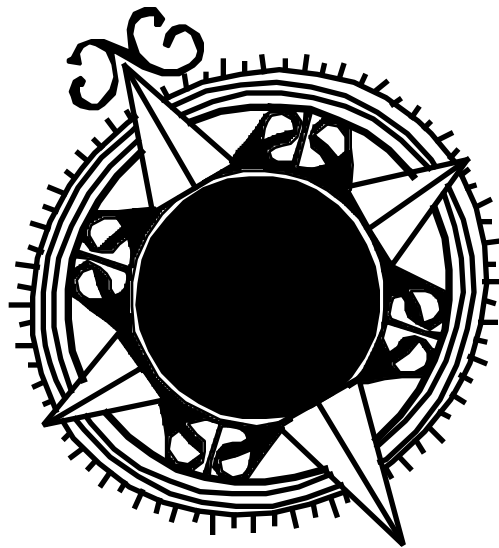


RE-CHARTING THE COURSE:

*Turning*  
**Points**



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

PRESENTED  
TO THE  
PRESIDENT OF THE  
UNITED STATES

DECEMBER 2000



**A Report of the  
Presidential Task Force on  
Employment of Adults with  
Disabilities.**

**Produced pursuant to  
Executive Order 13078**

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**December 2000**

Copies of this report are available from the Presidential Task Force on Employment of Adults with Disabilities Web site <http://www.dol.gov>. The Task Force is located at 200 Constitution Avenue, NW, Room S2220, Washington, DC 20210; 202-693-4939 (V); 202-693-4290 (TTY); and 202-693-4929 (Fax). Alternative formats of this report are also available by contacting the Task Force.

Any modifications to the report, or to material contained in this report, must be specified clearly, along with a description of the modification(s). Notice of modification(s) must be displayed prominently and must contain, if applicable, a notice that the modification(s) may compromise the validity and reliability of the conclusions or data in this report.

This report is a product of the Presidential Task Force on Employment of Adults with Disabilities. Prepared with the assistance of Health Systems Research, Inc., Kate Lynch Machado, Project Director, and Debra Al-Salam, Project Coordinator. Report layout and cover design by Kim Leaird, Leaird Designs.

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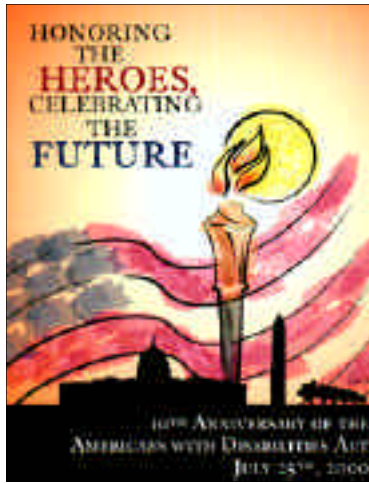
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July 2000 marked the tenth anniversary of the Americans with Disabilities Act (ADA). In commemoration of this historic event, the Task Force, with support from numerous agencies and disability organizations, hosted the Spirit of ADA Torch Rally and an evening celebration at the residence of the Vice President. The artwork displayed here is from those events.

In October, as part of the celebration of the National Disability Employment Awareness Month and the 25th Anniversary of the Individuals with Disabilities Education Act (IDEA), the Presidential Task Force on the Employment of Adults with Disabilities sponsored an essay contest open to youth of all ages, **with and without disabilities**. To enter, youth in elementary and middle school were asked to write an essay of up to 250 words, and youth in secondary and post-secondary education were asked to write an essay of up to 500 words addressing *one* of the following questions:

1. **Why my life is better because of the ADA ?**
2. **How will the ADA Help to Prepare Me for What I Want to Do When I Grow Up?**
3. **What Should Be Done to Address Remaining Attitudinal Barriers Toward People with Disabilities?**

The response to the contest was overwhelming. We received more than 80 essays which reflected an understanding and appreciation of how our nation has benefitted because of the ADA and IDEA, and provided insight on realistic strategies for addressing remaining attitudinal barriers faced by people with disabilities. The following essays were among the top winners:

Illustration: Richard Lynch, Art Director, VSA arts

## WHY MY LIFE IS BETTER BECAUSE OF THE ADA

By Mara Winter, Grade 5, Omaha, Nebraska

My life is better because of the ADA in many different ways, especially at school. I have problems with my muscles, which make it hard to walk far. Also, I have problems with things such as writing and cutting. I also have vision problems. I have most of these things because I have Carpenter Syndrome.

In my school, there is an elevator that I am allowed to ride this year for my muscle problems. I also see an Occupational Therapist, a Physical Therapist, and a Speech Therapist. Also, when I need to write sentences or a story in school, I am allowed to use the computer. Sometimes, on tests where a lot of writing is required, I can dictate to my speech therapist what I want to say. In gym class, my teacher lets me go closer to the target than the other students, and also makes adaptations so I can play.

A lot of people think that handicapped people are not as smart, but I have been in the Gifted Program since first grade. Also, I have been reading young adult novels since last year, in fourth grade. Last year the assistant principal allowed me to take fifth grade social studies.

The ADA has convinced schools across the nation to make adaptations for other handicapped students as well as me. ★

## ATTITUDES ABOUT PEOPLE WITH DISABILITIES

By Benjamin Snow, Grade 8, Woodland Park, Colorado

The words we choose to say show what our attitudes are. When you're describing a person who has a disability, you need to remember that we are all people first. "Handicapped" isn't the right word to use when you're describing a person with a disability. It gets on my nerves when I hear that ugly word. I believe using that word shows an attitude that people with disabilities can't do some things.

We must learn to change our language and stop believing people with disabilities are different from anyone else. Disability is natural. We must stop believing that disabilities keep a person from doing something. Because that's not true.

I am thirteen years old and I have a disability myself. I have cerebral palsy and I think of it as no big deal. I have earned two karate belts. I enjoy writing stories and plays and scripts. I have a part time job. But all of that has nothing to do with my disability. All of that is just about me as a person. Having a disability doesn't stop me from doing anything.

When someone has the attitude that people with disabilities can't do something they're talking about me, too. And that's just not true. The words we choose show what we think. I think people with disabilities are just like everybody else, and we need to choose words that show that people with disabilities are people first. ★



THE TENTH ANNIVERSARY OF  
THE SIGNING OF  
THE AMERICANS WITH DISABILITIES ACT

THE VICE PRESIDENT AND MRS. GORE  
INVITE YOU TO  
A SUMMER EVENING ON THE LAWN  
TO CELEBRATE THE  
TENTH ANNIVERSARY OF THE  
SIGNING OF THE ADA  
WITH SPECIAL GUEST  
JOSE FELICIANO

ON TUESDAY, THE TWENTY-FIFTH OF JULY  
AT SIX O'CLOCK

THE VICE PRESIDENT'S RESIDENCE  
34TH STREET AND MASSACHUSETTS AVENUE, N.W.  
WASHINGTON, D.C.

RSVP 202-456-7077  
BUFFET SUPPER  
CASUAL ATTIRE

## ATTITUDINAL BARRIERS

By Nicholas Guarino, Grade 2, New Haven, Connecticut

What should be done to address remaining attitudinal barriers toward people with disabilities?

I feel that the world is made up of different people. I think that schools should talk to students about people with disabilities. People with disabilities are just like us, they have feelings. In my own words people who laugh and make fun of people with disabilities makes me feel sad because I would not like anyone to laugh at me if I had a disability. So I think it is important that people understand someone with a disability instead of making fun of them. So what I think we should do to address people's attitudes toward others who may have a disability is to talk with someone who may be in a wheelchair and find out what it is like for someone on a daily basis.

My mom works with a group home for people with disabilities. My mom explains to me that people with disabilities are just like you and I. And if I ever have any questions I should not be afraid to ask her. That's how I learn about things. Just because someone has a disability that does not mean we have the right to hurt someone's feelings because they don't look and act like us. ★

Photograph: © Peggy Joan Winters, "Cape May, N.J.," watercolor, 1993. Winters is a participating artist of VSA arts.

## THE FORGOTTEN PEOPLE

By Brian Carr, Grade 12, Arlington, Virginia

As a person with a disability, I face constant challenges. Although my problems concern only my physical capabilities, their consequences are far broader. Ignorance represents a pervasive part of my struggle, affecting nearly every aspect of my life. If I am to attain my potential, these misconceptions must be abolished, because they present the single greatest impediment to my success. Yet my comments are relevant not simply to my situation, but to all people with such conditions; for the Constitution's promise of equity and equality cannot be realized if the disabled population is not completely integrated into all areas of society. This objective can only be achieved through education.

The concept of being "disabled" is convoluted and confusing. Indeed, it is a term applied to a multitude of deficits, each representing variations of cognitive, psychological, or physical deficiencies. It is therefore daunting, and perhaps slightly intimidating, for most people to identify the characteristics of a handicap that does not concern them. The true nature of the disability is inevitably lost, eventually becoming inextricably linked to the popular stereotypes of a misinformed population. As one who suffers from Cerebral Palsy, let me assure you that I am neither a blithering idiot nor a helpless cripple. My only major impairment is my inability to walk, which has not prevented me from pursuing a relatively normal life. To this end, I strive to normalize relations with others, although my attempts have been only moderately successful.

As I write these words, it occurs to me that my peers have never asked about my disability. Perhaps I am overly critical; I would certainly be flattered if they perceived me as their equal. But their silence is reflective of the utter lack of understanding that manifests itself among professionals who study cases such as mine. I still wince at the memory of an orthopedist using epithets to characterize the effective treatment I had received in Hungary. More recently, I have been angered by the Social Security Administration's constant crusade to relinquish my meager disability payments, which constitute the whole of my income. If they succeed, it will become more difficult for me to pay impending college expenses. Yet my college search has also been frustrating, since schools have not been forthcoming with accommodation information. Each example illustrates the attitude of indifference, ignorance, and hostility that currently prevails in our society.

If our nation is to achieve its potential, it must not perceive its less fortunate citizens as invalids who have no part in prosperity. Thus, it is imperative that the population be educated on all levels. Americans must better understand the meaning of "disability," and must work toward helping the disabled develop their capabilities as members of a common society. Americans cannot be content to ignore the needs of the handicapped, nor can they allow them to remain on the fringes of the population. The disabled must ultimately be enabled to control their own affairs.

These conventions must serve as the guiding principles of a new philosophy, for then—only then—can equality be ensured. ★



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

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December 15, 2000

The Honorable William Jefferson Clinton  
President of the United States  
The White House  
Washington, D.C. 20500

Dear Mr. President:

On behalf of the members of the Presidential Task Force on Employment of Adults with Disabilities (Task Force), it is with great pride and honor that we present the third report in a series of four, ***Recharting the Course: Turning Points***. The timing of this chronicle is noteworthy as this year marks the tenth anniversary of the Americans with Disabilities Act (ADA), and the 25<sup>th</sup> anniversary of the Individuals with Disabilities Education Act (IDEA), two laws of monumental significance to people with disabilities.

The occasion of this report is also significant in that it is being written in the first year of the new millennium, at a time when the Task Force is reaching the halfway point of its existence, and a time when the Clinton-Gore Administration is coming to closure. Because of these important events, this year's report takes stock of what has been accomplished and looks at the challenges that lie ahead.

With the ADA, we began a transformation of the proverbial ladder of success for some Americans into a ramp of opportunity for all Americans. With you and the Vice President at the helm, we have navigated previously uncharted waters, buoyed by the principles of independence, empowerment, and inclusion. From defending the ADA, to passing the Ticket to Work and the Work Incentives Improvement Act (TWWIIA), to ensuring that the federal government is a model employer, to recommending the creation of a new Office of Disability Policy within the Department of Labor to provide a

***Put Ability to Work!***

national focus on the issue of employment of people with disabilities, the Clinton-Gore Administration has demonstrated an unprecedented commitment to providing equal rights and equal opportunities for people with disabilities.

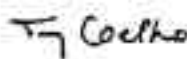
All members of the Task Force agree that we are at a turning point in the way the federal government formulates policies and programs for people with disabilities. We are turning from national employment policies premised on the paternalistic notions that people with disabilities are less capable of working, to a new paradigm which presumes that all individuals, even those with the most severe disabilities, are capable of work with proper supports. Barriers which previously impeded people with disabilities from realizing their full potential are slowly eroding and employers are beginning to appreciate the wisdom and truth of the words you have expressed so frequently, "Hiring people with disabilities is not just the right thing to do. It's good for business, it's good for communities, and it's good for all Americans."

Finally, the Task Force members and staff applaud your unwavering dedication and leadership in supporting the work of the Task Force to increase employment opportunities for adults with disabilities. Your vision to make equality of opportunity, full participation, inclusion, and economic self-sufficiency realities for people with disabilities will continue to guide the work of policy makers concerned with justice for all.

Sincerely yours,



Alexis M. Herman  
Secretary of Labor and Chair,  
Presidential Task Force on  
Employment of Adults with  
Disabilities



Tony Coelho  
Vice-Chair,  
Presidential Task Force on  
Employment of Adults with  
Disabilities



### **Celebrating the Americans with Disabilities Act**

*Top, as Senator Tom Harkin (D-IA) looks on, President Clinton greets Justin Dart at the FDR Memorial event commemorating the tenth anniversary of the signing of the ADA, July 26, 2000. Bottom, Vice President Gore and Tipper Gore at the Summer Evening on the Lawn event celebrating the tenth anniversary of the ADA view assistive technology exhibit at their residence, July 25, 2000.*

# Dedication

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**T**he third report of the Presidential Task Force on Employment of Adults with Disabilities is dedicated to President Clinton, Vice President Gore and the Members of the Clinton-Gore Cabinet serving as Task Force members. Their individual and collective contributions to the overall successfulness of the Task Force mission and vision have been relentless. As each departs their respective positions and posts, each should go forth with the knowledge that the work that they did on behalf of people with disabilities will go down in history. Your relentless pursuit of equality, justice and the basic right to work for people with disabilities will long be remembered. Thank you.

## Members of the Presidential Task Force on Employment of Adults with Disabilities:

**William Jefferson Clinton**, President of the United States

**Albert Gore**, Vice President of the United States

**Alexis M. Herman**, Chair, Secretary of Labor

**Tony Coelho**, Vice Chair, President's Committee on Employment of People with Disabilities

**Richard Riley**, Secretary of Education

**Hershel W. Gober**, Acting Secretary of Veterans Affairs

**Donna Shalala**, Secretary of Health and Human Services

**Kenneth Apfel**, Commissioner of the Social Security Administration

**Lawrence H. Summers**, Secretary of the Treasury

**Norman Mineta**, Secretary of Commerce

**Rodney Slater**, Secretary of Transportation

**Janice R. Lachance**, Director of the Office of Personnel Management

**Aida Alvarez**, Administrator of the Small Business Administration

**Ida L. Castro**, Chair of the Equal Employment Opportunity Commission

**Marcia Bristo**, Chair of the National Council on Disability

**William E. Kennard**, Chairman of the Federal Communications Commission

**Andrew Cuomo**, Secretary of Housing and Urban Development

**Janet Reno**, Attorney General of the United States

**Bruce Babbitt**, Secretary of the Interior

**Dan Glickman**, Secretary of Agriculture

*For your leadership and commitment to improving the lives of millions of the individuals with disabilities, we are forever grateful.*



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**December 17, 1999**

*President Clinton signs the Ticket to Work and Work Incentives Improvement Act (TWWIIA) at the FDR Memorial.*

*From left to right, Senator Bob Dole, Sherrod Brown (D-OH); Jeanne Lambrew, Senior Health Policy Analyst, NEC; Donna Shalala, Secretary of HHS; Kenneth Apfel, Commissioner of SSA; James Sullivan; President Clinton; Senator Edward M. Kennedy (D-MA); Wesley Vinner; Donna McNamee; Senator Jim Jeffords (R-VT); Alexis M. Herman, Secretary of Labor; and Justin Dart.*

Photography: Tom Olin, Disability Photo Project

The Presidential Task Force on Employment of Adults with Disabilities



## EXECUTIVE ORDER 13078

### INCREASING EMPLOYMENT OF ADULTS WITH DISABILITIES

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

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

(a) There is established the "National Task Force on Employment of Adults with Disabilities" ("Task Force"). The Task Force shall comprise the Secretary of Labor, Secretary of Education, Secretary of Veterans Affairs, Secretary of Health and Human Services, Commissioner of Social Security, Secretary of the Treasury, Secretary of Commerce, Secretary of Transportation, Director of the Office of Personnel Management, Administrator of the Small Business Administration, the Chair of the Equal Employment Opportunity Commission, the Chairperson of the National Council on Disability, the Chair of the President's Committee on Employment of People with Disabilities, and such other senior executive branch officials as may be determined by the Chair of the Task Force.

