitation systems.

Housing

? The lack of accessible, affordable housing continues to present a major barrier to participation of people with disabilities in their communities and in the economic life of the nation. ~~Although not traditionally thought of as an employment support~~, obtaining affordable housing that is relatively close to available jobs is often critical to becoming employed. For many people, the need to choose between their housing voucher and a job constitutes a significant barrier to employment. There are, in fact, a full range of housing barriers, manifesting themselves differently depending on geographic location, available services, infrastructure arrangements, and whether the individual is living in a community or an institutional setting.

In order to remove these barriers, the Department of Housing and Urban Development must lead the way in developing policies and programs that recognize the housing needs of people with disabilities as well as the linkage between housing, transportation and jobs. This can be accomplished most effectively through actively seeking participation from the disability community, through interagency cooperation between HUD and other Federal agencies (including the Social Security Administration, the Departments of Transportation, Labor, and Health and Human Services), and by conscientious and expeditious enforcement of existing laws, rules, and regulations.

2000 Activities - Housing

- A proposal was released by the Department of Housing and Urban Development to expand the applicability of certain expense deductions beyond Section 8 and public housing, ~~as well as the earned income disregard~~ that applies only to public housing so as to provide broader assistance to persons with disabilities.
- AccessHousing 2000, a major initiative to assist states in addressing new

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challenges presented by the Supreme Court's decision in *Olmstead v. L.C.* and to support community-based housing efforts through multiple projects including:

- A proposed \$50 million grant program to help states comply with the comprehensive service plan requirements of *Olmstead*.
- Development of guidance to encourage lenders to make home ownership possible for individuals with disabilities.

Expanded applicability of certain expense deductions for people with disabilities seeking to rent or purchase housing.

\$20 million over the next five years for technical assistance to states to assist individuals to make the transition from institutional settings to the community.

Release of *Renewing the Pledge*, HUD's October 2000 report on housing's role in expanding the employment opportunities for individuals with disabilities, detailing action strategies for eliminating many of the existing barriers to accessible, affordable housing, and addressing the serious housing crisis facing people with disabilities.

Release of a publication, *Piecing it All Together in Our Community: Learning to Use HUD's Consolidated Plan to Expand Housing Opportunities for People with Disabilities*, distributed by the Office of Community and Planning Development (CPD) to encourage states and localities to assist adults and families with disabilities through their consolidated plans. HUD required all states and localities that had already developed a Consolidated Plan to create a new plan during the year 2000.

Passage of Home Ownership and Economic Opportunity Act of 2000 which contains provisions for expansion of the Section 8 homeownership option and for homeownership pilot demonstration program for low-income working adults when they also have a disability.

2001 Focus - Housing

The Task Force and HUD, in conjunction with other members, will focus on the following activities during 2001:

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- Developing guidance for all state housing agencies on how they can partner with other agencies and organizations to implement the Supreme Court's decision in *Olmstead v. L.C.*, including Medicaid agencies, mental retardation/developmental disabilities (MR/DD) agencies, mental health agencies, rehabilitation agencies and advocacy organizations.
- Developing guidance for all Public Housing Authority staff outlining ways to increase consumer input in the development of local Consolidated Plans.
- Creating a detailed plan for promoting collaboration at the State and local levels between housing, transportation, and employment programs which serve individuals with disabilities, with input from public housing authorities, and housing and disability advocates. This plan should include:
 - Incorporating housing and transportation activities in a one-stop employment system (including using HUD neighborhood network centers as one-stop satellites);
 - Encouraging state and local agencies to submit joint or coordinated grant proposals using Welfare-to-Work, Job Access and Reverse Commute, Community Development Block Grant, and TANF funds; and
 - Presenting to the Coordinating Council on Access and Mobility ideas for their consideration (including incorporating this initiative in their proposed regional training).
- Funding a study of where individuals with disabilities live, whether they rent or own, what types of housing assistance they receive, the proximity of their housing to available jobs in the community, the proximity of their housing to accessible transportation, and what supports would be necessary for those living in congregate facilities to live, instead, in their communities, and other issues relating to implementation of the Fair Housing Act. In this effort, HUD could work with the Department of Transportation, the Social Security Administration, the Department of Health and Human Services, and the Department of Labor.
- Designing a demonstration project in which the asset cap for obtaining SSI benefits are waived or significantly raised so that recipients can participate in Individual Development Account programs for the purpose of purchasing their own homes.

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- Conducting random compliance reviews of the Consolidated Plans submitted by state and local governments, and report on the extent to which such Plans: (a) accurately identify the priority housing needs of people with disabilities; (b) direct the spending of federal housing funds to meet such priority needs; and (c) contain affirmative outreach efforts to ensure that people with disabilities and their advocates are included in the planning process.
- In concert with the review of Consolidated Plans, funding partnership initiatives with the disability community in those same locales in order to gather independent customer-focused input relating to plan development and needs of people with disabilities.
- With the cooperation of other Task Force members, including the Departments of Transportation and Labor, sponsoring a Summit on improving housing opportunities for people with disabilities. This Summit will focus on housing's role in increasing the employment and community access of people with disabilities.
- Co-sponsoring a joint conference with DOT on the interrelationship of housing, transportation, and employment.

Transportation

Although fairly simple to understand as a concept, in practice transportation can be extremely complex. Multiple public and private agencies provide transportation services that vary significantly in terms of eligibility requirements, scope, and duration. Public transportation coverage can vary greatly, almost wildly, by geographic location. People with disabilities who live in rural regions, for example, face very different transportation challenges than do those who live in large metropolitan areas. Although transportation is almost exclusively local, the Federal government is a major player in the arena, particularly when it comes to funding. Several Federal agencies in addition to the Department of Transportation expend significant resources on transportation, most notably the Departments of Education and Health and Human Services (which spends almost \$3 billion a year on transportation services). Many other Federal agencies, such as the Department of Housing and Urban Development, play critical roles supporting accessible transportation (e.g., assuring accessible sidewalks and pedestrian walkways).

2000 Activities - Transportation

- A meeting between the Departments of Transportation (DOT) and Housing and

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Urban Development (HUD) was convened to discuss potential areas of cooperation to promote pedestrian access to bus stops. One result of this meeting was the development of a partnership between the two agencies and the District of Columbia to create a "Model Curb Cut/Pedestrian Accessibility" initiative in Washington, D.C.

- Issuance of joint guidance from the Departments of Transportation, Health and Human Services, and Labor on using Welfare-to-Work, TANF, and Job Access funds for local transportation. ✓
- New guidelines from DOT and HHS, through their joint Coordinating Council on Access and Mobility, *Planning Guidelines for Coordinated State and Local Specialized Transportation Services*, on promoting local transportation coordination.
- DOT's Comprehensive Plan of Action, a broad plan for improving accessible transportation resulting from a recommendation of the Task Force contained in its 1999 report and providing the framework for the Department of Transportation's 2001 activities.
- A two-day working meeting sponsored by DOT on ways of measuring the benefits of accessible transportation.

2001 Focus - Transportation

Some of the significant activities the DOT will be working on with their Federal agency partners in the coming year as part of the developing strategy to address transportation barriers facing workers with disabilities include the following:

- Conducting on-site investigations and spot-checks of public transportation authorities and providers to determine transit compliance with the Americans with Disabilities Act.
- Developing and disseminating publications for riders with disabilities about their rights related to paratransit, mainline, and over-the-road transportation.
- Revising rules requiring transit agencies to post notices on all vehicles and transit property of riders' rights to file complaints with the Department of Transportation.
- Embarking upon regular consultation with the disability community through

Michelle Bonaville

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listening sessions and small groups in order to improve its ADA enforcement.

- Developing partnerships with universities to educate students in architecture, city planning, and public policy on the benefits of accessible transportation and design.
- Sponsoring a Summit on improving transportation for people with disabilities, especially as it relates to employment.
- Conducting training for DOT regional staff and city, state, and local fund recipients on guidelines for accessible pedestrian travel.
- Conducting ADA training for all relevant DOT staff with ADA-related enforcement duties.
- Collecting and analyzing data on a wide range of transportation areas, including use of fixed route versus paratransit, use of human service transportation for work, use of private vehicles versus public transportation, and curb cut and bus stop accessibility.
- Establishing a DOT task force to conduct listening sessions with disability groups, transit authorities, and Federal agencies as part of a report to the Secretary of Transportation on how to strengthen transportation for people with disabilities through current funding mechanisms.
- Co-sponsoring a joint conference with HUD on the interrelationship of housing, transportation, and employment. *duplicates what's been said several times before*
- Expanding the Coordinating Council on Access and Mobility to include the Departments of Labor, Housing and Urban Development, and Education, and incorporating consumer input into all of its activities.
- Conducting regional workshops on local transportation coordination efforts to increase transportation options for people with disabilities. This activity will be conducted under the auspices of the Coordinating Council.
- Ensuring that the transportation needs of individuals with disabilities who live in rural areas are adequately addressed in Federal planning activities, including the reauthorization of TEA-21 (Transportation Equity Act for the 21st Century).

It is fully expected that the implementation of these activities will lead to further plans and

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activities. As one example, several of the activities listed above involve collecting data which will be used in the development of recommendations to modify or add programs to be included in the reauthorization of the TEA-21, the authorizing legislation for the Department of Transportation's surface transportation programs. Since TEA-21's current authority extends through 2003, planning for the reauthorization is just now beginning. By incorporating some of the ideas presented during the listening sessions with providers and advocates, and by reviewing the results of the data collection, DOT will be in a much better position to develop meaningful proposals as part of the reauthorization.

Health Care

A major barrier for individuals with disabilities continues to be the fear of losing comprehensive health care coverage if they start or return to work. For many, having the skills, desire, and commitment to work is not enough to counter the risk of losing health care, and the related loss of needed personal assistance and other supports -- particularly when it is those very supports that are needed to actually maintain employment.

