AMERICANS WITH DISABILITIES ACT 1990-2006



16 Years of Making a Difference

NATIONAL COUNCIL ON DISABILITY AND FEDERAL PARTNERS

JULY 26, 2006





Photo Credit

Signing of ADA, Back row: Rev. Harold Wilke, Sandra Swift Parrino. Front row: Evan Kemp, President George H. W. Bush, Justin Dart, Jr. The White House, South Lawn, July 26, 1990, photo by Joyce Naltchayan, The White House.



An independent federal agency making recommendations to the President and Congress to enhance the quality of life for all Americans with disabilities and their families.

July 26, 2006

Dear Friends:

It is my pleasure to welcome you to the National Council on Disability's (NCD) 16th anniversary observance of the historic Americans with Disabilities Act (ADA). It was only 16 years ago that many of us were on the South Lawn of the White House to witness the signing of the ADA by President George H. W. Bush. Much has changed since that time. Although we have not reached our goals, we have made great progress.

Today, NCD and its federal partners are proud to sponsor this "National Dialogue on the State of Disability," where we will shed some light on what remains to be done to achieve the ADA's goals of equality of opportunity, full participation, independent living, and economic self-sufficiency.

Yes, the ADA is landmark legislation that has broken down many barriers that stood in the way of people with disabilities in the areas of employment, public services, public accommodations, and telecommunications. When NCD first conceived of the ADA, we envisioned an America in which all people have the right to reap the benefits of and contribute to our society. Now, 16 years after its enactment, we are witness to its profound impact on society and on the lives of millions of Americans.

We have come a long way since the pre-ADA days. Today, we will examine what remains to be done as we discuss the current state of disability in America.

Sincerely,

Chairperson

NATIONAL COUNCIL ON DISABILITY MEMBERS AND STAFF

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Lex Frieden, Chairperson
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WELCOME TO THE 16TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

This town hall meeting, observing the 16th anniversary of the Americans with Disabilities Act (ADA), is made possible by strong intergovernmental support and collaboration of people throughout the Federal Government. This significant engagement attests to the ongoing importance of ADA. The National Council on Disability (NCD) would like to thank the collaborating agencies that worked with NCD to plan this town hall meeting and those cosponsoring agencies.

Federal Partners

- U.S. Department of Defense
- U.S. Department of Education, Office of Special Education and Rehabilitative Services
- U.S. Department of Health and Human Services, Office on Disability
- U.S. Department of Homeland Security
- U.S. Department of Housing and Urban Development
- U.S. Department of the Interior
- U.S. Department of Justice
- U.S. Department of Labor, Office of Disability Employment Policy
- U.S. Department of Transportation
- U.S. Access Board
- U.S. Equal Employment Opportunity Commission

Federal Communications Commission

Ticket to Work and Work Incentives Advisory Panel

Cosponsors

- U.S. Department of Defense
- U.S. Department of Health and Human Services
- U.S. Department of Homeland Security
- U.S. Department of Labor
- U.S. Department of Transportation
- U.S. Access Board

Federal Communications Commission

Social Security Administration



THE WHITE HOUSE WASHINGTON

June 27, 2006

I send greetings to those celebrating the 16th anniversary of the Americans with Disabilities Act (ADA) at the "National Dialogue on the State of Disability" hosted by the National Council on Disability.

Our Nation believes in the promise of all our citizens, and we must ensure that the opportunities of America are more accessible to every person. In the years since the ADA was signed into law, people with disabilities have been able to participate more fully in our society, and our country has become stronger, more just, and more inclusive. This event is an important opportunity to discuss programs and practices to help build a culture where all are encouraged to lead active lives and achieve their dreams.

My Administration remains committed to removing barriers that still confront Americans with disabilities and their families. Since we began the New Freedom Initiative 5 years ago, we have expanded access to education and strengthened job training and employment services. We are building on the progress of the ADA's far-reaching reforms and working to more fully integrate people with disabilities into all aspects of life.

I appreciate those involved with the NCD and all those committed to providing opportunities for people with disabilities to live and work with greater freedom. Your compassionate spirit adds to the character of our country and helps more Americans build a better future for themselves and our Nation.

Laura and I send our best wishes.