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The Task Force shall issue its first report to the President by November 15, 1998. The Task Force shall issue a report to the President on November 15, 1999, November 15, 2000, and a final report

on July 26, 2002, the 10th anniversary of the initial implementation of the employment provisions of the Americans with Disabilities Act of 1990. The reports shall describe the actions taken by, and progress of, each member of the Task Force in carrying out this order. The Task Force shall terminate 30 days after submitting its final report.

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

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

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

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

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

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

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

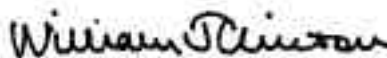
(f) The Bureau of Labor Statistics of the Department of Labor and the Census Bureau of the Department of Commerce, in cooperation with the Departments of Education and Health and Human Services, the National Council on Disability, and the President's Committee on Employment of People with Disabilities shall design and implement a statistically reliable and accurate method to measure the employment rate of adults with disabilities as soon as possible, but no later than the date of termination of the Task Force. Data derived from this methodology shall be published on as frequent a basis as possible.

(g) All executive agencies that are not members of the Task Force shall: (1) coordinate and cooperate with the Task Force; and (2) review their programs and policies to ensure that they are being conducted and delivered in a manner that facilitates and promotes the employment of adults with disabilities. Each agency shall file a report with the Task Force on the results of its review on November 15, 1998.

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

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

THE WHITE HOUSE,  
March 13, 1998.



**AMENDMENT TO EXECUTIVE ORDER 13078,  
TO EXPAND THE ROLE OF THE NATIONAL  
TASK FORCE ON EMPLOYMENT OF  
ADULTS WITH DISABILITIES TO  
INCLUDE A FOCUS ON YOUTH**

By the authority vested in me as President by the Constitution and the laws of the United States, and in order to provide for improved access to employment and training for youth with disabilities, it is hereby ordered that Executive Order 13078 of March 13, 1998, is amended by adding to section 2 of that order the following new subsection to read as follows:

“(h) To improve employment outcomes for persons with disabilities by addressing, among other things, the education, transition, employment, health and rehabilitation, and independent living issues affecting young people with disabilities, executive departments and agencies shall coordinate and cooperate with the Task Force to:

- (1) strengthen interagency research, demonstration, and training activities relating to young people with disabilities;
- (2) create a public awareness campaign focused on access to equal opportunity for young people with disabilities;
- (3) promote the views of young people with disabilities through collaboration with the Youth Councils authorized under the Workforce Investment Act of 1998;
- (4) increase access to and utilization of health insurance and health care for young people with disabilities through the formalization of the Federal Healthy and Ready to Work Interagency Council;
- (5) increase participation by young people with disabilities in postsecondary education and training programs; and
- (6) create a nationally representative Youth Advisory Council, to be funded and chaired by the Department of Labor, to advise the Task Force in conducting these and other appropriate activities.”

WILLIAM J. CLINTON

# Members of the Presidential Task Force on Employment of Adults with Disabilities

---



**ALEXIS M. HERMAN**  
Chair  
Secretary of Labor



**TONY COELHO**  
Vice Chair  
Chairman of the President's  
Committee on Employment  
of People with Disabilities



**RICHARD RILEY**  
Secretary of Education



**HERSEL W. GOBER**  
Acting Secretary of Veterans  
Affairs



**LAWRENCE H.  
SUMMERS**  
Secretary of the Treasury



**NORMAN MINETA**  
Secretary of the  
Department of Commerce



**RODNEY SLATER**  
Secretary of Transportation



**MARCA BRISTO**  
Chair of the National  
Council on Disability



**WILLIAM E.  
KENNARD**  
Chairman of the Federal  
Communications Commission



**ANDREW CUOMO**  
Secretary of Housing and  
Urban Development



**DONNA SHALALA**  
Secretary of Health and  
Human Services



**KENNETH APFEL**  
Commissioner of the Social  
Security Administration



**JANICE R. LACHANCE**  
Director of the Office of  
Personnel Management



**AIDA ALVAREZ**  
Administrator of the Small  
Business Administration



**IDA L. CASTRO**  
Chair of the Equal  
Employment Opportunity  
Commission



**JANET RENO**  
Attorney General of the  
United States



**BRUCE BABBITT**  
Secretary of Interior



**DAN GLICKMAN**  
Secretary of Agriculture





Photo: Tom Olin, Disability Photo Project

## Young People Are the Future

*Youth representatives attend the National Transition Summit, June 21, 2000.*

*Youth participants at the Spirit of ADA Torch Relay in Washington, D.C., July 25, 2000.*

*From top, clockwise: Youth representatives at the National Transition Summit. **Richard Riley**, Secretary of Education, greets **Chris Gagliardi** at the National Transition Summit for Youth, June, 21, 2000. **Matthew Cavedon** leads the Spirit of ADA Torch Relay in ceremonies celebrating the tenth anniversary of the signing of the ADA, July 25, 2000. At the FDR Memorial, Spirit of ADA Torch Relay ceremony sponsored by the Consortium for Citizens with Disabilities and the Task Force, awaiting the arrival of the Torch, seated from left to right: **Mark Johnson**, **Becky Ogle** and **Sydney Button**, **Greg Smith**, **Brooke Ellison** and her mother, **Matt Cavedon** and his father, and **Adotun Osbowalu**, July 25, 2000.*

## Re-Charting the Course: Turning Points

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**Turning point:** an important moment of change...

[Encarta World English Dictionary, 1999]

**T**he Presidential Task Force on Employment of Adults with Disabilities is proud to submit this third report to the President, the Vice President, and the nation describing activities underway to create an aggressive and coordinated national strategy to eliminate barriers to employment for adults with disabilities.

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

### A Quick Look Back

In 1996, as our country commemorated the sixth anniversary of the signing of the ADA, the National Council on Disability (NCD) released their report, *Achieving Independence: the Challenge for the 21st Century*. This report included recommendations

developed by a diverse group of 300 participants at NCD's National Summit on Disability Policy, which took place in Dallas in April 1996. At this gathering people with and without disabilities, representing the grassroots and national leaders alike, formulated policy objectives that built on the fundamental principles of the ADA: inclusion, independence, and empowerment.

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

The overall mission of the Task Force is to develop a coordinated national strategy to ensure that people with disabilities are employed at a rate as close as possible to that of the general adult population. With members from virtually every cabinet level agency directly or indirectly related to employment, the Task Force quickly organized to begin its mandate for change. Actions across the Federal

Government quickly began to coalesce; as a result, legislative and regulatory efforts passed during this Administration's watch will be instrumental components in the progressive disability agenda being developed by the Task Force and its member agencies. For example, when implemented by states, the *Ticket to Work and Work Incentives Improvement Act of 1999* (TWWIA) will mean that people with disabilities today need no longer make the untenable choice between working and losing their health insurance. The issuance of strong implementing nondiscrimination regulations for the *Workforce Investment Act of 1998* (WIA), by the Department of Labor (DOL) will mean that people with disabilities have increased opportunity to choose between available employment and training options and providers. Last year's increase in the monthly Substantial Gainful Activity (SGA) amount from \$500 to \$700 will encourage more people with disabilities to return to work, as will the proposed automatic future adjustments to the SGA tied to the national average wage index, and the increase to the minimum amount of monthly earnings counted during a trial work period proposed by the Clinton-Gore Administration during the celebration of the tenth anniversary of the ADA. Changes made to Section 508 of the Rehabilitation Act will soon ensure that Federal agencies' electronic and information technology is fully accessible to people with disabilities.

Recognizing that talent is locked behind institutional walls due to the lack of affordable, accessible housing and community-based support, sustained effort has been focused on addressing these primary issues. Access Housing 2000 is a new public-private partnership between the Department of Housing and Urban Development (HUD), the Department of Health and Human Services (HHS), and the National Project Office on Self-Determination. This initiative will focus on expanding the availability of affordable housing and providing the necessary supports and services so individuals can transition from institutions to their communities. This initiative also includes a new \$50 million investment in FY 2001 to help states offer services to people with disabilities in the most integrated setting appropriate to their needs and the issuance of new guidance to state Medicaid directors on

Medicaid coverage of home and community-based services that will help them comply with the Supreme Court's recent ruling in *Olmstead v. L.C.* A *Comprehensive Plan of Action to Remedy Lack of Transportation Services and Systems for Persons with a Disability* developed by the Department of Transportation (DOT), in consultation with other relevant Task Force member agencies, is another example of the actions being undertaken government-wide to increase access to employment and needed supports for Americans with disabilities.

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

## Turning Points for the Future

Two and one-half years of coordinated, collaborative actions are creating results. The Task Force has become a fulcrum for change — a prodding, thoughtful conscience and bridge builder across Federal agencies and systems. It has become a leverage point for translating innovation and best practices from isolated demonstrations to systemic practices, and a national voice for shifting and elevating the discussion about employment and disability.

We are thus at a time when the efforts of these two and one-half years of collaboration and removing walls at the Federal level are allowing a strategy to

*“It would be too easy and terribly wrong to assume that those with the most significant physical, intellectual or psychiatric disabilities can all get real jobs at a real living wage tomorrow, but I believe it would be equally far too easy to discount the ability of many of these individuals to do just that, given the right opportunities and supports...”*

— Robert Williams, Task Force Summit on Real Choice, Real Jobs, Real Pay, April 7, 2000.

emerge that is resulting in substantive change for young people and adults with disabilities. The discussion is shifting. And as it does, a number of clear points have become apparent. These are our turning points — essential parts around which any strategy must evolve, turning points that create and support change. These turning points are presented as a lens through which to view the activities and actions enumerated throughout this report — a lens that is focusing actions as Task Force members work toward the goal of opening pathways to employment. Action in these areas, in combination, is enabling the Federal Government to become an effective catalyst for change to increase employment of young people and adults with disabilities.

### **Federal Government as a Model Employer and Purchaser**

The Federal Government is the world's largest employer and purchaser of goods, services, technology, and health care. It must itself be a model employer — exemplary in its practices, demonstrating through its actions what it expects and trusts state and local governments will do, and illustrating to the private sector what is possible.

The Federal Government as a Model Employer initiative begun under the Clinton-Gore Administration shows extraordinary commitment to this strategy. This initiative is evident at all levels, beginning with President Clinton amassing a highly talented and extremely diverse Administration that included record numbers of people with disabilities. Presidential appointees with disabilities served in the White House and the Departments of Education (ED), Health and Human Services (HHS), Housing and Urban Development (HUD), Justice

(DOJ), Labor (DOL), State, and Transportation (DOT). They also served in independent agencies such as the Social Security Administration, the Small Business Administration, and the Equal Employment Opportunity Commission, as U.S. District Court Judges, the National Council on Disability, and on various other Presidential Committees, Commissions, and Task Forces.

Because of the insistence of President Clinton and Vice President Gore that the Federal Government lead by example, multiple additional changes are underway. Individuals with psychiatric disabilities now stand on equal footing to persons with significant disabilities and mental retardation in terms of Federal hiring opportunities. As of 2001, mental health coverage will be more affordable and accessible to Federal employees because President Clinton directed that the Office of Personnel Management (OPM) ensure that the Federal Employee Health Benefits Program (FEHBP) plans provide for mental health parity. The hard work of Task Force member agencies, in particular OPM, has resulted in a comprehensive model plan for hiring and promoting people with disabilities: *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*. This plan was developed for the specific intent of increasing the representation of adults with disabilities throughout the Federal workforce. As this comprehensive plan is implemented, it is important that hiring efforts not be confined to a particular class or range of jobs, but must include hiring qualified people with disabilities at all levels of our government. This includes positions that require security clearances. We must review the process for award of security clearances in order to ensure that discriminatory, historical stereotypes

about disability do not keep people with disabilities from being considered for these high-level positions. Opportunities for internships, apprenticeships, and mentoring for youth with disabilities must also be encouraged and provided so that these young people can expand their vision for their own future, as well as build experience for employment.

The Federal Government must also utilize its influence to shape change by leveraging opportunities for employment that exist through the Federal procurement process. Annually, our nation spends billions of dollars partnering with the private sector to secure goods and services. We must review and revise our procedures for procurement to increase opportunity for awarding contracts to people with disabilities as business owners, and to ensure that all contractors demonstrate model practices, demonstrated by the Federal Government, in their hiring, accommodating, and promoting people with disabilities at all levels of their business.

As the leader of the free world, the United States must demonstrate these exemplary practices not just within its own borders, but also through its international activities. As the economy is increasingly globalized, we must ensure as a nation that our policies and contractual relationships abroad carry the same protections afforded to people with disabilities living within our borders. Doing so will model for the world the leadership and commitment of our nation to ensuring that all people have the opportunity to participate as workers. Thus the Federal Government of the United States, as a model employer of all people, will become a catalyst for change world-wide.

## **Federal Government Leveraging Purchase Power**

Technology will have a profound impact on the types of work and skill sets needed to participate fully in the 21st century market place. We cannot begin to imagine what the future holds as technological advances unfold and transform the way we live and work. People with disabilities have much to gain from this technological revolution. It is imperative that the Federal Government demonstrate leadership in this area — not only to ensure

that people with disabilities are not left behind, but to actively create opportunities for the global marketplace to benefit from their presence as workers, business owners, entrepreneurs, and customers.

Ensuring fully accessible, affordable technology is thus an absolutely essential component to the developing strategy to increase employment of people with disabilities. The Federal Government must use its influence to promote full inclusion and universal design in this area. We must lead the nation with electronic curb cuts, accessible Web sites, and strong implementation of Section 508 of the Rehabilitation Act, which prohibits Federal agencies from procuring, developing, maintaining, or using electronic information technology (EIT) that is inaccessible to people with disabilities, subject to an undue burden defense. This year, agencies must comply with new access rules under Section 508 for full accessibility of technology. Strong implementation of Section 508 will ultimately push the entire technology marketplace toward universal design features, so that as new technologies are developed, full accessibility for people with physical, sensory, communication and cognitive disabilities are considered up-front, not as an afterthought. Indeed, multiple efforts are currently being undertaken at the request of the Clinton-Gore Administration to promote the development of new, accessible technology through mobilizing public and private efforts. These include securing commitments from technology companies, research firms, and non-profit organizations to improve the accessibility and affordability of technology for persons with disabilities.

We must increase employment and training activities to meet the explosion of work in the technology arena, a high growth industry which holds the possibility of many jobs for young people and adults with disabilities. Current outreach efforts of the Task Force to private corporations have secured commitments to provide scholarships and training for certification in Information Technology (IT) jobs that are specifically targeted to people with disabilities. There are additional plans in the works for public and private partners to create business incubators with a technology focus —

with special emphasis on entrepreneurs with disabilities. The High School/High Tech program, which has proven successful, is expanding to four new cities and three new states, thereby providing increased opportunity to develop and enhance information technology skills to even more students with disabilities across the nation. Additionally, the Task Force recommends modifying H1-B Visa legislation to ensure that a designated portion of the funds generated from increased immigration traffic is used to train U.S. citizens with disabilities in information technology jobs. We must do more.

There is also wide recognition of the deep divide that exists between people with and without disabilities in terms of access to technology. Substantial effort is being made to address this “digital divide.” As part of this effort, President Clinton extended his digital inclusion tour to emphasize how the digital divide impacts people with disabilities, including highlighting examples of accessible technologies. In addition, the Department of Commerce demonstrated its commitment to accessibility for people with disabilities through the delivery of its programs, working to encourage the private sector to make Web content, software, and development tools more accessible for people with disabilities by adopting technical standards consistent with universal design capabilities.

In addition, the creation of a Task Force to specifically examine Medicare/Medicaid coverage of assistive technology was announced by the Administration to begin to address barriers to technology access through those programs. Coverage of assistive technologies by health plans participating in the Federal Employee Health Benefits Plan should also be examined, and appropriate recommendations on how to best enhance such coverage developed.

