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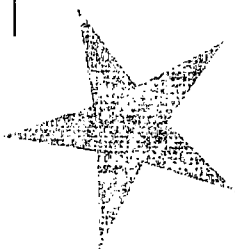
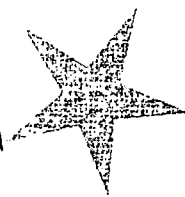
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GOALS AND ACCOMPLISHMENTS

WORKING
ON BEHALF
PRESIDENT CLINTON OF
AMERICANS
WITH AND VICE PRESIDENT GORE
DISABILITIES



PRESIDENT CLINTON AND VICE PRESIDENT GORE:

Working on Behalf of Americans with Disabilities

"If we want to keep our economy growing with continued low inflation and low unemployment, we must draw on the untapped potential of our people.... Americans with disabilities who want to work shouldn't have to wait one more day."

-- President Bill Clinton

October 16, 1999

EXPANDING ECONOMIC OPPORTUNITY:

I. 2000 LEGISLATIVE PRIORITIES AND FY2001 BUDGET INITIATIVES

Disability Office in the Department of Labor. President Clinton and Vice President Gore support establishing an Office of Disability Policy, Evaluation and Technical Assistance (ODPET) within the Department of Labor (DOL), and improving access for adults with disabilities to employment services offered through the one-stop system. The President's FY 2001 budget includes \$20.56 million for ODPET, which was recommended by the Presidential Task Force on Employment of Adults with Disabilities. Under the leadership of an Assistant Secretary, ODPET's mission would be to dramatically increase the employment rate of people with disabilities by implementing a sustained, coordinated, and aggressive strategy to eliminate barriers and create meaningful employment opportunities for people with disabilities. This office would initially subsume the President's Committee on Employment of People with Disabilities (PCEPD) in an effort to reduce duplication and enhance coordination of Federal employment programs for people with disabilities. The office would work within DOL to ensure that all programs address the need to increase participation of people with disabilities in DOL training programs, with a targeted emphasis on those serving youth during FY 2001.

National Disability Business Development Board. Creation of ODPET would also establish the National Disability Business Development Board, a federally chartered corporation. The Board will be made up of America's business leaders, organized labor, rehabilitation and service providers, and disability-related organizations currently advising the President's Committee on Employment of People with Disabilities. The board would: work to improve the access of individuals with disabilities to financial institutions and commercial and business enterprises; provide incentives to, and collaborate with, the public and private sectors to ensure the necessary levels of resources/investments in employment initiatives for individuals with disabilities; and leverage funds for public awareness about disability and employment.

Tax Credit for Work-Related Expenses. In his FY 2001 budget, President Clinton renews his proposal for a \$1,000 tax credit for work-related expenses for people with disabilities. This tax credit was proposed last year but not supported by Congress. The credit would help workers with significant disabilities cover the formal and informal costs that are associated with employment, such as specialized transportation and technology. Like the Ticket to Work and Work Incentives Improvement Act, it would help ensure that people with disabilities have the tools they need to return to work by recognizing the extra costs associated with working.

Extending Medicare Access for People with Disabilities Who Work. The President and Vice President's FY 2001 budget builds on achievements enacted in the Ticket to Work and Work Incentives Improvement Act to ensure that individuals with disabilities have full opportunity to participate in and contribute to our growing economy. The Administration has proposed removing an arbitrary four-and-

a-half-year limit on Medicare coverage for people with disabilities who return to work, giving individuals with disabilities lifetime access to Medicare.

Vocational Rehabilitation State Grants. The Administration's FY 2001 budget includes \$2.4 billion, an increase of \$60.8 million, or 2.6 percent, to assist State VR agencies to improve the employment outcomes of individuals with disabilities. A wide range of services is provided each year to about 1.2 million individuals with disabilities, and these funds will assist States to address the needs of this population.

II. RECORD OF ACCOMPLISHMENTS

Enacted the Ticket to Work and Work Incentives Improvement Act. The Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA) is an historic bill produced through the bipartisan efforts of President Clinton and Vice President Gore; Senators Jeffords, Kennedy, Roth, and Moynihan; leaders in the House of Representatives; and the disability community. On December 17, 1999, the President signed this historic bill into law at a ceremony held at the FDR Memorial. This legislation, which the President advocated since 1998, will help provide better health care options for people with disabilities who work.

TWWIIA will improve employment opportunities by: creating new options and incentives for states to offer a Medicaid buy-in for workers with disabilities; extending Medicare coverage for an additional 4 ½ years for people on disability insurance who return to work; creating a \$250 million Medicaid buy-in demonstration to help people whose disabilities have not yet progressed so far that they cannot work; and enhancing employment-related services for people with disabilities through the new "Ticket to Work" Program. TWWIIA also creates a Work Incentive Grant program to provide benefits planning and assistance, facilitate access to information about work incentives, and better integrate services to people with disabilities working or returning to work.

Increasing the Substantial Gainful Activity Amount. In July 1999, the Social Security Administration increased the monthly earnings guidelines from \$500 to \$700 per month, enabling beneficiaries with disabilities to earn more without affecting their benefits. These guidelines are used to determine whether the work activities of a person with impairments, other than blindness, demonstrate that he or she is able to perform substantial gainful activity (SGA).

Directing Federal Agencies to Implement Plan for Hiring People with Disabilities. Since the beginning of the Clinton-Gore Administration, the American economy has added nearly 21 million new jobs, and unemployment is at the lowest level in three decades. Yet nearly 75 percent of individuals with significant disabilities are unemployed. Last year, Vice President Gore asked the Office of Personnel Management to develop a model plan to bring more adults with disabilities into the Federal workforce. On October 16, 1999, President Clinton released that action plan and directed the Federal government to implement it immediately. The plan, *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, along with a companion Employment Guide, provides detailed resources for federal employees as they recruit, hire, train and promote people with disabilities. Under this plan, the Federal government -- the nation's largest employer with almost 1.8 million workers -- will do more to: recruit people with disabilities for positions at all levels of government; provide opportunities for students with disabilities; ensure career opportunities for people with disabilities; collect and maintain data to monitor success of people with disabilities in the federal workforce; and provide reasonable accommodations for applicants and employees with disabilities.

Sponsoring "Disability Mentoring Day: Career Development for the 21st Century." On October 27, 1999, the White House sponsored the first-ever mentoring day for people with disabilities. The Office of Personnel Management (OPM) and Departments of Labor, Justice, Education, Transportation, and Defense also participated in the mentoring program, which was modeled after other "shadow" days. It also coincided with a reception hosted by OPM to celebrate the release of the *Plan and Employment Guide*. This year, the mentoring day will take place on Wednesday, October 25th. The White House encourages people from all across the country to participate in their local communities.

Expanding Hiring Opportunities for People with Psychiatric Disabilities. In January 1999, Tipper Gore announced that the Office of Personnel Management (OPM) would explore measures to eliminate the stricter standards that are currently applied to job applicants with psychiatric disabilities. On June 4, 1999, President Clinton signed an executive order ensuring that individuals with psychiatric disabilities are given the same hiring opportunities as persons with significant physical disabilities or mental retardation. On March 17, 2000, OPM issued proposed regulations to create a new Government-wide excepted appointing authority for persons with psychiatric disabilities. This authority will broaden the category of people who may non-competitively acquire competitive civil service status after two years of successful service, providing individuals with psychiatric disabilities the same hiring opportunities already offered to individuals with mental retardation and significant physical disabilities.

Mental Health Parity for Federal Employees. Leading by example, in June 1999 President Clinton called for parity for mental health and substance abuse coverage in the Federal Employees Health Benefits Program (FEHBP) by 2001. The FEHBP is the largest employer-sponsored health insurance program in the country -- covering 8.5 million people, including Federal employees, retirees, and their families -- and often serves as a model for other employers and the insurance industry. The Office of Personnel Management (OPM) will work with participating health plans to introduce managed behavioral health care components that incorporate proven techniques such as case management, authorized treatment plans, provider networks using effective screening and referral procedures, pre-certification, and disease management. OPM has eliminated lifetime and annual maximums in the Program, and negotiated with plans to move away from contractual day and visit limitations, high deductibles, co-payments, and coinsurance for mental health coverage.

Signed the Workforce Investment Act of 1998. On August 7, 1998, President Clinton signed the Workforce Investment Act (WIA), which included the Rehabilitation Act Amendments of 1998, helping to improve worker training and placement options for people with disabilities. WIA establishes better links between the vocational rehabilitation (VR) system and the general workforce development system. Job seekers with disabilities now have improved options for service through the mainstream worker training and placement system, and through the disability-specific VR system. WIA also strengthens the Rehabilitation Act by giving increased options to individuals with disabilities in developing VR plans.

Increasing Employment of Adults with Disabilities. President Clinton signed an Executive Order in March 1998 establishing the Presidential Task Force on Employment of Adults with Disabilities. The Task Force is charged with creating a coordinated and aggressive national policy to move individuals with disabilities into gainful employment at a rate approaching that of the general adult population. The Task Force, chaired by the Secretary of Labor, continues its efforts to promote employment opportunities, and many of its recommendations have already been accepted and implemented by the President. The Task Force is analyzing the barriers to employment faced by people with disabilities and will report its findings with policy recommendations to the President on a periodic basis until its final report is presented on July 26, 2002.