For people with disabilities who are not eligible for Medicare and Medicaid, the health care related benefits and supports needed to maintain support are less clearly defined. TWWIIA included a demonstration grant program for individuals with disabilities whose condition is expected to worsen to the point they meet the SSDI/SSI definition of disability but, with the necessary health care and supports, could maintain employment. This grant program, called the Demonstration to Maintain Independence and Employment, was awarded to two states in 2000, and will be competed again in 2001.

2000 Activities - Health Care

During this year, Task Force member agencies carried out the following important activities:

- The award of \$17 million in Medicaid Infrastructure Grants to 25 states.
- The award of Demonstration to Maintain Independence and Employment Grants to two states (Rhode Island and Mississippi).
- Technical assistance and advice to states that are interested in the Medicaid buy-in option.
- Two technical assistance conferences for state administrators, consumers and advocacy groups interested in removing employment barriers.

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- Creation of a TWWIIA web site to share information and provide technical assistance: www.hcfa.gov/medicaid/twwiia/twwiiahp.htm.
- Public education forums sponsored by the Task Force, the Social Security Administration, and the Departments of Education and Labor, on implementation of TWWIIA and WIA.
- Funding of a research project that will study the educational and training needs of Medicaid beneficiaries with disabilities.

2001 Focus - Health Care

- Increasing the number of States applying for the Medicaid Infrastructure grants and working with States on an ongoing basis to ensure that loss of health care coverage does not continue as a barrier for people with disabilities that want to work.
- Increasing the number of States participating in the Demonstration to Maintain Independence and Employment Grants and the diversity of conditions covered to ensure provision of health care services and supports for individuals with physical or mental impairments who wish to maintain employment and self-sufficiency.
- Increasing the level of practical research information available to States, and continuing to gather consumer input to improve the services and supports available to people with disabilities that work.
- Continuing a comprehensive approach to the provision of technical assistance and increasing the amount of technical assistance available to the States through guidance, sharing of promising or effective practices, and the establishment of State-to-State Medicaid Infrastructure partnerships.
- Effectively coordinating research, demonstration and evaluation projects to inform planning and policy development at the Federal and State level to improve work incentives programs for people with disabilities.
- Working with SSA, the Presidential Task Force, and the TWWIIA Advisory Panel on solutions that enable States to take a more comprehensive approach to barrier removal, including methods to ensure that individuals retain both health coverage and increased net income as a result of employment.

Health
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- Monitoring implementation of the new mental health parity provisions in health plans participating in the Federal Employee Health Benefits Program (FEHBP).
- Reviewing Federal Employee Health Benefits Program plans for adequate coverage of durable medical equipment and assistive technology.
- Working to pass a comprehensive patients' bill of rights.

Income Support

The primary income supports for adults with disabilities are Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefits. These benefits provide basic income support for individuals who, because of their disability, cannot perform "substantial gainful activity," as defined by the Social Security laws and regulations. Although there are a variety of SSDI and SSI "work incentives" -- specific SSDI and SSI rules designed to help individuals who receive these benefits start or return to work -- the Ticket to Work and Work Incentives Improvement Act of 1999 was the first law to comprehensively consider the interrelatedness of the issues that affect returning to work (e.g., health care, choice of providers, coordination with other benefits and services). President Clinton noted TWWIA's significance when he signed the bill on December 17, 1999:

"This landmark legislation will remove barriers that have placed many individuals with disabilities in the untenable position of choosing between health care coverage and work. It also improves and expands vocational rehabilitation and employment service options for this talented, but as yet not fully tapped, workforce. This new law represents one of the most important legislative advances for people with disabilities since the enactment of the Americans with Disabilities Act..."

TWWIA offers many new ways for the Federal Government to:

- partner with the States and the private sector to help people with disabilities to work and to keep their benefits when they return to work.
- Creates a new Medicaid demonstration project to assess the effectiveness of providing Medicaid coverage to people whose condition has not yet deteriorated enough to prevent work, but who need health care to prevent or forestall that level of deterioration.
- Lengthens from 4 years to 8-1/2 years the period for which SSDI beneficiaries who return to work can continue to receive reduced-cost Medicare coverage.
- Provides grants to States to design and administer infrastructures to provide services that support working individuals with disabilities.
- Provides Social Security disability beneficiaries a choice of providers for employment-related services (the "ticket to work").
- Authorizes the Social Security Administration to test new and innovative ways to enable individuals with disabilities to return to work and make economic independence a reality.
- Enables individuals with disabilities to reestablish eligibility for SSDI on an expedited basis if their attempts to return to work prove to be unsuccessful.

2000 Activities - Income Support

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The Task Force's activities in the income support area have been focused on implementation of TWWIIA:

- A series of ten regional public education forums on the implementation and coordination of the Ticket to Work and Work Incentives Improvement Act and the Workforce Investment Act, sponsored by the Task Force, Social Security Administration, Department of Labor, Department of Education's Rehabilitation Services Administration, and the Department of Health and Human Services' Health Care Financing Administration.
- SSA's launching of a new Web site, *The Work Site*, with information and support for individuals who receive SSDI and SSI benefits, employers, service providers, advocates and others whose goal is to help those persons with disabilities work: www.ssa.gov/work.
- New benefits planning, assistance and outreach grants to help individuals with disabilities who receive SSDI and SSI better utilize the work incentives and enable them to make informed choices about work. In May SSA issued a grant solicitation directed at State and local governments and disability agencies to fund these benefits planning, assistance, and outreach (BPAO) projects; the Task Force, SSA, Department of Labor and the Department of Health and Human Services Health Care Financing Administration held three technical assistance conferences covering this and two other related grant announcements in June; and in October President Clinton announced that SSA is awarding (BPAO) grants to 43 nonprofit organizations and state agencies in 26 states and two territories to provide benefit planning, assistance and outreach for persons with disabilities who are returning to work.
- In July, SSA swore in newly appointed members of the Work Incentives Advisory Panel, charged with advising the President, the Congress, and Social Security Administration on issues related to work incentives for people with disabilities, and the Advisory Panel held its first meeting. They are meeting quarterly and hold frequent teleconferences open to the public.
- The Social Security Administration, following up on Task Force recommendations in 1999, made the following changes related to individuals who receive SSDI and SSI who want to work: indexing the "substantial gainful activity" amount; raising and indexing the trial work period amount; and increasing and indexing the student earned income exclusion.

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- SSA announced the first round of states implementing the Ticket to Work, where tickets will be issued to individuals with disabilities who receive SSDI and SSI beginning in 2001: Arizona, Colorado, Delaware, Florida, Illinois, Iowa, Massachusetts, New York, Oklahoma, Oregon, South Carolina, Vermont, and Wisconsin.
- Task Force, Social Security Administration, Department of Education's Rehabilitation Services Administration, Department of Labor and Department of Health and Human Services continue working together on the *State Partnership Systems Change Initiative*, holding an annual conference and continuing to develop, implement and evaluate innovative strategies that promote employment for individuals with disabilities: California, Illinois, Iowa, Minnesota, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oklahoma, Vermont, Wisconsin.
- Social Security Administration cosponsored with the National Academy of Social Insurance a policy education seminar, *Disability Income Policy: Opportunities and Challenges in the Next Decade* and an evening policy education workshop, *Reflections on the Ticket to Work and Work Incentives Improvement Act: Lessons Learned for Effective Policy Development*.

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2001 Focus - Income Support

In the coming year, the Task Force will continue to work on increasing Federal collaboration and coordination in the implementation of TWWIIA, ensuring that the new law's potential for improving the employment rate of individuals with disabilities is fully realized. In addition, the Task Force hopes to work more closely with the States as they implement these Federal guidelines and options so as to develop stronger State infrastructures to support individuals with disabilities who want to work. Specific implementation activities for 2001 are as follows:

- Developing a guide for States and advocates on how to effectively utilize the Ticket to Work and health care provisions of TWWIIA and coordinate with the workforce and One-Stop Center system.
- Working together at the Federal and regional/local level, SSA, HCFA, DOL, and RSA (through its state vocational rehabilitation agencies) will develop networks of key agencies, consumers and advocates to stimulate interest in the work incentive policies and increase outreach activity.

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- Providing technical assistance to new SSA Benefits Planning, Assistance and Outreach grantees and helping them coordinate with Department of Labor's Work Incentive Grant grantees and the Medicaid infrastructure grantees.
- Continuing implementation of SSA's new Employment Support Representative position in field offices. ESRs function as in-house experts on work incentives, the other Federal programs that support work, and the availability of services and service providers in local communities.

Youth

The young people with disabilities of today are trying to stake their claim in tomorrow's workforce. Following the passage of the ADA and the IDEA, equality of opportunity, full participation, independent living, and economic self-sufficiency have become key goals for people with disabilities. Moreover, the Workforce Investment Act of 1998, and the Rehabilitation Act Amendments, have echoed these goals by incorporating specific attention on stimulating the improvement of the vocational and life skills of young people with disabilities to enable them to be better prepared for transition to adult life.

2000 Activities - Youth

- Collaboration with several major corporations to develop the *Able to Work Consortium* to ensure that youth with disabilities are afforded the employment experiences they need to lead to meaningful careers.
- Expansion of the Task Force's mandate to focus on helping young people make the transition from school to work.
- An increase by the Social Security Administration in the Supplemental Security Income (SSI) Student Earned Income Exclusion, the amount that students who receive SSI can earn while continuing to receive benefits from \$400 to \$1,290 per month (\$1,620 to \$5,200 per year) subject to annual adjustments based on the cost-of-living index.

