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Disabilities

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Disabilities
June 16, 1999

Vote expected today on the Work Incentives Improvement Act:

We Challenge Congress to Pass the Historic, Bipartisan Work Incentives Improvement Act. This historic new legislation, which has bipartisan support in both the House and the Senate under the leadership of Senators Jeffords, Kennedy, Roth, and Moynihan and Representatives Lazio, Waxman, Bliley, and Dingell, removes significant barriers to work for people with disabilities by: improving access to health care through Medicaid; extending Medicare coverage for people with disabilities who return to work; and creating a new Medicaid buy-in demonstration to help people with a specific physical or mental impairment that is expected to lead to a severe disability without medical assistance. One of the biggest barriers to entering the workplace for individuals with disabilities is that, under current law, people with disabilities often become ineligible for Medicaid or Medicare if they work which forces them to choose between health care coverage and employment. Yesterday, the President urged Congress to pass this important and long overdue legislation by July 26, the ninth anniversary of the ADA.

Q: In recent years, there has been increased problems in defining who is disabled. Aren't you concerned that this bill opens the door to Medicaid and Medicare coverage of mildly disabled people? Won't this result in fraud?

A: No. The bill uses the Social Security Administration's strict definition of disability to ensure that only those who truly are disabled receive the benefit. The bill does include a capped, limited demonstration to allow people with disabilities who have not yet lost the ability to work to buy into Medicaid. This demonstration could help people, such as those with multiple sclerosis, to access treatment that delays the onset of a more serious stage of the disease and allows them to remain in the workforce. However, the enrollment would be limited since this is a demonstration to assess the effectiveness of the strategy at improving health, promoting work, and reducing the costs that occur when diseases are left untreated too long.

Q: Why should wealthy people with disabilities be allowed to access Medicaid?

A: This bill was designed to maximize state flexibility – states have total discretion for where to set the upper income eligibility limits. We anticipate that states would not make this option unlimited, and don't believe they need a mandate to ensure that they don't. It's important to note, however, that higher income people may find themselves unable to buy a health insurance policy that addresses their health care needs because of their pre-existing medical conditions.

Disability Cases
June 24, 1999

Q: What is the President's reaction to this week's Supreme Court disability decisions?

A: In regard to the Olmstead case, the President stated that he agrees with the Court's decision that unjustified isolation of institutionalized persons violates the ADA. That is the position that the Administration argued before the Court. We believe this decision will encourage the development of community-based alternatives to institutionalization. We want to work with the states and others to help that process go forward.

In regard to the other decisions, we are concerned that the Court inappropriately narrowed the coverage of the ADA by excluding persons simply because they are able to mitigate their disability through medication or use of a medical appliance. The problem is that employers may still conclude that the person is too disabled to work, even though under the law they are not disabled enough to be covered by the ADA. The result is a catch-22 for disabled persons.

[Example: In the Sutton case, United Airlines prohibited the plaintiffs from being pilots because their vision was not satisfactory, and they did not allow them to meet this requirement by using corrective lenses. On the other hand, since their vision could be corrected, the Court said that they are not covered by the ADA.]

Q: Will you seek a legislative change?

A: The President has asked the Department of Justice, the Department of Health and Human Services and the EEOC to examine the decisions and make recommendations as to address them.

THE WHITE HOUSE

Office of the Press Secretary
(Aviano, Italy)

For Immediate Release June 22, 1999

STATEMENT BY THE PRESIDENT

I am pleased that the Supreme Court decision's in the Olmstead case upholds the purposes of the ADA by recognizing that unjustified isolation of institutionalized persons with disabilities is prohibited discrimination. This decision will increase access to home- and community-based long term care services and support for these persons.

My Administration is committed to finding affordable ways to enable people who need long term services and support to remain in the community if they choose and are able to do so. The best way to continue progress toward this goal is for State Governments, the Federal Government, and the affected communities to work together to develop cost-effective ways to provide these services. We must ensure that the quality of these services is excellent and that they are available to persons with disabilities of all ages.

Therefore, I am asking Secretary Shalala and Attorney General Reno to work with all interested parties to carry out today's decision in a fair and effective manner. Although this may not be easy in some cases, we can do it by working together in order to advance the goals of the ADA. Our ultimate goal is a nation that integrates people with disabilities into the social mainstream, promotes equality of opportunity, and maximizes individual choice.

30-30-30

Disability Cases
June 23, 1999

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30-30-30

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release **March 13, 1998**

PRESIDENT CLINTON SIGNS EXECUTIVE ORDER ESTABLISHING NATIONAL TASK FORCE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES

The President today signed an Executive Order establishing a NationalTask Force on Employment of Adults with Disabilities that will create a coordinated and aggressive national policy to bring working-age individuals with disabilities into gainful employment at a rate approaching that of the general adult population.

"Since 1993, we have created 15 million new jobs. But the unemployment rate among people with disabilities is far too high, and that is why I'm so pleased to sign today an executive order that will design a strategy to make equality of opportunity, full participation, inclusion, and economic self-sufficiency realities for all 30 million working-age Americans with disabilities," declared President Clinton.

Charged with developing and recommending to the President a federal policy to reduce employment barriers for persons with disabilities, the Task Force will submit four reports, the first by November 15, 1998, and the last on July 26, 2002, the 10th anniversary of the initial implementation of the employment provisions of the Americans with Disabilities Act. Alexis M. Herman, Secretary of Labor, will Chair the Task Force. Tony Coelho, Chairman of the President's Committee on Employment of People with Disabilities, will serve as Vice-Chair.

Key components of the Task Force's directive include analyzing existing programs and policies to determine what changes, modifications and innovations may be necessary to remove barriers to work; developing and recommending options to address the barrier of health insurance coverage; analyzing youth programs related to employment and the outcomes of those programs for young people with disabilities; and evaluating whether federal studies related to employment and training can and should include a statistically significant sample of adults with disabilities.

The Task Force also will include the Secretary of Education; the Secretary of Veterans' Affairs; the Secretary of Health and Human Services; the Commissioner of the Social Security Administration; the Secretary of the Treasury; the Secretary of Commerce; the Secretary of Transportation; the Administrator of the Small Business Administration; the Chair of the Equal Employment Opportunity Commission; the Director of the Office of Personnel Management, and the Chair of the National Council on Disability. These officials are required to make the activities and initiatives of this Executive Order a high priority within their respective agencies.