Working on Innovative Strategies to Improve Employment of Adults with Disabilities. The Clinton-Gore Administration continues to develop innovative strategies to employ Americans with disabilities. The Social Security Administration (SSA), the Department of Health and Human Services (HHS), the Department of Labor (DOL), and the Department of Education (DoED) are all participating in inter-agency demonstration projects to expand job opportunities for persons with disabilities. For instance, DoED has awarded six systems-change grants to establish models of improved cooperation and coordination between State Vocational Rehabilitation programs, public employment/employment training programs, and other related programs. The grants will help reduce barriers to employment and increase the capacity of States' overall employment system to serve individuals with disabilities. The focus of these systems change projects is increasing the employment rate of individuals with disabilities who are currently receiving support through public programs.

In addition, SSA is working under cooperative agreements with 12 states to develop innovative projects to assist adults with disabilities to reenter the workforce. This activity, the State Partnership Initiative, is designed to help states develop innovative and integrated statewide programs of services and supports for their residents with disabilities that will increase job opportunities and decrease dependence on benefits, including Social Security Disability Insurance and Supplemental Security Income. Moreover, the President's Committee on Employment of People with Disabilities (PCEPD) has worked to coordinate a commitment by the U.S. Chamber of Commerce, the Society of Human Resource Managers, and dozens of other private sector companies to support several initiatives advancing the employment of people with disabilities among employers. Initiatives include the formation of local and state employer-led groups advocating for the employment of people with disabilities, the launching of a nationwide campaign to advance the employment of persons with cognitive disabilities, and supporting PCEPD's career exploration and employment programs for youth with disabilities.

Creating New Tools to Help Families Move from Welfare to Work. Since enactment of the 1996 welfare reform law, millions of families have moved from welfare to work. Recognizing the special needs of some people with disabilities and other populations in moving from welfare to work, the 1997 Balanced Budget Act included \$3 billion to move long-term welfare recipients and low-income non-custodial fathers into jobs. To fully implement this initiative, the President's FY 2001 budget allows grantees an additional two years to spend Welfare-to-Work funds. It also proposes \$255 million for Fathers Work/Families Win grants to promote responsible fatherhood and support working families. The Welfare-to-Work Tax Credit provides tax incentives to encourage businesses to hire long-term welfare recipients. President Clinton has secured 110,000 new housing vouchers in the last two years to help welfare recipients and hard-pressed working families move closer to job opportunities, and this year he is proposing \$690 million for 120,000 new housing vouchers.

EDUCATION AND TRAINING:

I. 2000 LEGISLATIVE PRIORITIES AND FY2001 BUDGET INITIATIVES

State Grant Program. The Administration's FY 2001 budget includes \$5.28 billion, a \$290 million or 5.8 percent increase, for Special Education Grants to States. With passage of this increase, funding for the State Grant Program will have risen 127 percent since 1994. In FY 2001, the Grants to States program would provide an average of \$827 per child, an increase of 4 percent over the FY 2000 level. If approved, States will receive 13 percent of their average per pupil expenditures, or 11 percent of the excess costs, from the federal government for educating children with disabilities.

State Improvement Grants. The Administration's FY 2001 budget includes \$45.2 million for the State Improvement Grants, a \$10 million increase (or 28.4 percent) over FY 2000. This will provide funding for 28 existing awards to States as well as new awards to an estimated 15 States and territories. The State Improvement program would expand efforts to reform and improve State systems for providing educational, early intervention, and transitional services to improve results for children with disabilities.

Parent Training. The Administration's FY 2001 budget for the Parent Training and Information Centers program is \$26 million, a \$7.5 million increase, or 40.3 percent, above last year's level. The increase would be used to expand the size of the awards to existing State Parent Training and Information Centers, establish four new centers for a total of 103 across the country, and provide additional technical assistance to centers. Three of the new centers would be community centers operated by local parent organizations and focus on meeting the needs of underserved parents and families of children with disabilities.

Reading and Behavior. The President's FY 2001 budget includes a request for a \$10 million Primary Education Intervention initiative. This initiative will support projects that demonstrate effective interventions coupled with early identification to improve results for children with disabilities. The initiative would target children with significant problems in learning to read, and those exhibiting behaviors that have been found to lead to significant discipline problems or emotional disturbance as they get older. Research shows that early intervention is particularly effective for improving educational results for children, and these funds will allow more students to benefit from timely identification and service delivery.

State Technical Assistance Awards. Helping States comply with the Individuals with Disabilities Education Act (IDEA) is critically important, and the President's FY 2001 budget includes an \$8 million request for State Technical Assistance Awards that will help address this need. These technical assistance awards will be instrumental in improving State monitoring and complaint resolution systems, and to correct deficiencies found through State and Federal monitoring of the implementation of IDEA.

II. RECORD OF ACCOMPLISHMENTS

Supporting Quality Education for Children with Disabilities. In 1997, the President enacted a stronger Individuals with Disabilities Education Act (IDEA), reaffirming our national commitment to provide a world class education for all our children by ensuring that our nation's schools are safe and conducive to learning, while scrupulously protecting the rights of students with disabilities. Funding for the basic IDEA grant program has increased by 100 percent under the Clinton-Gore Administration.

Fighting Unwise Amendments to IDEA. In the 105th Congress, the Majority in the House of Representatives attempted to amend the Individual with Disabilities Education Act (IDEA) to make it easier to expel children with disabilities who were judged by school officials to be potentially violent in school. These broad, subjective judgements could have resulted in inappropriate expulsion of large numbers of students with disabilities. The Clinton-Gore Administration, working with parents, successfully opposed these amendments.

Enforcing IDEA. The Clinton Administration has defended the rights of children with disabilities under the Individuals with Disabilities Education Act in numerous Federal Court cases: *Cedar Rapids Community School District v. Garrett F.*; *Marie O. v. Edgar*; *Sacramento City Unified School District v. Holland*; *Hartmann v. Loudon County Board of Education*.

IMPROVING ACCESS AND QUALITY OF HEALTH CARE:

I. 2000 LEGISLATIVE PRIORITIES AND FY2001 BUDGET INITIATIVES

Addressing the Nation's Multi-Faceted Needs for Long Term Services and Supports. The President's FY 2001 budget includes a \$28 billion, 10-year investment to tackle the complex problem of long-term care, which affects millions of elderly persons, people with disabilities, children with special needs, and/or the families who care for them. Its centerpiece is a \$3,000 tax credit for people with long-term care needs or their caregivers -- triple the amount proposed last year. It also seeks to address the way in which Medicaid policy and practice has inadvertently discriminated against people with long-term care needs who want to live in the community by making it much easier to provide coverage in nursing homes than in the community. This proposal would enable states to provide services to nursing-home qualified beneficiaries at 300 percent of the Supplemental Security Income limit (about \$15,000), without requiring a complicated and frequently time-consuming Federal waiver. This proposal contributes toward the goal of giving people who need long-term services and supports the choice of remaining in their homes and communities. It costs \$140 million over 5 years, \$370 million over 10 years.

Expanding Coverage to Uninsured Americans. In his FY 2001 budget, President Clinton has proposed a 10-year, \$110 billion initiative that would dramatically improve the affordability of and access to health insurance. The proposal would expand coverage to at least 5 million uninsured Americans and expand access to millions more. If enacted, these policies would be the largest expansion of coverage since Medicare was created in 1965.

Advocating a Strong Patients' Bill of Rights. The President and Vice President have called for passage of the bipartisan Patients' Bill of Rights Act, to ensure that all Americans have essential protections, including: guaranteed access to needed health care specialists; access to emergency room services when and where needs arise; continuity of care protections to assure coverage if a patient's health care provider is dropped; access to a timely internal and independent external appeals process with a medical necessity standard; assurance that doctors and patients can openly discuss treatment options; and an enforcement mechanism that ensures recourse for patients who have been harmed as a result of health plan actions.

II. RECORD OF ACCOMPLISHMENTS

Extending Enforceable Patient Protections for Millions of Americans. Leading by example, the President directed all federal agencies to ensure that their employees and beneficiaries have the benefits and rights guaranteed under the proposed Patients' Bill of Rights. 8.5 million Americans covered by federal health plans have the security of knowing they will have fair access to health care thanks to the President's work.

Providing Access to Health Care Services for Uninsured Workers. In 1999, the President proposed and won \$25 million in funding for a program to coordinate systems of care, increase the number of services delivered, and establish an accountability system to assure adequate patient care for uninsured and low-income individuals. This year, the President has proposed funding this initiative at \$125 million, representing a substantial down payment on the President's plan to invest \$1 billion over 5 years.

Supporting Families. President Clinton fought for and enacted the Family and Medical Leave Act (FMLA), which allows workers to take up to 12 weeks of unpaid leave to care for a child or adult with a disability, seriously ill family members, newborn or adoptive children, or their own serious health problems -- without fear of losing their jobs. Since its enactment, FMLA has benefited millions of Americans, and the President has expanded leave options for Federal employees. President Clinton has called for extending this benefit to 12 million more working families and has proposed expanding FMLA to allow workers to take up to 24 unpaid hours off each year for school and early childhood education activities, routine family medical care, and caring for an elderly relative.