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- Funding by the President's Committee on Employment of People with Disabilities for 25 state-level "Leadership Forums," conferences for high school age students with disabilities.
- A five-day 2000 National Leadership Conference for Youth with Disabilities, in Washington, D.C., cosponsored by PCEPD, DOE, SSA, NCD, and HHS's Bureau of Maternal and Child Health, Center for Disease Control, and Administration on Developmental Disabilities.
- National Disability Mentoring Day program on October 25, 2000, as part of the celebration of National Disability Employment Awareness Month, cosponsored by the White House, the Task Force, and the American Association of People with Disabilities 27 federal agencies, 26 corporate employers, and businesses and organizations from 13 states participating.
- Approval for the Health Resources and Services Administration/Maternal and Child Health Bureau/Division of Services for Children with Special Health Needs to create a monograph companion to the U.S. Surgeon General's *Healthy People 2010* document which includes six core outcomes for children with special health needs.
- Development of technical assistance, and training and outreach by the Task Force and DOL's Employment and Training Administration (ETA) to ensure that young people with disabilities participate in DOL's youth programs including Job Corps, Youth Opportunities, and School to Work.
- A two-day National Transition Summit on Young People with Disabilities to explore policy options and develop recommendations for improving the transition results for young people with disabilities.

· Announcement by the First Lady of amendment to Executive Order 13078 which

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created the Presidential Task Force on Employment of Adults with Disabilities, to expand its mandate to focus on helping young people make the transition from school to work (The Youth to Work Initiative.

2001 Focus - Youth

Over the next year, the Task Force will be working with the Youth Subcommittee on implementing the amended Executive Order. Activities planned include:

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Conducting resource mapping to identify all relevant agency funding activities, streams, and plans to assist Federal agencies in developing the agency-specific and coordinated activities envisioned by the Executive Order.

· Conducting market research to investigate the barriers young people with disabilities face when transitioning from adolescence to adulthood and work, their expectations, and their experiences. The results from this activity will be used to develop the public awareness campaign described below.

· Holding a multi-day Federal agency staff "Institute" to bring together cross-agency staff to develop and coordinate activities to carry out the Executive Order.

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- Developing an extensive public awareness campaign focused on promoting high expectations and successful transition of young people with disabilities, and designed to educate multiple relevant constituencies.
- Ensuring that young people with disabilities are included in the opportunities that the WIA presents, including participation on youth councils.
- Formalizing the Federal Healthy, Ready to Work Interagency Council to ensure access to, and utilization of, health care resources and services by youth with special health needs.
- Reviewing and analyzing transition planning in postsecondary education.
- Initiating a national training effort targeting youth with disabilities about their rights and responsibilities under the Rehabilitation Act, the Americans with Disabilities Act, the Individuals with Disabilities Education Act, and other laws designed to provide equal opportunity to people with disabilities.
- Establishing a Youth Advisory Council to advise the Task Force on all activities related to youth.

People with Significant Disabilities

As part of the effort to implement the goals of the Executive Order, the Task Force also focused this year on increasing employment, choice, and wages for people with the most significant disabilities who have been in non-work, segregated, or residential placements. This group of individuals cuts across age, race, and disability boundaries. Many of these individuals reside in nursing homes or institutions. Increasing numbers are preparing to move to the community, especially following the Supreme Court decision in *Olmstead*. Others may be on waiting lists for services, in day health or activity programs, or in other sheltered environments. The life impact of their disability is such that these individuals are often left out of conversations about employment entirely, and many transition from school without any thought of employment as an expected part of their life. They are essentially labeled by the significance of their disability, assumed to be unemployable or able to participate only in activities for which they are paid less than the minimum wage.

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Yet, increasing documentation exists that these individuals can work in integrated, competitive environments, contributing significantly to their workplace. When provided with appropriate supports and matched with jobs that utilize their strengths and abilities, this evidence further documents that people with significant disabilities can dramatically increase their earnings.

The importance of Task Force attention to increasing choice, employment, and wages for this diverse group of young people and adults with disabilities was accentuated by multiple related issues raised throughout the year. These included: initiation of a General Accounting Office investigation on implementation of section 14© of the Fair Labor Standards Act (FLSA), which allows payment of commensurate (sub-minimum) wages to people with disabilities under certain circumstances; heated discussions on Capitol Hill where advocacy organizations representing people with disabilities requested statutory changes to the FLSA that would prohibit the use of sub-minimum wages while others argued against such changes; investigation of implementation of section 14© of the FLSA by the Department of Labor's Office of Inspector General; numerous lawsuits across the nation challenging non-payment of FICA benefits for some people with disabilities working at sub-minimum wages; requests for technical assistance by providers and disability advocates on best practice strategies in securing customized employment; and requests for assistance with conversion strategies and funding for community rehabilitation providers who wish to change to integrated, community employment.

2000 Activities - Significant Disabilities

- Survey research with multiple respondent groups on employment of people with the most significant disabilities, including people in nursing homes and institutions, in day activity or day health programs, and those working at less than minimum wage. The research identified barriers and facilitators to increasing employment which the Task Force utilized in preparation for a National Summit.
- A National Summit: *Real Choices, Real Jobs, Real Pay: Employment for the 21st Century*, which provided an opportunity for a broad national dialogue about strategies for increasing employment, choice, and wages for people with significant disabilities, and included representatives from provider organizations, state agency and policy leaders, best practice experts, family members and people with disabilities.
- A Think Tank to further develop recommendations from information collected through research and at the Summit in ten goal areas included in a report entitled *Real Choices, Real Jobs, Real Pay: Employment for the 21st Century*, available

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from the Task Force.

- A national conference sponsored by Rehabilitation Services Administration on providing choice-based employment services to people with significant disabilities through the rehabilitation system, *Choices 2000*, in Washington, D.C.
- The release of a proposed rule by the Rehabilitation Services Administration clarifying that in the Rehabilitation Act the term "employment outcome" includes only those outcomes in which an individual with a disability works in an integrated setting.
- Training on employment of people with mental retardation and cognitive disabilities by the Department of Labor's Civil Rights Center at their annual conference in Washington, D.C.
- Qualitative research documenting the issues, findings, and experiences of participants in the "choice demonstration" projects, previously funded by RSA, to inform Task Force members and others about issues and findings from these projects related to increasing choice for people with significant disabilities.

2001 Focus: Significant Disability

Task Force activities in this area will include:

- Establishing an interagency, cross-committee *Task Force Work Group on Significant Disability*, composed of high level agency representatives from DOJ and EEOC, DOEd, HHS, SSA, SBA, Commerce, and Treasury, as well as members of the disability community. The Task Force will further develop coordinated strategies for increasing individualized employment for people with significant disabilities including reviewing and action on recommendations to the Task Force resulting from the Summit and related activities conducted throughout the year 2000.
- Implementing a comprehensive review of statutory and regulatory authorities dealing with procurement and acquisition of Federal contracts, and developing recommendations for revision, as appropriate, in order to increase participation of

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people with disabilities in securing federal contracts, including people with significant disabilities.

- Coordinating and implementing a national training, technical assistance, and capacity building effort on effective strategies for securing customized employment at minimum wage or above for individuals with significant disabilities through one-stop career centers.
- Identifying mechanisms for implementing independent advocacy in each State to advance customized employment for persons with significant disabilities, with assistance targeted to people in non-work settings or people who are working at less than minimum wage.
- Developing a Memorandum of Understanding (MOU) between the Departments of Labor, Education, Health and Human Services and the Social Security Administration that clarifies integrated employment as a goal for young people and adults with significant disabilities, and that coordinates resources and capacity building initiatives at a Federal level. One intent of this MOU is to serve as a model for state and local coordination in order to leverage and coordinate expertise and resources of that system to facilitate meaningful participation of persons with significant disabilities through one-stops.
- Completing a TEIN at the Department of Labor on employment for people with significant disabilities through the one-stop career centers and disseminating this TEIN nationally.
- Implementing a coordinated and sustained initiative to increase integrated, customized employment for young people and adults with significant disabilities through strategies providing individual choice and control over services, supports, and systems resources (such as the Ticket to Work, Individualized Training Accounts, vouchers and individualized budgets).
- Collaborating with the Wage and Hour Division of the Department of Labor's Employment and Standards Administration (ESA) to develop training and technical assistance materials as appropriate for the award, renewal, and evaluation of the use of sub-minimum wage certificates, and implementation of an aggressive annual monitoring initiative to ensure compliance.

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Exploring ways to (1) provide incentives to state education agencies to limit the use of segregated settings for post-school transition in IEP transition planning for students with significant disabilities, and (2) document a reduction in the use of such settings on a state by state basis.

Developing strategies under existing education and lifelong learning authorities (such as the Higher Education Amendments of 1998, the Improving America's Schools Act, student loan authorities, and other authorities as appropriate) to expand opportunities for transition to post-secondary experiences for individuals with significant disabilities, including individuals with mental retardation and other cognitive disabilities.

"Professionals and people with disabilities can escape the demands of the work responsibilities by colluding to reinforce the belief that people with disabilities couldn't possibly succeed and must stay outside the workforce for their own good... Or professionals can help people with disabilities figure out what the changing work world could offer them and find practical ways to balance the real risks that moving into work poses for them. This is the harder path and the path with the greatest potential rewards..."

Clarifying the relationship of work experience for participation in the SSI and Medicaid programs for young people with disabilities by issuing and broadly disseminating joint policy guidance. The guidance will clarify that participation of young people with significant disabilities in paid work experience in inclusive settings will not adversely impact a youth's redetermination of eligibility for SSI at age 18.

Ann O'Leary

Exploring ways to assist community rehabilitation providers who desire to move from segregated to integrated, individualized employment through implementation of a sustained initiative on conversion of facility-based employment to integrated community employment.

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Diversity

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Although the current unemployment rate for individuals with disabilities is astoundingly high, the unemployment rate for minorities with disabilities is even higher – with individuals facing even more limited opportunities for employment and career advancement, and often experiencing dual discrimination because of both disability and race. When combined with disability, race or membership in an ethnic or language minority is probably the greatest predictors of exclusion, of lack of opportunity, and of poverty. The Task Force has worked hard this year to address these specific concerns.