SECRETARY OF LABOR WASHINGTON

I am pleased to welcome you on the occasion of the 16th Anniversary Observance of the Americans with Disability Act (ADA). Over the last sixteen years, the ADA has been the foundation for the tremendous growth in opportunities people with disabilities have seen in all aspects of employment and access to everyday life, and it will continue to positively influence the quality of life for people with disabilities for many years to come.

In 2001, as a complement to the ADA, President George W. Bush announced the *New Freedom Initiative* to promote the full participation of people with disabilities in all areas of society. Ensuring that Americans with disabilities have access to meaningful work opportunities is a critical component of the *New Freedom Initiative*. To this end, the Department of Labor (DOL) continues to collaborate with Federal, State, and local governments, as well as private stakeholders, to develop alliances that foster the ability of workers with disabilities to be competitive and fully integrated into the 21st century workforce.

America is facing a growing skills gap. There are shortages of workers with the right skills for the jobs that are being created. American workers with disabilities offer an underutilized wealth of talent. Helping them become and remain competitive in our workforce is an important component of DOL's strategy to close the gap.

As you participate in today's observance, I ask everyone to join me in the continuous effort to find ways to integrate Americans with disabilities into the 21st century's diverse workforce. It's not only good for Americans with disabilities, it is good for America!

Sincerely,

Elaine L. Chao



THE SECRETARY OF HEALTH AND HUMAN SERVICES WASHINGTON, D.C. 20201

JUN 3 0 2006

Dear Friends,

The U.S. Department of Health and Human Services (HHS) is pleased to join with our Federal, State and non-governmental partners to celebrate the 16th anniversary of the Americans with Disabilities Act (ADA) at this town hall meeting and to engage in a *National Dialogue on the State of Disability*. The ADA has opened doors and created opportunities for more than 54 million Americans with disabilities. As a result of this landmark Act and President George W. Bush's New Freedom Initiative, we have made great strides in promoting the full inclusion of people with disabilities. HHS has worked diligently to champion opportunities for programs and services and empower persons with disabilities and their families.

HHS is proud of the many accomplishments to achieve the ADA and New Freedom Initiative (NFI) goals of eliminating barriers and improving access to community services. Most recently, our Centers for Medicare & Medicaid Services is leading the President's \$1.75 billion 5-year "Money Follows the Person Rebalancing Initiative." With this groundbreaking effort States have the tools to rebalance their long-term support programs so individuals with disabilities can live in their communities. This and other Medicaid reform initiatives provide persons with disabilities independence, choice, dignity, and control of their lives.

Achieving these goals and other ADA principles is an ongoing collaborative effort. The HHS Office on Disability helps ensure coordinated Federal, State, and local community-based policy, planning, and service provision nationwide. The Office for Civil Rights plays an essential role in ensuring compliance with the ADA's requirement that individuals with disabilities receive services in the most integrated setting appropriate to their needs pursuant to the Supreme Court's landmark decision in *Olmstead v. L.C.* The Substance Abuse and Mental Health Services Administration leads the interagency Federal Action Plan to Transform Mental Health Care in America to enable people with mental illness to live, work, learn, and participate fully in their communities. The Surgeon General's <u>Call to Action to Improve the Health and Wellness of Persons with Disabilities</u> is increasing the quality of life for people with disabilities through better health care and understanding. HHS is also working closely with the Department of Homeland Security (DHS) and other entities to address the need for inclusion of people with disabilities in emergency preparedness and response activities. The recent HHS-DHS "Working Conference on Emergency Management and Individuals with Disabilities and the Elderly" strengthened State capacity to respond to individuals with disabilities in an emergency.

As we take time to celebrate the ADA's anniversary and reflect on the 16 years of effort, dedication, and commitment, we can be proud of all we have accomplished together.

Sincerely,

Michael O. Leavitt



THE SECRETARY OF TRANSPORTATION WASHINGTON, D.C. 20590

JUN 2 2 2006

The U.S. Department of Transportation (DOT) is honored to join the National Council on Disability (NCD) and other Federal agencies observing the 16th Anniversary of the Americans with Disabilities Act (ADA) of 1990. I am proud to have been a co-author of this critical civil rights legislation while serving in Congress.