Increasing Access to Health Care and Supporting Employment for Americans with Disabilities. The Balanced Budget Act of 1997 created an optional program whereby States could allow people with disabilities who earn up to 250 percent of poverty to purchase Medicaid coverage. Oregon is the first state to take advantage of this policy, and they have created a program that will let individuals go to work and get or keep Medicaid. Secretary of Health and Human Services Donna Shalala has asked every governor to seriously consider this program.

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

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

IMPROVING ACCESSIBILITY:

I. 2000 LEGISLATIVE PRIORITIES AND FY2001 BUDGET INITIATIVES

Assistive Technology Initiatives. The Administration's FY 2001 budget includes \$100 million (a \$13.5 million increase) for disability and technology research at the National Institute on Disability and Rehabilitation Research (NIDRR). NIDRR will launch a comprehensive technology initiative which includes: \$5 million for an Educational Technology Initiative to provide technical assistance and training to elementary and secondary schools; \$3.4 million for a multi-pronged Employment initiative to carry out research, training, and technical assistance to enhance the ability of individuals with disabilities to access and use information and communication technology; and \$5.1 million for a Community Independence initiative on how information and assistive technology can be used to enhance community integration and participation by individuals with disabilities. The Administration's request also includes \$15 million to support grants that establish or maintain alternative loan financing programs. Most people with disabilities do not have the private financial resources to purchase the assistive technology they need. If approved, this increase would significantly enhance opportunities for individuals with disabilities to take advantage of assistive technology.

Centers for Independent Living. The Administration's FY 2001 includes \$58 million for Centers for Independent Living (CILs) -- a 20.8 percent increase over last year's funding level. This increase would make it possible to accomplish an increase in the stability of existing CILs and open new CILs in unserved and underserved areas. The request could provide sufficient funding to establish a \$200,000 federal funding floor. In addition, a \$10 million increase for CILs could expand the network of centers by funding up to 56 new centers in 23 States.

II. RECORD OF ACCOMPLISHMENTS

Ensuring that the Telecommunications Revolution Benefits All. In July 1999, the Federal Communications Commission (FCC) adopted rules on Section 225 of the Telecommunications Act of 1996, which requires that telecommunications equipment and services be accessible to individuals with disabilities, if readily achievable. This provision is known as the ADA for the Information Age. These regulations, which have been supported by the telecommunications industry, will ensure people with disabilities have access to a broad range of products and services -- such as telephones, cell phones, pagers, call waiting, and operator services -- where they previously experienced barriers. Telecommunications carriers may not install network features, functions, or capabilities that do not comply with the regulations. The regulations also ensure that information, documentation, and customer service is conducted in accessible ways.

Signed the Assistive Technology Act (ATA). Technology is a crucial component in enabling people with disabilities to live, learn and work in society. With the support of the Clinton-Gore Administration, Congress passed the Assistive Technology Act of 1998, which continues the work of the Technology Related Assistance for Individuals with Disabilities Act of 1988. ATA supports a program of Grants to the 50 States, the District of Columbia, Puerto Rico, and the territories to examine and remove barriers to accessing assistive technology devices and services, all of which have an ATA project. This program uses a variety of strategies to examine state and federal policies and implements changes to improve the provision of assistive technology. Some of the initiatives States engage in include: training, technical assistance, alternative loan programs, demonstration centers, information and referral hotlines, web sites, technology expos, and the development of informational materials. Statewide networks have been established that support the technology related needs of citizens with disabilities in each State and territory.

Partnerships With Industry. The Clinton-Gore Administration brought together key representatives of the Information Technology industry which led to support of the Web Accessibility Initiative (WAI) within the World Wide Web Consortium (W3C). WAI, which is supported by the National Science Foundation and the National Institute on Disability and Rehabilitation Research (NIDRR), brings together industries, researchers, web designers, and consumers around the world to develop standards of operation and protocol for web accessibility.

Ensuring the Federal Government Provides Accessible Technology and Information. The Clinton-Gore Administration recommended, and Congress enacted, changes to the Rehabilitation Act strengthening the obligations of federal agencies to provide accessible information technology to their employees and customers. This enabled the federal government to use its considerable purchasing power to influence private industry toward developing universally designed technology that is accessible to almost everyone. On April 18, 2000, Attorney General Janet Reno announced the release of the Department of Justice's (DOJ) first report under section 508 of the Rehabilitation Act, *Information Technology and People with Disabilities: The Current State of Federal Accessibility*. Under DOJ's direction, federal agencies examined the procurement policies and procedures, along with common types

of information technology. DOJ found that while some information technology used by federal agencies is accessible, simple steps can increase the extent to which federal information technology is usable by people with disabilities.

Increased Resources for Accessible Transportation. In 1998, President Clinton signed the Transportation Equity Act for the 21st Century (TEA-21), which provides significantly increased resources to make our Nation's surface transportation systems accessible. TEA-21 included increased funding for the Elderly Individuals and Individuals with Disabilities grant program.

Increasing Public Transportation Accessibility. The Department of Transportation and the Access Board have issued final regulations implementing the Americans with Disabilities Act (ADA) provisions for over-the-road bus (OTRB) accessibility that provides a definition of what constitutes discriminatory action. The regulation requires large, fixed-route operators to achieve 50 percent of full fleet accessibility by October 2006 and 100 percent by October 2012. The Department has strengthened the regulations by including provisions making OTRB operators individually and collectively accountable for providing accessible service.

Access to Jobs Initiative. The President's Access to Jobs initiative helps communities design innovative transportation solutions, such as van services, to help former welfare recipients and other low-income workers get to work. Funding for this initiative has increased to \$75 million in FY 2000 and will be \$100 million in FY 2001 as a result of guaranteed funding in TEA-21. This innovative program emphasizes providing people with disabilities the transportation access required to achieve education, work, and family goals.

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

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

PROMOTING EQUALITY FOR ALL OF OUR CITIZENS:

I. 2000 LEGISLATIVE PRIORITIES AND FY 2001 BUDGET INITIATIVES

Increased Funding for Civil Rights Enforcement. In FY 2000, the President won a 19 percent increase in funding for federal civil rights enforcement, including \$82 million for the Civil Rights Division at the Justice Department. With a proposed increase of \$2.4 million for the Civil Rights Division, DOJ hopes to further implement the Americans with Disabilities Act (ADA) by funding new initiatives, including an initiative to remove barriers that prevent people with disabilities from obtaining

basic community services, such as riding public transportation or attending a town meeting. Additional funding will also help begin a new initiative to train law enforcement officers on how to appropriately interact with persons with mental disabilities.

Protecting All of Our Citizens. The President and Vice President have repeatedly called for passage of the Hate Crimes Prevention Act, which would strengthen and expand the existing federal hate crimes law to cover cases of hate crimes based on disability, gender, or sexual orientation.

II. RECORD OF ACCOMPLISHMENTS

Assuring Access to Community Living for the People with Disabilities. On June 22, 1999, the U.S. Supreme Court affirmed in *Olmstead v. L.C.* that, under the Americans With Disabilities Act, unjustifiable institutionalization of a person with a disability who, with proper support, can live in the community is discrimination. In accordance with that Court ruling, on January 14, 2000, the U.S. Department of Health and Human Services issued guidance to state Medicaid directors on how to make state programs responsive to the desires of people with disabilities to live in appropriate community-based settings. The Administration's goal is to integrate people with disabilities into the social mainstream with equal opportunities and the opportunity to make choices in their lives. The Clinton-Gore Administration's flexibility in granting state waivers has spurred an increase in home and community-based services. Since he took office, the President has approved over 300 such waivers. As a result, the number of people with developmental disabilities served in home and community waiver programs has increased significantly.

Vigorously Enforcing Disability Rights. President Clinton has led the fight for vigorous enforcement of the Americans with Disabilities Act (ADA), the Fair Housing Act, the Individuals with Disabilities Education Act (IDEA), and other critical civil rights laws that prohibit discrimination against people with disabilities in housing, schools, workplaces, and public areas across the nation. Under the Clinton-Gore Administration, the number of positions allocated for ADA enforcement at the Department of Justice (DOJ) has increased by 105 percent. The Administration's FY 2001 budget proposal includes funding for another 29 new positions for ADA enforcement -- a 35 percent increase over FY 2000 funding. DOJ has entered into hundreds of settlement agreements involving access to civic life (city halls and municipal services), 911 emergency services, hotels, stores, restaurants, theaters, and other public accommodations. The Department's litigation activity has established important legal precedents including ADA coverage (such as zoning and prisons), architect liability, line of sight over standing spectators, effective communication, and unnecessary inquiries by professional licensing entities. Implementation of the ADA's "most integrated setting" requirement has been an important element of DOJ's Civil Rights of Institutionalized Persons Act investigations and agreements (involving MRDD institutions, psychiatric hospitals, and public nursing homes).

Working to Stop Discrimination Against People With AIDS. President Clinton supports the Supreme Court's decision in *Bragdon v. Abbott*, which reinforces the protections offered by the Americans With Disabilities Act (ADA) for Americans living with HIV and AIDS. The President directed the Department of Justice (DOJ) and the Equal Employment Opportunity Commission (EEOC) to vigorously prosecute those who discriminate against people with AIDS, leading to actions against health care providers and facilities that violate the ADA.