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release March 13, 1998

EXECUTIVE ORDER

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INCREASING EMPLOYMENT OF ADULTS WITH DISABILITIES

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to increase the employment of adults with disabilities to a rate that is as close as possible to the employment rate of the general adult population and to support the goals articulated in the findings and purpose section of the Americans with Disabilities Act of 1990, it is hereby ordered as follows:

Section 1. Establishment of National Task Force on Employment of Adults with Disabilities.

(a) There is established the "National Task Force on Employment of Adults with Disabilities" ("Task Force"). The Task Force shall comprise 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 Chairperson of the National Council on Disability, the Chair of the President's Committee on Employment of People with Disabilities, and such other senior executive branch officials as may be determined by the Chair of the Task Force.

(b) The Secretary of Labor shall be the Chair of the Task Force; the Chair of the President's Committee on Employment of People with Disabilities shall be the Vice Chair of the Task Force.

(c) The purpose of the Task Force is to create a coordinated and aggressive national policy to bring adults with disabilities into gainful employment at a rate that is as close as possible to that of the general adult population. The Task Force shall develop and recommend to the President, through the Chair of the Task Force, a coordinated Federal policy to reduce employment barriers for persons with disabilities. Policy recommendations may cover such areas as discrimination, reasonable accommodations, inadequate access to health care, lack of consumer-driven, long-term supports and services, transportation, accessible and integrated housing, telecommunications, assistive technology, community services, child care, education, vocational rehabilitation, training services, job retention, on-the-job supports, and economic incentives to work. Specifically, the Task Force shall:

(1) analyze the existing programs and policies of Task Force member agencies to determine what changes, modifications, and innovations may be necessary to remove barriers to work faced by people with disabilities;

more

(OVER)

(2) develop and recommend options to address health insurance coverage as a barrier to employment for people with disabilities;

(3) subject to the availability of appropriations, analyze State and private disability systems (e.g., workers' compensation, unemployment insurance, private insurance, and State mental health and mental retardation systems) and their effect on Federal programs and employment of adults with disabilities;

(4) consider statistical and data analysis, cost data, research, and policy studies on public subsidies, employment, employment discrimination, and rates of return-to-work for individuals with disabilities;

(5) evaluate and, where appropriate, coordinate and collaborate on, research and demonstration priorities of Task Force member agencies related to employment of adults with disabilities;

(6) evaluate whether Federal studies related to employment and training can, and should, include a statistically significant sample of adults with disabilities;

(7) subject to the availability of appropriations, analyze youth programs related to employment (e.g., Employment and Training Administration programs, special education, vocational rehabilitation, school-to-work transition, vocational education, and Social Security Administration work incentives and other programs, as may be determined by the Chair and Vice Chair of the Task Force) and the outcomes of those programs for young people with disabilities;

(8) evaluate whether a single governmental entity or program should be established to provide computer and electronic accommodations for Federal employees with disabilities;

(9) consult with the President's Committee on Mental Retardation on policies to increase the employment of people with mental retardation and cognitive disabilities; and

(10) recommend to the President any additional steps that can be taken to advance the employment of adults with disabilities, including legislative proposals, regulatory changes, and program and budget initiatives.

(d) (1) The members of the Task Force shall make the activities and initiatives set forth in this order a high priority within their respective agencies within the levels provided in the President's budget.

(2) The Task Force shall issue its first report to the President by November 15, 1998. The Task Force shall issue a report to the President on November 15, 1999, November 15, 2000, and a final report on July 26, 2002, the 10th anniversary of the initial implementation of the employment provisions of the Americans with Disabilities Act of 1990. The reports shall describe the actions taken by, and progress of, each member of the Task Force in carrying out this order. The Task Force shall terminate 30 days after submitting its final report.

(e) As used herein, an adult with a disability is a person with a physical or mental impairment that substantially limits at least one major life activity.

Sec. 2. Specific activities by Task Force members and other agencies.

(a) To ensure that the Federal Government is a model employer of adults with disabilities, by November 15, 1998, the Office of Personnel Management, the Department of Labor, and the Equal Employment Opportunity Commission shall submit to the Task Force a review of Federal Government personnel laws, regulations, and policies and, as appropriate, shall recommend or implement changes necessary to improve Federal employment policy for adults with disabilities. This review shall include personnel practices and actions such as: hiring, promotion, benefits, retirement, workers' compensation, retention, accessible facilities, job accommodations, layoffs, and reductions in force.

(b) The Departments of Justice, Labor, Education, and Health and Human Services shall report to the Task Force by November 15, 1998, on their work with the States and others to ensure that the Personal Responsibility and Work Opportunity Reconciliation Act is carried out in accordance with section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, so that individuals with disabilities and their families can realize the full promise of welfare reform by having an equal opportunity for employment.

(c) The Departments of Education, Labor, Commerce, and Health and Human Services, the Small Business Administration, and the President's Committee on Employment of People with Disabilities shall work together and report to the Task Force by November 15, 1998, on their work to develop small business and entrepreneurial opportunities for adults with disabilities and strategies for assisting low-income adults, including those with disabilities to create small businesses and micro-enterprises. These same agencies, in consultation with the Committee for Purchase from People Who Are Blind or Severely Disabled, shall assess the impact of the Randolph-Sheppard Act vending program and the Javits-Wagner-O'Day Act on employment and small business opportunities for people with disabilities.

(d) The Departments of Transportation and Housing and Urban Development shall report to the Task Force by November 15, 1998, on their examination of their programs to see if they can be used to create new work incentives and to remove barriers to work for adults with disabilities.

(e) The Departments of Justice, Education, and Labor, the Equal Employment Opportunity Commission, and the Social Security Administration shall work together and report to the Task Force by November 15, 1998, on their work to propose remedies to the prevention of people with disabilities from successfully exercising their employment rights under the Americans with Disabilities Act of 1990 because of the receipt of monetary benefits based on their disability and lack of gainful employment.

(f) The Bureau of Labor Statistics 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 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, but no later than the date of termination of the Task Force. Data derived from this methodology shall be published on as frequent a basis as possible.

(g) All executive agencies that are not members of the Task Force shall: (1) coordinate and cooperate with the Task Force; and (2) 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. Each agency shall file a report with the Task Force on the results of its review on November 15, 1998.

Sec. 3. Cooperation. All efforts taken by executive departments and agencies under sections 1 and 2 of this order shall, as appropriate, further partnerships and cooperation with public and private sector employers, organizations that represent people with disabilities, organized labor, veteran service organizations, and State and local governments whenever such partnerships and cooperation are possible and would promote the employment and gainful economic activities of individuals with disabilities.

Sec. 4. Judicial Review. This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
March 13, 1998.