The ADA has improved the quality of life for over 50 million Americans with disabilities. Enhanced access to education, employment, public accommodation, housing, and transportation by individuals with disabilities is a direct result of the ADA's implementation.

Significant progress has been made in the area of transportation since the ADA was signed into law. Currently, 90 percent of our Nation's bus fleets and 82 percent of key rail stations are ADA accessible. Today, between 1 and 2.3 million American households own at least one vehicle that has been modified to accommodate a driver or a passenger with a disability. The DOT now requires air carriers to submit an annual report on complaints they received alleging discrimination on the basis of disability or inadequate accessibility. The DOT publishes this information on its Web site and reports to Congress a summary and detailed breakdown of the disability-related complaint data. The data allow Congress and consumers to compare the overall complaint records of individual airlines.

When President George W. Bush challenged Federal agencies to go to the next level by implementing his New Freedom Initiative (NFI) for People with Disabilities, he advanced the principles of ADA. This initiative is designed to better connect individuals with disabilities to jobs, services, and opportunities. Transportation is a fundamental component to the creation of opportunities through NFI. People with disabilities must have accessible and reliable transportation so they can be employed, obtain medical care, and participate in all activities of community life.

The Department joins NCD in affirming the landmark significance of ADA and congratulate it for sponsoring this "National Dialogue on the State of Disability."

Norman V Mineta

Sincerely yours



THE SECRETARY OF EDUCATION

WASHINGTON, DC 20202

TO THE PARTICIPANTS IN A NATIONAL DIALOGUE ON THE STATE OF DISABILITY IN CELEBRATION OF THE 16th ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Washington, DC July 26, 2006

I am pleased to greet those attending the seminar in celebration of the 16th anniversary of the Americans with Disabilities Act (ADA). We can look back on the past 16 years as a time of tremendous progress toward achieving our goal of independence, self-determination, and full integration for all Americans with disabilities. As we celebrate this progress, it is also a time to reinvigorate our commitment to this goal. When President George W. Bush announced his New Freedom Initiative in 2001, he focused our national efforts on "tearing down the remaining barriers to equality that face Americans with disabilities today."

One of our highest priorities has been ensuring a quality education for all our students as a foundation for a future filled with choices. With the right kind of attention and a quality education, we know that every child can learn. As a nation, we made that ideal our mission with the passage of the *No Child Left Behind Act*. When President Bush and Congress set out to reauthorize the *Individuals with Disabilities Education Act (IDEA)* in 2004, they made sure it called for states to set measurable targets for progress among students with disabilities. The law holds schools accountable for making sure students with disabilities receive excellence in education and achieve high standards. *No Child Left Behind* and the new *IDEA* working in concert have put the needs of students with disabilities front and center.

Expanding the availability of assistive technology is an important goal for overcoming barriers. Assistive technology can overcome a wide range of barriers to mobility, independence, learning, and communication. It can ensure access to the general curriculum for students with disabilities, increase employment opportunities for adults with disabilities, and empower people with disabilities to live independently. We recently held a national conference to help organizations share successful strategies and build new networks for the sharing and reuse of assistive technology. The response by attendees was very encouraging and we will continue to support efforts across the country to increase access to assistive technology.

All of you participating today have demonstrated your commitment to meeting the promise of the Americans with Disabilities Act. Thank you for everything you do to make sure that promise is never forgotten.

U.S. Department of Homeland Security Washington, DC 20528



July 6, 2006

Dear ADA Seminar Participant:

I am honored to join you in commemorating the 16th Anniversary of the Americans with Disabilities Act (ADA). Signed into law on July 26, 1990 by President George H.W. Bush, the ADA has enabled society to benefit from the skills, talents and purchasing power of Americans with disabilities. President George W. Bush's New Freedom Initiative, launched within the first two weeks of his presidency, established a comprehensive strategy for breaking down barriers impacting people with disabilities. To strengthen and secure our Nation, the Department of Homeland Security (DHS) has worked tirelessly to employ many talented people with disabilities and to integrate the disability community into the emergency planning process at the Federal, State, and local levels as well as the private sector.