Working for Fair Housing. In response to the increase in reported cases of serious fair housing violations, the Department of Housing and Urban Development (HUD) committed to doubling the number of its civil rights enforcement actions by the year 2000. In addition, the President proposed and

won a major expansion of HUD's Fair Housing programs. The FY 1999 budget expanded HUD's Fair Housing programs to \$40 million -- a \$10 million increase over FY 1998 funding. That 33 percent increase included \$7.5 million for a new audit-based enforcement initiative proposed by the Administration.

Adding a New Statue to the FDR Memorial. On May 2, 1997, President Clinton dedicated the Franklin Delano Roosevelt Memorial to honor the thirty-second President of the United States. On July 2, 1998, Vice President Gore announced that the FDR Memorial will soon include an additional outdoor room at the main entrance, which will depict FDR in the small wheelchair he invented. In collaboration with the disability community, the Clinton-Gore Administration has selected a specific design that will show how FDR became one of our greatest presidents while he had a disability and used a wheelchair. And last year, the Clinton-Gore Administration helped secure \$3 million to fund the memorial addition, which may be complete as early as this year.

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

6/00

1:00pm:

Media
Community
amount of people

J. Eric Gould

07/17/2000 12:42:48 PM

Record Type: Record

To: Karin Kullman/OPD/EOP@EOP, Anna Richter/OPD/EOP@EOP

cc: Andrea Kane/OPD/EOP, Christina S. Ho/OPD/EOP@EOP

Subject: ADA Event on the 26th

See Marsha's memo below - I love this idea. Can we push it? The Lincoln Memorial totally ramps up the stature of this important event. Some selling points include:

President Clinton could be recognized for the most powerful image in disability community history. The National Council on Independent Living, which is sponsoring the March to Capitol Hill, first hoped (over a year ago) that they could host their rally at the Lincoln and then march to the Hill, but apparently they were instructed that they would be unable to secure the Lincoln Memorial. They wanted to host an event at the Lincoln Memorial to link the disability rights movement to other civil rights movements. They were struck by the conspicuous absence of a disability rights photo in the Lincoln exhibit. A large-scale and truly inclusive Anniversary celebration at the Lincoln Memorial could instantly become *the* ADA photo.

Selected Disability Community leaders love the idea of a Lincoln Memorial event. OPL has spoken with the disability organization leaders. They agree that an event at the Lincoln is the most promising message opportunity for the President and the community -- *perhaps even more than the White House*. If we could secure an event at the Lincoln, we would circumvent all but the slightest grumbling about not holding an event on the South Lawn.

A Lincoln Memorial event focusing on the ADA could be a venue for the President to highlight his broader civil rights commitments. An event at the Lincoln could underscore that symbolism, giving the President an opportunity to talk about such issues as Hate Crimes and Patients' Bill of Rights. This would build on the Anniversary event from last year, in which we had broad participation among the greater civil rights community.

A Lincoln Memorial event could command tremendous media attention. Martin Luther King, III lit the "Spirit of ADA" Torch in Atlanta from the MLK, Jr., "Eternal Flame," and he has expressed an interest in participating in events in Washington. We could, for example, have M. L. King, III and Justin Dart present the torch to the President. The Lincoln Memorial would symbolize the unity of all the civil rights communities, and their support for the Administration.

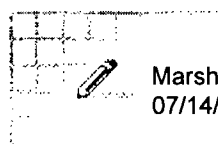
President Lincoln's themes of Liberty and Equality resonate powerfully in the Disability Community. People with disabilities often use the language of emancipation to describe their

situations. Moreover, many in the disability community recognize Lincoln as a President with a disability -- he is widely known for struggling with depression.

If for these and other reasons we were able to secure an event at the Lincoln Memorial instead of the FDR Memorial, a few possible ideas come to mind:

- The paved area at the base of the Lincoln Memorial would be ideally suited for comfortably accommodating for people using wheelchairs, as opposed to lawn areas.
- The need for complex staging could be eliminated by using the steps.
- The Lincoln Memorial is much easier to get to compared with the FDR Memorial. The disability community is already in discussions about in-kind transportation donations, and drop-offs by bus at the Lincoln would be comparatively simple.

----- Forwarded by J. Eric Gould/OPD/EOP on 07/17/2000 12:32 PM -----



Marsha Scott
07/14/2000 08:37:04 PM

Record Type: Record

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

cc: Jonathan M. Young/WHO/EOP@EOP, J. Eric Gould/OPD/EOP@EOP

Subject: ADA Event on the 26th

Jonathan uncovered a very important historical fact concerning the original signing ceremony 10 years ago. Ginny Thornburgh, wife of Dick, had proposed that the signing take place at the Lincoln Memorial because many people could attend with and without disabilities and it symbolically encompassed the many civil rights groups that are allies of the disability communities. It was nixed and moved to the East Room (sound familiar!!!!) However, even then they were thinking; and the congressional sponsors joined with the community in demanding a larger venue. That is how it ended up on the south lawn. So why don't we go to the original site? We've been to the FDR memorial and the Lincoln has a much broader appeal and is a more easily accessed and recognizable symbol. What do you think? I really like it!!!!

I'm leaving for LA Monday morning but will stay in touch and want to be conferenced into any further planning meetings. Thanks.

Message Sent To:

Loretta M. Ucelli/WHO/EOP@EOP
Lisa M. Brown/OVP/EOP@EOP
Mary E. Cahill/WHO/EOP@EOP
Minyon Moore/WHO/EOP@EOP
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POTUS Announcement

OPM

DOT

SSA

Hud tax credits / incentives

VP

- ~~Olmsstead~~ Principle
- Education tech assistance pkg

FLOTUS

- Harassment guidelines
- Youth to-work piece / directive

MEG

EEOC → not big enough

SAMHSA - I still need to coordinate announcements

HHS - TALK TO DA & CJ

Next step: EACH AGENCY MUST GET BY 9AM FRI

- ① - accomplishments from each agency -
- ② - announcements that will be ready on 25/26th -

next meeting Monday 7/17 3:30pm OVP Ceremony

7/10/2000

ADA Anniversary Event:

p. 1

ADA TORCH RELAY - Cabinet Secretaries

25th of July

VP & MEG - events throughout day & event @ night hosted by VP & MEG @ residence -

26th

incorporate new high technologies w/ products to assist people w/ disabilities

Anniversary Event @ WH w/ POTUS & FLOTUS

Cabinet Secretaries will also have roles

OPM - Committing all agencies to the goal of 100,000 ~~new~~ hires of people w/ disabilities -

Dept of Ed +

* agencies will come back w/ plan of how will attain goal of 100,000 new hires.

Energy

* No specific targets for each agency

DOJ

* Similar to what - ^{OPM} wait for dept. plan

Treasury

* will give 60-90 days for each agency to come back w/ a plan.

DOT

Energy +

* 25% of 100,000 hires will be w/ in the targeted disability

Commerce

SBA +

DOD

Interior

State +

HHS + HUD

● K Force - Presidential Announcement (A)

B-D :

Regulations (2 new ones) →
Guidance - accessibility guidelines ÷ platform lifts safety standards

Everything on A-D = goal is to have all 4 ready

SSA

Proposed Rules -

OMB needs to go through to see if ready.



HUD

see
Paper for deliverables

Native American Task Force -

DOL is the lead but HUD is only agency
w/ anything ready - so HOLD for when DOL
is ready

* Technology package - combining resources / Assistance to private sector /

- Technology Lab -
- Tech. research + training center
- E.O. Technology transfer -

• TOP / MOST FREQUENTLY USED

SITE (WEB) - PART OF

TASK FORCE

— way ahead of
private sector
w/ this

21st Century Community Centers —

P.3

DEPT OF ED. "CURTIS —"

FLORIS → ① Disability Harassment Guidance

② Youth Work: Transition Issues
↓
to

③ Directive to: coordinate resources re: transition issues - indep. living; self sufficiency
A) one-stop info center in transition; B) call on agencies to create an institute - develop roadmap to better coordinate efforts for youth transition.
C) call on agencies to create an

③ Youth Task Force? Youth Tour
↳ still idea

EOC →

Genetic Discrimination in fed. govt

* Policy guidance that implements POTUS E.O. - [MEG]?
when vote on it - don't have to announce that *

SAMHSA

- PARITY ISSUES - ? TOO VAGUE
- VOTER REGISTRATION ACCESSIBILITY

HHS - talk w/ DA & CJ

COMMERCE

- strategies to hire people w/ disabilities

PROPOSED WHITE HOUSE ANNOUNCEMENT ON INCREASING THE FEDERAL GOVERNMENTS' HIRING OF PEOPLE WITH DISABILITIES

Objectives:

- To set a realistic "stretch" goal to increase the number of persons with disabilities hired by Federal department and agencies.
- To increase the representation of persons with disabilities employed at all levels and occupations of the Federal government.