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FOR IMMEDIATE RELEASE November 4, 1998
For more information, contact: Jennifer Burnett, 610-781-4091 (cell phone)
703-418-6800, Rm 724 (hotel)

ADAPT Blockades American Bus Association

WASHINGTON, D.C. - The American Bus Association(ABA) is the target of today's ADAPT action, as the national disability rights organization goes on the offensive against the over-the-road bus company's trade association demanding access to intercity bus travel. 700 ADAPT members have shut down the building at 1100 New York Avenue, NW, to demand that the association drop its lawsuit against the Department of Transportation's (DOT) recently issued regulations which requires over-the-road bus companies such as Greyhound to comply with the Americans with Disabilities Act (ADA). "The long overdue ADA regulations that DOT issued require that companies like Greyhound equip all new buses with lifts," says national ADAPT organizer Mike Auberger, "and the day after the regulations were signed, the ABA sued the Department of Transportation."

The lawsuit claims that these regulations will be an exorbitant burden on companies such as Greyhound, causing ticket costs to skyrocket and eliminate small rural stops. However, ADAPT recognizes that these are frivolous complaints, and is demonstrating at the ABA national offices to drive home an important message: WE ARE RIDERS!! According to recent research conducted by the DOT, there are over 15 million Americans with disabilities living in rural areas who are potential bus riders, and the overall increase in cost for all riders a mere 33 cents per ticket.

"ADAPT feels strongly that the regulations are fair and balanced," comments Auberger, pointing out that there are federal funds available assisting over the road bus companies in purchasing lifts for new buses. The lawsuit is the final strike in ADAPT's two year battle with Greyhound and other over-the-road buses, to achieve access to buses for disabled Americans. "I've been treated worse than a dog by Greyhound," claims David Armandariz, an ADAPT member from El Paso Texas.

Armandariz, who is paralyzed from the shoulders down, was dropped on the steps as the Greyhound driver carried him onto the bus. He remained on the steps for several minutes as the Greyhound employees discussed how to get him into a seat. "They handle you worse than luggage under the cargo, stated Armandariz, "They carry me on the bus like a sack of potatos." ADAPT has been pushing the Department of Transportation to issue regulations requiring lifts on all new buses. In September the group's efforts paid of when the DOT issued regulations guaranteeing access to new buses. However, immediately after DOT's Secretary Slater signed the rules, ABA filed their lawsuit. ADAPT is demanding that the ABA withdraw the lawsuit, and that the association support the newly issued regulations.

WE WILL RIDE!!!.

Personal Assistant Services Talking Points:

Q: How are you responding to their concerns?

A: White House and HHS staff are actively working to develop policy options that begin to address the disability community's legitimate concern about the Medicaid program's institutional bias. In fact, as recently as last week, in a meeting with over a dozen White House staff representing OMB, DPC, NEC, OVP, and OPL, we met with this community to discuss administrative and legislative proposals that they and we view to be a high priority.

Q: Have you done anything else to address the needs of the disability community?

This is an issue that the President has cared about for a long time. We are proud of our record in this area. A strong personal assistant services policy was included in the health care reform proposals of 1993-94, but it was rejected with the rest of health care reform.

Throughout the tenure of his Administration, the President has instructed the Department to make it as easy as possible to obtain Medicaid waivers for home and community-based services. About a quarter of a million people are now served in these programs.

Most recently, we have begun to address the announced a new demonstration policy to provide States the option to provide alternative home and community based service options to insititutionalized patients. We are reviewing options to expand on this important initiative, as well as to build on the President's impressive record of support for the community's high priority legislative agenda. This is best illustrated by the President's advocacy for a strong and enforceable Patients Bill of Rights, as well as the Jeffords Kennedy Work Incentives Legislation, which provides health options for people with disabilities wishing to work.

FOR IMMEDIATE RELEASE November 3, 1998

For more information, contact: Jennifer Burnett, 610-781-4091 (cell phone)
703-418-6800, Rm 724
(hotel)

DISABLED SHUT DOWN HEALTH AND HUMAN SERVICES
"We're here because of one broken administration promise after another"

WASHINGTON, D.C. - The full force of the national disability rights organization ADAPT's 700 members from 29 states is taking over the Department of Health and Human Services to make the administration enforce the Americans with Disabilities Act mandate that they receive supports in "the most integrated setting."

The building is at 330 Independence Ave., S.W. and the action, like yesterday's takeover of the Democratic and Republican party headquarters, takes place at lunchtime today.

Today the group is at HHS to demand that the president submit a FY 1999 budget that includes a major initiative revamping long-term services for disabled Americans - in other words, money to support community-based attendant services so disabled people can live in their own homes they either own or rent instead of nursing homes. In addition, they want HHS to rigorously enforce the "most integrated setting" mandate of the Americans with Disabilities Act, which is a civil rights law for the disabled. While bureaucrats have been promising members of the disabled community action, they have been talking out of the other side of their mouths to state Medicaid directors by discouraging them from providing community-based care.

"We're here because of one broken administration promise after another. Since 1992 the Clinton administration from the president on down has promised and promised and promised," said Mark Johnson of ADAPT's Atlanta chapter. In 1992, when candidate Clinton met with ADAPT members in San Francisco, he pledged to create a personal assistance service program. It was the first in a series of broken promises. Yesterday the same organization took over the Democratic and Republican Party headquarters until both organizations' officials signed agreements to develop a party plank in cooperation with ADAPT to recognize that the current Medicaid "long-term care" system is institutionally biased and that home and community-based services should be the first priority. Each also agreed to discuss allowing ADAPT representatives to address the parties' platform committees and scheduling one representative to address the parties' respective presidential conventions.

Today's action is the second in a four-day series of protests at which disabled Americans will take action and get arrested as part of ADAPT's Campaign for REAL Choice. The campaign is about getting a national system of home and community-based attendant services. That means help with things like eating, dressing, and transferring in homes they rent or own.

Despite the ADA's "most integrated setting" mandate, 80 percent of all Medicaid long-term care dollars goes to institutional care while a mere 20 percent support people living in the community. Medicaid currently is spending $45 billion a year to literally warehouse 2 million Americans. Many of them do not need medical care in particular but rather require attendant services, such as transport from bed to wheelchair, eating, dressing, and toileting. Under federal Medicaid policy, nursing homes are a mandated service and attendant care is not. Many states have found that community-based attendant care is less expensive than institutional care. Oregon, which has aggressively sought waivers from Medicaid to de-institutionalize its disabled citizens since 1982, found they could serve three people in the community for every one in a nursing home.