2000 Activities - Diversity

Outreach, collaboration, and technical assistance to Native Americans and Alaska Natives, Asian Americans and Pacific Islanders, and African Americans with disabilities through participation in the following conferences and activities:

Stepping Stones to Increase Employment of American Indian Women with Disabilities in Laughlin, Nevada at the Fort Mojave Indian Reservation.

16th Annual Pacific Rim Conference on Disability, *Creating Futures: Kaleidoscopes of Opportunity for People with Disabilities*, in Honolulu, Hawaii.

Rehabilitation Services Administration's *Conference on Native Americans with Disabilities* in Philadelphia, Mississippi.

National Council on Disability's *Think Tank 2000: Coalitions for Advancing the Civil and Human Rights of People with Disabilities from Diverse Cultures*.

Tribal Opportunities under the Workforce Investment Act and the Ticket to Work and Work Incentives Improvement Act conference in Fort Collins, Colorado.

Mary Smith

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Disability Issues Forum on barriers to employment faced by African-Americans with disabilities at the *Congressional Black Caucus 2000 Annual Meeting*.

White House Initiative on Asian-Americans and Pacific Islanders Town Hall Meeting in New York City.

- Ongoing discussions between the Departments of Labor, Housing and Urban Development, Transportation, other Task Force member agencies, and disability advocates in Baltimore on services and protections for individuals with disabilities from diverse ethnic and racial backgrounds.
- Funding of a new American Indian Disability Technical Assistance Center by the Department of Education, pursuant to the Task Force Native American Work Group recommendation last year.
- A new public-private partnership between the Bureau of Indian Affairs, Department of Labor, Information Technology Association of America and the Southwestern Indian Polytechnic Institute for increasing technology access for American Indians and Alaskan Natives with disabilities.
- Appointment of the Task Force as a new member of the White House Initiative on Asian Americans and Pacific Islanders Interagency Working Group.

2001 Focus - Diversity

It became clear in 2000 that the Task Force needs to develop a more clearly defined strategy for addressing the needs of all individuals with disabilities who are from diverse ethnic and racial backgrounds, incorporating the principles of cultural competence and tailoring activities, such as outreach, for specific communities. In 2001 the Task Force plans to more aggressively increase employment and entrepreneurial opportunities for individuals with disabilities from diverse racial and ethnic backgrounds by doing the following:

- Creating a task force work group on minorities with disabilities to make recommendations on how best to enhance employment rights, civil rights and

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worker protections for racial and ethnic minorities, and to develop strategies for implementing targeted enforcement and focused outreach efforts.

- Researching and evaluating federal programs that support (or should support) employment of people with disabilities, including existing Federal employment and entrepreneurship programs that target minorities, and assess the degree to which they serve minorities with disabilities, in order to determine the current status and funding of programs intended to increase the employment of minorities and establish a baseline from which to measure progress.
- Carrying out an extensive outreach effort to diverse communities, including roundtable discussions and meetings, so that individuals from diverse communities across the nation can participate directly by expressing their views and making recommendations on strategies for eliminating employment barriers for minorities with disabilities.
- Developing and implementing a Federal strategy for addressing the specific needs of individuals with disabilities from diverse communities, built on the research and outreach, including developing concrete recommendations on how to eliminate discriminatory employment practices, modify and better utilize existing Federal programs and resources, and identify strategies for increasing interagency collaboration and public-private partnerships through the development of a strategic plan in conjunction with the disability community.
- Working with the Department of Health and Human Services, Department of Labor, and other relevant Federal partners in implementation of the following as they relate specifically to disability and employment programs and services:
 - White House Initiative on Asian Americans and Pacific Islanders;
 - Executive Order 13166 on serving persons with limited English skills, signed by President Clinton on Aug. 11, 2000, requiring each federal agency to have written policies on providing effective service to those with limited English proficiency who are served by federally funded programs; and

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- Department of Health and Human Services Initiative to Eliminate Racial and Ethnic Disparities in Health.

Statistics

Statistical data about the incidence, prevalence, and distribution of disability, and the characteristics and experiences of people with disabilities, are absolutely critical to planning services, evaluating programs, and formulating public policy. Thus, the collection of reliable and accurate statistics on people with disabilities is an essential component of an aggressive and comprehensive strategy to increase the employment rate of people with disabilities.

President Clinton charged the Presidential Task Force with *designing and implementing a statistically reliable and accurate method to measure the employment rate of adults with disabilities* – a complex and time-intensive task. Under the leadership of the Department of Labor's Bureau of Labor Statistics, and the Department of Commerce's Census Bureau, the Task Force created the Employment Rate Measurement Methodology (ERMM) Work Group whose sole purpose is to fulfill this mandate. To people working on making One-Stop Career Centers programmatically and physically accessible to people with disabilities, or developing entrepreneurship or information technology job opportunities, work on statistical methods may seem dull and irrelevant. But that could not be further from the truth.

Why Are Statistics So Important to the Work of the Presidential Task Force?

Data not only legitimizes the concerns of the disability community but also makes use of strategies that have opened doors for other groups operating at an economic and social disadvantage. Many of the same data collection methods used to guide policy and legislation that resulted in an increase in employment, reduction of economic inequality, and the creation of a better way of life for women and other protected groups, are equally applicable to the disability community.

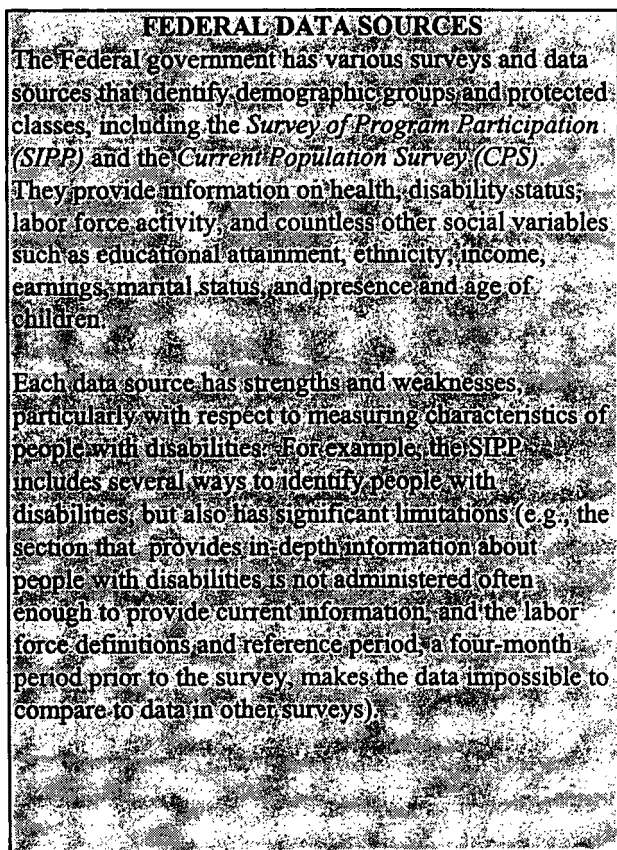
"For many years, disability research has been applied in an area of health care. People with disabilities have learned, however, that underlying values and assumptions have guided research in ways that are not necessarily important or helpful to them as the ultimate beneficiaries. Choices are made, either consciously or not, at each stage of research design, collection, and dissemination that affect the utility of the research to individuals with disabilities." (Reported to the President's Council on Disability, 1998)

There are many examples of how data about people with disabilities can be used to facilitate economic participation of people with disabilities. For example, Section 503 of the Rehabilitation Act of 1973, as amended, requires firms operating under Federal contracts to take proactive steps to hire people with disabilities. Firms are currently required to fill out a form identifying the

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occupational distribution of women, blacks and Hispanics, and data from the Census is used to determine if hiring goals are being met. Currently, however, there is no occupational data for people with disabilities, so firms have no way of knowing if their efforts to hire people with disabilities are effective.

Anecdotal information indicates that people with certain types of disabilities may have far worse employment prospects than those with other types of disabilities. If data were available to identify the labor force activity of these individuals, the information could be used to target policy to mitigate the difficulties. In other cases, if employment data shows, for example, that the people with disabilities who are self-employed or those who use computers in their jobs have enhanced employment and earnings prospects, policies could be targeted in the same direction to improve the prospects of others with disabilities. Although no single survey is currently capable of providing all the data to serve the needs of prospective policies, administering a survey like the NHIS with greater frequency would go a long way toward informing disability policy.



In 1999, the Work Group completed an annotated bibliography of disability survey instruments. The exhaustive review of these instruments indicated there were serious problems with the questions that were currently available.

In 2000, the Work Group reformulated its research plan and conducted "cognitive tests" of disability questions found in various surveys such as the SIPP and the National Organization for Disability's NOD/Harris Poll to help determine the minimum set of questions needed to identify the majority of the people the survey identified as having a disability.

The tests pointed to a variety of issues related to the validity and reliability of the questions, and the effectiveness of different approaches to identifying people with disabilities. For example, one individual who has arthritis reported "having difficulty" to several of the questions

but did not report these conditions when asked directly if she/he had a "disability." To this

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respondent, a disability implied not being able to function at all. Since she/he functioned normally, she/he did not identify herself as having a disability. A second individual with severe depression and balance problems did not report any difficulties when administered the first series of questions because he/she functions well with all of the supports he/she has in place. The same person, however, did report these conditions when asked directly in the second series of questions that asked directly about a disability.

The next phase of the testing process is to place the finished products from the cognitive testing in the National Co-morbidity Survey (NCS), which will be administered between February 2001 and October 2001. The ERMM Work Group will use the results from this field testing to determine a reasonable number of questions identifying the disability population for ultimate placement in the Current Population Survey (CPS), which is legislatively mandated to identify people who are employed and unemployed.