PROPOSED ANNOUNCEMENT

Federal government will hire 100,000 people with disabilities over the next five years

- This represents a **60% increase** in the hiring level of people with disabilities for Federal government
- 100,000 new hires represents **9.2%** of all new Federal hires . . . almost 1 in 10

=====

BACKGROUND

Current State of Play

- Federal government is our nation's largest employer – 1.8 million employees
- Government hires 200,000 employees each year
- Of those, 12,000 are people with disabilities (5.9%)
- 1,600 are people with targeted disabilities (0.8%)

What Happens If We Do Nothing

- Federal new hires over the next five years will be 1,082,000
- Of these, 62,500 will have a disability (5.8% of all hires)
- Of these, 8,000 will have a targeted disability (.7% of all hires)

DEPARTMENT OF EDUCATION
ADA-RELATED
DELIVERABLES
(10 July 00)

1. ADA Success Stories Fact Sheet: 10 Examples of Successful Efforts to Educate Americans with Disabilities.
2. Disability Harassment Guidance: The Department is preparing a "Dear Colleague letter" to offer schools guidance to address student harassment based on disability. → MS. CLINTON?
3. *High Stakes Testing Guide*: Includes a section that discusses the "Testing of Students with Disabilities." The Testing Guide was just published in the Federal Register for public comment and will likely be published in final form in September.
4. Charter Schools and Students with Disabilities: The final report of this study is scheduled for a late summer/early fall release. The study examined, in part, the reasons parents enroll students with disabilities in charter schools, the nature of services provided, and the outcome goals charter schools have for students with disabilities.
5. Self-Employment Guide: Publication of a Technical Assistance Guide on self-employment and business ownership for individuals with disabilities is anticipated in late July.
6. Guide to Vocational Rehabilitation: Publication of a layman's guide to the Federal/state vocational rehabilitation program is anticipated in late July.
7. Consumer Choice Guidance: The Rehabilitation Services Administration will issue guidance promoting consumer choice in the vocational rehabilitation program.

Young Person (Youth) Task Force

8. Disability Community Leadership in a Post-Olmstead Environment: The Department of Education will fund a disability community empowerment project, in conjunction with the Department of Health & Human Services and the Task Force.
9. Information Technology: The Department will award a contract, in conjunction with the General Services Administration, to create an Information Technology Demonstration Center. It will also award grant to create an Information Technology Technical Assistance and Training Center. Both are anticipated for late August or early September.
10. IEP Guide: Published an easy-to-understand guide on the requirements for a student's Individualized Education Program to be used by teachers and parents. Released on July 4th by Secretary Riley.

**DEPARTMENT OF EDUCATION
ADA-RELATED
ACCOMPLISHMENTS
(10 July 00)**

- Through reform efforts such as Goals 2000, the Department has promoted a national commitment to enabling *all* students to learn to high standards. Programs that direct elementary and secondary school reforms positively impact students with disabilities as well as their peers. Initiatives like Class Size Reduction, Smaller Learning Communities and 21st Century Community Learning Centers help create opportunities for individual attention and a learning environment conducive to multiple learning styles and a diverse student body. Title I funds served over 1 million children with disabilities in the 1996-97 school year. Further, the Department has raised public awareness about the needs for school construction and renovation, including addressing facilities and technology accessibility issues.
- Learning Disabilities One-Stop Learning Centers Project: This initiative provides the latest diagnostic, assessment, instructional strategies, and research findings to assist adults with learning disabilities.
- Collaborating with the Department of Justice in a five year project for Youth with Disabilities: The program focuses on three broad areas of prevention programs, education programs, and reintegration and transition programs for youths between the ages of 16 and 22 who are in county, state or federal correctional facilities.
- Collaboration with the National Institute for Literacy on the Welfare-to-Work System for Learning Disabled Adults: One product of this effort is *Bridges to Practice*, a comprehensive research-based guide to serving adults with Learning Disabilities (LD). In addition, four LD hubs have been funded that provide training and technical assistance in the use of *Bridges to Practice* as a tool for improving services and results. Thus far 37 States and District of Columbia have been trained.
- Initiated a new demonstration program designed to increase college graduation rates of students with disabilities through improved faculty development.

Part of directive or
E.O.

- Developed a Resource Bulletin and other targeted resources for School-To-Work and youth with disabilities.
- Worked with Department of Labor to develop a manual on disability issues in Welfare-to-Work.
- “Applying Federal Civil Rights Laws to Public Charter Schools: Questions and Answers” was recently published by the Department of Education's Office for Civil Rights (OCR) and is available at <http://www.uscharterschools.org>. These Q&As were developed, with input from the Department of Justice's Civil Rights Division, as part of our continuing effort to support innovation and choice within the public school system and in response to increasing requests for technical assistance regarding charter schools.
- **The reauthorization of the Individuals with Disabilities Education Act (IDEA):** With the signing of the 1997 amendments to the IDEA, the focus of IDEA changed from one that merely provided children with disabilities access to an education to one that improves results for all children in our educational system. The IDEA '97 strengthens the role of parents in educational planning and decision making on behalf of their children. It focuses the student's educational planning process on promoting meaningful access to the general curriculum. The new law also reduces the burden of unnecessary paperwork for teachers and school administrators. All of this was accomplished without compromising the Clinton/Gore Administration's fundamental principle of protecting the basic rights of children with disabilities to a free appropriate public education. Through Part D of IDEA four partnership projects were funded to assist educators, parents, and policy makers in the implementation of the re-authorized law.
- **The revamping of the Administration's approach to monitoring the regulatory and statutory requirements of the IDEA:** Over the past five years, OSEP has worked with States, parents, advocates and other key stakeholders to shape its accountability work in a way that drives and supports improved results for infants, toddlers, children and youth with disabilities., without sacrificing protection of individual rights. In order to ensure compliance with IDEA 97 that supports positive results for

children with disabilities, OSEP designed a continuous improvement monitoring system that includes:

- Increased collaboration between the Department of Education, State Educational Agencies and special education stakeholders
 - Providing ongoing technical assistance to the State to support the process
 - A State self-assessment
 - Increased stakeholder involvement in the process including parents, students, and advocacy organizations
 - Continued on-site review of State and local programs
 - An improvement planning process that is driven by the unique needs of the State
- **Expansion of the Part C Infants and Toddlers Program:** The last eight years have seen a dramatic expansion in services to infants and toddlers with disabilities and their families. Since the program is predicated on the belief that earlier intervention leads to better child outcomes, it is especially gratifying that the number of infants and toddlers served has shown steady growth and there is increasing evidence that infants and toddlers are being identified for services at an earlier age. Recognizing the interagency nature of services for young children with disabilities and their families, Congress established a Federal Interagency Coordinating Council (FICC) to coordinate and mobilize all available resources to assure appropriate services for the nation's infants and young children with disabilities and their families. This was done as a part of the reauthorization of P. L. 99-457, which became the Individuals with Disabilities Education Act Amendments (IDEA) of 1991
- **Sustained and effective support of IDEA through the Part D National Activities:** Part D National Programs continue to enhance the capacity of states to develop infrastructures to support the full and effect implementation of IDEA through a variety of strategies including: research, personnel preparation, technical assistance and dissemination, technology, and studies and evaluations. Activities under Part D have improved results for children with disabilities as well as their non-disabled peers in families and schools throughout the United States and abroad. Three areas of significant investment are access to the general curriculum, inclusion in assessments and behavior. Investments in **access to the general curriculum** include a newly funded technical assistance

- Secretary Riley establishes (1993) a Disability Work Group on the Recruitment, Advancement and Access for People with Disabilities to conduct an evaluation of ED's policies and practices for compliance with Section 504 and make modifications, based on recommendations of the Work Group, if current policies and practices are in need of modification(s). (Co-chaired by Assistant Secretary/OSERS).
Outcomes: Many recommendations were made and implemented to strengthen policies covering accessibility, facilities, alternate formatting of materials, technology, training, etc.
- Establishment of a 504 coordinator position for the Department and subsequent hiring of a 504 coordinator in the Office of Management. Assistant Secretary (OSERS) was primary catalyst.
- Establishment of a Department managed Alternate Format Center to provide employees and customers with print materials in alternate format (braille).
- Establishment of a Department wide (annual) central pool of funds to directly support reasonable accommodations hires for individuals with disabilities.
- Development of a Department wide disability awareness training course for all employees that has become part of the Department's 20 hours of core curriculum training for managers.
- Development of Department guidelines and requirements covering information technology accessibility in compliance with section 508 of the Rehabilitation Act.
- Development of a handbook and policy guide for employees and managers covering policies and procedures on providing reasonable accommodations for employees with disabilities.
- Institutionalization of the Work Force Recruitment program for College Students with Disabilities to employ substantial numbers of students with disabilities each summer.

- For some application notices for Discretionary Grant competitions, preference points are awarded for applicants who indicate in their submittal that they will be hiring individuals with disabilities to administer the grant.

Department of Agriculture

The Secretary's Advisory Committee for Employees with Disabilities (SACED) as a best practice that can be replicated at other agencies. The Secretary has approved a full-time staff for the SACED.