Now more than 5,000 strong nationally, ADAPT has chapters in more than 32 cities and 27 states and is growing daily. ADAPT, which played an instrumental grassroots role in pushing through the Americans with Disabilities Act, is fighting to change a climate that favors nursing homes over people.

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GUIDANCE ON DEMONSTRATIONS BY ADAPT
NOVEMBER 4, 1998

Background: ADAPT believes that people with disabilities are "imprisoned" in nursing homes because Medicaid is biased against home- and community-based services. Today, states limit these services through waivers that cap the number of participants, while nursing home eligibility is more open-ended. Approximately 80% of Medicaid long-term services dollars go to institutions, while about 20% goes to assist individuals in homes and communities. ADAPT promotes their slogan of "real choice": enabling individuals to choose where money is spent, rather than having money automatically go to institutions.

Demonstrations this week: On Monday, members of ADAPT blockaded the entrances to the RNC and DNC, and demanded to meet with the committees to discuss the 2000 platforms and conventions. On Tuesday, members of ADAPT blockaded the entrances to the HAS building and demanded to meet with HAS representatives to develop long-term services policies that address ADAPT's concerns.

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Disability Initiative Q & A's
January 12, 1999

Q. How is this initiative funded?

A. This initiative is fully funded through offsets in the President's proposed FY 2000 budget. All of these provisions will be described in the budget documents released in early February.

Follow-up: Isn't it irresponsible to announce specific spending proposals without announcing how these proposals will be financed?

Not at all. The President will ensure that this -- and all other new initiatives -- will be fully paid for as part of his overall balanced budget proposal. Like most budgets, the President's FY2000 budget will not contain a specific dollar-for-dollar link between new proposals and offsets. The bottom line, however, will reflect the President's long-standing commitment to a balanced budget. Moreover, not one dime will be taken away from the surplus for this initiative.

Q. Shouldn't this tax credit be refundable? Doesn't this mean that low-income people are not helped by this initiative?

A. No. The vast majority of low-income people with disabilities are already covered by Medicare and Medicaid. This initiative enables states to cover people who would be rendered ineligible by virtue of returning to work and gaining a higher income. Thus, most of the funding in this initiative is targeted toward those low-income people in the process of returning to work.

The tax credit helps offsets the higher costs of work (e.g., personal assistants, special transportation) for people with disabilities who pay taxes, irrespective of their income or state of residence. It also, unlike Medicaid and Medicare, allows the worker to use the funds for whatever expenses they incur.

Q. Why are we only doing tax initiatives? Are you rejecting traditional Medicare and Medicaid program expansions? Aren't you catering to Republicans?

A: Each policy in the President's budget was designed to be the most cost-effective approach to solving a particular problem. This tax credit for workers with disabilities is no exception. Workers with disabilities have very different costs -- for rural residents, it may be transportation; for people with limited use of their hands, it may be assistive devices. A tax credit offers the flexibility to assist with a wide-ranging and changing set of needs in a way that Medicaid expansions cannot.

Similarly, the informal, unmeasurable costs of family caregiving are best addressed through a tax credit, as proposed in our long-term care initiative. If Medicaid or Medicare expanded to cover respite care, for example, it would undermine rather than strengthen informal family caregiving and cost billions more.

In no way does the President's support for these tax credits undermine his commitment to Medicare and Medicaid. This President has an unparalleled record of protecting, strengthening and expanding these programs. For example, the President's aggressive actions to reduce Medicare fraud contributed to record-low spending growth in 1998 -- the same year that he added new preventive benefits, health plan choices, and low-income protections to Medicare.

Q. How many people will benefit from this proposal?

A. Between 200,000 and 300,000 people would likely benefit from the tax credit. Millions more could benefit from the new options, services and programs in the Work Incentive Improvement Act and the assistive technology initiative.

Q. What are this initiative's prospects of passing?

A. Removing barriers to work for people with disabilities goes beyond partisan politics. We can all agree that something must be done so that people with disabilities can fully participate in today's strong economy. Senators Jeffords, Kennedy, Roth and Moynihan have already committed to working hard for the Work Incentive Improvement Act. We hope that early passage of this bill can show the American public that this Congress and President can work together to address real problems that are affecting people's lives today.

PRESIDENT CLINTON AND VICE PRESIDENT GORE UNVEIL NEW INITIATIVE TO IMPROVE ECONOMIC OPPORTUNITIES FOR AMERICANS WITH DISABILITIES

The East Room, The White House

January 13, 1999

Today, President Clinton will unveil a new initiative that will help remove significant barriers for people with disabilities to go back to work. This three-part budget initiative invests more than $2 billion over five years and includes: (1) full funding of the Work Incentives Improvement Act which will be introduced by Senators Jeffords, Kennedy, Roth and Moynihan next week; (2) a new $1,000 tax credit to cover work-related costs for people with disabilities; and (3) expanded access to information and communications technologies.

These new proposals mean that the Administration has taken action on every single recommendation made by the President's Task Force on the Employment of Adults with Disabilities Task Force, which the Vice President accepted last month. In addition to today's proposals, the Vice President took action on two recommendations and Mrs. Gore is announcing a final step tomorrow at an event at Dartmouth College.

The President and Vice President will be joined by Senator James Jeffords (D-VT), Senator Edward Kennedy (D-MA), Senator Tom Harkin (D-IA) and Karen Moore of Pierre, South Dakota. Ms. Moore, 53, is a polio survivor who currently works as a dispatcher for River City Transit and Pier. Also expected to attend the event are Labor Secretary Alexis Herman, HHS Secretary Donna Shalala, OPM Director Janice LaChance, NEC Chairman Gene Sperling, Senator Jack Reed (D-RI), and Rep. Ben Cardin (D-MD).

On display in the Grand Foyer will be several technology demonstrations which may open the doors to employment for many Americans. These include a portable touch screen kiosk that will show how to search for jobs or to vote; speech recognition technology that allows the mobility disabled to talk to their computers; text-to-speech software and screen reader technology for the visually impaired which allows blind individuals to use standard word processors, Internet browsers, electronic mail software, and many other types of applications; a braille music translator that automatically converts various computer music files to braille; and several telecommunications demonstrations that show voice control and voice feedback capabilities.

<u>**Order of Speakers**</u>

Vice President Gore
Senator Harkin (D-IA)
Senator Kennedy (D-MA)
Senator Jeffords (D-VT)
Karen Moore, Pierre, South Dakota
President Clinton

Please See Attached Fact Sheet.