Since the CPS is the official source of labor force measures, it is the most appropriate survey for collecting such information for people with disabilities. It is also the official source of data for other protected classes (e.g., blacks, Hispanics, women, and people over 40) and it is, therefore, logical that labor force data for people with disabilities would be collected on the same basis.

In addition to the efforts around the CPS, the Presidential Task Force and the ERMM Work Group have made the following recommendations for 2001 in order to continue the development and implementation of an accurate and reliable methodology for determining the employment rate for adults with disabilities and to improve strategies which the Federal government uses in collecting data including:

- *Coordinating agency disability statistics activities across the Federal government through the Presidential Task Force, building on the Work Group's efforts and findings as a foundation for other Federal agencies as they begin to develop instruments designed to measure disability factors.*
- *Exploring alternatives if the ERMM research concludes it is not possible to accurately and reliably identify the disability population with a reasonable number of questions, such as developing, testing, and fielding a more detailed disability supplement to the CPS and/or fielding the NHIS with sufficient frequency to determine the employment status of people with disabilities.*

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- *Modifying the Federal Employer Information Report EEO-1, Standard Form 100 to provide occupational data on people with disabilities -- The Equal Employment Opportunity Commission (EEOC) currently requires firms to report the occupations in which women, blacks and Hispanics work in and how this distribution compares to the local area distribution. The EEO-1 currently does not capture any data on people with disabilities, thus making it difficult to determine the extent of participation of people with disabilities in the current labor market.*
- *Adding disability status to the data base of occupational distributions so as to allow OFCCP to strengthen its enforcement of Section 503 of the Rehabilitation Act of 1973 and enable firms to evaluate their progress toward their goal of hiring people with disabilities.*
- *Developing a set of evaluative criteria so the Office of Personnel Management can help agencies evaluate their progress in meeting the goals in President Clinton's July 2000 Executive Order directing Executive agencies to hire 100,000 people with disabilities over the next five years.*

Appendix

Federal Efforts to Identify the Employment Rate for Adults with Disabilities

The Purpose and Need for Disability Statistics

The disability movement is characterized by a large and growing population with an emerging self-awareness and self-identification. At the same time, the views and the desire of the disability community to have equal economic opportunities is being felt. The passage of the Americans with Disabilities Act and Individuals with Disabilities Education Act established expectations within the disability community that the economic status of people with disabilities would improve. A fundamental assumption of these Acts is that people with disabilities are capable of full participation in the economy, if they are given the opportunity to do so. Available data, more than six years old, indicates that people with severe disabilities face serious barriers to such participation and lag behind in several key aspects, such as educational attainment and income (Hale, Monthly Labor Review November 1998). A concerted effort was begun in 1998 with the establishment of the Presidential Task Force on the Employment of Adults with Disabilities to identify and remove the education and employment barriers faced by people with disabilities. It is difficult to judge the effects of such activities, however, in the absence of more current and accurate data on the employment and economic status of people with disabilities.

The Federal government has a number of surveys and sources of data that identify various demographic groups and protected classes such as persons with disabilities, including the Survey of Program Participation (SIPP), the National Health Interview Survey (NHIS), and the Current Population Survey (CPS). Each of these surveys has various strengths and weaknesses, with respect to measuring various dimensions or characteristics of the population of people with disabilities. The NHIS is the Federal Government's premier survey for identifying the prevalence of various conditions considered to be "disabling." It has a labor force module and many other features that provide important information about people with disabilities. Unfortunately, however, it is not conducted with sufficient frequency to provide an ongoing and current picture of the disability community.

The SIPP has a number of very useful ways to identify people with disabilities, but it also has some limitations in its utility. For example, a supplement designed to provide more in-depth information about people with disabilities is not administered with sufficient frequency to provide current information, and labor force definitions and its reference period (a four-month period prior to the survey) renders the data incomparable to data in other surveys. The CPS is the official source of employment data and is conducted on a monthly basis, but it does not have questions to identify the population of people with disabilities as it does with other demographic groups.

In the course of a lifetime, it is likely that either the individual or a loved one will acquire a disability. Yet, society is not particularly cognizant of the issues and concerns of the disability community. The availability of employment measures of people with disabilities, collected and publicized on a current basis, would go a long way to increasing public awareness of many important issues. Moreover, data and other types of information are critical, not so much to legitimize the concerns of the disability community as much as to make use of strategies that have opened doors for other groups operating at an economic and social disadvantage. Many of the same principles used to guide policy and legislation that resulted in an increase in employment, a reduction of economic inequality, and the creation of a better way of life for women and other protected groups, are equally applicable to how society is beginning to regard the disability community. As with the civil rights movement, the principles that are moving the disability movement into the mainstream are based on the premise that all Americans are entitled to the same freedoms and opportunities.

Identification of People with Disabilities

There are several important issues connected with the determining of who is a person with a disability. The context in which people with disabilities are identified is particularly relevant. For example, if an employer wishes to evaluate its efforts to hire people with disabilities, it could attempt to determine the number of people with disabilities it employs by conducting a visual survey and head count of those people thought have a disability. This method is likely to miss most people with hidden disabilities, ranging from heart conditions to depression. Alternatively, the employer could ask people to self-identify as having a disability. Self-disclosure is a particularly important way to identify people with disabilities because a person with a disability knows more about herself or himself than anyone else.

Self-disclosure, however, can pose risks for an individual with a disability. People with disabilities are often reluctant to self-identify because of legitimate fears of stigma, prejudice, and the potential for discrimination. While statutes such as the ADA, the Rehabilitation Act, and the EEOC regulations protect people against discrimination, many people with disabilities do not have the resources, and often lack the knowledge needed to use the law for their protection. There are few situations where a person with a disability can feel secure in knowing that self disclosure will not have a negative outcome.

Efforts must be made to change the scenario of intimidation and discrimination, or people will continue to remain hidden and silent about an aspect of themselves that should never in the first place been a source of problems. The ADA and the Executive Order 13078 embrace the idea that full economic and social mainstreaming of people with disabilities will result in large benefits to society. However, the benefits will not be fully realized until people with disabilities are able to pursue their dreams and goals in an environment that is free of negative consequences for people simply being who they are. Many things can and have been done to increase awareness, but never has it been more important to the disability community to be properly counted.

Disability Data: It's Uses and Misuses

There are many examples of how data about people with disabilities can be used to facilitate the economic participation of people with disabilities. For example, the Rehabilitation Act of 1973, §503 requires firms operating under a federal contract to take proactive steps to hire people with disabilities into occupations at a rate representative of people with disabilities in the same occupation for the geographic area. Firms are currently required to fill out a form identifying the occupational distribution of women, blacks and Hispanics, and data from the Census is used to determine if hiring goals are being met. In as much as there is currently no occupational data being kept for people with disabilities, firms have no method of evaluating whether its efforts to hire people with disabilities are effective. The simple fact that there is no data available to evaluate its efforts might be an impediment to hiring people with disabilities.

Anecdotal information indicates that people with certain types of disabilities may have far worse employment prospects than those with other types of disabilities. If data were available to identify the labor force activity of these individuals, the information could be used to target policy to mitigate the difficulties. In other cases, if employment data show, for example, that the self-employed with disabilities or those who use computers in their jobs have enhanced employment and earnings prospects, policies could be targeted in the same direction to improve the prospects of others with disabilities. No single survey is capable of providing all the data to serve the needs of prospective policies, but a review of surveys indicates that measuring the disability population in the CPS, and administering a survey like the NHIS with greater frequency, would go a long way towards the development of effective disability policy.

There are also problems with the data as it currently exists. As noted above, there is no measure of the disability population in the Current Population Survey. Yet, there is a question in the March Supplement of the CPS that asks if a person has a health problem or disability that prevents them from working or limits the type or amount of work they can do. This question is designed so that those who respond positively to the question will then be asked a set of questions that ask about sources of income, such as workmen's compensation, black lung benefits, etc. It was not designed to identify the disability population. While it may be reasonable to assume that some people with a disability have a limitation in the type or amount of work they can do, the concept of disability is far broader than a work limitation. As a result, it is not valid to define the concept of disability in this way.

Still, data from the CPS on the number of people who respond positively to this question is publicly available, and analyses based on the work limitation question continue to be published. While there are many methodological and analytic problems with these analyses, the key problem is that the work limitation question identifies some group other than the disability population, so conclusions about people with disabilities based on these analyses are flawed.

One of the most damaging conclusions based on the misused CPS data is that the ADA has not reduced the unemployment rate of people with disabilities. This conclusion is totally unwarranted. By suggesting that the data already exists, and that no further efforts are needed to improve the methods of collecting information about the employment of people with disabilities, these types of analyses effectively undermine federal efforts to improve economic opportunities for those with disabilities.

Finally, even if these data problems did not exist, the effectiveness of a statute should not be judged on any employment statistic. The ADA's employment provisions have been fully in force for only seven years, because the statute gave employers two to four years to comply. The most significant effects of the Civil Rights Act of 1964 took more than seven years to come about, and there's no reason to expect the effects of the ADA to come any quicker. Furthermore, the ADA is not a comprehensive employment policy for people with disabilities and should not be viewed in that light. Attacking the problem of unemployment among people with disabilities requires a multi-pronged strategy—one that improves education and training for people with disabilities, eliminates the disincentives in our laws and policies that actually penalize people with disabilities who work, *and* vigorously enforces our laws against discrimination. The collection of reliable and accurate statistics on the employment of people with disabilities remains critical to the development of any comprehensive strategy to increase the employment rate of people with disabilities.