I have made the hiring of people with disabilities a priority at DHS. We have trained more than 6,000 managers on providing reasonable accommodations in the hiring and retention of employees with disabilities. I am also proud of our partnership with the Department of Defense in Operation Warfighter, which provides temporary Federal jobs for severely wounded service members undergoing rehabilitative services.

Since July 2004, DHS has coordinated the implementation of President George W. Bush's Executive Order 13347 through the Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities (ICC). During the 2005 hurricanes, the ICC formed an Incident Management Team to assist in fielding and responding to requests for assistance from the disability community in the Gulf Coast region and to direct offers of assistance to the appropriate locations. In addition, the ICC deployed disability subject-matter experts to serve in the Joint Field Offices.

In preparation for the 2006 hurricane season, the President tasked DHS with conducting a review of emergency plans in every State and major city in America. I ordered that this review include a rigorous examination of how these jurisdictions plan to prepare, inform, evacuate, and care for people with disabilities. To accomplish this, DHS employed disability subject-matter experts to provide input into the review process. DHS is also working closely with the American Red Cross, Salvation Army, and other volunteer organizations to identify existing gaps in disaster services for people with disabilities and to fill the gaps with appropriate training and services. Finally, DHS subject-matter experts helped to develop and participate in FEMA Regional Hurricane Preparedness Exercises in the coastal regions. Our goal is to ensure that the unique needs and concerns of individuals with disabilities are considered during emergency preparedness planning, response, and recovery.

Again, I stand with you to celebrate the 16th Anniversary of this important statute as together we reaffirm our commitment to fulfilling the ADA's mission of bringing greater hope, opportunity, and security to all Americans with disabilities.

Sincerely,

Michael Chertoff



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UNITED STATES ACCESS BOARD

June 19, 2006

The Honorable Lex Frieden, Chair National Council on Disability 1331 F Street, N.W., Suite 850 Washington, D.C. 20004

Dear Mr. Frieden:

It is fitting that the National Council on Disability would once again provide a leadership role by initiating this national dialogue on the sixteenth anniversary of the historic signing of the ADA. Indeed, throughout the history of the Americans with Disabilities Act, the Council has worked tirelessly towards a single goal: assuring that the civil rights of persons with disabilities are fully realized. Now that the ADA has been the law of the land for sixteen years, it is appropriate that the disability community take a moment to look at what has been accomplished since the historic signing of the ADA, and what remains to be done in order for the for the goals embodied in the ADA to be fully realized. And no single agency is more qualified to convene such a town hall meeting on the ADA than the National Council.

Again, thank you for extending that Access Board an invitation to the ADA Town Hall Meeting. We look forward to participating in this event on July 26th.

and L. Bill

Sincerely,

David L. Bibb

Chair

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

Office of the Chair

July 26, 2006

The U.S. Equal Employment Opportunity Commission joins you and our federal partners in celebrating the 16th anniversary of the Americans with Disabilities Act. This anniversary is a good opportunity to look back and also to plan ahead.

I am proud of the work EEOC has done to eliminate barriers and advance the goal of full inclusion of people with disabilities in society as envisioned by the ADA. People with disabilities are a vital part of the American economy and are working in every sector of the workforce. It is up to EEOC to ensure that where doors are closed because of myths, fears, and stereotypes about disabilities, we are there to remedy wrongs.

EEOC receives thousands of charges of employment discrimination each year and we work diligently to resolve them. Just as important, however, are our outreach efforts, which include numerous publications addressing questions about the ADA and training for employers and individuals with disabilities. Under the New Freedom Initiative we are continually thinking of ways that we can get the message out that persons with disabilities are an untapped resource critical to a diverse workforce.

I encourage you to redouble your efforts and rededicate yourselves to opening the doors of opportunity and heightening our society's awareness of the many talents and abilities of persons with disabilities. Congratulations on the work you have already done and on the work that you will do.

Together we will make the promise of the ADA a reality!

Warm regards,

Cari M. Doming

Chair



FEDERAL COMMUNICATIONS COMMISSION WASHINGTON

Dear Colleagues and Friends:

Today, we celebrate sixteen years of the Americans with Disabilities Act (ADA), which brought groundbreaking changes that permit a large and talented segment of our population to participate in all aspects of life in America.