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PRESIDENT CLINTON AND VICE PRESIDENT GORE UNVEIL NEW INITIATIVE TO IMPROVE ECONOMIC OPPORTUNITIES FOR AMERICANS WITH DISABILITIES
January 13, 1999

Today, President Clinton will unveil a historic new initiative that will remove significant barriers for people with disabilities to go back to work. This three-part budget initiative, which invests more than $2 billion over five years, includes: (1) full funding of the Work Incentives Improvement Act which will be introduced by Senators Jeffords, Kennedy, Roth, and Moynihan next week; (2) a new $1,000 tax credit to cover work-related costs for people with disabilities; and (3) expanded access to information and communications technologies. With these new proposals, the Administration will have taken action on every recommendation made in the report of the President's Task Force on the Employment of Adults with Disabilities, which the Vice President accepted last month. Justin Dart, one of the foremost leaders of the disability community, stated in response to today's proposals: "The Clinton-Gore Administration has a long history of supporting the disability community. This policy initiative is one of the boldest since the landmark passage of the ADA."

CRITICAL NEED TO REMOVE BARRIERS TO WORK

Since President Clinton took office, the American economy has added 17.7 million new jobs, and unemployment is at a 29-year low of 4.3 percent. The unemployment rate among all working-age adults with disabilities, however, is nearly 75 percent. According to current estimates, about 1.6 million working-age adults have a disability that leads to functional limitations and 14 million working-age adults have less severe but still significant disabilities.

People with disabilities can bring tremendous energy and talent to the American workforce, but institutional barriers often limit their ability to work. Most critically, people with disabilities often become ineligible for Medicaid or Medicare if they work. This means that many people with disabilities are put in the untenable position of choosing between health care coverage and work. In addition, advances in technology and communications are often not accessible to people with disabilities.

THREE-PART INITIATIVE TO IMPROVE ECONOMIC OPPORTUNITIES FOR AMERICANS WITH DISABILITIES

Funding the Work Incentives Improvement Act in the President's budget. Health care -- particularly prescription drugs and personal assistance -- is essential for people with disabilities to work. Today, the President is announcing that his FY 2000 budget will fund the full cost of the Work Incentives Improvement Act. This proposal, which costs $1.2 billion over 5 years, would:

- Improve access to health care by:

  -- Expanding states' ability to provide a Medicaid buy-in to people with disabilities who return to work. This provision would enable states to offer the buy-in to people whose assets and/or income exceed current limits. It also would give states the option of offering the buy-in to people with medical conditions, such as rheumatoid arthritis, who do not meet the current disability standard, but who can work only because of medical treatment. Finally, this provision would give health care grants to those states that do so.

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-- Extending Medicare coverage, for the first time, for people with disabilities who return to work. Although Medicare does not provide as comprehensive a benefit as Medicaid, this aspect of the proposal ensures that all people with disabilities who return to work have access to health care coverage, even if they live in a state that does not take the Medicaid option.

-- Creating a new Medicaid buy-in demonstration to help people with a specific physical or mental impairment that is not yet severe enough to qualify for health care assistance, but that is reasonably expected to lead to a severe disability in the absence of medical treatment. This demonstration could help people with muscular dystrophy, Parkinson's Disease, HIV or diabetes who are able to work with appropriate health care.

- Modernize the employment services system by creating a "ticket" that will enable SSI or SSDI beneficiaries to go to any of a number of public or private providers for vocational rehabilitation. If the beneficiary goes to work and achieves substantial earnings, providers would be paid a portion of the benefits saved.

- Create a Work Incentive Grant program to provide benefits planning and assistance, facilitate access to information about work incentives, and better integrate services for people with disabilities working or returning to work.

Providing a $1,000 tax credit for work-related expenses for people with disabilities. The daily costs of getting to and from work, and being effective at work, can be high if not prohibitive for people with disabilities. Under this new proposal, workers with significant disabilities would receive an annual $1,000 tax credit to help cover the formal and informal costs that are associated with employment, such as special transportation and technology. Like the Jeffords-Kennedy-Roth-Moynihan Work Incentive Act, this tax credit, which will assist 200,000 to 300,000 Americans, will help ensure that people with disabilities have the tools they need to return to work. The credit will cost $700 million over 5 years.

Improving access to assistive technology. Technology is often not adapted for people with disabilities and, even when it is, people with disabilities may not be able to afford it. This new initiative would accelerate the development and adoption of information and communications technologies that can improve the quality of life for people with disabilities and enhance their ability to participate in the workplace. The initiative would: (1) help make the Federal government a model user of assistive technology; (2) support new and expanded state loan programs to make assistive technology more affordable for Americans with disabilities; and (3) invest in research and development and technology transfer in areas such as text to speech for people who are blind, automatic captioning for people who are deaf, and speech recognition and eye tracking for people who can't use a keyboard. It would provide $35 million in FY 2000, more than double the government's current investment in deploying assistive technology.

With these steps, the Administration has taken action on all Task Force Recommendations. In December, the Vice President accepted the report of the President's Task Force on the Employment of Adults with Disabilities, took action on some of their recommendations, and pledged that the Administration would review others in the budget process. With the new steps taken today, as well as an announcement that Mrs. Gore will make tomorrow, the Administration has taken action on all the Task Force formal recommendations:

-- Work to pass the Work Incentive Improvement Act.
-- Work to pass a strong Patients' Bill of Rights.
-- Examine tax options to assist with expenses of work.
-- Foster interdisciplinary consortia for employment services.
-- Accelerate development and adoption of assistive technology.
-- Direct Small Business Administration to expand outreach.
-- Remove Federal hiring barriers for people with mental illness -- Mrs. Gore will unveil this tomorrow.
-- Direct OPM to develop model plan for Federal hiring of people with disabilities.

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

June 4, 1999

Today, President Clinton will sign an executive order ensuring that the federal government has the same hiring and promotion standards for people with psychiatric disabilities as it has for people with other disabilities. The President will also challenge the Congress to pass the historic, bipartisan Work Incentives Improvement Act by July 26, the ninth anniversary of the Americans with Disabilities Act (ADA).