Executive Order 13078

Subsequent to signing the Americans with Disabilities Act (ADA) and promulgating implementing regulations, there has been a strong interest and need to measure the labor force status of people with disabilities as is done for other protected classes. On March 17, 1998, President Clinton signed Executive Order 13078, establishing the Presidential Task Force on Employment of Adults with Disabilities. This Executive Order mandated that: "The Bureau of Labor Statistics (BLS) of the Department of Labor and the Census Bureau of the Department of Commerce, in cooperation with the Departments of Education and Health and Human Services, the National Council on Disability, and the President's Committee on the Employment of People with Disabilities shall design and implement a statistically reliable and accurate method to measure the employment rate of adults with disabilities as soon as possible...." In response to the Executive Order, the Task Force established the Employment Rate Measurement Methodology (ERMM) Work Group which is chaired by the Assistant Commissioner for Employment and Unemployment Statistics at BLS.

Two years prior to the Executive Order 13078, BLS, along with several other Federal agencies, had already begun an effort to test potential disability questions for use in the CPS. Although the initial test results were far from satisfactory, a strategy emerged to test question sets from existing disability survey instruments which was subsequently adopted by the newly established ERMM Work Group.

The rationale for this approach was the expectation that data would be available regarding the design and selection of question sets on many of the well known disability surveys. This information would then be used to determine what question sets would be the best for inclusion on the CPS. It was also understood that even if there were question sets that could be placed on the CPS, further research would be required on those question sets in the context of the CPS. In last year's Task Force report, *If Not Now, When?*, the research plan was described in more detail.

At the time of last year's report, the ERMM Work Group and BLS had just completed an annotated bibliography of disability survey instruments, but had not yet completed its evaluation on the accuracy and reliability of those survey instruments and questions. The exhaustive review of these instruments subsequently conducted indicated that there were virtually no question sets with known psychometric properties, there was little or no testing on the question sets that were available, and, for those that had been tested, acquiring the results was difficult. Furthermore, there were serious problems with the questions that were currently available. With more information on the properties of the existing data, the research plan has currently evolved to testing individual questions themselves, rather than question sets.

Current Research Strategy

The decision to test individual questions has greatly enhanced the flexibility of this research effort in two ways. First, it increased the number and types of questions that could be tested, including modifications to wording for a given question. Second, based on the data, a new question set that had the desirable accuracy and reliability properties could be constructed from the test questions. As a result, the ERMM Work Group reformulated its research plan to identify a set of questions on which cognitive tests would be conducted with the goal being to then test the questions in an existing survey instrument.

The effort to identify disability questions focused on surveys such as the SIPP, NHIS, the National Organization for Disability's NOD/Harris Poll, and others. The object was to identify the minimum set of questions that were capable of classifying the bulk of the people the survey identified as having a disability. This data reduction method delivered 20 questions for testing.

The cognitive interviews of these 20 questions were conducted in three waves, between October 23 and November 3, 2000. After waves one and two, researchers modified the language and submitted the modified questions to the next round of cognitive interviews. Twenty cognitive interviews were conducted. The interviews were designed to achieve two broad goals. The first goal of the interview was to determine what and how respondents think about the question content – if the questions have good examples of activities in which one might be limited, and if the questions contain language that makes them difficult to understand or otherwise respond to. The second goal was to learn what respondents think of when they hear and use certain terms such as disability, impairment, and health problem.

The cognitive tests provided insight on the proposed questions in several different ways. At a very specific level, the interviews led to a number of specific changes for inclusion in the larger field study which will involve the use of the National Co-morbidity Survey (NCS). For example, the items taken from the Decennial Census were simplified by eliminating multiple allusions to both a reference period (past three months) and specifying duration of condition (three months or longer). The cognitive tests found respondents were not processing both of these time referents, and would typically drop the reference period from consideration. Another type of change that resulted from the cognitive tests was based on inconsistencies in how respondents interpreted

descriptions of conditions. For example, the phrase "... serious speech, hearing or vision problem" was interpreted by some respondents as any condition that required glasses or hearing aids, while others did not include these assistive devices. As a result, recommendations were made to include additional items that were more explicit with respect to the use of assistive devices and situations (e.g., ...hearing a normal conversation even with a hearing aid). Similarly the cognitive tests recommended that a question that asked respondents if "most other people" considered him/her disabled should be broken up into two questions. One should ask whether "strangers who see you on the street would consider you to have a disability". The other should ask if "...people who know you consider you to have a disability". This recommendation was based on the observation that respondents interpreted the original question multiple ways. Some thought of people they know, while others thought of strangers. Since the type of disability would depend on these two interpretations, the question was changed.

A third type of change was based on the observation that the order and contexts of the questions affected how respondents interpreted particular items. As a result of this, items that asked directly about a disability (e.g., blindness, learning disability, physical disability) were re-ordered to focus the respondent's attention from specific to more general items. The re-ordering also attempted to keep questions grouped around types of conditions (e.g., physical vs. emotional/mental).

The cognitive tests also pointed to a more global issue related to the validity and reliability of the question series. An important issue that was discussed throughout the interviewing was the differential effectiveness of two separate approaches to identifying people with disabilities. One approach, exemplified by the Census questions, asked about "any difficulty in doing" particular activities (e.g., learning, remembering or concentrating; dressing, bathing, getting around the home). This approach tended to cast a fairly broad net, but with low reliability. Respondents used many different standards conceptualizing what "any difficulty" meant (e.g., can't do it at all; compared to self ten years ago; compared to others).

The second approach asked directly about conditions that might be considered disabilities (e.g., learning disabilities; "other" physical disabilities; mental or emotional disabilities). The items for this second approach used the word "disability" within the question. This second approach appeared to be more reliable than the first approach based on the observation that respondents did not seem to have as many variations on what this meant. Most respondents interpreted "disabilities" as a relatively serious condition which excluded conditions that might be considered marginal or mild in any way.

For example, one respondent with arthritis reported as "having difficulty" to several of the questions using the first approach, but did not report these conditions when asked directly if she had a "disability". To this respondent, a disability implied not being able to function at all. Since she functioned normally, she did not identify herself as having a disability. A second respondent with severe depression and balance problems did not report any difficulties when administered the first series of questions because he/she functions with no difficulties with medication. This individual, however, did report these conditions when asked in the second

series of questions that asked directly about a disability.

In a longer survey on disability, both of these approaches would likely be included. For the CPS, however, only a limited set of questions will be used. The issue of the strengths and weaknesses of these two approaches, therefore, seems particularly important for the ultimate goal of placing a small number of questions on the CPS for identifying people with disabilities in the U.S. The interviews conducted were unique in many respects, and cannot be used to generalize what would happen in a large scale survey. Nonetheless, these results suggest that while interpretation of the meaning of the word "disability" does vary across respondents, it is less subject to inconsistencies when compared to asking about "having difficulties". A problem with the use of the word "disability" is that for some respondents it is a loaded term that has many negative connotations. For these respondents, such as the person described in the example above, more direct questions may not classify the person in the correct category. This problem might be solved by asking those that do not self-identify at these items an additional series that asks whether someone else might consider him/her to have a disability. This approach was relatively successful during the interviews, but would, of course, have to be shown to work in the context of a survey setting.

The next phase of the testing process is to place the finished products from the cognitive testing in the National Co-morbidity Survey (NCS), which will be administered between February 2001 and October 2001, with at least one third of the data being available in May 2001. The NCS has several characteristics that make it particularly attractive as a test vehicle. First, it is an exhaustive instrument for determining the prevalence of mental disorders. These disorders are among the most difficult to identify in a survey. It also has a number of measures for physical disabilities, such as the Global Assessment Schedule. The interviews in the NCS are face to face, but 10 percent of the households will be interviewed again to determine the relationship between self and proxy responses. Six of the candidate questions come from the WHO-DAS II, and, as it happens, the NCS has 18 questions from the WHO DAS II, including the six that were selected for further testing.

If the research plan does determine a reasonable number of questions that can identify the disability population, they would ultimately be placed in the CPS. As the official source of labor force measures such as employment and unemployment, the CPS is the most appropriate survey to collect such information for people with disabilities. The CPS is a monthly household survey of 50,000 households, or about 100,000 people. BLS maintains about 23,000 time series based on the CPS, and there are potentially millions of variables that could be cross tabulated.

The primary mission of the CPS, and the time and space constraints of any new questions, remain very important considerations when it is determined that questions are to be added to the CPS. The purpose of the CPS is to identify the employed and unemployed. This mission is legislatively mandated, and therefore cannot be compromised. (29 U.S.C., and other public laws specify the collection of these variables and for specific groups such as Hispanics and veterans.) Also, the CPS asks about many variables, and adding on a disability measure to the CPS, or for that matter on any other survey, will increase the amount of time each respondent takes, thus requiring more interviewers to be hired and increasing costs.

Despite the difficulties inherent to adding disability questions to the CPS, the U.S. Bureau of Labor Statistics has remained steadfastly committed to separately identifying the disability population. While other surveys such as the SIPP and the NHIS contain employment questions, the concepts, reference period and essential survey conditions of the other surveys differ sufficiently from that of the CPS so that the other surveys are not effective substitutes for the CPS. Also, since the CPS is the official source of data on employment and for the identification of other protected classes (e.g., blacks, Hispanics, women, and people over 40), it would be desirable to collect labor force data for people with disabilities on the same basis.

Recommendations

If the research concludes that it is not possible to accurately and reliably identify the disability population with a reasonable number of questions, several alternatives should be explored with the same level of rigor and commitment as the current effort. One option includes developing, testing, and fielding a more detailed disability supplement to the CPS. Another is fielding the NHIS with sufficient frequency to determine the employment status of people with disabilities.

Issuing the NHIS more frequently would make it possible to determine the frequency with which certain “disabling” conditions occur in the society, as well as the employment rates of individuals for a broad array of conditions and disabilities. This would be particularly useful for targeting employment policy for groups or clusters of people with specific disabilities that have less promising employment prospects. Also, if the NHIS were to be administered with greater frequency, the incidence or number of new cases of “disabling” conditions could be determined. This information would then be useful in determining whether there was a need for new policies or changes in policies to address the dynamic nature of the disability community. This data is very important, irrespective of the status of the CPS disability questions. If and when disability measures are incorporated into the CPS, the NHIS data would complement data from the CPS.