- ✓ Established quarterly data collection for SACED review on the amount USDA offices are spending on accommodations, to determine the feasibility of Department-wide central funding. The SACED supports processes to reduce costs and delivery time for employee accommodations.
- ✓ Established a mentor program targeted for USDA employees with disabilities to expand opportunities for employee development and career advancement.
- ✓ Launched a SACED home page as a communications vehicle for employees and applicants with disabilities with a contact list, calendar of events, and an extensive resource list for use by committee members, managers, and employees with links to disability information and Internet resources. The home page offers an easy, accessible method for employees and applicants to contact the committee with their comments and suggestions.
- ✓ Established Employment Subcommittee to develop recruitment strategic plan with Departmental employment goals for hiring of persons with disabilities at all levels in cooperation with the Presidential Task Force on Employment of Adults with Disabilities. Promoted alternative workplace, telecommuting, and work at home programs as a mechanism for accommodating employees with disabilities.
- ✓ Assessed statistical data on representation of employees with disabilities and disabled veterans in the USDA workforce so the SACED can ensure appropriate representation at all levels. Developed and implemented an all-employee survey on employment and service delivery issues that achieved a 30 percent response rate and published a report entitled *Employee Survey on Disability Issues* in January 2000.
- ✓ Held four SACED forums with employees throughout the country to listen to concerns, success stories, and suggestions from the disability community and prepared an action item memo that was signed by the Secretary and distributed to the Subcabinet for action. Periodic progress reports to the Secretary will serve to monitor progress.

The Secretary's Advisory Committee for Employees with Disabilities (SACED): A best practice that can be replicated at other agencies

Secretary Glickman established the Secretary's Advisory Committee for Employees with Disabilities (SACED) in 1997 to provide input and focus on achieving equal access to affirmative employment, advancement, and services for people with disabilities at USDA. The SACED has expended considerable time and in-house resources to provide outreach, raise awareness, and make USDA a model employer of persons with disabilities. This year, the Secretary approved a full-time staff for the SACED. The committee operates at the highest level of executive leadership and is charged with providing advice and direction to the Secretary to:

- eliminate barriers to equal opportunity for employees with disabilities;
- provide accessible facilities, reasonable accommodations, and equal opportunity in hiring and promotions;
- promote affirmative employment opportunities for disabled veterans and persons with severe (targeted) and other (non-targeted) disabilities; and
- provide effective communication, including information in alternative formats, as needed, to all employees.

SACED has the responsibility of reviewing the Department's progress in achieving results and ensuring accountability. The SACED provides oversight for implementation of recommendations resulting from a series of nationwide listening forums for employees with disabilities. Periodic reports to the Secretary will serve to monitor progress.

Departmental Reasonable Accommodation Policy: The Secretary issued a Departmental Reasonable Accommodation policy stating that: "USDA recognizes that all of its employees need the tools necessary to be productive, and that making reasonable accommodations is simply a way of providing the tools needed to accomplish its mission. USDA is committed to a simple and streamlined process for providing reasonable accommodations."

Central Funding: The SACED has established quarterly data collection for review on the amount USDA offices are spending on accommodations to determine costs for Department-wide central funding.

Mentor Program: The SACED established a mentor program targeted for USDA employees with disabilities to expand opportunities for employee development and career advancement.

Communications: The SACED established a SACED home page as a communications vehicle for employees and applicants with disabilities with a contact list, calendar of events, and an extensive resource list for use by committee members, managers, and employees with links to disability information and Internet resources.

Employment: The SACED established an Employment Subcommittee to develop a Department-wide recruitment strategic plan with Departmental employment goals for hiring of persons with disabilities in cooperation with the Presidential Task Force on Employment of Adults with Disabilities.

Department of Agriculture Success Stories

In 1992, USDA established the Technology Accessible Resources Gives Employment Today (TARGET) Center to comply with Section 508 of the Rehabilitation Act. USDA's TARGET Center provides demonstrations of assistive technologies and ergonomic solutions, evaluation of accommodations, and individual and work site needs assessments. USDA has established three TARGET Centers and is preparing for three more nationwide to support the Federal sector as a model employer of people with disabilities.

- ✓ Cited as a best practice in the federal government by the Presidential Task Force on Employment of Adults with Disabilities.
- ✓ Provided services to employees with disabilities nationwide from the seven federal agencies who have provided support to the TARGET Center since 1996.
- ✓ Coordinated the annual Interagency Disability Educational Awareness Showcase (IDEAS) event for the federal government to highlight accessible and cutting-edge technology.
- ✓ Worked to re-accommodate employees whose disabilities change over time to ensure that they can maintain productivity and job performance to meet career goals.
- ✓ Loaned equipment to employees with disabilities nationwide for evaluation at their work site or to attend training.
- ✓ Provided assessments and ergonomic solutions to prevent secondary disabilities from developing due to poor work environment or incorrect positioning.
- ✓ Accommodated Workforce Recruitment Program (WRP) students on first day of employment with high tech, low tech, and low cost solutions to ensure a timely, comfortable, and productive work environment.
- ✓ Conducted sign language classes for managers and co-workers of new WRP students who are deaf to enhance communication and provide a welcoming work environment.
- ✓ Produced or facilitated the production of information in alternative formats such as braille, large print, audio, and video.
- ✓ Educated federal employees through participation in events and presentations on accessibility and ergonomics.
- ✓ Supported technology refreshment of employee accommodations when agencies upgrade their information technology.

SSA Planned Activities supporting the PTFEAD and for announcement as part of ADA celebration:

We are continuing to discuss with OMB some regulatory actions that would:

Annually adjust per the average wage index the earnings guideline that shows whether work done by persons with impairments other than blindness is substantial gainful activity;

Increase (from \$200 to \$530) the earnings amount that shows that a person has used one of his/her a trial work months under SSDI, and then annually adjust the amount per the average wage index;

Increase the maximum monthly (from \$400 to \$1,290) and yearly (from \$1,620 to \$5,200) Student Earned Income Exclusion amounts used in determining SSI eligibility and payment amounts, and then annually adjust these amounts per the consumer price index.

John to Jeanne & Chris

MEMORANDUM

TO: Becky Ogle and Marsha Scott

FROM: Bob Williams (ASPE), Henry Claypool (HCFA), Sheila Foran (OCR) and Lorinda Daniel (SAMHSA)

RE: Possible Directives/Announcements from the White House Regarding Actions HHS Will Take to Aid States' Compliance with the ADA and the Olmstead Decision

DATE: July 10, 2000

The purpose of this memorandum is to outline our collective thoughts regarding possible directives/announcements the White House could make regarding actions HHS will take to help states comply with the ADA and the Olmstead decision. This memo incorporates thoughts and ideas from all four HHS components involved in implementing the Olmstead decision and in planning ADA anniversary events (HCFA, OCR, ASPE and SAMHSA).

1. DIRECT HHS TO DEVELOP AND PUBLISH A REGULATION ALLOWING STATES TO USE SECTION 1902(R)(2) TO EXPAND MEDICAID ELIGIBILITY BY PROVIDING MORE LIBERAL INCOME DISREGARDS THAN WOULD OTHERWISE BE ALLOWED. This would help level the playing field between institutional and community services by allowing States to offer community services to those with low to moderate incomes. States already cover those with similar incomes, if they go into a nursing home.

STATUS: Discussion between HCFA and OMB (Tim and Jeanne) are taking place and there is said to be a desire to move ahead. Cost estimate: \$785(?) million over 5.

IMPORTANCE FOR PEOPLE AND STATES: States that take this up would be able to offer people more of a real choice between going into an institution and living in their own homes and communities with needed supports. States like Connecticut and North Carolina have pushed for this change to be made. Absent legislation this is the most this Administration can do to afford States the tools they need and want to offer more people with disabilities of all ages the choice and supports to live meaningful lives in their communities.

2. ANNOUNCE \$50 MILLION TO FUND SYSTEM CHANGE/CAPACITY BUILDING GRANTS TO HELP STATES WORK WITH THEIR DISABILITY/AGING COMMUNITIES TO PURSUE AFFORDABLE STRATEGIES FOR IMPLEMENTING OLMSTEAD. These grants would be the same as those called for in part of MiCASSA.

STATUS: After meeting with ADAPT Nancy Ann forwarded this proposal to Chris and Jeanne. New Spending: \$250 million/5 years. Resources not identified.

IMPORTANCE: These grants would fund States to enhance their capacity to provide by working in close coordination with its disability community to develop and implement a

comprehensive, effectively working plan as encouraged by Olmstead. The disability community recognize that to be effective the grants need to be funded and awarded in FY2001.

*Let's
Brown
Hansen*

3. ANNOUNCE INCREASED FUNDING FOR HHS OFFICE FOR CIVIL RIGHTS ACTIVITIES RELATED TO THE AMERICANS WITH DISABILITIES ACT, INCLUDING THOSE PERTAINING TO THE OLMSTEAD DECISION.

STATUS: OCR's FY 2000 budget is \$22 million, which is the same as OCR's budget was in 1980, when HHS was created, and the same as OCR's budget in 1993, when President Clinton entered office. The FY 1980 budget supported 550 employees nationwide, while today's budget supports 225.

IMPORTANCE: OCR's enforcement responsibilities have increased substantially over the past ten years, with passage of the Americans with Disabilities Act. The Supreme Court's decision in Olmstead has increased OCR's ADA workload exponentially, not only due to a large volume of complaints but because of the comprehensive manner in which OCR is seeking to resolve the complaints. OCR has received more than 120 complaints alleging that states and other public entities have failed to provide services to people with disabilities in most integrated settings. OCR is attempting to resolve these complaints by working with all parties in the states to build comprehensive, effectively working plans for placing qualified persons with disabilities in the most integrated setting appropriate.