The Federal Communications Commission administers Title IV of the ADA, which made Telecommunications Relay Services (TRS) available, facilitating access to the nation's telephone system. The roll out of a nationwide system of TRS has had a significant impact on the country by ensuring that persons with hearing and speech disabilities can readily communicate over the telephone network with friends, family, businesses, and employers.

Over the past year, the Commission has taken significant steps to improve and expand the provision of TRS, particularly, Video Relay Service (VRS). In July 2005, the Commission required VRS to be made available twenty-four hours a day, seven days a week, and mandated speed-of-answer requirements for the service. At the same time, the Commission began providing federal support for the provision of ASL-to-Spanish VRS. In November 2005, the Commission initiated a proceeding to explore solutions for 911 access for the Internet-based forms of TRS. In December 2005, the Commission provided for the federal certification of carriers wishing to provide only VRS or IP Relay, facilitating more choices for consumers. In May 2006, in large part to facilitate the placement of emergency calls, the Commission issued an order mandating the interoperability of VRS equipment and service to ensure that all VRS consumers are able to place a VRS call through any VRS provider's service.

I am pleased that the Commission has taken these steps and look forward to taking additional actions throughout the coming year that will ensure that persons with disabilities have access to the communications they need to fully participate in society. We will not stop actively working to achieve the goal of functional equivalency. The Commission and I are happy to join in celebrating 16 years of accomplishment under the ADA.

Regards,

Kevin J. Martin

Chairman



Dear Friends,

I join my colleagues in commemorating the 16th anniversary of the Americans with Disabilities Act. This celebration is a time for us to rededicate ourselves to the principles of this momentous legislation. For over a decade, the ADA has promoted the full inclusion of people with disabilities into our society.

The Social Security Administration, which provides Social Security disability and Supplemental Security Income disability benefits to people with disabilities, supports the values expressed by the ADA. I am also proud of our efforts to further open the door of opportunity for people with disabilities.

These efforts include our support of President George W. Bush's New Freedom Initiative by introducing ground-breaking demonstration projects like Youth Transition, Benefit Offset, Accelerated Benefits and Mental Health Treatment.

In addition, we are in the process of moving our paper files to electronic files to help us improve service to people filing for disabilities. The Social Security Administration is now the world's largest repository for electronic medical records in the world. We redesigned our entire disability determination process to better utilize these systems improvements.

The final rule for Disability Service Improvement was published on March 27, 2006. It will result in substantial improvements that will enable claimants to receive more accurate, consistent, timely and fair decisions. I also believe that this rule ensures a decision-making process that is consistent with due process and provides claimants a meaningful opportunity to be heard. This rule underscores our utmost commitment to serve the public who depend on us by carefully balancing the competing demands of administrative efficiency and fairness.

Through these activities and many others, the Social Security Administration and its partners will continue to honor and support the spirit of ADA and the New Freedom Initiative.

Sincerely,

Io Anne B Barnhar

TICKET TO WORK & WORK INCENTIVES ADVISORY PANEL



July 26, 2006

Dear Friends:

The Ticket to Work and Work Incentives Advisory Panel (the Panel) is pleased and honored to be a federal partner with NCD in the 16th Anniversary celebration of the Americans with Disabilities Act (ADA). Each anniversary provides us with an opportunity to reassess the progress we are making in fulfilling the ADA's goals of equality of opportunity, full participation, independent living, and economic self-sufficiency.

The goals of the ADA are consistent with the purpose and goals of the Panel. The purpose of the Panel is to provide insight, advice, and recommendations to the President, Congress, and the Commissioner of the Social Security Administration that will lead to increased employment and greater economic self-sufficiency for people with disabilities. This purpose is supported through the following three goals that are set forth in the Panel's strategic plan:

- 1. Elevate and incorporate the beneficiary perspective.
- 2. Improve implementation of the Ticket to Work and Work Incentives Improvement Act.
- 3. Develop a national employment investment policy, to transform approaches to assets, income, health care, and supports for people with disabilities.

We are excited to be working on these issues together with our federal partners as we strive to make the goals of the ADA a reality for every American with a disability.