The review of disability instruments conducted under the auspices of the Task Force indicates a poverty of research into the accuracy and reliability of disability statistics. The work of the Task Force and the ERMM Work Group to determine the accuracy and reliability of disability questions as well as the cognitive interviews recently conducted provide a solid foundation for other Federal agencies as these agencies begin to develop instruments designed to measure disability issues. It is recommended that disability statistics activities across the federal government be coordinated through the Task Force.

Input from the Task Force could help toward the development of a consistent, government-wide disability data collection methodology through reviewing data needs, identifying data gaps, and establishing data standards so that Federal agencies develop data methodologies and measures that will support and assist in the delivery of Federally assisted and Federally conducted programs that will result in the increase in the employment rate of people with disabilities. The ability to develop meaningful programs and monitor the success of programs is dependent on the ability to access data from a broad array of programs such as health statistics, education statistics, employment programs, and entitlement programs.

The Task Force recommends that maximum use be made of the ERMM Work Group research effort. For example, as the Committee on Civil Rights proposes to establish a new subcommittee on data collection, the Task Force's ERMM Work Group would provide ongoing consultation for the new subcommittee. Whenever an agency is contemplating designing or modifying disability questions, they should draw on the Work Group effort. While various statutes to address disability issues have a specific need for a particular definition of disability, there are many other Federal efforts where standardizing definitions and data collection procedures are necessary.

One such effort is the placement of disability questions in the American Community Survey. While this survey currently has questions from the Census 2000, there are known difficulties with them. A modified set of the questions has been tested in the cognitive interviews and will be field tested in the NCS. The information that emerges could be quite useful to the Bureau of the Census in future data collection efforts.

In addition to the development and implementation of an accurate and reliable methodology for determining the employment rate for adults with disabilities, the Task Force also realizes that measures of workforce availability are needed by employers for recruitment and affirmative action planning. The Equal Employment Opportunity Commission (EEOC) currently requires firms to report the occupations that women, African-Americans, and Hispanics work in, and how the firms distribution compares to the local area distribution, but does not require the collection of similar data regarding the participation of people with disabilities. The information that EEOC currently collects is required by law and the EEOC collects this information on Standard Form 100, Employer Information Report EEO-1. For the sake of consistency, uniformity and economy, Standard Form 100 has been jointly developed by EEOC and the Office of Federal Contract Compliance Programs (OFCCP) of the U.S. Department of Labor to meet the statistical needs of both programs. The EEO-1 currently does not capture any data on people with disabilities, thus making it difficult to determine the extent of participation of people with disabilities in the current labor market.

The Task Force recommends that the EEO-1 be modified to provide occupational data on people with disabilities. Concurrently, the Task Force recommends that data on the availability of persons with disabilities in the workforce be included in the 2000 Census EEO File. This information will be available in 2003. Employers currently rely on the 1990 Census EEO File which compiles detailed local area data on six specific occupations and the sex, race and Hispanic origin distribution within the occupations. The 1990 Census EEO File does not contain data on people with disabilities. Employers currently use the 1990 Census EEO File to develop recruitment and affirmative action plans with respect to gender, Hispanic origin, and race, and could similarly use the 2000 EEO File if data are available on people with disabilities.

The Department of Labor, through the OFCCP, has the responsibility for enforcing Section 503 of the Rehabilitation Act of 1973, which requires Federal contractors to take pro-active measures to hire persons with disabilities that go beyond the nondiscrimination requirements of Section 503 and the Americans with Disabilities Act. Adding disability status to the data base of

occupational distributions and to the EEO-1 form would allow OFCCP to strengthen its enforcement of Section 503 of the Rehabilitation Act of 1973 and enable firms to evaluate its progress toward the goal of hiring people with disabilities.

Lastly, an Executive Order was issued directing Executive agencies to hire 100,000 people with disabilities over the next five years. The Task Force recommends the Office of Personnel Management develop a set of evaluative criteria to help agencies evaluate their progress in meeting the President's goal. Again, this effort can draw on the research efforts of the Task Force and the ERMM Work Group.

APPENDIX B

PRESIDENTIAL TASK FORCE ON EMPLOYMENT OF ADULTS WITH DISABILITIES

Research Activities

FY 1999

DATA COLLECTION

Survey of the Federal Government on Human Resources/EEO Policies and Practices in Employment of People with Disabilities

Section 2(g) of the Executive Order mandated that "All executive agencies that are not members of the Task Force shall: (a) coordinate and cooperate with the Task Force; and (b) review their programs and policies to ensure that they are being conducted and delivered in a manner that facilitates and promotes the employment of adults with disabilities."

As part of a multi-year initiative to address the many facets of this mandate, the Task Force conducted a survey of Federal agencies to determine their response to employment nondiscrimination, affirmative action, and accommodation requirements of the Americans with Disabilities Act and the Rehabilitation Act of 1973 as amended. The results of this survey are described in the report, *Disability Nondiscrimination and Accommodation Policies and Practices in U.S. Federal Government Agencies*. This report documents many positive accomplishments that have resulted in opening the door to employment of people with disabilities in the Federal workforce. It also describes persistent barriers and recommendations to increase the employment of adults with disabilities in Federal agencies.

Models for Identifying and Measuring Disability Practices in Hiring

This project identified the methods used to measure hiring discrimination from other protected groups and considered how those methods could be applied to measure hiring discrimination on the basis of disability. The project also considered the significance of job descriptions as possible vehicles for discrimination and identified a series of recommendations for further activities. The results of the project are detailed in the report, *Measuring Disability-based Hiring Discrimination: Research Activities and Recommendations*.

Employment Data Policy Analysis

This project provided background information for the Employment Rate Measurement Methodology Work Group (Committee on Statistics). In the report to the Work Group,

The Effectiveness of Disability Screening Questions in Identifying the Adult Population with Disabilities, this project examined and analyzed screening questions in several surveys in order to assist the Work Group to determine which disability screening questions should be testing in the ongoing process to develop a statistically reliable and accurate method to measure the employment rate of adults with disabilities. The recommendations contained in this report have been reviewed by the Work Group and incorporated into their current activities.

Background Reports on Existing Federal Programs

This project developed a current and concise, but comprehensive, overview of existing Federal programs to determine what changes, modifications, and innovations may be necessary to remove barriers to employment opportunities faced by adults with disabilities.

YOUNG PEOPLE WITH DISABILITIES

Youth with Disabilities and Lifelong Learning

This project collected and analyzed data related to young people with disabilities' participation in postsecondary education opportunities, such as college and technical training, and other lifelong learning opportunities. The project resulted in a national forum and the development and dissemination of a product, *Postsecondary Education and Employment for Students with Disabilities: Focus Group Discussions on Supports and Barriers in Lifelong Learning*.

Exploring International Options for Young Women with Disabilities

The purpose of this project is to increase the participation of young women with disabilities in international employment. The project resulted in an international exchange and conference in the Summer of 2000 and the production and dissemination of a report, *Global Options for Employment Exploring International Opportunities for Young Women with Disabilities*.

Training and Employment Needs of Youth with Disabilities in the Juvenile Justice System

This project sought to obtain a better understanding of the unique issues surrounding employment and training needs of young juvenile offenders with disabilities. The project conducted research, planned a conference, and produced a report, *Addressing the Training and Employment Needs of Youth with Mental Health Disabilities in the Juvenile Justice System*, that was used to guide the work of the Task Force and its Subcommittee on Expanding Opportunities for Young People with Disabilities in its ongoing work.

White Paper on Improving Employment Outcomes for Youth with Disabilities

Federal programs have little information regarding the employment outcomes for adolescents and young adults with chronic health conditions or disabilities that do not qualify for special education services. This population is often characterized as "Section 504 kids," because their conditions are significant enough to afford them the rights and protections of Section 504 of the Rehabilitation Act, but are not of the nature to qualify them for special education programs. This population is significantly larger than the number of youth served under the Individuals with Disabilities Education Act. This project synthesized the research about this population and examined policy options and future directions. The resulting paper, *Increasing Employment Outcomes for Adolescents and Young Adults with Chronic Illness and Disabilities*, was used to guide the activities of the Task Force Subcommittee on Young People with Disabilities.

SIGNIFICANT DISABILITIES

From Segregation to Community- Participation: People with Significant Disabilities at Work

People with the most significant disabilities continue to be excluded from community-based employment and segregated in institutions, day habilitation and sheltered workshop settings, and to experience even higher rates of unemployment. This remains true in spite of the fact that multiple demonstrations have proven that certain strategies can be highly successful in connecting such individuals to community-based employment. This project conducted research and developed a brochure, *A New Voice*, that documented success stories that have led to changed work status of these individuals in community-based settings.

Think Tank on Policy Options for Work and Enhanced Economic Independence for Persons with Developmental Disabilities and other Significant Cognitive Disabilities

National Summit on Policy Options for Work and Enhanced Economic Independence for Persons with Developmental Disabilities and other Significant Cognitive Disabilities

Individuals with significant disabilities have historically remained unemployed and living below the poverty level despite multiple Federal programs. The Institute for Community Inclusion's recent report (May 1999) reviewed RSA data and data from state Mental Retardation and Developmental Disability agencies addressing issues of integrated employment and trends in day and employment services nationally. During an eight year period, while there has been an increase in the total number of persons with significant disabilities entering integrated employment (competitive and supported employment), more individuals each year enter segregated (sheltered workshops and day activity centers) and non-work programs. Despite Federal policies that encourage employment in sheltered workshops, research shows that there is emerging new thinking and practices that have promoted enhanced customer choice, person-centered planning, and

self-determination with documented results of improved economic status for the target group.