An Executive Order calling for a strategy on the development and transfer of assistive technology and universal design was issued in July, 2000 at the request of the Task Force. Resulting action will create multiple opportunities for conversion of defense technology to private sector use. Significantly, a report developed by the Interagency Committee on Disability Research (ICDR), in

collaboration with the disability and research communities, will identify priority areas for the advancement of assistive technologies and universal design capabilities, including technologies needed for improving, increasing, or enhancing functioning across sensory, mobility, manipulation, communication and cognitive areas.

The emerging strategy across all areas related to technology will be assisted through the Access America for People with Disabilities Web site, [disAbility.gov](http://disAbility.gov), which serves as a “one-stop” electronic link to a wide range of information relevant to people with disabilities, their families, and potential employers. Unveiled by President Clinton this year, this portal is fast being recognized as a comprehensive site that provides people with disabilities, their families, employers, the media and the general public to access information on disability services. In just six months, over 239,942 people have visited the Web site, and it has won acclaim from other sites as well. In fact, CBS.com has named [disAbility.gov](http://disAbility.gov) one of the 100 most useful Web services in America. Among other things, [disAbility.gov](http://disAbility.gov) offers private sector and government human resource professionals access to information on accommodations, assistive technology, available tax credits, employee databases, company best practices, resources for small businesses, recruiting tips, internship, mentoring programs, and much more. The site also provides access to a bibliography of disability publications, films, radio shows and books that describe disability issues and experiences.

The Task Force also actively collaborates with private partners to broadcast successful employment strategies to the private sector. As a result, online employment services actively work with [disAbility.gov](http://disAbility.gov) to provide valuable disability resources to their customers.

The area of technology is huge, and the actions needed to ensure that people with disabilities are considered should be equally substantial. The Administration’s FY 2001 budget included \$100.4 million (an increase of nearly \$14 million) for disability and technology research at the National Institute on Disability and Rehabilitation Research

(NIDRR) and for Assistive Technology Act funds to states. While this is focusing a large number of hiring and service commitments and grant-related activities in the area of technology to complement other ongoing efforts, much more must be done. As the strategy for change continues to unfold, promoting development of new, accessible technologies, leveraging opportunities for training and employment in the high-growth information technology industry, comprehensively addressing the digital divide, and expanding access to affordable assistive technologies for people with disabilities must all be critical and coordinated components to that strategy.

### **Federal Government Ensuring Access to Generic Programs and Services**

Gone are days of separate and unequal. The reality of the ADA will not be achieved until generic systems truly offer effective and meaningful participation for all, including young people and adults with disabilities. As the Task Force strategy unfolds, the importance of access to generic services and systems cannot be overstated. In fact, this is one of the most essential parts of the developing strategy. Generic systems must welcome people with disabilities. They must have the capacity, the knowledge, to connect people with employment based on the strengths, needs, and desires of the individual. There must be a competent array of programs and services at the local level to partner with generic systems, creating choices for young people and adults with disabilities from which to choose as they seek the supports and services they need to successfully become employed.

No longer do we need to establish separate and parallel systems. Instead what we need is a change in perspective from policymakers so that resources can be shifted toward a single system of employment service; from providers, so that best practice strategies which have proven successful are adopted; from employers, who must be willing to take a chance to let people with disabilities demonstrate their capacity for contributions; and from people with disabilities and family members themselves. Employment programs such as the

One-Stop Career Centers established under the Workforce Investment Act of 1998 (WIA) are leading the way in this effort, clearly intended to be open to all customers, including customers with disabilities. We must make sure that comprehensive technical assistance is available for this emerging system to meet the needs of all its customers. The new ODEP is an essential component in the strategy to increase employment of young people and adults with disabilities through generic systems. It will provide a centralized, consistent focus to critical disability employment issues. Best practices will receive widespread recognition, and will continue to be researched and developed both for employers and the corporate world, as well as critical partners within the provider community and the workforce development system. ODEP will ensure that young people and adults with disabilities are included in every aspect of DOL programs and policies — an essential turning point in the strategy to increase employment.

### **Federal Government as Bridge to Innovation and Choice at the State and Local Level**

Now more than ever, we have come to the realization that Federal Government cannot and should not do everything. The emerging strategy recognizes that change modeled at the Federal level is driven at the local level. The Federal Government must exemplify best practices and provide the tools that will allow state and local employment systems to expand their services to people with disabilities. If research-based, innovative employment strategies are available at the local grass roots level, then change will occur and an increased number of people with disabilities will be employed. They will be employed within a single workforce, not one created just for people thought to have special needs. The emerging strategy must ensure that state and local systems have the information and technical assistance to build capacity so that this can occur.

Part of building capacity relates to implementing informed choice. In transforming the nation's workforce development system, ensuring choice in employment for all Americans, including people

with disabilities, has increasingly become part of the change strategy. Indeed, the ability to choose is an essential part of living in the United States. In our nation we have the ability to choose where we live, what work we do, how we choose to spend our free time. But the majority of people with disabilities have not had choice in their lives. In most instances the poverty of the human service system on which they are dependent for needed medical care and other services has removed this as a possibility.

Probably the most significant pieces of legislation for promoting choice in employment are WIA, TWWIA, and the Rehabilitation Act. WIA includes choice as one of its core principles. Under WIA, states are authorized to implement programs using Individual Training Accounts, intended to enable recipients to make their own career decisions by choosing training programs or contractual services that fit their particular needs. Choice under WIA is intended for all customers of the system — including people with disabilities. In addition, TWWIA provides for tickets which beneficiaries can use to obtain needed employment and support services with a provider of their choice. The *Rehabilitation Act of 1973* has increasingly focused efforts of state rehabilitation agencies on increasing choice in the rehabilitation process. In addition to these statutory authorities, numerous discretionary initiatives have been started to assist states and localities to promote choice.

The intent of ensuring choice is to create a different equilibrium between the person and the system: person as customer rather than client; person with the power to choose how and where to spend resources; person with a new and different relationship with the entities intended to assist them into the workforce. The Task Force recognizes that choice is essential for all people with disabilities and sponsored several initiatives related to choice this year, including research on what was learned qualitatively from the Choice Demonstration projects previously funded by the Rehabilitation Services Administration, and a national Summit on increasing choice, employment and wages for people with the most significant disabilities. Reports are available from the Task Force on these

initiatives, which will contribute to future Task Force actions in this area.

Implementing choice-based services shifts the balance of power — putting the individual in the driver's seat and circumventing many of the traditional systemic barriers to employment. Through choice-based services the individual becomes more invested in the result. It is important that choice-based services be an integral part of employment systems, rather than implemented separately as special demonstrations. Recommendations made in this report will ensure that successful approaches to ensuring choice in employment continue to be developed, disseminated, and adopted.

## **Federal Government Investing in Youth as the Future of Change**

The Task Force has made substantial progress towards the development of a coordinated strategy to improve transition results, increase access to programs and services, and ensure that young people with disabilities keep pace with the ever increasing technical skills required by the job market. Through research activities, town halls, a National Summit on Transition, and Youth Leadership conferences, we have heard the call from parents, employers, service providers, and young people themselves — who want better education and training opportunities to help prepare them for postsecondary education, employment and independent living. It is paramount that we create a bridge between education and other systems of support — such as vocational rehabilitation, One-Stop Career Centers, health care, transportation, housing and postsecondary education — so that all young people with disabilities transition from school prepared for and expecting to contribute to their communities. This means, among other things, the expectation of employment.

In October, the President expanded the focus of the Task Force to include the critical issues young people with disabilities face in becoming employed, participating in postsecondary education, and achieving independence. If post high school



academic and employment outcomes are to improve, these evolving initiatives to implement effective transition policies, strategies, and activities must occur for all young people with disabilities. Only then will the goals of equal opportunity, full participation, independent living, adequate health care and insurance coverage, and economic self-sufficiency become a reality. Working in partnership with critical stakeholders, the states and local agencies, and the private sector, the Federal Government will lead the charge.

## **Federal Government as Promoter of Rights**

It is widely accepted that disability is a predictor of exclusion. The ADA was enacted to address the widespread discrimination that exists against people with disabilities in our nation that has resulted in this exclusion. Ten years after its enactment, it has become a powerful protector of justice for all.

All programs need strong equal protection regulations in order to prevent historical stereotypes from keeping people with disabilities from working. This year, the Civil Rights Center of the DOL, in conjunction with DOL's Employment and Training Administration (ETA), issued interim final regulations governing the nondiscrimination provisions under section 188 of the WIA. These preliminary regulations have been lauded by the disability community as exemplary. Other programs, including Welfare-to-Work and TANF, should also have such strong protections from discrimination.

In addition, it has become clear that our young people are unaware of their rights under civil rights statutes such as the ADA, IDEA and others. We must educate these young people about their rights so that they can be prepared to use the power of our democracy to combat discrimination and secure meaningful employment.

We must also continue to be vigilant about threats to the ADA. Many myths abound about the ADA, and legal challenges to its civil rights guarantees continue. Some of these challenges have had positive outcomes. For example, as a result of the

U.S. Supreme Court's 1999 decision in Olmstead v. L.C., concerted efforts this year are being made by states and advocates to develop comprehensive state plans for moving unnecessarily institutionalized persons into the community with supports. Unfortunately, a new challenge has arisen. In October, the Supreme Court heard oral arguments in University of Alabama v. Garrett, with Alabama arguing that parts of the ADA are unconstitutional and violate states' rights. The plaintiffs, joined by the disability community, contend that the states' history of discrimination based on disability was so egregious that Congress had the power to override state sovereignty. A decision is expected early in 2001. But it is clear that in addition to educating youth, we must also educate the general public about the truth: that the ADA is a powerful tool against injustice that ensures access to employment based on merit and ability. Once again, we must not allow misinformation to guide perception and action.

By 2050, minorities are projected to rise from one in every four Americans to almost one in every two Americans. Hispanics and Asians will be the fastest-growing racial and ethnic groups. This demographic trend means that individuals with disabilities from minority backgrounds will also increase. Historically, racial and ethnic minorities have faced significant barriers in accessing employment and other social services. We must strategically target these diverse groups of persons with disabilities who have experienced the highest levels of discrimination, exclusion, and internalized prejudice. Barriers faced by groups such as American Indians/Alaska Natives, African Americans, Asian American/Pacific Islanders, and Hispanic Americans with disabilities must receive particular attention as the strategy continues to unfold.

## **Federal Government as Promoter of Accountability**

Throughout all these efforts and activities, the Federal Government must be accountable for use of the public dollar. Accountability measures for performance and evaluation are themselves a significant driver of change. The Federal Government must ensure accountability in the use of

***“No one who wants to change this terrible pattern of exclusion is immune from learning. Policy makers have learning to do. Professionals have learning to do. Employers have learning to do. People with disabilities have learning to do. Friends and family members have learning to do. One part of this learning involves forming a better understanding of the changing environment that contains us all and shapes our opportunities to make a positive difference.”***

—John O’Brien, *Another Look at Informed Choice*,  
A report to the Presidential Task Force, December, 2000

public dollars by evaluating programs that are intended for all people to ensure that they provide meaningful and effective opportunity for participation to people with disabilities. We must ensure that performance measures designed for individual programs neither discriminate nor promote “creaming,” serving only people with disabilities whose needs are less complex, while leaving people with more complex needs behind. Individual agencies must be held accountable through their planning processes to ensure that data about disability is required as performance and evaluation criteria are developed, such as through goals identified through *Government Performance Results Act* (GPRA) plans.

Indeed, there is a critical need for data of all types related to employment and disability. Data shapes policy — and the lack of data is a significant barrier to documenting needed change in policy. For example, Section 503 of the *Rehabilitation Act, as amended*, requires Federal contractors and subcontractors to take proactive steps to hire and retain people with disabilities. Contractors meeting particular criteria are currently required to fill out and submit Standard Form 100, Employer Information report EEO-1 (known as the EEO-1 Form) which identifies the occupational distribution of men and women in five categories of race/ethnicity. This data is compared to the availability of qualified individuals in each group to flag areas of possible underutilization. Currently, however, as contractors are not required to identify the distribution of people with disabilities on the

EEO-1 Form, similar data on employment of people with disabilities is not readily available. In the absence of this or similar data, it is difficult if not impossible to access the impact that Federal legislative efforts and programs are having on increasing the employment participation of people with disabilities.

In addition, many of the same principles used to guide policy and legislation that resulted in an increase in employment, reduction of economic inequality, and the creation of a better way of life for women and other protected groups, are equally applicable to how society is beginning to regard the concept of disability. These changes grew from understanding that came, in part, through the collection and analysis of data about these diverse groups. Yet even though it is likely that we all will have personal experience with disability over the course of a lifetime — either personally, or through a friend or family member who acquires a disability — society as a whole is not particularly cognizant about issues and concerns that impact the disability community. This is, in part, because of the lack of accurate data about disability.

The availability of accurate employment measures on disability would go a long way toward increasing public awareness about disability. Yet accomplishing this laudable goal is very complex. One significant issue is the concern that many people with disabilities have about self-identification. While self-identification is a particularly important way to identify people with disabilities because a person

***“We must scrupulously guard the civil rights and civil liberties of all our citizens, whatever their background. We must remember that any oppression, any injustice, any hatred, is a wedge designed to attack our civilization.”***

— Franklin D. Roosevelt, greeting to the American Committee for Protection of Foreign Born, Washington, D.C., January 9, 1940

with a disability knows more about him or herself than anyone else, self identification can pose risks for an individual with a disability. People with disabilities choose not to self identify because of stigma, prejudice, and the potential for discrimination. They have a legitimate fear of the consequences. Statutes such as the ADA and the Rehabilitation Act help protect people against discrimination. But many people with disabilities do not have the resources and often lack the knowledge needed to use the law for their protection. It is a travesty that there are few situations in which a person with a disability can feel secure knowing that self-identification will not have a negative consequence. This must change, or people will continue to remain hidden and silent about an aspect of themselves that should never have been a source of shame, embarrassment, or discrimination in the first place. One way to accomplish this is by modifying the EEO-1 form to provide occupational data on people with disabilities, in conjunction with undertaking appropriate legal steps to put people with disabilities at parity to women and minorities.

It is clear that as the Task Force continues to develop its strategy, ensuring reliable, accurate disability measurements is a critically important part of that strategy. Task Force members working on the Employment Rate Measurement/Statistics Committee are taking a comprehensive approach to addressing the dearth of data on the employment of people with disabilities in order that we can have a reliable, accurate measure of their employment rate.

### **A Matter of Will**

Disability policy has always enjoyed bipartisan support. While ideas may differ, goals have been shared.

Change is not easy. But democracy affords the free and equal right of every person to participate in their government, to express their views, to help shape the direction of policy and practice. Open dialogue, a symbol of our democracy, must not be quieted, even when the ideas are new, sometimes revolutionary, and therefore hard for some to comprehend.

As the Task Force moves forward with developing a strategy to increase employment of young people and adults with disabilities to a rate as close as possible to that of the general population, the turning points for change enumerated here raise numerous questions that must be addressed. Are we as a Federal Government modeling exemplary practices in each agency and program? Are we leveraging the power of technology across the Federal Government, ensuring full accessibility and useability? Do we have performance and accountability systems in place at all levels to document our effectiveness and contribute to needed data on disability? Are generic systems providing effective and meaningful opportunities for participation to people with disabilities? Are we assisting states through technical assistance, through research, and through demonstrating and disseminating information on effective approaches to successfully assist people with disabilities into the workforce? Are we partnering with the private sector in all efforts? Are we doing all of this in ways that promote the self determination and dignity of each individual, and provide informed choice?

To achieve transformational change requires bold, visionary leadership. It requires continued elevation of issues related to disability across the Federal sector. It requires partnership with state and local government and the private sector. And it requires that the Federal Government continue to lead the



### **Task Force Summit on Real Choice, Real Jobs, Real Pay, April 7, 2000**

*Secretary of Labor Alexis M. Herman addresses participants at Task Force Summit on Real Choice, Real Jobs, Real Pay.*

way by furthering innovation, demonstrating model practices and ensuring protection of civil rights. The United States of America will lead for the world through these actions.

