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1999 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 the recommendations made to the President in last year's report — *Re-charting the Course: First Report of the Presidential Task Force on Employment of Adults with Disabilities*. Prompt action and strong support by the Administration on these recommendations has resulted in significant achievements that are leading to increased employment opportunities for people with disabilities. See Chapter Two for a complete review of the status of last years' recommendations.

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

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

The Task Force recommends that:

- 1** *The President direct the Department of Labor to develop a proposal for consideration in the FY 2001 budget process for an Office of Disability Policy, Evaluation and Technical Assistance (ODPET) to be headed by an Assistant Secretary of Labor. ODPET functions could include:*
- *Ensuring ongoing efforts to integrate people with disabilities into the Department of Labor's mainstream employment and training programs.*
 - *Establishing the National Disability Business Development Board to be comprised of the membership of the President's Committee on Employment of People with Disabilities and to serve as the advisory body to ODPET.*
 - *Maintaining the principle functions of the President's Committee on Employment of People with Disabilities.*
 - *Assisting the Presidential Task Force on Employment of Adults with Disabilities in implementing a coordinated and aggressive national employment strategy for people with disabilities.*

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

The Task Force recommends that:

- 2 The President direct the Departments of Justice and Labor, and the Equal Employment Opportunity Commission to collaborate in exploring methods for strengthening enforcement of employment-related nondiscrimination provisions of the Americans with Disabilities Act and the Rehabilitation Act. All efforts shall provide a clear and unequivocal message that expanded employment opportunities for individuals with disabilities are a high priority of the Administration. The efforts of the Department of Labor and the Equal Employment Opportunity Commission should include providing increased technical assistance to employers, strengthening compliance evaluations, and enhancing data collection as appropriate.**

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

methods to strengthen their investigation processes. For example, the Department of Labor, through the Office of Federal Contract Compliance Programs, should utilize compliance evaluation procedures that allow the agency to focus on systemic barriers to the employment of individuals with disabilities. The Equal Employment Opportunity Commission, in coordination with the Departments of Justice and Labor, should explore enhancing data collection efforts with respect to the employment and the availability of persons with disabilities in the workforce, possibly through new regulations. Consistent with their complementary responsibilities for enforcement, Equal Employment Opportunity Commission and the Office of Federal Contract Compliance Program should explore joint enforcement strategies.

The Task Force recommends that:

- 3 The President direct 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 Presidential Task Force on Employment of Adults with Disabilities, a Youth-to-Work Initiative.**

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

Each year, about 40,000 eighteen-year-olds are subject to a continuing disability review for Supplemental Security Income (SSI) benefits, but only 25,000 are determined eligible for such assistance. On average, the young adults deter-

DPC
Eddie Gould

Youth Subcom

mined to still be eligible will remain on SSI for 27 years, while those found ineligible are likely to live in poverty. Many youth with disabilities spend a significant portion of their lives living in poverty, dependent upon public assistance programs, and relegated to the margins of society. In addition, compared to students without disabilities, students with disabilities drop out of school much more frequently and enroll in post-secondary education less frequently.

The Task Force recommends that:

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

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

The Task Force recommends that:

- 5 The President direct the Department of Housing and Urban Development 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 any disability-related expenses incurred when a tenant goes to work from the "countable" income used to determine rents.

The Department of Housing and Urban Development has promulgated rules under recently enacted legislation aimed at providing additional incentives for low-income individuals

in public housing to go to work, or work additional hours. Current rules, however, do not provide sufficient incentives for employment of people with disabilities who are assisted by the Department of Housing and Urban Development subsidies, but do not live in Public Housing Authority housing. The Department should explore ways to extend similar incentives to all HUD-subsidized tenants with disabilities.

The Task Force recommends 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.

The President should continue to push for this initiative that would: (1) help make the Federal Government a "model user" of accessible electronic and information technology through the implementation of Section 508 of the Rehabilitation Act; (2) support new and expanded State loan programs making assistive technology more affordable for adults with disabilities; and (3) invest in research, development, and technology transfer in areas such as "text to speech," speech recognition, and eye-tracking for people who cannot use a keyboard.

The Task Force recommends that:

- 7 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.