Since the beginning of the Clinton-Gore Administration, the American economy has added more than 18 million new jobs, and unemployment is at record lows, yet over 75 percent of individuals with psychiatric disabilities remain unemployed. The President's action, together with the new provisions in the Work Incentives Improvement Act, will help to eliminate the institutional barriers that prevent individuals with psychiatric disabilities from bringing their enormous energy and talent to the workforce. Today, the President will:

Sign an Executive Order Expanding Hiring Opportunities for People with Psychiatric Disabilities. In January, Tipper Gore announced that the Office of Personnel Management (OPM) would explore measures to eliminate the stricter standards that are currently applied to job applicants who have psychiatric disabilities. The executive order ensures that individuals with psychiatric disabilities are given the same hiring opportunities as persons with severe physical disabilities or mental retardation. The civil service rules will be changed to ensure that people with psychiatric disabilities are covered by the same hiring rules and authority used for individuals with other disabilities. The executive order also permits people with psychiatric disabilities the same opportunity to acquire competitive civil service status after two years of successful service. This authority will allow adults with psychiatric disabilities the same opportunity for conversion into the competitive civil service as employees with other disabilities.

Challenge Congress to Pass the Historic, Bipartisan Work Incentives Improvement Act. This historic new legislation, which has bipartisan support in both the House and the Senate under the leadership of Senators Jeffords, Kennedy, Roth, and Moynihan and Representatives Lazio, Waxman, Bliley, and Dingell, removes significant barriers to work for people with disabilities by: improving access to health care through Medicaid; extending Medicare coverage for people with disabilities who return to work; and creating a new Medicaid buy-in demonstration to help people with a specific physical or mental impairment that is expected to lead to a severe disability without medical assistance. One of the biggest barriers to entering the workplace for individuals with disabilities is that, under current law, people with disabilities often become ineligible for Medicaid or Medicare if they work which forces them to choose between health care coverage and employment. Today, the President will urge Congress to pass this important and long overdue legislation by July 26, the ninth anniversary of the ADA.

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Disabilities Directive
Radio Address
Q&A
October 16, 1999

Directive to Federal Agencies in Hiring People with Disabilities

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

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

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

Q: Will agencies be subject to hiring quotas?

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

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

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

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

A. The plan provides a framework for departments and agencies to help them develop strategies and initiatives designed to employ and retain persons with disabilities. Its companion piece, the guide, is a resource tool to help Federal human resource specialists, supervisors, and co-workers, understand the issues surrounding employment of people with disabilities.

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

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

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

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

Unemployment Among People with Disabilities

Q: **How many people with disabilities are unemployed?**

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

Administration Efforts to Increase Employment of People with Disabilities

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

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

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

Work Incentives Improvement Act (Kennedy-Jeffords)

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

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

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

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

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

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

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

Patients' Bill of Rights

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

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

Americans with Disabilities Act

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

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

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

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

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

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release October 19, 1999

STATEMENT BY THE PRESIDENT

I am extremely pleased that the House, by an overwhelming bipartisan vote today, passed legislation that will remove barriers to work for Americans with disabilities. Today's impressive vote for the Work Incentives Improvement Act sends a strong signal that all Americans, including people with disabilities, should have the opportunity to work. Now I call on Congress to finish the job, so more Americans can start to work.

My Administration has helped create more than 19 million new jobs in the last six and a half years, and unemployment is at a 29-year low. Yet almost three out of four Americans with severe disabilities who want to work are not working. Since taking office, I have made empowering and promoting the independence of people with disabilities a priority. Central to this effort is taking down barriers to work for people with disabilities. One of the biggest barriers these Americans face is the fear of losing their health insurance when they get a job. Under current law, many people with disabilities cannot work and keep their Medicaid or Medicare coverage, creating a tremendous disincentive to work.

The Work Incentives Improvement Act would help ensure that people with disabilities do not lose their health care when they gain a job. It would give workers with disabilities the option to buy into Medicaid and would extend Medicare coverage for people with disabilities who return to work. The Work Incentives Improvement Act also modernizes the vocational rehabilitation system by creating a "ticket" that enables an SSI or SSDI beneficiary to go to either a public or private provider of vocational rehabilitation.

In my State of the Union Address nine months ago, I urged the Congress to make this historic legislation a top priority, and I fully funded it in the budget I sent to Congress. Like the House, the Senate has overwhelmingly passed the Work Incentives Improvement Act, thanks to the leadership of Senators Jeffords, Kennedy, Roth, and Moynihan. The bill that passed today has flaws. These include limitations on the health options and inadequate and problematic financing provisions, particularly one affecting student loans. I urge the Congress to address these issues this year and send me this legislation. Americans with disabilities who want to work should not have to wait any longer for that opportunity.

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Disabilities
October 20, 1999

Q: Isn't it true that you did not provide funding offsets for the Work Incentives Improvement Act?

A: That's absolutely false. The President fully funded this initiative in his budget. He then indicated his support for a funding alternative passed by the Senate Finance Committee (which closed a series of specific tax loopholes to offset the cost) which attracted 16 out of 18 votes. Since that time, he has been working with the Congress to find additional alternatives. As indicated yesterday by the ranking Democrat of the Commerce subcommittee Sherrod Brown, the reason for the delay has been that the Republican leadership could not get their members to agree on financing options or underlying details of the policy. Notwithstanding this fact, we are pleased that a positive step was made yesterday by Congress in response to the President's challenge to pass this legislation this year made in his State of the Union address.

PRESIDENT CLINTON SIGNS LANDMARK LEGISLATION TO BOOST THE EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES
December 17, 1999

Today, in a ceremony at the Franklin Delano Roosevelt Memorial, President Clinton will sign into law the Ticket to Work and Work Incentives Improvement Act of 1999. This landmark legislation makes it possible for millions of Americans with disabilities to join the workforce without fear of losing their Medicaid and Medicare coverage. It also modernizes the employment services system for people with disabilities. Enactment of this legislation is a major achievement for president Clinton, who championed the proposal in last year's budget. The President today will praise Senators Jeffords, Kennedy, Roth and Moynihan, as well as Congressmen Lazio, Waxman, Bliley and Dingell, for their Bipartisan efforts on this historic legislation. Finally, he will direct his Cabinet to move swiftly to implement the Act.

MILLIONS OF AMERICANS WITH DISABILITIES FACE BARRIERS TO EMPLOYMENT. Since President Clinton and Vice President Gore took office, the American economy has added over 20 million new jobs. Unemployment is at a 29-year low of 4.1 percent. But the unemployment rate among working-age adults with severe disabilities is nearly 75 percent. While people with disabilities bring tremendous energy and talent to the American workforce, outdated institutional barriers often limit their opportunities to work. Under current law, people with disabilities often become ineligible for Medicaid or Medicare if they work, putting them in the untenable position of choosing between health care coverage and work.