Mr. President and Mr. Vice President, people with disabilities have lived the old ways — the ways of isolation, segregation, and discrimination. They have been viewed as the inferior class, as eternally dependent, as needing charity and perpetual care. This is our past. Our nation must be willing to risk change to create a different future. We must portray to the world through our actions and images that our nation will not tolerate discriminatory treatment, nor will we endorse policies and practices that have the effect of such discrimination.

This year, with the economy at its strongest and the unemployment rate at its lowest in decades, the country experienced a skills shortage that posed a challenge to companies, but created new opportunity for people with disabilities. As companies recognize the benefits of hiring a diverse workforce, become more creative in locating talented employees, and acknowledge the economic potential of a 54 million-member consumer market, they are discovering the value of hiring qualified people with disabilities. The turning points enumerated here will further this discovery.



### **National Transition Summit, June 20, 2000**

*From left to right, **Bob Williams**, Deputy Assistant Secretary for the Office of Disability, Aging and Long-Term Care Policy; **Carol Rasco**, Director of the America Reads Challenge; and **Susan M. Daniels**, SSA Deputy Commissioner for Disability.*

In closing, people with disabilities today are more knowledgeable, more empowered, and more likely to achieve their full potential than they have been at any other time previously. A solid foundation has been laid. The pieces are beginning to fall into place for what is an emerging strategy for ensuring that people with disabilities are employed at a rate as close as possible to that of the general adult population. Over the next two years, the Task Force will evaluate the effect of the changes which have occurred thus far, explore barriers in areas it has not addressed previously, and effectuate other changes as necessary to ensure that the ADA's promises of equality of opportunity, full participation, independent living, and economic self-sufficiency are fulfilled.

In this period of transformation that is reaching to the roots of our policy and practice, we must recognize that promoting employment for people with disabilities is not partisan. Continuity of commitment across Administrations is essential to continue this change. The nation, indeed the world, benefits if we accomplish our mission.

It is a matter of will — and the power, the influence to do so is with us, and with our leaders.



## The Promise of Technology

*Top, President Clinton tests assistive technology as part of Digital Divide Tour in Flint, MI, September 21, 2000.*

*Below, Vice President Gore and Tipper Gore at the Summer Evening on the Lawn event celebrating the tenth anniversary of the ADA view assistive technology exhibit at their residence, July 25, 2000.*



# 2000 Recommendations to the President from the Presidential Task Force on Employment of Adults with Disabilities

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**T**he Task Force wishes to recognize the outstanding work by the Clinton-Gore Administration in acting on all prior recommendations made to the President and Vice President. Prompt action and strong support by the Administration on Task Force recommendations have resulted in significant achievements that are leading to increased employment opportunities for people with disabilities.

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

***These recommendations represent the views of the Task Force and have not yet been endorsed by the Clinton-Gore Administration. These recommendations, therefore, should not be viewed as any formal statement of policy or adopted plans of action approved or endorsed at this time.***

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

*The Task Force recommends that:*

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

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

Task Force by September 30, 2001, the result of their review and their plan of action to elevate issues related to disability.

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

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

*The Task Force recommends that:*

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

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

While these critical personnel security decisions are made on a case-by-case basis, and are the responsibility of individual departments and agencies, they are guided generally by a formal adjudicative process that covers 13 "issue areas of concern." These areas relate to various kinds of behavior or "conduct," both present and past, and a judgment as to whether such conduct is "inconsistent with national security."

*The Task Force recommends that:*

**3** *All departments and agencies should review their FY 2002 Government Performance and Results Act of 1993 (GPRA) plans to determine the extent to which their programs and policies are being delivered and conducted in a manner that facilitates and promotes employment of people with disabilities. Based on this review, each agency should revise its plans to ensure, where appropriate, that people with disabilities are provided meaningful and effective opportunities for participation in and benefit from such programs and services. Each agency should file a report with the Presidential Task Force on*

***Employment of Adults with Disabilities on the results of this review and proposed plan for revisions by July 26, 2001, consistent with the requirements of Section 2(g) of Executive Order 13078***

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

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

*The Task Force recommends that:*

- 4 The Equal Employment Opportunity Commission should modify the Equal Employment Opportunity (EEO) Standard Form 100 (EEO-1) to provide occupational data on people with disabilities and appropriate legal steps should be taken to put people with disabilities at parity to women and minorities under Executive Order 11246. Concurrently, data on the availability of persons with disabilities in the workforce should be included in the 2000 Census Equal Employment Opportunity File, to be available in 2003.***

Employers currently rely on the 1990 Census EEO File, which compiles detailed local area data on six specific occupations and the sex and race distribution within the occupations to develop recruitment and affirmative action plans.

Although not collected previously, including this same information on people with disabilities in the 2000 EEO File would allow for the development of action plans for people with disabilities.

The Department of Labor, through its Office of Federal Contract Compliance Program, has the responsibility for enforcing Section 503 of the Rehabilitation Act, which requires Federal contractors to take proactive measures to hire persons with disabilities that go beyond the nondiscrimination requirements of the Americans with Disabilities Act. Adding disability status to the data base of occupational distributions and to the EEO-1 form would enable firms to evaluate their progress toward their goal of hiring people with disabilities.

*The Task Force recommends that:*

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

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



*The Task Force recommends that:*

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

Our existing tax law contains a number of important provisions intended to assist people with disabilities and employers. The intent of these recommendations is to initiate an information campaign to educate multiple stakeholders about these provisions.

*The Task Force recommends that:*

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

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

*The Task Force recommends that:*

**8** *The Departments of Labor, Education, Health and Human Services, Justice, and Treasury, the Social Security Administration, the Equal Employment Opportunity Commission, and the Small Business Administration, in collaboration with the Presidential Task Force, should develop by July 26, 2001, a coordinated plan specifically focused on increasing employment and wages for people with the most significant disabilities.*

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

*The Task Force recommends that:*

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

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

*The Task Force recommends that:*

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

It is imperative that people with disabilities are equipped with the skills and information needed to actively participate in employment opportunities resulting from the globalization of commerce and the explosion of information technology. A coordinated effort can ensure that people with disabilities participate in the high-growth industries by developing education technology and curricula and modifying existing training and skills programs, as needed, to specifically address their needs. Pilot programs providing technical skills training for employed and unemployed American workers funded by fees generated under the H1-B visa program need to be available to, and accessible by, people with disabilities, and funds should be specifically targeted to ensure that people with disabilities benefit from this skills training initiative.

*The Task Force recommends that:*

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

Accessible telecommunications products and services have significant implications in the workplace for people with disabilities. An expanded technical assistance and outreach campaign conducted by the FCC could have far-reaching implications in informing the general public about critical new regulations, such as the recently announced 711 relay service, speech-to-speech and other relay services, as well as access to other communications technologies to assist people with disabilities to access employment. This technical assistance and outreach campaign

could include publishing an updated Section 255 Market Monitoring Report to update previously collected information and include information about new and emerging telecommunications network technologies.

*The Task Force recommends that:*

**12** *The Department of Labor should issue final non-discrimination regulations for the Workforce Investment Act (WIA), and the Department of Health and Human Services should issue non-discriminatory guidance for the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) that unequivocally protects the rights of people with disabilities.*

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

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

*The Task Force recommends that:*

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

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

*The Task Force recommends that:*

**14** *The Department of Health and Human Services and the Office of Personnel Management should create an interagency, cross-committee Mental Health and Substance Abuse Treatment Work Group, with representation from each of the 18 member agencies, in order to evaluate and monitor implementation of parity for mental health and substance abuse coverage in the Federal Employees Health Benefits Plan (FEHB) for 2001.*

On June 7, 1999, at the White House Conference on Mental Health, the President officially announced the Federal Government's intention to achieve parity for mental health and substance abuse treatment with the coverage provided for the treatment of physical illness in the FEHB program in 2001.

Following the President's directive, OPM issued a letter on June 7, 1999 to all health plans that participate in the FEHB program to enlist their support in achieving parity for mental health and substance abuse coverage. OPM issued its call

letter guidance on April 11, 2000 to all FEHB health plans detailing the parity requirements for 2001, and OPM Director sent a memo on July 13, 2000 to the Personnel Directors of Executive Departments and Agencies soliciting their assistance in soliciting their assistance in implementing mental health parity in the FEHB Program for 2001.

The Work Group will provide continuous input to OPM with the goal of achieving full parity for mental health and substance abuse coverage in the FEHB program. The interagency, cross-committee Work Group will provide information to guide the design of mental health and substance abuse (MH/SA) benefits in the FEHB program. The work Group will address issues such as the terms and conditions of mental health coverage and substance abuse treatment other than annual and life time limits as well as cost sharing, premium levels, and limits on the number of visits or days of coverage.

*The Task Force recommends that:*

**15** *The Department of Education, in concert with other agencies as appropriate, should conduct a national training initiative to teach youth with disabilities about their rights and responsibilities under the Rehabilitation Act, the ADA, the IDEA, and other laws designed to provide equal opportunity.*

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

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

encourage programs to include this critical training in their activities.

*The Task Force recommends that:*

**16** *The Department of Labor, in collaboration with the Presidential Task Force on Employment of Adults with Disabilities, should issue a Memorandum to the Governor of each state and Territory to encourage the establishment of a State Task Force on Employment of Adults with Disabilities. Each State Task Force would work closely with the Presidential Task Force in their effort to bring adults with disabilities into gainful employment at a rate that is as close as possible to that of the general population.*

Much of the work of the Task Force has involved promoting interagency collaboration at the Federal level to bring about a more comprehensive, less duplicative system of employment services and supports. As Federal disability policy becomes more unified and consistent, the work of the individual states to implement these new policies represents the next step for addressing the issues raised by the Task Force. In addition, many states and localities have developed unique and exemplary approaches related to assisting people with disabilities to enter or reenter the workplace that should be shared with other states. The establishment of such entities should result in the greater collaboration and partnering at the state and local levels.



**November 29, 2000**

*President Clinton joins representatives of the Consortium for Citizens with Disabilities, advocates and Federal officials in an Oval Office ceremony celebrating the 25th anniversary of the enactment of the Individuals with Disabilities Education Act.*

*Left to right, **Richard Riley**, Secretary of Education; **Becky Ogle**, Executive Director of the Presidential Task Force on Employment of Adults with Disabilities; **Katy Neas**, Assistant Vice President for Government Relations, National Easter Seals Society; **Leslie Jackson**, Federal Affairs Representative, American Occupational Therapy Association; **Linda Shepard**, Executive Director, National Parent Network on Disabilities; **Beth Foley**, Policy Specialist for Government Relations, Council for Exceptional Children; **Libby Kuffner**, Director of Public Policy, National Association of School Psychologists; **Ellen Winkler**, Winner, IDEA 25th Anniversary Poster Contest; **President Clinton**, **Justine Maloney**, Policy Specialist, Learning Disabilities of America; **Paul Marchand**, Assistant Executive Director for Policy and Advocacy, The ARC; **Kenneth Warlick**, Director, Office of Special Education Programs, Office of Special Education and Rehabilitative Services; **Curtis Richards**, Deputy Assistant Secretary, Office of Special Education and Rehabilitative Services; **Danielle Busto**, student; **Jackie Busto**, parent; **Maureen Hollowell**, Educational Services Coordinator, Endependence Center; **Carol Winkler**, parent; and **Judith E. Heumann**, Assistant Secretary, Office of Special Education and Rehabilitative Services.*

## A Status Report on the 1999-2000 Task Force Recommendations

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**T**he Task Force is once again extremely gratified by the consistent and steady support of President Clinton and Vice President Gore. Their strong endorsement and actions to realize the Task Force's 1999-2000 recommendations continue to propel us forward.

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

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

**STATUS:** Based upon recommendations and

input from the Task Force, DOL developed and presented an FY 2001 budget proposal — subsequently approved by the Office of Management and Budget and the President — that included \$21 million for the establishment of an ODEP within the Department, headed by an Assistant Secretary.

The mission of the ODEP — unlike, but parallel and complementary to that of the interagency-focused Task Force — is to function as the DOL-exclusive unit concerned with serving and promoting the training and employment interests of American workers with disabilities. Specifically, the ODEP encourages collaboration and leadership within the DOL for implementing a sustained, coordinated, and aggressive employment strategy to eliminate job barriers for people with disabilities and result both in a dramatically increased employment rate, and in equal, accessible employment and career-related

*“... beginning in fiscal year 2001, there is established in the Department of Labor an office of disability employment policy which shall, under the overall direction of the Secretary, provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities. Such office shall be headed by an assistant secretary.”*

—from Public Law 106-554, *Consolidated Appropriations Act of 2001*

opportunities. Central to its mission within the DOL is the responsibility to advocate for working-age people with disabilities and ensure that they are fully informed of their work rights and obligations.

The ODEP will also assume responsibility to help ensure that employers, labor representatives, and the general public are fully informed about the variety of employment issues encountered by workers and job applicants with disabilities. In order to carry out these new responsibilities, the President's Committee on Employment of People with Disabilities (PCEPD) will be subsumed under the OEDP office, thereby helping to consolidate interrelated efforts and enhance coordination of Federal employment programs for people with disabilities.

**LEGISLATIVE ACTION:** On December 15, the House and Senate passed the *Consolidated Appropriations Act of 2001* which, among other things, provided for the establishment of the ODEP.

**FINAL ADMINISTRATIVE ACTION:** On December 21, President Clinton signed the *Consolidated Appropriations Act of 2001* into law.

**2. The President accepted the Task Force's recommendation and directed the Departments of Justice (DOJ) and Labor, and the Equal Employment Opportunity Commission (EEOC) to collaborate in exploring methods for strengthening enforcement of employment-related nondiscrimination provisions of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, as amended.**

**STATUS:** On July 26, the President signed an Executive Memorandum to the heads of executive departments and agencies on "*Renewing the Commitment to Ensure that Federal Programs are Free from Disability-based Discrimination.*" In his memorandum, the President called upon six Federal agencies to assume leadership responsibility to ensure that all Federal agencies, including those that administer programs of employment, work together to

maintain their programs in ways that are "readily accessible to and usable by" persons with disabilities, in accordance with the requirements of sections 501, 504, and 508 of the *Rehabilitation Act*.

DOJ and EEOC, in consultation with the Inter-agency Disability Coordinating Council (IDCC) and the Task Force, have been directed by the President to develop priorities that Federal agencies can use to meet these goals.

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

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

The EEOC also is preparing, for publication early next calendar year, the final rule amending its regulation governing Federal sector equal employment opportunity to incorporate ADA standards under the 1992 amendment of Section 501 of the *Rehabilitation Act of 1973, as amended*. The final rule will conform to Federal sector standards to those already governing the private sector.

On October 6, Secretary of Labor Alexis M. Herman announced the publication of proposed new rules drafted by the DOL's Office of Federal Contract Compliance to help implement Section 503 of the *Rehabilitation Act of 1973, as amended*. The proposed rules would give DOL express authority to apply, in support of Section 503 enforcement, the same compliance evaluation system currently used to enforce the

equal employment opportunity provisions of Federal Government contracts with respect to discrimination in employment decisions on the bases of race, color, religion, sex, or national origin.

**3. The President accepted the Task Force’s recommendations concerning youth and directed the Departments of Labor (DOL), Education (ED), and Health and Human Services (HHS), the Social Security Administration (SSA), the Office of Personnel Management (OPM), and other appropriate Federal agencies to construct and coordinate, under the leadership of the Task Force, a *Youth-to-Work Initiative*. The President also directed HHS to develop a proposal to allow the Maternal and Child Health Programs for Children with Special Needs to provide Health and Ready-to-Work services to youth with disabilities who are over the age of 16.**

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

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

*By the authority vested in me as President by the Constitution and the laws of the United States, and in order to provide for improved access to employment and training for youth with disabilities, it is hereby ordered that Executive Order 13078 of March 13, 1998, is amended by adding to Section 2 of that order the following new sub-section to read as follows: “(b) To improve employment outcomes for persons with disabilities by*

*addressing, among other things, the education, transition, employment, health and rehabilitation, and independent living issues affecting young people with disabilities, executive departments and agencies shall coordinate and cooperate with the Task Force to: ...”*

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

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

**STATUS:** On July 25, as part of the commemoration for the tenth anniversary of the *Americans with Disabilities Act of 1990*, the Vice President announced that HUD would issue a proposed rule expanding employment incentives for people with disabilities, by extending the application of “earned income disregards” currently available only under HUD’s public housing program to a broader range of its housing programs, including its Section 8 “tenant-based rental assistance programs.” The Administration is working on legislative changes to ensure that those “disregards” are extended to all remaining housing programs. In addition, the



new rule would amend existing HUD regulations to add a number of mandatory “expense deductions” used to calculate family adjusted income and determine rental housing payments. These new mandatory deductions would include disability-related expenses such as medical expenses, attendant care expenses, childcare expenses and others that would benefit working persons with disabilities.