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

The Task Force recommends that:

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

It is critically important to people with disabilities that we enact a strong, enforceable Patients' Bill of Rights. This legislation must include the following: guaranteed access to needed health care specialists; access to emergency room services when and where the need arises; continuity of care protections so that patients will not have an abrupt transition in care if their providers are dropped; access to a fair, unbiased, and timely internal and independent external appeals process to address health plan grievances and to help govern decisions about medically necessary treatments; an enforcement mechanism that ensures recourse for patients who have been harmed as a result of a health plan's actions.

The Task Force recommends that:

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

A White House Conference would provide heightened visibility to the issue of employing persons with disabilities and help build partnerships between public and private sectors. It would also provide the opportunity to showcase "best practices" and innovative strategies for employment of people with disabilities, and highlight actions taken by Task Force member agencies, departments, and other Federal agencies. Finally, it could commemorate the 10th anniversary of the Americans with Disabilities Act, the 25th anniversary of the Individuals with Disabilities Education Act, and the 35th anniversary of the Equal Employment Opportunity Commission.

The Task Force recommends that:

10 The President direct the Task Force members' departments and agencies to 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. This campaign would focus on the benefits of employing people with disabilities.

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

The Task Force recommends that:

11 The President direct 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.

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

Lisa will call Nancy McFadden
Lisa calls
Nancy McFadden at Transit
The Task Force recommends that:

- 12** The President direct 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.

The lack of available public transportation is a major employment barrier for persons with disabilities. This fact is cited by many individuals with disabilities at recent Town Hall meetings held by the Task Force and at other events as the major impediment to finding and keeping jobs. The Department of Transportation has been vigorous in addressing public and private accessibility issues for people with disabilities. This directive would be to concentrate Federal efforts on developing an interagency action plan that addresses the lack of available transportation.

The Task Force recommends that:

- 13** The President direct all Federal agencies with customer service call centers and other appropriate services to explore ways to encourage hiring people with disabilities.

Cutting-edge telecommunications technology has recently made it possible for customer service centers to send voice and data to home-based customer service representatives who work just as if they were in a call center. Many agencies in the Federal Government operate significant customer service call center activities. This cutting-edge technology needs to be widely available in the Federal Government, and used to increase the employment rate of individuals with disabilities as much as possible.

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

- 14** The President direct 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.

Supplemental Security Income (SSI) is a means-tested program, but beneficiaries are able to have limited earnings without impact on their benefit amounts. Allowing such earnings not only increases overall income security, but also provides an incentive to work. The earned income exclusions for both adults and students, however, have not been raised since the early 1970's, even though the SSI Federal Benefit Rate is indexed annually for inflation. The Earned Income Exclusion remains at \$65 per month for adults and up to \$400 per month for students for a limited time period. As a result, SSI beneficiaries with non-SSI income do not receive full indexing of their benefits, and work effort is less rewarded than it was previously.

Eric Gould will take the list and find out how to approach agencies

Willard knows Federal agencies involved in this

do they contract process of contracts set
O P M - set

SSA-10118

Conference Ideas 3/17/00

Top-level discussion on employment/energy technologies
Recommendation from RSEAD

Deliberations—

Yorktown to work summit (pre-ADA)

~~Corporate works~~

Cabinet - corporate works previous to ADA

Wellness to work model (EI:?)

Murphy

Needs into:

Copy of ADA

W.H. working lunch

11 Am - long interests

teleconferencing

go for by buy-in

ADA 10th - White House Conference

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2000 Conference Schedule

Tuesday, July 25

11 am-7 pm Registration
1-3 pm Board Meeting
3:30-5:30 pm Legislative Update Workshop
7-9:30 pm Opening Session: Not Just Responding to Change... But Leading It

Wednesday, July 26

8-9 am Registration
8-9 am Breakfast Carts in Hotel
9-9:30 am Organizing for March
9:30 am Depart for Rally
11 am-12:30 pm Rally on the Hill
1-5 pm Hill Visits
7-12 midnite ADA Gala