The Department has played a key role in the development of Olmstead planning coalitions across the nation. In some states, special governor's commissions have been established to head these coalitions. In others, particular disability groups have taken up the challenge of coalition building. In all, some twenty states are engaged in various stages of Olmstead planning.

\$1 million

4. ANNOUNCE CREATION OF A NATIONAL MENTAL HEALTH COALITION TO PROMOTE COMMUNITY-BASED CARE.

11/10/00 Wick

STATUS: SAMHSA will support creation of this coalition. Key organizations and constituencies will come together to work in partnership with the States to develop a plan for the coalition, working with consumers.

IMPORTANCE: This technical assistance effort will link with the Private Industry Councils (PICs), looking at employability, housing authorities, case managers, professional organizations, social security services and others to ensure wrap-around, integrated, community-based services. Particular attention will be paid to including organizations that address the two most critical issues consumers face in trying to live in the community -- finding adequate and affordable housing and identifying employment opportunities.

5. GIVE HIGH VISIBILITY TO THE CHANGES MADE IN MEDICAID POLICY TO BETTER ENABLE STATES TO HELP PEOPLE MAKE A SUCCESSFUL TRANSITION FROM NURSING HOMES AND OTHER INSTITUTIONS INTO THE COMMUNITY.

STATUS: Changes will be announced in a State Medicaid Director letter. See attached.

IMPORTANCE: People with disabilities who want to and are able to move out of nursing homes and other institutions often face tremendous barriers to making such a transition. State Medicaid programs face similar barriers of their own. The guidance and policy clarifications in the State Medicaid Directors letters HHS will issue to State Medicaid Director on July xx will help eliminate many of these barriers.

6. GIVE HIGH VISIBILITY TO THE CHANGES MADE IN MEDICAID POLICY TO BETTER ENABLE STATES TO MAXIMIZE THE PERSONAL DIGNITY AND AUTONOMY OF PERSONS WITH DISABILITIES THROUGH SELF DETERMINATION AND CONSUMER DIRECTED SERVICES.

STATUS: Changes will be announced in a State Medicaid Director letter. See attached.

IMPORTANCE: Approaches for increasing consumer choice and control over their Medicaid services and supports are having a significant impact on people with developmental disabilities, physical disabilities, and serious mental illness of all ages, including elderly individuals. The new guidance clarifies how all States can use Medicaid to design and implement strategies for enabling people with disabilities to have a say in how the services they support on most to live their lives get provided. THIS IS ALSO LINKED TO THE TASK FORCE'S PROPOSED INITIATIVE ON PEOPLE WITH SIGNIFICANT DISABILITIES AS WELL AS THE PROPOSED ACCESSHOUSING 2000 INITIATIVE.

NOT FOR DISTRIBUTION:

CHANGES AND CLARIFICATIONS HHS IS MAKING IN MEDICAID POLICIES TO HELP STATES CARRY OUT THE SUPREME COURT'S OLMSTEAD DECISION:

In its January letter to States on the Olmstead decision, HHS pledged to begin to review and modify, where necessary, relevant federal Medicaid regulations, policies and previous guidance to assure that they are compatible with requirements of the ADA and facilitate States' efforts to comply with the law.

Toward this end, HHS is issuing two additional letters and related guidance to State Medicaid Directors which provide needed policy clarifications and in some instances, reflect significant changes in policy to support community integration. These letters are responsive to specific issues that have been identified as barriers by both States and the disability community. The letters will support States' efforts:

- expanding access to home and community based services;
- assisting people with disabilities make a successful transition from nursing homes and other institutions into the community; and,
- maximizing the personal dignity and autonomy of persons with disabilities.

Along with the letters, the Department is releasing a set of Questions and Answers regarding the ruling. The Q&A's like the policy clarifications HCFA is issuing are responsive to the questions and concerns that States and the disability community brought to HHS as a result of our invitation to do so in the January letter.

EXPANDING ACCESS TO HOME AND COMMUNITY BASED SERVICES: This letter describes the ways in which States can use the Medicaid program to work toward achieving the following 4 goals:

1. HELPING PEOPLE WITH DISABILITIES MAKE A SUCCESSFUL TRANSITION FROM NURSING HOMES AND OTHER INSTITUTIONS INTO THE COMMUNITY:

People with disabilities who want to and are able to move out of nursing homes and other institutions often face tremendous barriers to making such a transition. State Medicaid programs face similar barriers of their own. The guidance and policy clarifications in the first letter HHS just issued to State Medicaid Director on July xx, will help eliminate many of these barriers.

Accessing Waiver Services: HCFA explains the quickest way a State can begin using Medicaid waiver funds to help a person move out of a nursing home or institution back into their community;

thus cutting down on undue delays.

Community Transition Expenses: HCFA details how Medicaid can be used to pay for services and one-time expenses related to assisting a person to move from institution to the community. This can include paying for up to 6 months of case management to identify and obtain needed services for the person by the time he or she leaves the facility; accessibility assessments and modifications to the home or apartment the person is moving into; and a security deposit on an apartment and other typical moving costs.

Avoiding Reinstitutionalization: HCFA will now allow States to use Medicaid to continue to pay for personal care for a period of up to two weeks, while a person with a disability is hospitalized or absent from his or her home. This will enable a State to help individuals avoid losing their attendants and risk unnecessary institutionalization. Doing this extends the policy of making similar payments to retain the bed of a Medicaid nursing home resident who is hospitalized or otherwise absent to those receiving community services.

2. EXPANDING THE AVAILABILITY AND QUALITY OF HOME AND COMMUNITY BASED SERVICES:

The first letter HCFA recently sent to State Medicaid Director also addresses some of the fiscal and programmatic challenges State face in increasing the availability and quality of home and community based services for people with disabilities of all ages. Some of these can only be addressed over the long term by way of the issuance of new regulations and/or changes to the law itself. HHS is committed to working with States and others identifying and giving serious consideration to best way of effectuating such regulatory and statutory reforms. We believe, however, we have identified and made a series of immediate changes in existing guidance or HCFA's interpretation of the Medicaid statute that States and the disability community will find helpful.

Budget Neutrality: This new policy guidance offers States a more effective way of demonstrating the cost-neutrality of providing Medicaid waiver services to individuals with HIV-AIDS and other illnesses that can lead to episodic periods of institutionalization. It does this by allowing States to factor in costs incurred between institutional stays occurring in the same year.

Habilitation: HCFA makes clear that habilitation services can be provided to individuals with the full range of developmental, physical and mental disabilities under a HCBS waiver. This is important because habilitation services focus on assisting individuals to acquire, retain and improve skills important for living in the community. Traditionally, however, only people with developmental disabilities have been seen to be eligible for these very flexible and individualized services. This important clarification, therefore, opens the doors for many more to benefit from such services.

Out of State Services: HCFA explains how a Medicaid program can pay for services provided to one of its beneficiary in another state when it is in the person's best interest to do so. Examples of when a Medicaid program should consider paying for such services would be the need to access services in rural or other underserved areas, situations when an individual needs to be near their family and young people with disabilities attending college out of State.

3. REDUCING THE UNNECESSARY MEDICALIZATION OF HOME AND COMMUNITY BASED SERVICES:

Some States have traditionally administered home and community based services in ways that have been unnecessarily medicalized and restricted the personal autonomy of individuals with disabilities.

HCFA's guidance to State Medicaid Directors addresses these barriers to independence and community participation in two key areas:

Home Health: The guidance informs States that they may longer require that people be "homebound" in order to receive Medicaid home health services. State policies that impose the requirement that one must be homebound to receive Medicaid home health services create unfair barriers to such participation. States can set reasonable limits that do not arbitrarily deny or reduce the amount, duration, or scope of a required service solely because of a person's diagnosis, type of illness, or condition. However, the guidance will ensure that no one loses access to home health services simply by leaving their homes and spending time in their communities.

Nurse Delegation: This guidance makes clear that States may use Medicaid to pay for services provided by qualified individuals under the supervision of a nurse or its nurse delegation law. In other words, States are not required to use nurses to perform health related tasks (e.g., catheter care) which others can be trained to do just as well. The guidance codifies what HCFA has permitted many States to do for years. It is hoped that this can help other States to eliminate a layer of the unnecessary medicalization of people's lives which many find extremely intrusive.

MAXIMIZING THE PERSONAL DIGNITY AND AUTONOMY OF PERSONS WITH DISABILITIES:

The second letter addresses approaches aimed at increasing consumer choice and control in respect to Medicaid services and supports are having a significant impact on people with developmental disabilities, physical disabilities, and serious mental illness of all ages, including elderly individuals. The new guidance clarifies how all States can use Medicaid to design and implement what are alternatively known as self determination, consumer directed or participant driven approaches to enabling people with disabilities to have a say in how the services they support on most to live their lives get provided. This letter contains guidance and policy clarifications in the following 4 key areas:

Person centered planning: The guidance specifies how Medicaid programs can support and pay for person-centered planning, which focuses on identifying the strengths, capacities and needs of the individual, from the perspective of the person often with the assistance of family and friends.

Individual Budget: It clarifies ways in which permits the use of individual budgets controlled by the person with a disability or their representative. The budget is set by the State in consultation with the person and their team based on the cost of service to meet a documented need and must meet other safeguards.