On August 21, HUD published its proposed new rule affecting persons with disabilities in the *Federal Register*. Comments were accepted through October 20. Following the agency’s review and consolidation of the comments, it anticipates publication of a final rule early next year.

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

**STATUS:** In the Administration’s FY 2001 budget, President Clinton requested \$100.4 million (an increase of nearly \$14 million) for disability and technology research at the National Institute on Disability and Rehabilitative Research (NIDRR). The increase is dedicated to a variety of technology initiatives, including \$5 million for technical assistance for schools to help them purchase accessible technology, and \$8.5 million for a “Technology for Independence” initiative.

The President’s budget also requested additional funds to support an expansion of the Department of Defense’s highly successful Computer/Electronic Accommodations Program (CAP) so that its services, available since 1990 at no cost to employees with disabilities (or to their respective departments, agencies, or offices) at the Department of Defense (DOD), could be available to persons with disabilities in other Federal departments and agencies as well. In yet another area of his budget, the President sought additional funding to enable the General Services

Administration (GSA) to carry out its responsibilities under Section 508 of the *Rehabilitation Act, as amended by the Workforce Investment Act of 1998*, to provide technical assistance to Federal agencies, and to ensure that the governmentwide provisions of Section 508 are implemented successfully.

**LEGISLATIVE AND ADMINISTRATIVE**

**ACTION:** On October 30, the Congress passed the National Defense Authorization Act for FY 2001 to grant CAP expanded authority to “provide assistive technology, assistive technology devices and assistive technology services to any other department or agency upon the request of the head of the agency.” This Congressional action will result in the availability of approximately \$2 million of additional funds to support CAP’s expanded authority.

In December the Congress passed, and the President signed, the *Consolidated Appropriations Act, 2001*, which provided the additional amounts needed for the technology initiatives and for the National Institute on Disability and Rehabilitation Research (NIDRR) disability and technology research. Congress also passed that portion of GSA’s budget that will ensure an additional \$3.5 million in each of the next two years to carry out the agency’s Federal Technology Accessibility Initiative (FITA).

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

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

- (1) a \$1,000 tax credit to offset the formal and informal employment costs incurred by working people with disabilities;
- (2) a new \$3,000 long-term care tax credit. This credit would help with the diversity of long-term

care needs of individuals and the family members who care for them by providing compensation for a range of services in cases where a person experiences three or more limitations in activities of daily living, or has a comparable cognitive impairment.

**LEGISLATIVE ACTION:** There was no action in the 106th Congress on either budget proposal.

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

**STATUS:** Both the President and the Vice President have continued to call and work for the passage of a strong, bipartisan Patients' Bill of Rights that provides basic patient protections. Although two different bills have passed the House and Senate respectively, the 106th Congress was unable, before its adjournment, to agree to a version that meets the criteria of "strong and enforceable."

**LEGISLATIVE ACTION:** There was no final action in the 106th Congress on this legislative initiative.

**ADMINISTRATIVE ACTION:** On November 21, DOL published new rules to ensure faster, fairer, and more informed processing of workers' health insurance claims and timely decisions on appeals when workers' claims are denied. The new rules apply to employers' health plans covered by the *Employee Retirement Income Security Act* (ERISA). Among other things, these rules provide meaningful information to patients about their rights under the appeals process, and create a more fair process for reviewing decisions to deny benefits.

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

**STATUS:** In order to better heighten awareness and focus attention on several critical issues that affect the employment of persons with disabilities, it was decided to hold a series of events, rather than a single conference. The year 2000 was particularly rich in conferences, summit meetings, and in anniversary commemorations relating to the tenth anniversary of the ADA and the 25th anniversary of the Individuals with Disabilities Education Act (IDEA).

President Clinton and Vice President Gore used these various anniversary commemorative events to announce an unprecedented number of executive directives addressing disability employment issues. (See "Time Line 2000")

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

**STATUS:** Production has been completed of a Task Force-sponsored "public service advertisement" (PSA) featuring celebrities such as Harrison Ford, Angela Bassett, Stevie Wonder, and Christopher Reeve, and more. The PSA is the cornerstone of a planned public/private, multimedia public awareness campaign to eliminate the stigma of disability. The PSA will be released in the first quarter of calendar year 2001 to network television and local affiliate stations. A plan for additional distribution of the PSA is currently under development.

**10. The President accepted the Task Force's recommendation and directed SSA and DOL to create an Access America Web Site for People with Disabilities that targets individuals with disabilities.**

**STATUS:** On July 26, the President announced the launch of a new Web site — [www.disAbility.gov](http://www.disAbility.gov) — that serves as a “one-stop” electronic link to an enormous range and wealth of useful employment-related information to people with disabilities, their families and prospective employers.

**11. The President accepted the Task Force's recommendation and directed the Department of Transportation (DOT) to work with DOL, ED, HHS, SSA, and other relevant Task Force members to develop a comprehensive plan of action to address the lack of transportation services and systems for persons with disabilities.**

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

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

**STATUS:** On July 26, the President signed an Executive Memorandum to the heads of executive departments and agencies on *Employing People with Significant Disabilities to Fill Federal Agency Jobs That Can Be Performed at Alternate Work Sites, Including the Home.*

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

**13. The President accepted the Task Force's recommendation with respect to students and directed SSA to explore options for raising the Earned Income Exclusion in the Supplemental Security Income program for students, in order to encourage work efforts.**

**STATUS:** SSA published a Notice of Proposed Rulemaking on August 11 that would increase the amount that students who receive SSI benefits can earn while continuing to receive the important protection which SSI provides.

The final rule, published in the *Federal Register* in December, announced that the maximum monthly earned income exclusion for students who receive SSI will increase from \$400 to \$1,290, and the yearly exclusion will increase from \$1,620 to \$5,200, effective January 2001. In the future, automatic adjustments to these amounts will be made annually, based upon the annual increases in the cost-of-living index.

## The View from 2000

*“The nation’s proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency...”*

—from the ADA, July 26, 1990

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

For two years, Task Force members have been working collaboratively on a range of issues directly related to reducing employment barriers, increasing employment opportunities, and facilitating coordination at the state and local levels. A particular focus for Task Force agencies charged with monitoring and implementing Federal programs and policies has been looking closely at how best to modify their policies and procedures to ensure that all people, including people with disabilities, have equal access to the benefits derived from these generic programs and services intended for all people. The Task Force has successfully encouraged adoption of recommendations made to the

President in its first two reports, and is continuing to work with agencies to develop new and/or revised policies, and to implement some of its own initiatives designed to expand employment opportunities for people with disabilities.

The breadth of the Task Force’s mandate is wide, and covers areas directly related to employment, as well as those that are indirectly related but essential if people with disabilities are to be included in the workforce at a rate as close as possible to that of the general adult population. These essentially are those services, supports, or benefits — such as accessible transportation, housing, and adequate health insurance — that allow individuals to work. For many people with disabilities, the difference between working productively and being unemployed or underemployed is not a matter of whether they have the skills necessary for the job. Instead, it is often a matter of whether they can get to the job or, once there, whether they can access all of the tools and equipment they need to perform the job.

For some individuals with disabilities, employment supports are needed the moment they wake up — with assistance in regular personal care activities such as dressing and eating. For others, it may be assistance in getting to work. Employment supports

cut across all disability categories — a worker who has low vision may require the assistance of a reader, another with hearing loss may use a sign language interpreter. A person with a cognitive disability may need verbal coaching or customized job development while someone with a physical disability may need some assistance in workplace adaptations. Some individuals with disabilities may need several supports on an ongoing basis, while others may need intermittent assistance in one area. And many individuals with disabilities do not need any assistance.

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

## CIVIL RIGHTS

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

This year marked the tenth anniversary of the signing of the ADA with President Clinton declared

July 2000 *Spirit of ADA Month*. An important and very visible aspect of the nation's celebration of the tenth anniversary of the ADA was the *Spirit of ADA Torch Relay*, initiated and organized by the Task Force, American Association of People with Disabilities, Volkswagen of America, Inc., the Consortium for People with Disabilities, along with numerous other organizations from the public and private sector.

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

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

On July 26, Task Force members joined President Clinton and the First Lady, individuals with and without disabilities from across the nation, advocacy organizations, and elected officials in celebrating the tenth anniversary of the signing of the ADA at an official event at the Franklin Delano Roosevelt (FDR) Memorial in Washington D.C. The day before, a rousing parade of youth with disabilities, organized by the Endependence Center of Northern Virginia, carried the torch across the Memorial Bridge to the Lincoln Memorial, and on to the FDR Memorial. The event, sponsored by the Consortium for Citizens with Disabilities and the Task Force, entitled "Honoring the Heroes, Celebrating the Future," was a tribute to those whose visionary work secured passage of the ADA and to the youth leaders who will continue to advocate for its implementation.

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

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

- The Department of Housing and Urban Development (HUD) will expand incentives for employment for people with disabilities by extending earned income disregards, currently applicable only to public housing, to tenant-based Section 8 housing vouchers, the HOME Program, the Housing for Opportunities for People with AIDS Program, and the Supportive Housing for the Homeless Program.
- HUD will send guidance to all approved FHA mortgagees emphasizing the agency's commitment to promoting home ownership for persons with disabilities, encouraging HUD's lender partners to make home ownership possible for individuals with disabilities through increased, but prudent, flexibility when underwriting loan applications.
- The Center for Mental Health Services at the Substance Abuse and Mental Health Services Administration (SAMHSA) will work with a broad-based group of public and private organizations, constituencies, and consumers to create state and local coalitions to assist persons with mental illnesses and substance abuse disorders in accessing necessary services.
- The Social Security Administration (SSA) will automatically adjust the Substantial Gainful Activity (SGA) level for beneficiaries with disabilities to reflect the annual increases in the national average wage index. This augments the Administration's action last year, increasing the amount that Social Security disability beneficiaries can earn — from \$500 to \$700 per month — while they continue to receive their benefits.
- SSA will increase the amount of monthly earnings that count during a trial work period for Social Security beneficiaries who go to work. This increase will encourage beneficiaries with disabilities to contribute their talent and energy to the workforce and test their ability to

maintain a level of work activity, without affecting their disability benefits, by increasing the minimum amount of monthly earnings that constitute a trial work period month from \$200 to \$530. In the future, the amount will be automatically adjusted based on any annual increases in the national average wage index.

- Federal agencies will hire 100,000 people with disabilities over a five-year period. (Executive Order 13163, July 26, 2000.)
- Federal agencies will develop a plan to ensure that today's Federal programs are free from disability-based discrimination, using specific steps designed by the Department of Justice (DOJ) and the Equal Employment Opportunity Commission (EEOC) to reach this important goal.
- The Executive Order 13078 establishing the Presidential Task Force on Employment of Adults with Disabilities will be amended to include addressing barriers encountered by young people with disabilities as they transition from school into post-school activities. Under the leadership of the Task Force, a new interagency Youth-to-Work initiative will focus on coordinating research, demonstration projects, and education and training activities involving youth with disabilities.
- An Access America Web site for people with disabilities, [www.disAbility.gov](http://www.disAbility.gov), will be created as an electronic "one-stop" link to an enormous range of useful information, materials, and resources for people with disabilities, their families, advocates, and prospective employers.
- Executive Order 13164 requiring Federal agencies to establish procedures facilitating the provision of reasonable accommodation.
- Access Housing 2000, a new public/private partnership between the Department of Housing and Urban Development (HUD), the Department of Health and Human Services (HHS), and the National Project Office on Self-Determination, which includes a \$50 million investment to help states develop comprehensive plans to provide services to people with disabilities in the most integrated setting possible;

- New guidance to state Medicaid Directors on Medicaid coverage of home and community based services to help them reply to the recent Supreme Court's ruling in Olmstead v. L.C.

## 2000 Activities — Civil Rights

Ensuring protection of civil rights is an integral part of Task Force activities across all areas of focus. The Task Force has focused on specific activities related to the civil rights provisions in the ADA and the *Rehabilitation Act of 1973, as amended*. Some of these activities resulted from Presidential directives made in concert with the tenth anniversary ADA celebrations. Others are the result of increasing focus by Task Force members on the continued need to address discrimination across a range of areas related directly and indirectly to employment for people with disabilities. The reader is referred to Task Force Committee and research reports for additional information on these actions, which included:

- HHS initiated assistance to states in implementing the U.S. Supreme Court's 1999 decision in Olmstead v. L.C., holding that unnecessary segregation and institutionalization of people with disabilities constitute discrimination and violate the ADA.
- DOJ Office of Legal Education, in collaboration with other Task Force member agencies, began the design and development of a training program to aid in coordinated enforcement of the ADA. The training program is aimed at providing attorneys and investigators with an overview of the requirements of the Federal disability statutes. The first training is scheduled for March 2001.
- A Presidential Memorandum was issued instructing Federal agencies to consider accessibility issues as they begin to make online forms available for the top 500 government services used by the public.
- The DOJ issued guidance to assist agencies in identifying existing online barriers to persons with disabilities; setting priorities for removing those barriers; and providing alternative ways of making programs accessible to persons with disabilities.
- The Federal Communications Commission (FCC) initiated actions to improve and safeguard electronic communications technologies in the workplace to ensure that employees with disabilities are not disadvantaged. These improvements included a new rule that allows callers throughout the country to access the local Telephone Relay Service (TRS) provider simply by dialing 7-1-1. The rule also requires TRS providers to offer a wide variety of technologies including video relay services (VRS) and speech-to-speech (STS) services. Spanish relay services, hearing carry-over (HCO), and voice carry-over (VCO) services are also required of common carriers that provide relay services; other new rules require television to be more accessible to people with vision and hearing disabilities.
- Proactive preparation for full compliance and implementation of Section 508 of the Rehabilitation Act was initiated, led by the Federal Information Technology Accessibility Initiative (FITAI), an interagency initiative cosponsored by the General Services Administration and the Department of Education (ED), with involvement from many other agencies. FITAI has created a Section 508 Web site, [www.section508.gov](http://www.section508.gov), that offers Federal agencies and the public an accessible collection of resources for understanding and implementing the requirements of Section 508. FITAI also established a speakers bureau of experts in accessibility and hosts information technology conferences aimed at reaching the goal of accessibility.
- A Presidential Memorandum was issued on July 26, 2000, entitled *Renewing the Commitment to Ensure that Federal Programs are Free from Disability-Based Discrimination*. As part of this, Federal executive departments and agencies were directed to reaffirm their compliance with Section 504 self-evaluation obligations required under the Rehabilitation Act. Departments and agencies began resolving deficiencies found during their self-evaluations and have begun to designate appropriate resources and include the self-evaluation compliance in their agencies' performance measures. This memorandum further directed



# 2001 FOCUS — CIVIL RIGHTS

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

- Using new materials to offer training that provides attorneys and investigators with an overview of the ADA and other Federal non-discrimination laws' requirements and key concepts such as "reasonable accommodation," to ensure that Federal agencies are applying the same definitions and have the same understanding of the laws' requirements.
- Identifying priority areas where greater coordination is needed between DOJ and the EEOC to combat disability-based discrimination in state and local government employment.
- Developing and providing expanded technical assistance to employers on nondiscriminatory recruitment and hiring, covering topics such as evaluating job functions and writing job descriptions.
- Adopting a coordinated process for evaluating, monitoring, investigating, and possibly prosecuting allegations of discrimination in hiring against individuals with disabilities, to be led by DOJ, DOL, and EEOC.
- Sponsoring multiple research efforts to measure hiring discrimination based upon disability. Organizations or individuals with expertise about disability and the employment of people with disabilities must be a formal part of the planning and implementation of these studies.
- Establishing "end-user supports" in Federal agencies (e.g. computer help desks), as well as support functions that incorporate expertise with technology access and assistive technology, and providing specialized services adequate to ensure that end-users with disabilities receive all needed training and support to fully use electronic and information technology, including assistive or specialized technology.
- Providing technical assistance support for implementation of Section 508 of the Rehabilitation Act.
- Developing proposals for amending the *Telecommunications Act of 1996* to permit a private right of action on accessibility and usability requirements under Sections 255 and 251(a)(2), thus empowering citizens with disabilities to exercise their rights and protections and fostering greater compliance by manufacturers.
- Increasing public awareness about the new 7-1-1 Telephone Relay Service.
- Creating and implementing a coordinated mechanism consisting of policy, regulatory, and reimbursement considerations designed to improve technological support for persons with disabilities in the Federal Government.
- Ensuring that Federal contractors make their information technology accessible to individuals with disabilities. DOL, in consultation with DOJ and the EEOC, should take the lead and provide technical assistance regarding the benefits of accessible technology in eliminating barriers to employment for people with disabilities.
- Conducting a survey of the use of Internet-based recruitment and training by Federal agencies and an assessment of the accessibility of such Internet-based practices.
- Conducting an expert roundtable to identify barriers to, and share best practices for, achieving full accessibility in Federal agencies, bringing together various stakeholders including Federal agencies working to make their programs and activities accessible to employees, customers, representatives of protection and advocacy groups, and persons with disabilities.
- Promulgating an individual protocol by way of a new DOT regulation, rather than by way of a waiver program or exemption to the existing regulation.



agencies to make their Internet and Intranet sites accessible to persons with disabilities by July 26, 2001.