Thursday, July 27

9:30 am-12:30 pm/
2-4:30 pm Registration
10:30-11:45 am Concurrent Workshops
12-1:30 pm Lunch on your Own
1:30-2:30 pm General Session: Making Olmstead Work in Your State
2:45-4 pm Concurrent Workshops
4:30-5:45 pm Concurrent Workshops
7:30-10 pm Multi-Cultural Reception

Friday, July 28

9-10:15 am General Session: Unequal Protection Under the Law
10-11:45 am Concurrent Workshops
12-2:30 pm Awards Luncheon
3-5 pm Federal Agency Updates
7-10 pm Evening on Your Own

Saturday, July 29

~~8-9 am~~ NCIL Cup of Coffee
9-10:15 am Concurrent Workshops
10:30-11:45 am Concurrent Workshops
12-1:30 pm Lunch on Your Own
2-6 pm NCIL Annual Meeting
8-1 am DJ Social Event

Sunday, July 30

11-12 noon Closing Session
12:30-2 pm Incoming Board Meeting

OREFF/NCIL

THIS SUGGESTS NO ADDITIONAL COST...

*SHOW REGISTRATION TIMES ON Fri & Sat

To: Lisa Brown, Counsel to the Vice President

From: Rhonda L. Basha

Re: SUMMARY OF CONFERENCE CALL SUGGESTIONS RE: ADA CONFERENCE

The purpose of this memo is to summarize the suggestions and issues raised during the focus group conference calls which took place on March 14, 2000, regarding the ADA conference being planned for July. Consistent with the recommendations made at the meeting held in your office on March 1, 2000, the focus group agreed that there should be a conference, and that the target group should be businesses. It was suggested that the conference highlight best practices of employers, particularly those in the I.T. industry that have utilized innovative strategies for employing persons with disabilities. Employers identified as potential best practice presenters included Marriott, Hilton, and Microsoft, as well as those currently working with the President's Committee on Employment of Persons with Disabilities. The conferees also indicated that entrepreneurs with disabilities should also be featured.

The focus group participants also generally agreed that the conference should last about five hours and that the format should include breakout sessions headed by Task Force members, and a plenary session followed by a reception at the White House. Suggested sites for the conference included Galludet University and the Chamber of Commerce, with the later being contingent on their buying in generally.¹ The conferees further agreed that the conference should include a display of assistive technology.

In addition to targeting employers, it was also felt that the conference should be utilized as an opportunity for a public relations "myth busting" campaign to reach the general public and the media. Ted Koppel, Oprah Winfrey², and Larry King, were suggested as possible venues for obtaining media buy-in.

It was further proposed that consideration be given to focusing on the ADA as a civil rights, versus an entitlement statute, with employment viewed as the means for bridging the gap between the two. Other suggestions along the same lines included repackaging the civil rights message with a more "main stream" diversity spin.

Several of the participants emphasized the need to take a pragmatic approach given the current climate of growing anti-ADA sentiment. To this end, it was suggested that the conference highlight progress/accomplishments in substantive areas covered under the ADA, while at the same time emphasizing that much remains to be done, and that the inclusion of individuals with disabilities as meaningful members of the workforce is not only not difficult; it is good business. One possible product suggested was an "ADA 10th Anniversary-10 Lessons Learned" publication.

The need to have something measurable come out of the conference was a repeated theme. It was suggested that rather than simply preaching to the choir that businesses, including small

¹Tom Donaghue was suggested as a contact at the Chamber.

²Secretary of Labor Alexis M. Herman has an ongoing relationship with Oprah Winfrey.

businesses, currently "sitting on the fence" be asked for a hiring commitment prior to the conference, consistent with the model used in the Welfare to Work initiative. Other recommendations in this vein included outreach to business foundations, to small business lobbyists and association, to the Chamber, and to the Business Roundtable.

While no one clear idea on a banner message was evidenced, integration, inclusion, and independence emerged as recurring themes. I would suggest that we add "innovation" to this list which encompasses not only advancements in technology, but creative employment strategies. Perhaps, the conference could be entitled something along the lines of *The 10th Anniversary of the ADA-A Celebration of Integration, Inclusion, Independence, and Innovation*.

We are looking forward to hearing from you on next steps. I can be reached by phone at 202-693-6112.