THIS NEW LAW HELPS BRING DOWN THOSE BARRIERS, AND PRESIDENT CLINTON PLEDGES SWIFT IMPLEMENTATION The Ticket to Work and Work Incentives Improvement Act of 1999 will break down these barriers and help the nation tap the full talents of the millions of Americans who are disabled. The President today will:

Highlight the important provisions of the Work Incentives Improvement Act. This landmark new legislation creates two new options for states to offer a Medicaid buy-in for workers with disabilities. It also provides $150 million in grants to encourage states to take this option; creates a new $250 million Medicaid buy-in demonstration to help people whose disability is not yet so severe that they cannot work; extends Medicare coverage for an additional 4-and-a-half years for people in the disability insurance system who return to work; and enhances employment-related services for individuals with disabilities through the new "Ticket to Work" Program.

Direct his Cabinet to move swiftly to implement this legislation. Today, President Clinton will instruct Secretary Herman, Secretary Shalala, Secretary Riley, and SSA Administrator Kenneth Apfel to work with states, providers, advocates and employers nationwide to implement this important legislation rapidly. He will call for effective collaboration to ensure that the Medicaid and Medicare programs work closely with agencies overseeing worker retraining and rehabilitation services.

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Encourage states to take advantage of the new health care coverage options under this legislation. The President will challenge states to take advantage of these new options to offer Medicaid to individuals who are not eligible under existing options, including people with disabilities who take advantage of the options provided under the new law. He also will encourage states to apply for the new $250 million demonstration program that tests whether early medical intervention, made possible through an affordable Medicaid benefit, will enable people with early symptoms of HIV, muscular dystrophy, Parkinson's Disease, or diabetes to stay healthier and keep working.

Commend the work of the Presidential Task Force on Employment of Adults with Disabilities. The first report of the Presidential Task Force on Employment of Adults laid the foundation for the Work Incentives Improvement Act legislation. At the ceremony, the President will thank the Task Force for all its work on this issue over the past two years and accept the Task Force's second report, which will be transmitted to him today.

THE CLINTON-GORE ADMINISTRATION'S LONGSTANDING COMMITMENT TO INCREASE OPPORTUNITY FOR PEOPLE WITH DISABILITIES. President Clinton and Vice President Gore have a longstanding commitment to opening the doors of the workplace to more people with disabilities. The Administration has taken a number of actions, including: creating the Task Force two years ago to coordinate national policy efforts to increase employment of people with disabilities; including in last year's budget a historic $2 billion initiative to provide a $1,000 tax credit for work-related expenses for people with disabilities, to invest in technology to help more people with disabilities work, and to fully fund the Work Incentives Improvement Act; putting in place new regulations in February to make work pay for people with disabilities receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI), by allowing them to earn more and still receive critical cash and medical benefits; directing the federal government – the nation's largest employer – to take new steps to hire more people with disabilities; issuing an executive order in June expanding hiring opportunities for people with psychiatric disabilities; and directing all federal agencies to increase employment of individuals with disabilities.

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PRESIDENT CLINTON SIGNS H.R. 1180, THE TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT OF 1999
Franklin Delano Roosevelt Memorial, Washington D.C.
December 17, 1999

Today, President Clinton will sign H.R. 1180, the Ticket to Work and Work Incentives Improvement Act of 1999. H.R. 1180 will make it possible for millions of Americans with disabilities to join the workforce without fear of losing their Medicaid and Medicare coverage. It will also modernize the employment services system for people with disabilities. The enactment of this legislation is a major achievement for President Clinton, who championed the proposal in last year's budget.

The Conference Report to H.R. 1180 passed the House (418-2) on November 18, and passed the Senate (95-1) on November 19. The bill was introduced in the Senate as S. 331, by Sen. Jim Jeffords (R-Vt.) and Sen. Edward Kennedy (D-Mass.). Rep. Rick Lazio (R-N.Y.) introduced H.R. 1180 as the House companion bill.

James Sullivan of Hudson, New Hampshire will introduce the President. Mr. Sullivan is a person with quadriplegia, who has partial use of his arms. Two days before he turned 18, Mr. Sullivan broke his back diving into a wave. Now in his mid-30s, Sullivan is currently unemployed and insured under Medicaid. For a while, he was employed through a New Hampshire state work incentives program that allowed him to keep his Medicaid coverage, but when the company downsized, he lost his job. Mr. Sullivan has done volunteer work, including serving as chairman of the school board and serving on the New Hampshire Rehabilitation Council. He is willing to give up his SSDI check if he could go back to work and keep his personal attendant services. If New Hampshire takes the Medicaid buy-in option, the Work Incentives Improvement Act will allow him to do just that. He would like to work in the telecommunications industry.

The President also will be joined onstage by Senators Kennedy (D-Mass.) and Jeffords (R-Vt.), Justin Dart, co-chair of Justice For All, and several citizens who will benefit from the Work Incentives Improvement Act: Donna McNamee of Cleveland, Ohio; Paul Marshall of Wheaton, Maryland.; and Wesley Vinner of Riverdale, Maryland.

Health and Human Services Secretary Donna Shalala, Labor Secretary Alexis Herman, Treasury Secretary Lawrence Summers, and Social Security Commissioner Kenneth Apfel will be in attendance. In addition the following members of Congress are expected: Sen. William Roth (R-Del.); former Sen. Robert Dole; Rep. Lazio (R-N.Y.); Rep. Henry Waxman (D-Calif.); and Rep. Sherrod Brown (D-Ohio). James Roosevelt, grandson of Franklin Delano Roosevelt also will attend the event.

The audience of 300 also will include members of the disability community, advocates and service providers, Cabinet agency and Congressional staff.

Order of Events:
Senator Edward Kennedy (D-Mass.) makes brief remarks
Senator Jim Jeffords (R-Vt.) makes brief remarks
James Sullivan makes brief remarks and introduces President Clinton
President Clinton makes remarks
The President signs the bill
The ceremony concludes and the President works a ropeline

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Disabilities Directive
Radio Address
Q&A
October 16, 1999

Directive to Federal Agencies in Hiring People with Disabilities

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

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

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

Q: Will agencies be subject to hiring quotas?

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

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

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

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

A. The plan provides a framework for departments and agencies to help them develop strategies and initiatives designed to employ and retain persons with disabilities. Its companion piece, the guide, is a resource tool to help Federal human resource specialists, supervisors, and co-workers, understand the issues surrounding employment of people with disabilities.