- The Interagency Disability Coordinating Council (IDCC), established under Section 507 of the Rehabilitation Act as a mechanism for coordinating the efforts of Federal agencies to develop priorities to ensure accessibility, was reconvened and charged with coordinating the efforts of executive agencies to make the Federal Government's electronic and information technology accessible.
- The Department of Transportation's (DOT) July 2000 *Report to Congress on the Feasibility of a Program to Qualify Individuals with Insulin Treated Diabetes Mellitus to Operate Commercial Motor Vehicles in Interstate Commerce as Directed by the Transportation Equity Act for the 21st Century* (TEA-21) was completed. The report concluded, among other things, that an individualized assessment protocol governing the licensing of individuals who use insulin to treat diabetes is feasible and consistent with ensuring safety.
- DOL, Office of Federal Contract Compliance Programs (OFCCP), began implementation of a plan to strengthen Federal contractor affirmative action requirements under Section 503 of the Rehabilitation Act. The Department has begun to identify, analyze, and disseminate promising practices in partnership with other Federal agencies, to strengthen enforcement and technical assistance to Federal contractors.

## FEDERAL GOVERNMENT LEADERSHIP

Understanding both the practical and symbolic value of starting any major endeavor with a close examination and modification of one's own efforts, Task Force members continue to focus on making the Federal Government a "model" for the rest of the country in terms of hiring, accommodating, and promoting people with disabilities. The Task Force began an internal review soon after its creation by establishing a work group to assist in

developing a "road map" for Federal Government leadership. This work group reported its findings and recommendations in the Task Force's first report to the President in 1998. A preliminary review by agencies of issues to be addressed resulted in an initial list of 24 separate recommendations for increasing the employment and extending the full range of employment-related benefits to adults with disabilities in the Federal Government. The Task Force, under the auspices of the Federal Government as a Model Employer Committee, has been hard at work implementing those initial recommendations, and subsequently expanding upon them as new strategies emerge.

### 2000 Activities — Federal Government Leadership

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

*Re-charting the Course: If Not Now, When?* also included several recommendations related to strengthening the recruitment, hiring, and retention of employees with disabilities, developing government-wide policies and procedures for reasonable accommodation, and coordinating agency policy in this area. In addition, the Office of Personnel Management (OPM) published a comprehensive plan for increasing the representation of people with disabilities in the Federal workforce. This document, entitled *Accessing Opportunity: The Plan for Employment of People with*

*continued on p. 34*



# 2001 FOCUS — FEDERAL GOVERNMENT LEADERSHIP

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

- Developing agreed-upon “progress markers” for ensuring Federal Government accountability in the areas of reasonable accommodation and accessibility, which track and measure the progress of Federal agencies against their plans and policies.
- Creating a user-friendly summary and analysis of EEOC’s annual report on the employment of minorities, women, and people with disabilities in the Federal Government.
- Examining the various “Job Banks” maintained by Federal agencies to determine how best to coordinate, reconcile, and/or combine these independent efforts and resources in order to better promote the employment of people with disabilities in the Federal workforce.
- Reviewing statutory and regulatory provisions related to the application for and award of Federal contracts and making recommendations, as needed, to ensure increased use by people with disabilities.
- Expanding content and linkages available through the new Web site: [disAbility.gov](http://disAbility.gov).
- Investigating issues regarding security clearances in the Federal Government that may affect people with disabilities, including a review of the government’s Personnel Security Program in terms of actual or potential adverse consequences, particularly for those with mental disabilities.
- Reviewing FY 2002 Government Performance and Results Act (GPRA) plans to determine the extent to which programs and policies are being delivered and conducted in a manner that facilitates and promotes employment of people with disabilities.
- Monitoring use of the \$3.5 million appropriated to the General Services Administration (GSA) for implementing Section 508 of the Rehabilitation Act.
- Working to increase Federal agency access to interpreters, readers, and personal assistant services, including researching recent technological advances to help fill such needs.
- Monitoring implementation of the new mental health parity provisions in health plans participating in the Federal Employee Health Benefits Program (FEHBP).
- Reviewing FEHBP plans for adequate coverage of durable medical equipment and assistive technology.
- Examining the issue of job retention among Federal employees with disabilities, including looking at how partially disabling medical conditions and/or the aging process may affect the employability of Federal workers who have not yet stopped working but who may need accommodation in order to continue working.
- Providing ongoing training of supervisors, managers, executive administrators, and employees regarding accessibility and reasonable accommodation issues.
- Collecting data on the extent to which the current delivery of Federal training provided, funded, or otherwise sponsored by the Federal Government, is universally accessible, and ensuring that reasonable accommodations that comply with Federal disability non-discrimination laws are routinely available to trainees with disabilities.
- Expanding access to generic services available to most or all Federal Government employees, such as transportation, Federal day care, parking, exercise facilities, and food service.
- Updating Standard Form 256 (“Self-Identification of a Handicap”) to better reflect current terminology and better apprise people of their civil rights.

*Disabilities in the Federal Government*, and its 54-page companion guidebook, contain recommendations and provide a framework of strategies and initiatives. These documents, along with additional work by several member agencies, led the Task Force and the Administration toward the following accomplishments:

- Beginning aggressive implementation of Section 508 of the Rehabilitation Act to ensure that Federal departments and agencies are equipped to accommodate employees and customers with disabilities. Section 508 requires that the Federal Government procure electronic and information technology that is accessible to and useable by people with disabilities.
- Executive Order 13163 was issued on July 26, 2000, stipulating that Federal agencies hire 100,000 employees with disabilities over the next five years. Agencies are currently developing aggressive hiring plans to accomplish this goal.
- Executive Order 13164 was issued on July 26, 2000, promoting consistent government-wide policies and procedures for providing reasonable accommodations. On October 20, 2000, EEOC issued policy guidance that explains the requirements of the Executive Order.
- New regulations were issued expanding hiring opportunities for people with psychiatric disabilities by streamlining excepted hiring authorities through new regulations.
- A memorandum was issued by OPM to all Federal Directors of Personnel on March 2, 2000, regarding the inclusion of language promoting the availability of reasonable accommodation in Federal job vacancy announcements.
- A Presidential Memorandum was issued on July 26, 2000, to all Federal agency heads, directing them to explore ways of significantly expanding employment of people with significant disabilities by filling those Federal jobs that can be performed at alternative work sites, including the home.

- The Computer/Electronic Accommodations Program (CAP) was granted authority through the National Defense Authorization Act to “provide assistive technology, ... devices, and ... services to any department or agency in the Federal Government upon the request of the head of the agency,” and in some instances, at no cost to the requesting agency.

## FEDERAL TAX POLICY

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

The Federal tax code currently has a number of specific provisions designed to influence the numbers of people with disabilities who are employed. These include the Work Opportunity Tax Credit (WOTC), the Disabled Access Credit, and the Deduction for Architectural Barrier Removal. However, there is concern from the disability community that the use of these valuable tax incentives may not be as widespread as anticipated. For example, reluctance to hire an employee with a disability is often due to the erroneous belief that employees with disabilities will cost far more than employees without disabilities. The average cost of accommodating a person with a disability is actually less than \$500, according to the Job Accommodation Network, and the WOTC offers employers a way to minimize such costs. Unfortunately, the WOTC is underutilized, making it difficult to assess what the true effect could be on the employment rate of adults with disabilities.

Individual income tax deductions are also available to people with disabilities who work. These include

impairment-related work expenses and expenses for mitigating measures under the medical expense deduction. In addition, the Earned Income Tax Credit, which is intended to help make work pay for individuals and families with low incomes, is also of great benefit to people with disabilities, who, on average, earn less than people without disabilities. While these deductions have provided some limited relief in offsetting the costs of working with a disability, under existing tax policy the substantial costs that people with disabilities often incur in getting vocational rehabilitation and personal assistant services, specialized job training, or training in the use of assistive technology often do not qualify for any tax-favored status.

### 2000 Activities — Federal Tax Policy

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

- An outreach strategy was initiated by the Internal Revenue Service (IRS) and SSA:
  - The IRS widely distributed a letter to organizations serving people with disabilities, informing them about IRS Publication 907, *Tax Highlights for Persons with Disabilities*.
  - The IRS and SSA included an article on the ADA and disability related tax policy in their fall issue of the joint publication *The SSA/IRS Reporter*. This newsletter is distributed to more than 7 million employers.
- An assessment of existing Federal tax policy was initiated to determine the effectiveness of existing tax provisions in promoting employment opportunities for people with disabilities. This assessment includes analysis of: (1) the effectiveness of the Impairment-related Work Expense Deduction in our increasingly technologically based global economy; (2) the extent to which existing tax credits and deductions

encourage private sector employers to hire people with disabilities; and (3) whether existing tax credits and deductions serve as economic incentives for encouraging universal and accessible design. This assessment will include identification of areas where changes in the existing Federal tax code could enhance employment opportunities for people with disabilities. The assessment will include researching innovative practices in states where state tax policies may provide useful information to the Task Force as a tax strategy is developed.



## 2001 FOCUS — FEDERAL TAX POLICY

To build upon its work this year, and to ensure that tax policy is fully leveraged as a means for promoting the employment of people with disabilities, the Task Force will conduct the following activities in the coming year:

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

## WORKFORCE DEVELOPMENT

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

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

Related to this effort, the *Personal Responsibility and Work Opportunity Reconciliation Act of 1996* represented a complete overhaul of the nation's welfare system. The Temporary Assistance for Needy Families (TANF) program, which replaced the Assistance for Families with Dependent Children (AFDC) program, included new work requirements and lifetime limits on assistance for most families. These provisions of the law directly impact both TANF recipients with disabilities who may have difficulty finding and maintaining employment and individuals and families with disabilities who are TANF recipients. As required by the Executive Order establishing the Task Force, a Task Force Work Group submitted a report on these issues in

November 1998. The report included a description of what many of the states were doing with the newly funded Welfare-to-Work state formula and competitive grants, as well as what each of the major Federal agencies involved in Welfare-to-Work had planned. The report also contained a number of recommendations, both for the Task Force and for individual agencies, which have become the basis for much of the Task Force actions in this area.

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

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

### 2000 Activities — WIA Implementation

During the year 2000, Task Force member agencies carried out the following activities:

- A total of \$20 million in Work Incentive Grants (WIGs), recommended by the Task Force in its first report to the President, were awarded by DOL's ETA to 23 state and local governmental and nonprofit organizations (October 2000). Development of the grant solicitations was coordinated with SSA's Benefits Planning Assistance and Outreach Grants and HHS/Health Care Financing Administration's (HCFA's) grants to state Medicaid agencies to expand state infrastructure capacity for the Medicaid buy-in component of the TWIIA. The WIG grant program was initiated to provide comprehensive and seamless service delivery, primarily through enhancements and

improved coordination in the new workforce system, including incorporation of additional partners involving expertise and resources which are critical to the successful employment and career development of people with disabilities.

- A series of bidders conferences were hosted by the SSA, the HHS, and DOL for their respective grant programs in implementing TWWIA and WIA.
- Interim final regulations that implement the nondiscrimination and equal opportunity provisions included in Section 188 of WIA were issued by DOL. Section 188 prohibits discrimination on the grounds of disability as well as race, color, religion, sex, national origin, age, political affiliation or belief. For beneficiaries of WIA programs only, Section 188 also prohibits discrimination on the grounds of citizenship or participation in a program or activity financially assisted under WIA Title I. These regulations have been lauded as exemplary by the disability community. The DOL Civil Rights Center (CRC) conducted training sessions in various locations to inform EEO officers and other state and local officials of their responsibilities under the new regulations.
- Ten regional multi-agency forums on Federal and state employment-related policies and programs for people with disabilities were sponsored by the Task Force, SSA, and the DOL, ED, and HHS. These sessions (Federal Policy-State Opportunities: Models and Strategies for an Inclusive Workforce), the result of a Task Force recommendation included in last year's report, provided more than 3,000 customers of disability programs, their advocates, and local providers with up-to-date information on TWWIA implementation, work incentives, and exemplary state health care models.
- A Technical Assistance Conference for States Implementing Medicaid Buy-Ins Under the Balanced Budget Act of 1997 and the TWWIA was sponsored by the HCFE.

- The State Partnership Systems Change Initiative, a collaborative endeavor between SSA, ED's RSA, DOL, and HHS' SAMHSA, continued to assist states in their efforts to improve employment opportunities for individuals with disabilities, specifically those who receive Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) benefits.

- A national conference on increasing consumer decision-making and self determination in the rehabilitation process, entitled *Choices 2000*, was sponsored by RSA. The conference featured information from the previously funded "Choice Demonstration" projects — lessons that can be used as our nation moves forward with implementing Individualized Training Accounts (under WIA), Tickets (under TWWIA), and other means of providing increased control over systems resources and decision making to people with disabilities.

*\* Qualitative research was conducted through the Task Force documenting the issues, findings, and experiences of participants in the "Choice Demonstration" projects, previously funded by RSA. The research will inform Task Force members and others about issues and findings from these projects regarding increasing choice in employment from the perspectives of participants and systems personnel.*

- Job Corps staff and contractors were directed by DOL to develop working relationships with local centers for independent living, as well as the Job Accommodation Network. They were also directed to revise their admissions processes to be more inclusive of applicants with disabilities.

- A draft *One-Stop Guide to Accessibility and Accommodation on Persons with Disabilities* was issued for comment by ETA to the workforce system in July 2000 which articulates the laws and regulations pertaining to serving people with disabilities as defined in WIA Section 188.