Service Brokerage : The guidance describes how Medicaid can fund the use of support brokers in

consumer- directed service systems. A support broker is a personal agent freely chosen by the individual who provides assistance with person-centered planning and obtaining both Medicaid and non-Medicaid funded services.

Fiscal Intermediaries: The guidance describes how Medicaid programs can use fiscal intermediaries to foster self determination and consumer directed services. In a self-directed service delivery model, Medicaid beneficiaries may hire/fire, schedule, and supervise their providers to the extent permitted a State. Fiscal intermediaries help relieve individuals of a number of bookkeeping tasks which can be time consuming to perform and create unnecessary barriers to persons with disabilities controlling their services and thus their own lives as well.

Such tasks include Medicaid billing, check writing for provider-generated bills, administration of personnel issues (e.g., employer of record services, tax withholding, worker*s compensation, health insurance) and the management of other taxes and benefits. Some individuals may choose to perform these functions themselves (with the exception of making payments to providers) but the State cannot require them to do so.

Dunham, Nancy

From: Dunham, Nancy
Sent: Friday, July 07, 2000 11:36 AM
To: 'MeganJ.Crowhurst@who.eop.gov'
Cc: Workie, Blane; Brenman, Marc; Rupp, Jeff; McFadden, Nancy; Tochen, David; Day, John
<FTA>
Subject: DOT deliverables

As requested, the following is a list of DOT's anticipated deliverables for the end of July ADA celebration.

a. First, our priority will be to complete Recommendation 12, from the "1999 Recommendations to the President from the PTFEAD." Thus, DOT expects to have an initial "Plan of Action" to comprehensively "address the lack of transportation services and systems for persons with disabilities," especially as it relates to "finding and keeping jobs." At this point, preliminary interagency coordination has been done, and an informal draft Plan has been prepared.

As discussed in the OEOP meeting on 7/5/00, since this is a PTFEAD recommendation, this would likely be one the ADA celebration announcements by the President.

b. Second, we expect to announce the issuance of two new regulations: one on DOT's adoption of the Access Board's Updated Accessibility Guidelines and one extensive supplemental rule on safety standards for platform lifts and for motor vehicles using platform lifts.

c. Third, we will announce the impending issuance of Volume Two of "Designing Sidewalks and Trails for Access: A Best Practices Guide." This highly-anticipated guidance will provide much-needed technical advice on creating and adapting sidewalks and trails for use by all, including persons with mobility impairments, visual impairments, and other disabilities.

d. Last, we are working to complete a number of other deliverables, including, issuance of a Report to Congress on Commercial Drivers Licences for insulin-dependent diabetics; completion of an interagency Air Carrier Access Act outreach plan for travelers with a disability; issuance of a new Departmental policy statement and plan on Section 501 and Affirmative Action for Persons with a Disability; and the announcement of a biennial "Secretary's Excellence in Accessibility Award."

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**PRESIDENTIAL TASK FORCE
ON EMPLOYMENT OF ADULTS WITH DISABILITIES
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

DELIVERABLES

POSSIBLE PRINCIPAL ANNOUNCEMENT:

INCENTIVES FOR EMPLOYMENT

Need OMB push

HUD provides important incentives for individuals with disabilities who receive certain types of HUD housing assistance to enter the workforce. In a new regulation, finalized in March, HUD:

- excludes from annual income certain funds earned by previously unemployed individuals or individuals previously receiving certain types of public assistance, for individuals living in public housing; and
- provides a deduction to adjusted annual income for families with an individual with a disability and also provides a deduction for certain medical expenses of disabled families and certain expenses necessary to enable employment, for individuals living in public housing as well as individuals receiving assistance under §8 programs. *(\$400.00 base deduction -)*

HUD proposes to extend these incentives for persons with disabilities to *all* of HUD's housing assistance, including §8 (to the degree not currently covered), §811, §202, the Rental Supplement program, and the Rental Assistance Program. This would be accomplished through regulatory changes and proposed statutory changes.

POSSIBLE HUD ANNOUNCEMENTS:

CONSOLIDATED PLANNING FOR COMMUNITY DEVELOPMENT

HUD is requiring all states and localities that have already developed a Consolidated Plan to create a new plan during the year 2000. To encourage recipients to specifically address assisting adults and families with disabilities in this plan, the Office of Community and Planning Development (CPD) will distribute a publication entitled "Piecing it All Together in Our Community: Learning to Use HUD's Consolidated Plan to Expand Housing Opportunities for People with Disabilities."

a notice to be published in Fed registry

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HUD will launch a web page that contains technical assistance letters, court decisions, answers to frequently asked questions and other developments in accessibility issues; permits the public to ask questions and receive answers; directs the public to relevant publications or studies; and provides text of particularly important publications.

ACCESS HOUSING 2000 (more to come in consultation with HHS)

HUD is planning to send to its housing and community development partners a joint letter with the Department of Health and Human Services to highlight the importance of the *Olmstead* principle and to encourage its partners to find ways to expand accessible, affordable housing for persons with disabilities. The letter will include a copy of HHS guidance to state Medicaid directors and a copy of a letter Secretary Shalala sent to every Governor.

NEIGHBORHOOD NETWORK CENTERS

~~notice in the federal registry~~

Over the next year, HUD will review and modify the current Neighborhood Network Center's evaluation form to include questions regarding the Centers' accessibility and what need there might be to make the Centers accessible. *Data collection: How accessible the Network Center are -*

NATIVE eDGE

— HOLD —

HUD has agreed to use its Internet-based Native American community resources to disseminate technical information on job development and employment for Native Americans with disabilities. These systems, the Native American Economic Development Access Center (Native eDGE) which links fourteen federal agencies to entrepreneurs and their partners seeking economic development in Indian Country, and CodeTalk, an interagency website for Native American communities, would facilitate the development of opportunities to employ Native Americans with disabilities, particularly through new business enterprises. Partner agencies would provide resources such as disabilities employment and related training to HUD staff, publications and documents to distribute on the Internet, and when necessary cooperative funding for technical enhancements and/or expansion of the services. To support this project, HUD has completed a technical review of Native eDGE and is now working to make the web site fully compliant with ADA requirements.

Ideally, the services would operate in concert with a new, Inter-Agency American Indian Disability Technical Assistance Center established through a multi-agency agreement. Such a Center would assist the 557 Federally recognized American Indian tribes and Alaska Native Villages examine the implication of, and potential for adoption of, culturally appropriate laws, policies, and programs to assist their members with disabilities in living healthy, productive, and integrated lives within their communities.

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DATA COLLECTION

HUD is modifying its Tenant Rental Assistance Certification System (TRACS) to enable the Department to identify which units of the 30,000 assisted projects in the Department's multifamily inventory are accessible to persons with disabilities. Specifically, the Department will be able to determine which units are accessible to persons with mobility impairments, persons with visual impairments, and/or persons with hearing impairments. This system will become operational during the second quarter of Fiscal Year 2001.

TAX CREDITS (to be announced only in conjunction with Treasury and Justice)

HUD is entering into a Memorandum of Understanding (MOU) with the Departments of Treasury (including the Internal Revenue Service) and Justice that sets forth the reporting and other responsibilities of each Department when a multifamily project constructed and operated using Low-Income Housing Tax Credits (LIHTC) is found to be possibly or actually in violation of the Fair Housing Act.

The MOU encourages substantially equivalent State and local agencies to include State Housing Finance Agencies administering Federal LIHTCs in regularly scheduled fair housing training. Finally, the MOU calls for an annual meeting of interested Federal Departments and agencies to discuss emerging civil rights issues and methods and programs for increasing civil rights compliance in the LIHTC program.

HOMEOWNERSHIP

HUD will send a letter from Assistant Secretary for Housing William Apgar to all approved FHA mortgagees entitled "Single Family Loan Production - Increasing Home Ownership Rates for Persons with Disabilities". This Mortgagee Letter will re-emphasize the Department's commitment to make home ownership a reality for persons with disabilities and encourage its lender partners to make this dream possible through increased, but prudent flexibility when underwriting their loan applications.

OUTREACH AND INFORMATION ON REGULATORY ENFORCEMENT

HUD will issue a notice to reemphasize the responsibility of Community Development Block Grant recipients to further affirmatively fair housing and to assess compliance with the requirements of the Fair Housing Act (the Act) concerning accessible multifamily design and construction. The notice will call upon recipients to give the same attention in their Analysis of Impediments to discrimination based upon disability as they do to other bases of discrimination such as race that have been prohibited by the Act since its inception in 1968. The notice will also encourage local elected officials to examine their building codes for inconsistencies with the design and construction requirements of the Act and find ways to inform builders and architects of the need to comply with those requirements as early as possible in the design phase of a multifamily project.

SSA Planned Activities supporting the PTFEAD and for announcement as part of ADA celebration:

We are continuing to discuss with OMB some regulatory actions that would:

Annually adjust per the average wage index the earnings guideline that shows whether work done by persons with impairments other than blindness is substantial gainful activity;

Increase (from \$200 to \$530) the earnings amount that shows that a person has used one of his/her a trial work months under SSDI, and then annually adjust the amount per the average wage index;

Increase the maximum monthly (from \$400 to \$1,290) and yearly (from \$1,620 to \$5,200) Student Earned Income Exclusion amounts used in determining SSI eligibility and payment amounts, and then annually adjust these amounts per the consumer price index.