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

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

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

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

Unemployment Among People with Disabilities

Q: **How many people with disabilities are unemployed?**

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

Administration Efforts to Increase Employment of People with Disabilities

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

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

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

Work Incentives Improvement Act (Kennedy-Jeffords)

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

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

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

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

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

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

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

Patients' Bill of Rights

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

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

Americans with Disabilities Act

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

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

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

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

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

Disabilities
October 20, 1999

Q: Isn't it true that you did not provide funding offsets for the Work Incentives Improvement Act?

A: That's absolutely false. The President fully funded this initiative in his budget. He then indicated his support for a funding alternative passed by the Senate Finance Committee (which closed a series of specific tax loopholes to offset the cost) which attracted 16 out of 18 votes. Since that time, he has been working with the Congress to find additional alternatives. As indicated yesterday by the ranking Democrat of the Commerce subcommittee Sherrod Brown, the reason for the delay has been that the Republican leadership could not get their members to agree on financing options or underlying details of the policy. Notwithstanding this fact, we are pleased that a positive step was made yesterday by Congress in response to the President's challenge to pass this legislation this year made in his State of the Union address.

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

October 19, 1999
(House)

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

H.R. 1180 -Work Incentives Improvement Act
(Rep. Lazio (R) NY and 247 cosponsors)

The Administration has a deep and long-standing commitment to empowering and promoting the independence of people with disabilities, including removal of barriers for them to work. While the Administration supports H.R. 1180, there are policy and funding concerns that must be addressed. The President endorsed similar legislation last year, funded the proposal in his FY 2000 Budget, and urged the Congress to pass it in his State of the Union address. In addition, on several occasions, he has renewed his challenge to the Congress to pass legislation so that people with disabilities can work without fear of losing the health care they need.

The Administration, however, does remain seriously concerned that H.R. 1180 fails to provide certain key supports for individuals with disabilities who are returning to work that were included in the President's FY 2000 Budget as well as in the Senate-passed and House Commerce Committee versions of the bill. In particular:

- H.R. 1180 does not include the provision in the House Commerce Committee- and Senate-passed bills that lifts the income and resource restrictions on the Medicaid buy-in option. This provision gives States more flexibility in designing their programs and allows people with disabilities to take middle-class jobs without losing the option to buy into Medicaid.

- H.R. 1180 has inadequate funds for a demonstration program to provide Medicaid coverage to workers with medical conditions that could cause them to require cash assistance in the future. Fully funding this program with mandatory appropriations is critical to assure implementation and to obtain State support for efforts to encourage individuals with disabilities to return to work. The President's FY 2000 Budget included Medicare and Medicaid offsets for this purpose, and we will continue to work aggressively with the Congress to identify appropriate offsets.

- H.R. 1180 gives no guarantee that Medicare coverage will always be available to people with disabilities who work. The Administration urges that this guarantee be restored.

ADA EVENT
July 26, 2000

What did the President and First Lady announce today to commemorate the 10th Aniversarry of the Americans with Disabilities Act (ADA)?

President Clinton with the First Lady and leaders of the disability community celebrated the 10th Anniversary of the Americans with Disabilities Act (ADA) and took new action to further the goals of the ADA by: increasing federal employment opportunities for people with disabilities; ensuring that federal agencies establish effective procedures for addressing reasonable accommodation requests and that Federal programs are free from disability-based discrimination; and reducing the barriers that Social Security beneficiaries face when they return to work. The President will also announced his intention to work with the Congress in the context of an overall budget framework to enact legislation that builds on the success of the Work Incentives Improvement Act by allowing children with disabilities to continue their Medicaid coverage even if their parents have returned to work. Finally , the President unveiled the Access America for People with Disabilities website created to provide quick access to services and other resources for people with disabilities and their families.

<u>**Social Security Disability Initiatives**</u> (The First Lady is announcing one of the SSI initiatives for students)

What did the President announce regarding assistance for SSI and SSDI disability recipients who are working or want to go to work?

The President announced two proposals (and the First Lady announced one) to assist Social Security Disability (SSDI) and Supplemental Security Income (SSI) disability recipients who are working or wish to enter the workforce.

1. Automatically adjust the Substantial Gainful Activity (SGA) level for individuals with disabilities based on any annual increases in the national average wage index. Since the beginning of the Social Security disability program in 1956, there have been no regularly scheduled increases in SGA. This will ensure that persons with disabilities who return to work will be able to count on having a limit that accurately reflects increases in wages. SSA has special rules for blind persons.

2. Increase from $200 to $530 the minimum amount of monthly earnings for a month to count during a trial work period for individuals who are Social Security beneficiaries and work. The President is also proposing to automatically adjust the amount thereafter based on any annual increases in the national average wage index. Many beneficiaries are leery of attempting to work for fear of losing critically important cash and medical benefits. This increase will encourage beneficiaries with disabilities to contribute their talent and energy to the workforce.

What's the purpose of the changes?

We expect that these changes will encourage people with disabilities to test their ability to work and to keep working. These changes should provide people with greater incentives to work, or, if working, more security to continue working without losing important cash and medical benefits.

How many people on SSI and SSDI will these changes help?

Each year, approximately 400,000 disability beneficiaries participate in the workforce. Many hesitate to work because they cannot afford to give up critical benefits. Although it's difficult to quantify how many people will in the end benefit from these proposals, increasing the SGA level would provide additional security and encourage more disabled individuals to return to work.

What is SGA and why is it important?

The Social Security Act defines disability as the inability to do any substantial gainful activity because of any medically determinable physical or mental impairment that is expected to last for a continuous period of 12 months. The Social Security Administration (SSA) designed "substantial gainful activity" (SGA) as a way of measuring an individual's ability to work – not as a measure of an individual's need for income. The term "substantial" refers to the performance of significant physical or mental duties, or a combination of both, which are productive in nature. "Gainful" work activity is work that is generally performed for remuneration or profit, regardless of whether a profit is realized. A person must not be able to perform SGA in order to receive benefits under the SSDI or SSI programs. Currently, monthly earnings of $700 or more are considered SGA and will make a person ineligible for cash benefits in that month.

How much do these regulatory changes cost ?

The increase and index of the TWP earnings level cost $27 million over five years and updating the Student Earned Income Exclusion and indexing it costs $16 million over 5 years. The costs for these proposals will be offset by other pending regulatory proposals.

For SGA, the baselines for the DI, SSI, Medicare and Medicaid all assume that SGA is periodically updated. Although it would not have to be offset, any increase to the SGA would result in more individuals being able to meet that aspect of the definition of disability, compared to a static SGA. The amount in the baseline representing the difference in benefits paid by indexing the SGA compared to holding it constant is about $2.1 billion over ten years.