*continued on p. 39*



# 2001 FOCUS — WIA IMPLEMENTATION

The Task Force will be working with the new Office on Disability Employment Policy (ODEP), within DOL, as well as with other agencies, to ensure that efforts to integrate people with disabilities into mainstream employment and training programs are elevated and expanded by:

- Expanding of the WIG program within DOL in order to maximize innovation and development of and demonstration of successful strategies for serving people with disabilities within the workforce development system.
- Completing the Task Force-sponsored review of state plans submitted under WIA to identify themes and other information regarding disability and, in collaboration with the new ODEP, CRC, ETA, RSA, and other agencies as appropriate, contributing to further deliberations on WIA implementation.
- Working with CRC to review available information on implementation of WIA as it relates to persons with disabilities, and the plans developed, maintained, and submitted to the Secretary by governors to satisfy WIA's nondiscrimination and equal opportunity provisions.
- Working with appropriate Federal agencies to elicit input from states, communities, and individuals who are successfully using WIA, TWWI-IA, Welfare-to-Work, Adult Literacy, and other programs, as well as individuals who have encountered barriers in seeking services through these programs, in order to inform and coordinate activities among relevant Task Force members about implementation issues that need to be addressed.
- Researching, producing, and disseminating information describing "promising practices" in assisting people with disabilities to become employed, consistent with the Secretary's duty under WIA to provide technical assistance to non-performing states.
- Working with CRC to develop and disseminate guidance by DOL on employment for persons with significant disabilities through One-Stop Centers.
- Establishing a national technical assistance initiative, coordinated across DOL, HHS, ED, and SSA to provide technical assistance and capacity building information and assistance to One-Stops on serving people with significant disabilities.
- Working with CRC to develop DOL guidance on young people with disabilities for dissemination to the One-Stop Centers.
- Encouraging states that have not done so previously to submit a State Unified Plan under WIA for improved leveraging and coordination of state and Federal resources.
- Working with CRC to develop a Memorandum of Understanding (MOU) between DOL, SSA, ED, and HHS, on coordination of resources and capacity building efforts at the Federal level. This MOU can serve as a model for state and local coordination.
- Working with the HUD, DOL, HHS, and DOT to develop a joint plan for promoting collaboration at the state and local levels between housing, Medicaid, transportation, and employment programs that serve individuals with disabilities. A critical element of this plan will be the incorporation of programs providing resources for housing, transportation, and other ancillary activities in the One-Stop Center system.
- Collaborating with Federal agencies providing employment services to disabled veterans within the One-Stop system, as well as those responsible for enforcement of laws protecting employment rights such as OFCCP, to ensure that available resources are being leveraged and coordinated to best ensure the participation of veterans with disabilities in the workforce.

- A Training Employment Information Notice was issued by ETA to disseminate Section 188 and provide self-assessment tools to the workforce system to evaluate physical and technological access of local One-Stop Centers and partnered entities.
- Collaboration between ETA, ED's National Institute on Disability and Rehabilitation Research (NIDRR), and CRC produced resources for, and facilitated the availability of, training and expertise on the ADA and Section 504 of the Rehabilitation Act's requirements. An Interagency Agreement was established and funds were provided by ETA to NIDRR's Disability Business and Technical Assistance Centers for provision of training at regional, state, and local conferences, as well as on-site technical assistance to the One-Stop Centers.
- A Training Employment Information Notice was issued to the workforce system on the TWWIA which encouraged One-Stops to become Employment Network providers as authorized in the Act. Included with the TEIN were resource materials from the SSA.
- Guidance from DOL's CRC was provided to states in their development of their Methods of Administration (MOA). MOAs are the State's assurance that it will operate its WIA Title I programs or activities in a nondiscriminatory manner. A major component of the MOA is attention to Section 504 and its implementing regulations.

## 2000 Activities — Lifelong Learning

- Initiation of a process by the Office of Vocational and Adult Education (OVAE) at ED to develop learning disability screening tools for persons who speak Spanish.
- Development of an extensive training program on disabilities for State directors of Adult Education by ED.
- A Lifelong Learning Project by the DOL, offering employees access to career development workshops, self-study modules, and courses.
- Guidelines from OVAE concerning the requirements relating to persons with disabilities covered under the Perkins Act.

## 2000 Activities — Welfare-to-Work/TANF

- A new guidebook, drafted by ETA, entitled *Employment Success for Persons with Disabilities Under Welfare Reform: An Introduction to Learning Disabilities, Mental Retardation, Psychiatric Disabilities and Addictive Disorders in the context of Welfare-to-Work and TANF*. This guide includes information for state and local workforce investment system staff on relevant civil rights laws, specific disabilities, useful resources for developing screening tools and other types of technical assistance, and suggestions for supporting individuals with various disabilities in their efforts to make use of the services and supports offered through welfare reform.
- A national *Welfare-to-Work: Beyond 2000* conference sponsored by DOL for workforce system staff, highlighting disability-related issues.
- Implementation of training cosponsored by ED, HHS, and the National Institute for Literacy for states on addressing disability issues in the TANF program.





## 2001 FOCUS — LIFELONG LEARNING

- Developing interagency memoranda of understanding designed to increase the participation of persons with disabilities in various academic scholarship programs, internships, and other means of accessing education and post-education employment.
- Developing strategies under existing education and lifelong learning authorities (such as the Higher Education Amendments of 1998, the Improving America's Schools Act, student loan authorities, and other authorities as appropriate) to expand opportunities for transition to post-secondary education for individuals with disabilities, including individuals with mental retardation and other cognitive disabilities.
- Initiating a technical assistance effort to the states to infuse research about reading disabilities into adult literacy programs similar to the America Reads Challenge currently supported by the Clinton-Gore Administration.
- Expanding and nationally promoting the Spanish and Learning Disabilities Program supported by ED.
- Tracking the success rate of job acquisition to length of participation in secondary education.
- Amending the draft National Reporting Systems for Adult Education to include collection of a wide range of demographic and outcome data on people with disabilities, including rates of undiagnosed disabilities. Developing technical assistance tools for states that includes information on how to screen, diagnose, and provide accommodations for individuals with disabilities in state programs.
- Providing policy guidance regarding ADA and Section 504 of the Rehabilitation Act in State Correctional Education programs.
- Issuing joint (ED and DOJ) policy guidance to alternative high school diploma programs (including GED Testing and External Diploma Programs) to assure that people with disabilities receive the accommodations necessary to access, participate, and benefit from these programs.
- Reviewing available state's "self evaluation" and "transition" plans under Title II of ADA.
- Working to increase the understanding of the role of adult education in skills development, and developing information for consumers on how to use "ticket" services to access adult education and literacy programs.



## 2001 FOCUS — WELFARE-TO-WORK/TANF

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

- Developing ways for states to more effectively utilize the flexibility of TANF and Maintenance of Effort (MOE) funds to assist individuals with disabilities in the welfare-to-work system.
- Developing ways to increase Federal resources for technical assistance and training for TANF, One-Stop Centers, and other local agency staff on disability issues.
- Expanding interagency efforts to maximize state and local cooperation in including individuals with disabilities in the welfare-to-work efforts, including ensuring collaboration between vocational rehabilitation programs, TANF agencies, and Welfare-to-Work grantees.
- Exploring the feasibility and necessity of an ombudsman for people with disabilities in the TANF program.

## SMALL BUSINESS, ENTREPRENEURSHIP, AND MICROENTERPRISE DEVELOPMENT

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

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

### 2000 Activities — Economic Incentives and Entrepreneurship

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

- Eight small business workshops in cities and towns around the country, conducted by the SBA and the President's Committee on Employment of People with Disabilities

(PCEPD), brought together, often for the first time, representatives of small business development centers, the Service Core of Retired Executives, and economic development programs, with disability service organizations, such as vocational rehabilitation programs and centers for independent living. Approximately 1,000 individuals participated in these workshops.

- A technical assistance circular from RSA based on the 1998 reauthorization of the Rehabilitation Act was released that pertains to entrepreneurs with disabilities. This circular clearly stated that small business and self-employment are acceptable outcomes for individual rehabilitation plans.
- A panel of experts in small business development among people with disabilities was convened to identify areas for future initiatives, hosted by SBA Administrator Aida Alvarez, Task Force Vice Chair Tony Coelho, and Judy Heumann, Assistant Secretary for the Office of Special Education and Rehabilitation Services.

### Self-Employment = Customized Employment

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

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

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

- *Getting Down to Business*, a report based on the 1998 Blue Ribbon Panel Meeting held in Chicago by PCEPD, was released. The report provides important insight from people with disabilities across the nation about changes needed to increase small business and entrepreneurship among people with disabilities.
- Discussions between Task Force staff and several foundations that provide capital to entrepreneurs with disabilities were held on methods for leveraging sources of capital.
- 500 small businesses owned by people with disabilities were added to the previous 3,200 in

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

- Community outreach and training between SBA and SSA was conducted, per their 1999 MOU. These activities will continue throughout the next year as well.
- A MOU between the Veterans Administration (VA) and SBA was signed, targeting veterans with disabilities. As a result, services offered by SBA in the areas of pre-business plan work-



## 2001 FOCUS — ECONOMIC INCENTIVES AND ENTREPRENEURSHIP

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

shops, concept assessments, business plan preparation, comprehensive feasibility studies, entrepreneurial training, and mentoring will be advertised to veterans.

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

## TECHNOLOGY

The record growth of jobs in the technology industry has the potential to open up to people with disabilities an enormous range of opportunities for meaningful and stable careers. Electronic and information technology has fundamentally changed the workplace, the worker, and the requisite skills and knowledge needed to fully participate in the 21st century marketplace. It is estimated that by 2006, half of all jobs will be in information technology. This phenomenon can be directly attributed to market globalization and the reduction, if not eradication, of geographic boundaries. Companies that were once limited to conducting business in a specific and limited area are now equipped, through technological innovations such as e-mail, the World Wide Web, teleconferencing, and fax machines, to compete in markets outside of their traditional boundaries. As companies move to adjust their current way of conducting business to capture or maintain their share of the global market, employees and workers who are skilled in electronic and information technology are in high demand.

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

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

## 2000 Activities — Technology

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

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

- Development and unveiling of the new Access America for People with Disabilities Web site — [www.disAbility.gov](http://www.disAbility.gov). As previously mentioned, this site is serving as a "One-Stop" electronic link to an enormous range of useful

information for people with disabilities, their families, and prospective employers.

- Development of partnerships between the National Institute on Disability and Rehabilitation Research (NIDRR) and the information technology industry to make the World Wide Web accessible for people with disabilities.
- Expansion of the PCEPD's High School/High Tech program to four new cities and three new states.
- Award of a ED grant of \$2 million to strengthen community technology centers to make them more accessible for people with disabilities.
- Award of NIDRR grants of \$6.6 million to create and expand state loan programs for assistive technology to bridge the digital divide for children.
- Development of Department of Commerce plans to help small, community-based organizations provide Web-based services to people with disabilities.
- Convening of *Interagency Disability Educational Awareness 2000 Showcase (IDEAS 2000)*, a conference that focused on informing Federal agency procurement and information technology personnel about the requirements of Section 508 of the Rehabilitation Act.
- Release of Executive Memorandum directing the Interagency Committee on Disability Research (ICDR) to work with the disability and research communities to identify priority areas for the advancement of assistive technologies and universal design capabilities.
- Coordination by GSA of the Federal IT Accessibility Initiative, on the implementation of the requirements of Section 508 of the Rehabilitation Act, including the establishment of a Section 508 portal ([www.section508.gov](http://www.section508.gov)), and the conducting of comprehensive awareness training of, and outreach to, Federal agency personnel.
- Creation of a task force led by HHS to examine existing Medicare and Medicaid coverage of assistive technologies and to make recommendations on how to best enhance such coverage

in order to support independent living and employment for people with disabilities.

- Proposed increased funding for research and development that will benefit people with disabilities (such as a "seeing eye" computer that could help people who are blind, or technologies that could automatically turn speech into text for people who are deaf), developed as part of the Administration's proposed increase for the National Science Foundation.
- Release of new FCC rules on implementation of nationwide 7-1-1 dialing for relay services. Relay service users, with and without speech and hearing disabilities, can now easily reach the nearest relay services center to telephone people who are deaf, hard-of-hearing, or who have speech disabilities, without having to first dial one of the fifty different seven- or ten-digit numbers for a state's relay system.
- Overhaul of the 1992 ADA Rules for Relay Services for individuals with hearing and speech disabilities to include Speech-To-Speech (STS), Spanish Relay, Video Relay Services, and other improvements.
- New Department of Commerce projects of direct relevance for people with disabilities, including:
  - Completion of a survey regarding the use of computers and the Internet among individuals with disabilities.
  - A workshop conducted with the National Institute of Standards where industry and academic experts examined technologies that may be useful in improving access for persons with disabilities.
  - Secretary Mineta's *Digital Inclusion Tour*, highlighting the need to make technology accessible to people with disabilities.
  - Development of low-cost braille readers for individuals with vision impairments.
  - Release by FCC of new rules that adopt technical standards for the display of closed captioning in digital television (DTV) receivers as industry moves from analog to digital programming.

- Release of new FCC rules on Video Description requiring large television broadcast stations and program distributors to provide video description for people with visual disabilities to make analog television more accessible through audio description of key action elements.
- Release of new FCC Emergency Information rules for any broadcast station or video programming distributor that provides local emergency information in a regular newscast, or in an emergency interruption of programming, requiring that they make the critical details of the emergency information accessible to persons with hearing and visual disabilities by means of a crawl or scroll or

other caption that must be accompanied with an aural tone to alert persons with visual disabilities.

## HOUSING

The lack of accessible,affordable housing continues to present a major barrier to participation of people with disabilities in their communities and in the economic life of the nation. Although not traditionally thought of as an employment support, obtaining affordable housing that is relatively close to available jobs is often critical to becoming employed. For many people, the need to choose between their housing voucher and a job constitutes a significant barrier to

# 2001 FOCUS — TECHNOLOGY

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

- Increasing access to the Internet by children and adults with disabilities through investigating ways to improve the delivery and accessibility of electronic and information technology used by public libraries.
- Exploring the feasibility of providing Internet service through local and regional offices of the Departments of Agriculture (USDA) and HUD, as well as the U.S. Postal Service, that is usable by people with disabilities.
- Developing new guidelines under the Federal contract bidding requirements that allow for hiring based upon either a four-year degree or a skills certification in information technology.
- Collaborating with the Corporation for National Service (AmeriCorps) to encourage State Commissions to expand support of demonstrations that include youth with significant disabilities, and using AmeriCorps volunteers to focus on the "digital divide" to improve

information technology skills for youth with disabilities.

- Identifying, reviewing, and coordinating ongoing Federal technology activities, including research and development programs, related to accessibility for people with disabilities,looking specifically at where technology devices and services are available to employees with disabilities, the extent to which they are used, and the gaps and barriers that still exist related to employment and employment supports for people with disabilities.
- Developing written guidance to all Federal agencies to clarify that all grant proposals and solicitations dealing with technology must provide for the inclusion of people with disabilities, and providing specific language for use in grant proposals or solicitations and information on training and educational materials available to staff associated with these programs.
- Continued expansion of the High School/High Tech program and measuring its outcomes.
- Updating guidance from RSA on the provision of technology for people with disabilities seeking employment through state rehabilitation systems.

employment. There are, in fact, a full range of housing barriers, manifesting themselves differently depending on geographic location, available services, infrastructure arrangements, and whether the individual is living in a community or an institutional setting.

In order to remove these barriers, HUD *must* lead the way in developing policies and programs that recognize the housing needs of people with disabilities as well as the linkage between housing, transportation, and jobs. This can be accomplished most effectively through actively seeking participation from the disability community, through interagency cooperation between HUD and other Federal agencies (including SSA, DOT, DOL, and HHS), and by conscientious and expeditious enforcement of existing laws, rules, and regulations.

## 2000 Activities — Housing

- A proposal was released by HUD to expand the applicability of certain expense deductions beyond Section 8 and public housing, as well as the earned income disregard that applies only to public housing so as to provide broader assistance to persons with disabilities.
- AccessHousing 2000, a new public/private partnership between HUD, HHS, and the National Project Office on Self-Determination. This initiative will focus on expanding the availability of affordable housing and providing the necessary supports and services so that individuals can transition from institutions to their communities. Related initiatives also include:
  - A proposed \$50 million grant program to help states provide services to people with disabilities in the most integrated setting possible, consistent with the requirements of Olmstead v. L.C.
  - Development of guidance to encourage lenders to make home ownership possible for individuals with disabilities.
  - Expanded applicability of certain expense deductions for people with disabilities seeking to rent or purchase housing.
- Release of *Renewing the Pledge*, HUD's October 2000 report on housing's role in expanding the employment opportunities for individuals with disabilities, detailing action strategies for eliminating many of the existing barriers to accessible, affordable housing, and addressing the serious housing crisis facing people with disabilities.
- Release of a publication, *Piecing it All Together in Our Community: Learning to Use HUD's Consolidated Plan to Expand Housing Opportunities for People with Disabilities*, distributed by the Office of Community and Planning Development (CPD), to encourage states and localities to assist adults and families with disabilities through their consolidated plans. HUD required all states and localities that had already developed a Consolidated Plan to create a new plan during the year 2000.
- Passage of the Home Ownership and Economic Opportunity Act of 2000, which contains provisions for expansion of the Section 8 homeownership option and for the homeownership pilot demonstration program for low-income working adults when they also have a disability.