These projects: (1) assisted the Task Force with the identification and analysis of current Federal and state policies and practices that continue to pose barriers to consumer choice; and (2) identified the direction of supports that would enhance opportunities for meaningful work and economic status for Americans with developmental and the most significant disabilities. The projects resulted in a think-tank which will bring national experts together to synthesize research and best practices. This led to the National Summit that resulted in the identification of policy options and future directions.

SYSTEMS CHANGE

Interagency Agreement: Social Security Administration, Office of Disability and Income Security Programs

This project identified and shared best practice models which focus on employment barriers and improved employment outcomes for people with disabilities. In September, 1999 the project brought together grantees from the Social Security Administration, Rehabilitation Services Administration, Department of Labor, and the Substance Abuse and Mental Health Administration's Center for Mental Health Services to identify and share best practices. The information learned and shared at this meeting was used in the work of the Task Force's Committee on Access to Employment and Lifelong Learning.

CUSTOMER CHOICE

The Meaning of Choice: Implications for Project Participants and Systems

As previously discussed, the Task Force held a meeting of researchers and best-practice practitioners across the nation on September 22, 1999 in order to develop specific recommendations for further analysis and/or policy actions that need to be achieved. Several recommendations ensuing from this meeting related to increasing choice and customer-direction for people with disabilities in securing needed employment and related supports. A specific concern that emerged during the meeting was the need for analysis of the meaning and impact of the "choice demonstration" projects on the lives of individual people with disabilities who participated as customers. These projects were funded six years ago through the Rehabilitative Services Administration. However, no analysis exists that explores the impact and outcome of these projects on individual participants, as well as their implication for the ongoing evolution of policy reform promoting increased choice and consumer-control.

Accordingly, this project conducted a qualitative analysis of the choice demonstration projects, and their outcomes in two targeted areas: (1) impact on employment and life status of individual people with disabilities who participated in the projects; and (2) implications for public systems in terms of needed policy reform and recommendations.

Meaning of Choice: Perspectives from Project Participants and Facilitators

This project also builds on the results of the meeting conducted by the Task Force on September 22, 1999. This project conducted an in-depth qualitative analysis of the impact of the choice experience from the perspective of the individual participants with disabilities. The qualitative analysis: (1) investigated the meaning and impact of choice on the employment and life status of individual people with disabilities who participated in the projects through a series of in-depth interviews of project participants and facilitators; (2) assisted in identifying the implications for public systems in terms of needed policy reform and recommendations; and (3) contributed to a white paper and monograph of materials on choice.

FY 2000

DATA COLLECTION

Study to Identify the Needs of Medicaid Beneficiaries with Disabilities

The purpose of this project is to identify the needs of Medicaid beneficiaries with disabilities as a result of the 1999 U.S. Supreme Court decision in Olmstead v. L.C. This decision provided an important legal framework for efforts to enable individuals with disabilities to live in the most integrated setting appropriate to their needs. In light of this decision, the Department of Health and Human Services has urged States to increase access to community-based services for individuals with disabilities by developing comprehensive and effective working plans for ensuring compliance with the Americans with Disabilities Act.

In order for members of the disability community and their representative groups to engage in this process, it is critical that an understanding of the kind of information and the formats for this information be effectively included in State long-term care planning processes. This interagency agreement between the Task Force and Health Resources and Services Administration will conduct a series of forums with State Medicaid agencies and disability community groups to gather data to be included in the State planning process. The research will result in identifying properties of an effective outreach by States to Medicaid beneficiaries with disabilities; and developing methods for building a cadre of leaders from members of the disability community to assist States in developing their post-Olmstead plans for delivering consumer-directed home and community-based long term services for people with significant disabilities of all ages.

Cognitive Tests of Disability Survey Questions

This project will develop and implement an accurate and reliable methodology for determining the employment rate for adults with disabilities. The Task Force will work with the Bureau of Labor Statistics and the Census Bureau to test questions that have

been identified for these agencies through previous research conducted by the Task Force in FY 1999. These agencies have developed guidelines on questionnaire pretesting and questions that can potentially identify the disability population in the context of a household survey. The results of this project will lead to development of a statistically accurate and reliable method for measuring the employment rate of people with disabilities.

Review of Tax Policy to Promote Employment of Adults with Disabilities

Working-age adults with disabilities often have a disincentive to work because of the high cost of personal assistance and other services and technologies required for employment. These potential costs can impact not just the individuals with a disability seeking employment, but employers who want to hire an individual with a disability.

A number of tax credits and other provisions in the tax code exist to facilitate employment of persons with disabilities. However, these provisions are not well understood and are underutilized. The purpose of this project is to conduct research to assist in developing a strategy to maximize the effectiveness of current tax law and policy as an incentive for employment of people with disabilities, to identify innovative strategies being used in the States, and to develop options and possible suggested actions for consideration in order to develop a coordinated strategy for using the tax system to facilitate employment of people with disabilities.

Review of State Plans Workforce Investment Act

In July 2000, implementation ~~began~~ nationwide of the Workforce Investment Act (P.L. 105-220) that offers working age adults and youths with disabilities new opportunities to benefit from a workforce development system. According to guidelines of the U.S. Department of Labor, each State plan follows a standard format that can be broken down into ten core areas. The purpose of this project is to review each of the unified State plans to establish a baseline to evaluate, compare, and contrast approaches, policies, and methods of administration of individual states as we now move forward with the first year of implementation. This project will result in a review of each of the ten core areas to identify specific approaches, activities, policies, procedures, and strategies concerning the effective and meaningful participation by persons with disabilities in the proposed system. The final product will present the Task Force with a research baseline to evaluate state implementation efforts and improved opportunities for individuals with disabilities nationwide.

Disability-related Employment Research Related to the ADA and Rehabilitation Act

This project will identify state hiring qualification requirements that may be unlawfully screening out individuals with disabilities. The project will also research hiring qualification standards that may be unfairly barring individuals with disabilities in the private sector. The results of this project will be used by the Committee on Civil Rights

to make recommendations to the Task Force to eliminate these barriers.

Federal Agency Supervisors and Employee Surveys and Focus Groups on Disabilities Nondiscrimination Policies and Practices

The purpose of this project is to support the work of the Task Force in its activities targeted to the Federal government as a model employer. This project will build on the findings of the Task Force survey of human resources and equal employment opportunity conducted in FY 1999. This further research will be to refine an understanding of existing policies and practices of the Federal government as an employer that facilitate employment and retention of individuals with disabilities from the perspectives of supervisors, managers, and employees with disabilities.

YOUTH

National Transition Summit on Young People with Disabilities

National Youth Leadership Conference

The purpose of these projects were to convene a series of forums to discuss the development of a national youth-to-work initiative. This initiative was included in the second report to the President from the Task Force. Eighteen Federal agencies that participate on the Task Force were represented at these forums. The National Summit, held in June 2000, identified concise and detailed recommendations for strengthening, linking, and coordinating Federal, State, and local programs that serve young people with disabilities. The National Youth Leadership Conference, also held in June, included 100 young people with disabilities who participated in leadership development activities and provided the Task Force with recommendations for future policy directions.

Youth with Disabilities: Program Resource Mapping

As a result of the above-mentioned activities and announcements made on the 10th anniversary of the Americans with Disabilities Act, Executive Order 13078 was amended to include a focus on youth within the activities of the Task Force. The purpose of this activity is to use a proven research tool, 'resource mapping,' to identify, across Federal agencies, programs that support the transition of youth with disabilities. This methodology will result in a interagency 'matrix' of programs, resources, and supports for youth with disabilities and avenues for interagency coordination and linkages. The results of this research will be used during an Institute of Federal agency staff in 2001. The purpose of the Institute is to carry out the mandates of the Executive Order on the Youth-to-Work Initiative and begin the process of interagency coordination of research, demonstration, and training programs in FY 2001 and beyond.

Connecting to Success

The purpose of this project is to develop, implement, and evaluate an exemplary e-mentoring model that will promote the successful transition of young people with disabilities. The results from this project will be used to increase access to e-mentoring by young people throughout the nation.

PUBLIC AWARENESS

National Mental Health Awareness Campaign

The purpose of this project is to support the research and development of a campaign to reduce the stigma of modern mass communication and to improve the employment of people with mental illness.

10th Anniversary of the Americans with Disabilities Act

The purpose of these projects were to assist the Task Force with market research and to develop an outreach campaign celebrating the 10th anniversary of the ADA. Two projects promoted a consistent message, particularly to the business community, about the need for greater employment of people with disabilities and the important role that the ADA plays in that effort.

disAbility.gov

In the second report to the President, the Task Force recommended the development of government-wide web site for information on government programs and services. The purpose of this project was to conduct the research and development activities necessary to create the web site. This web site, *disAbility.gov*, was launched on July 26, 2000.

TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT OF 1999

Employment of People with Disabilities: Tools for Advocates and States

The passage of the Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA) creates numerous opportunities for States to develop innovative policies and programs to increase employment of individuals with disabilities. TWWIIA gives expanded choices in choosing employment services as well as options for improved access to critical health care benefits. One of the most significant barriers to employment facing people with disabilities is access to, and maintenance of, health care coverage. Many individuals with disabilities who receive benefits under the Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) programs often risk losing their health care if they become employed.

The TWWIIA legislation, coupled with the Workforce Investment Act of 1998 (WIA), offers many new ways for States and communities to address the low employment rate of people with disabilities. However, to realize the full potential of these laws, States must

Act in developing the policies and practices necessary for implementation. States have already expressed the need for technical assistance and guidance on how to best do this. In addition, advocates and consumers have expressed the need for additional information in order to assist their states in making wise decisions. The Task Force is well positioned to assist the States and advocates so they can work to implement the provisions in these laws in the most comprehensive and innovative ways possible.

The purpose of this project is to research, develop, and disseminate materials to the States in support to the TWWIA legislation.