Sincerely,

Berthy De La Rosa-Aponte, Chair

A NATIONAL DIALOGUE ON THE STATE OF DISABILITY ADA TOWN HALL MEETING JULY 26, 2006

Sponsored by
National Council on Disability
And
Federal Partners

National Press Club 529 14th Street, NW, 13th Floor Ballroom Washington, DC

8:00 a.m. Registration

9:00 a.m. Welcome

The Honorable Glenn Anderson, Ph.D. Vice Chairperson
National Council on Disability
Washington, DC

Armed Forces Color Guard

United States Army Military District of Washington

Opening Remarks

"The State of Disability"

The Honorable Lex Frieden

Chairperson

National Council on Disability

Washington, DC

Introduction of Keynote

The Honorable David Wenzel Member National Council on Disability Washington, DC

Keynote Address

The Honorable Gordon H. Mansfield Deputy Secretary U.S. Department of Veterans Affairs Washington, DC

9:30 a.m.—10:30 a.m.

Panel 1: Equality of Opportunity and Full Participation

Presenters will discuss and respond to the current state of disability on issues such as civil rights, education, youth, accessibility, emergency preparedness, and technology.

Moderator

Greg Smith

Host

"The Strength Coach Radio Show," and Founder

"On A Roll—Talk Radio on Life and Disability"

Panelists

The Honorable John H. Hager
Assistant Secretary
Office of Special Education and
Rehabilitative Services
U.S. Department of Education
Washington, DC

Loretta King
Deputy Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
Washington, DC

Sharon D. Eller
Director
Office of Civil Rights
U.S. Department of the Interior
Washington, DC

Dan Sutherland
Officer for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Washington, DC

Gary Talbot Member U.S. Access Board Auburndale, FL

Thomas Chandler
Chief
Disability Rights Office
Consumer and Governmental Affairs Bureau
Federal Communications Commission
Washington, DC

Gina Semenza Chair NCD Youth Advisory Committee Gardena, CA

Question and Answer Session

10:35 a.m.—11:30 a.m.

Panel 2: Independent Living

Panelists will respond to the current state of disability on such issues as housing, independent living, transportation, long-term services and supports, and Olmstead.

Moderator

Greg Smith

Panelists

Olegario D. Cantos VII, Esq. Associate Director on Disabilities Domestic Policy Council The White House Washington, DC

The Honorable Kim Kendrick
Assistant Secretary
Fair Housing and Equal Opportunity
U.S. Department of Housing and
Urban Development
Washington, DC

The Honorable Tyler Duvall
Assistant Secretary for Policy
U.S. Department of Transportation
Washington, DC

The Honorable Margaret J. Giannini, M.D., F.A.A.P.
Director
Office on Disability
U.S. Department of Health and Human Services
Washington, DC

Bobby Coward
Member
NCD Cultural Diversity Advisory Committee
Washington, DC

Betsy Valnes
Executive Director
National Youth Leadership Network
Pierre, SD

Question and Answer Session

11:35 a.m.—12:30 p.m.

Panel 3: Economic Self-Sufficiency

Panelists in the forefront of disability employment will respond to the current state of disability on issues such as employment, Social Security, and welfare reform.

Moderator

Greg Smith

Panelists

The Honorable Cari M. Dominguez
Chair
U.S. Equal Employment Opportunity
Commission
Washington, DC

The Honorable W. Roy Grizzard, Jr., Ed.D. Assistant Secretary
Office of Disability Employment Policy
U.S. Department of Labor
Washington, DC

The Honorable Martin H. Gerry
Deputy Commissioner
Disability and Income Security Programs
Social Security Administration
Baltimore, MD

The Honorable Berthy De la Rosa-Aponte Chair Ticket to Work and Work Incentives Advisory Panel Social Security Administration Washington, DC Rebecca Hare
Project Coordinator
National Consortium on Leadership and
Disability for Youth
Institute for Educational Leadership
Washington, DC

Djuna Parmley Mitchell
Consumer Legal Affairs
ENDependence Center of Northern
Virginia, Inc.
Arlington, VA

Question and Answer Session

12:35 p.m. - 1:00 p.m. Closing Remarks

The Honorable Glenn Anderson, Ph.D., Member, NCD