## 2001 FOCUS — HOUSING

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

- Developing guidance for all state housing agencies on how they can partner with other agencies and organizations to implement the Supreme Court's decision in *Olmstead v. L.C.*, including Medicaid agencies, mental retardation/developmental disabilities (MR/DD) agencies, mental health agencies, rehabilitation agencies, and advocacy organizations.
- Developing guidance for all Public Housing Authority staff, outlining ways to increase consumer input in the development of local Consolidated Plans.
- Creating a detailed plan for promoting collaboration at the state and local levels between housing, transportation, and employment programs that serve individuals with disabilities, with input from public housing authorities and housing and disability advocates. This plan should include:
  - Incorporating housing and transportation activities in a One-Stop employment system (including using HUD neighborhood network centers as One-Stop satellites);
  - Encouraging state and local agencies to submit joint or coordinated grant proposals for using Welfare-to-Work, Job Access and Reverse Commute, Community Development Block Grant, and TANF funds; and
  - Presenting to the Coordinating Council on Access and Mobility ideas for their consideration (including incorporating this initiative in their proposed regional training).
- Funding a study of where individuals with disabilities live, whether they rent or own, what types of housing assistance they receive, the proximity of their housing to available jobs in the community and to accessible transportation, and what supports would be necessary for those living in congregate facilities to live, instead, in their communities, and other issues relating to implementation of the Fair Housing Act. In this effort, HUD could work with DOT, SSA, HHS, and DOL.
- Conducting random compliance reviews of the Consolidated Plans submitted by state and local governments, and reporting on the extent to which such plans: (a) accurately identify the priority housing needs of people with disabilities; (b) direct the spending of Federal housing funds to meet such priority needs; and (c) contain affirmative outreach efforts to ensure that people with disabilities and their advocates are included in the planning process.
- In concert with the review of Consolidated Plans, funding partnership initiatives with the disability community in those same locales in order to gather independent customer-focused input relating to plan development and needs of people with disabilities.
- With the cooperation of other Task Force members, including the DOT and DOL, sponsoring a summit on improving housing opportunities for people with disabilities. This summit will focus on housing's role in increasing the employment and community access of people with disabilities and cosponsoring a joint conference with DOT on the interrelationship of housing, transportation, and employment.



Although fairly simple to understand as a concept, in practice transportation can be extremely complex. Multiple public and private agencies provide transportation services that vary significantly in terms of eligibility requirements, scope, and duration. Public transportation coverage can vary greatly. People with disabilities who live in rural regions, for example, face very different transportation challenges than do those who live in large metropolitan areas. Although transportation is almost exclusively local, the Federal Government is a major player, particularly when it comes to funding. Several Federal agencies, in addition to DOT, expend significant resources on transportation. Many other Federal agencies, such as HUD, play critical roles supporting accessible transportation (e.g., assuring accessible sidewalks and pedestrian walkways).

### 2000 Activities — Transportation

- A meeting between DOT and HUD was convened to discuss potential areas of cooperation to promote pedestrian access to bus stops. One result of this meeting was the development of a partnership between the two agencies and the District of Columbia to create a “Model Curb Cut/Pedestrian Accessibility” initiative in Washington, D.C.
- Issuance of joint guidance from DOT, HHS, and DOL on using Welfare-to-Work, TANF, and Job Access funds for local transportation.
- New guidelines from DOT and HHS, through their joint Coordinating Council on Access and Mobility, *Planning Guidelines for Coordinated State and Local Specialized Transportation Services*, on promoting local transportation coordination.
- DOT’s Comprehensive Plan of Action, a broad plan for improving accessible transportation resulting from a recommendation of the Task Force contained in its 1999 report. This plan provides the framework for the DOT’s 2001 activities.
- A two-day working meeting sponsored by DOT on ways to measure the benefits of accessible transportation.

## 2001 FOCUS —

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

- Conducting on-site investigations and spot-checks of public transportation authorities and providers to determine transit compliance with ADA.
- Developing and disseminating publications for riders with disabilities about their rights related to paratransit, mainline, and over-the-road transportation.
- Revising rules requiring transit agencies to post notices on all vehicles and transit property of riders’ rights to file complaints with DOT.
- Embarking upon regular consultation with the disability community through listening sessions and small groups in order to improve its ADA enforcement.
- Developing partnerships with universities to educate students in architecture, city planning, and public policy on the benefits of accessible transportation and design.
- Sponsoring a summit on improving transportation for people with disabilities, especially as it relates to employment.
- Conducting training for DOT regional staff and city, state, and local fund recipients on guidelines for accessible pedestrian travel.
- Conducting ADA training for all relevant DOT staff with ADA-related enforcement duties.
- Collecting and analyzing data on a wide range of transportation areas, including use of fixed route versus paratransit, use of human service transportation for work, use of private vehicles versus public transportation, and curb cut and bus stop accessibility.

# TRANSPORTATION

- Establishing a DOT task force to conduct listening sessions with disability groups, transit authorities, and Federal agencies as part of a report to the Secretary of Transportation on how to strengthen transportation for people with disabilities through current funding mechanisms.
- Cosponsoring a joint conference with HUD on the interrelationship of housing, transportation, and employment.
- Expanding the Coordinating Council on Access and Mobility to include DOL, HUD, and ED, and incorporating consumer input into all of its activities.
- Conducting regional workshops on local transportation coordination efforts to increase transportation options for people with disabilities. This activity will be conducted under the auspices of the Coordinating Council.
- Ensuring that the transportation needs of individuals with disabilities who live in rural areas are adequately addressed in Federal planning activities, including the reauthorization of TEA-21.

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

## HEALTH CARE

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

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

### 2000 Activities — Health Care

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

- The award of \$17 million in Medicaid Infrastructure Grants to 24 states and the District of Columbia.
- The award of Demonstration to Maintain Independence and Employment Grants to two states (Rhode Island and Mississippi).
- Technical assistance and advice to states that are interested in the Medicaid buy-in option.
- Two technical assistance conferences for state administrators, consumers, and advocacy groups interested in removing employment barriers.
- Creation of a TWWIA Web site to share information and provide technical assistance: [www.hcfa.gov/medicaid/twwiia/twwiiahp.htm](http://www.hcfa.gov/medicaid/twwiia/twwiiahp.htm).



# 2001 FOCUS — HEALTH CARE

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

- Public education forums sponsored by the Task Force, SSA, ED, and DOL on implementation of TWWIIA and WIA.
- Funding of a research project that will study the educational and training needs of Medicaid beneficiaries with disabilities.

## INCOME SUPPORT

The primary income supports for adults with disabilities are SSDI and SSI benefits. These benefits provide basic income support for individuals who, because of their disability, cannot perform “substantial gainful activity,” as defined by the Social Security laws and regulations. Although there are a variety of SSDI and SSI “work incentives” — specific SSDI and SSI rules designed to help individuals who receive these benefits start or return to work — TWWIIA was the first law to comprehensively consider the interrelatedness of issues that affect returning to work; health care, choice of providers, and coordination with other benefits and services. President Clinton noted TWWIIA’s significance when he signed the bill on December 17, 1999:

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

## 2000 Activities — Income Support

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

- A series of ten regional public education forums on the implementation and coordination of TWIIA and WIA, sponsored by the Task Force, SSA, DOL, ED, RSA, and HCFA.

- SSA's launching of a new Web site, *The Work Site*, with information and support for individuals who receive SSDI and SSI benefits, employers, service providers, advocates and others whose goal is to help persons with disabilities work: [www.ssa.gov/work](http://www.ssa.gov/work).
- New benefits planning, assistance, and outreach grants to help individuals with disabilities who receive SSDI and SSI better utilize the work incentives and enable them to make informed choices about work. In May SSA issued a grant solicitation directed at state and local governments and disability agencies to fund these benefits planning, assistance, and outreach (BPAO) projects; the Task Force, SSA, DOL, and the DHHS' HCFA held three technical assistance conferences covering this and two other related grant announcements in June; and in October President Clinton announced that SSA is awarding BPAO grants to 43 non-profit organizations and state agencies in 26 states and two territories to provide benefit planning, assistance, and outreach for persons with disabilities who are returning to work.
- In July, SSA swore in newly appointed members of the Work Incentives Advisory Panel, charged with advising the President, Congress, and SSA on issues related to work incentives for people with disabilities, and the Advisory Panel held its first meeting. They are meeting

quarterly and hold frequent teleconferences open to the public.

- SSA, following up on Task Force recommendations in 1999, proposed regulations in August 2000, that make the following changes related to individuals who receive SSDI and SSI who want to work: indexing the "substantial gainful activity" amount; raising and indexing the trial work period amount; and increasing and indexing the student earned income exclusion for young people who receive SSI.
- SSA announced the first round of states implementing the Ticket to Work, where tickets will be issued to some individuals with disabilities who receive SSDI and SSI beginning in 2001: Arizona, Colorado, Delaware, Florida, Illinois, Iowa, Massachusetts, New York, Oklahoma, Oregon, South Carolina, Vermont, and Wisconsin.
- The Task Force, SSA, RSA, DOL, and HHS continue working together on the *State Partnership Systems Change Initiative*, holding an annual conference and continuing to develop, implement, and evaluate innovative strategies that promote employment for individuals with disabilities: California, Illinois, Iowa, Minnesota, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oklahoma, Vermont, and Wisconsin.

## TWWIA

**TWWIA offers many new ways for the Federal Government to partner with the states and the private sector to help people with disabilities to work and to keep their health care coverage:**

- Expands states' ability to provide a Medicaid "buy-in" to individuals with disabilities who return to work.
- Creates a new Medicaid demonstration project to assess the effectiveness of providing Medicaid coverage to people whose condition has not yet deteriorated enough to prevent work, but who need health care to prevent or forestall that level of deterioration.
- Lengthens from 4 years to 8-1/2 years the period for which SSDI beneficiaries who return to work can continue to receive Medicare coverage.
- Provides grants to state Medicaid agencies to design and administer infrastructures to provide services that support working individuals with disabilities.
- Provides people with disabilities who receive SSI and/or SSDI a choice of providers for vocational, rehabilitation, and employment-related services (the "ticket to work").
- Authorizes SSA to test new and innovative ways to enable individuals with disabilities to return to work and make economic independence a reality.
- Enables individuals with disabilities to reestablish eligibility for SSDI and SSI on an expedited basis if their attempts to return to work prove to be unsuccessful.

- SSA cosponsored with the National Academy of Social Insurance a policy education seminar, *Disability Income Policy: Opportunities and Challenges in the Next Decade* and an evening policy education workshop, *Reflections on the Ticket to Work and Work Incentives Improvement Act: Lessons Learned for Effective Policy Development*.
- Convening an interagency workgroup for the purpose of investigating the use of Individual Development Accounts (IDAs) by people who receive SSI and SSDI.

## YOUTH

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

In recognition of the close relationship which exists between educational experience and employment outcomes, the Task Force established the Youth Subcommittee. Over the past year, the Youth Subcommittee has explored and confirmed through a variety of activities the importance of education to post-school employment.

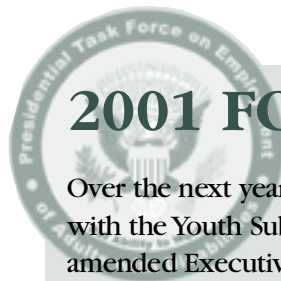
## 2001 FOCUS — INCOME SUPPORT

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

- Developing a guide for states and advocates on how to effectively utilize the Ticket-to-Work and health care provisions of TWWIA and coordinate with the workforce and One-Stop center system.
- Working together at the Federal and regional/local level, SSA, HCFA, DOL, and RSA (through its state vocational rehabilitation agencies) will develop networks of key agencies, consumers, and advocates to stimulate interest in the work incentive policies and increase outreach activity.
- Providing technical assistance to new SSA Benefits Planning, Assistance, and Outreach grantees and helping them coordinate with DOL's WIG grantees and the Medicaid infrastructure grantees.

## 2000 Activities — Youth

- A two-day National Transition Summit on Young People with Disabilities to explore policy options and develop recommendations for improving the transition results for young people with disabilities.
- Collaboration with several major corporations to develop the *Able to Work Consortium* to ensure that youth with disabilities are afforded the employment experiences they need to lead to meaningful careers.
- Expansion of the Task Force's mandate to focus on helping young people with disabilities make the transition from school to work.
- A proposed increase by the SSA in the SSI Student Earned Income Exclusion, the amount that students who receive SSI can earn while continuing to receive benefits from \$400 to \$1,290 per month (\$1,620 to \$5,200 per year), subject to annual adjustments based on the cost-of-living index.



## 2001 FOCUS — YOUTH

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

- Funding by the PCEPD for 25 state-level “Leadership Forums,” conferences for high school age students with disabilities.
- A five-day 2000 National Leadership Conference for Youth with Disabilities, in Washington, D.C., cosponsored by PCEPD, DOE, SSA, NCD, and HHS’s Bureau of Maternal and Child Health, Center for Disease Control, and Administration on Developmental Disabilities. The number one finding coming out of this conference was that young people with disabilities believe that access to school-to-work activities would improve their future employment options.
- A National Disability Mentoring Day program on October 25, 2000, as part of the celebration of National Disability Employment Awareness Month, cosponsored by the White House, the Task Force, and the American Association of People with Disabilities, with 27 Federal agencies, 26 corporate employers, and businesses and organizations from 13 states participating.
- Approval for the Health Resources and Services Administration/Maternal and Child Health Bureau/Division of Services for Children with Special Health Needs to create a monograph companion to the U.S. Surgeon General’s *Healthy People 2010* document, which includes six core outcomes for children with special health needs.
- Development of technical assistance, training, and outreach by the Task Force and DOL’s ETA to ensure that young people with disabilities participate in DOL’s youth programs including Job Corps, Youth Opportunities, and School to Work.
- Announcement by the First Lady of an amendment to Executive Order 13078, which created the Presidential Task Force on Employment of Adults with Disabilities, to expand its mandate to focus on helping young people with disabilities make the transition from school to work (The Youth to Work Initiative).
- Conducting resource mapping to identify all relevant agency funding activities, streams, and plans to assist Federal agencies in developing the agency-specific and coordinated activities envisioned by the Executive Order.
- Conducting market research to investigate the barriers young people with disabilities face when transitioning from adolescence to adulthood and work, their expectations, and their experiences. The results from this activity will be used to develop the public awareness campaign described below.
- Holding a multi-day Federal agency staff “Institute” to bring together cross-agency staff to develop and coordinate activities to carry out the Executive Order.
- Developing an extensive public awareness campaign focused on promoting high expectations and successful transition of young people with disabilities and designed to educate multiple relevant constituencies.
- Ensuring that young people with disabilities are included in the opportunities that WIA presents, including participation on youth councils.
- Formalizing the Federal Healthy, Ready to Work Interagency Council to ensure access to, and use of, health care resources and services by youth with special health needs.
- Reviewing and analyzing transition planning in postsecondary education.
- Initiating a national training effort targeting youth with disabilities about their rights and responsibilities under the Rehabilitation Act, the ADA, the IDEA, and other laws designed to provide equal opportunity to people with disabilities.
- Establishing a Youth Advisory Council to advise the Task Force on all activities related to youth.

## PEOPLE WITH SIGNIFICANT DISABILITIES

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

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

The importance of Task Force attention to increasing choice, employment, and wages for this diverse group of young people and adults with disabilities was accentuated by multiple related issues raised throughout the year. These included: initiation of a General Accounting Office investigation on implementation of section 14(c) of the Fair Labor Standards Act (FLSA), which allows payment of commensurate (sub-minimum) wages to people with disabilities under certain circumstances; heated discussions on Capitol Hill where advocacy organizations representing people with disabilities requested statutory changes to the FLSA that would prohibit the use of sub-minimum wages while

others argued against such changes; investigation of implementation of section 14(c) of the FLSA by DOL's Office of Inspector General; numerous lawsuits across the nation challenging non-payment of FICA benefits for some people with disabilities working at sub-minimum wages; requests for technical assistance by providers and disability advocates on best practice strategies in securing customized employment; and requests for assistance with conversion strategies and funding for community rehabilitation providers who wish to change to integrated, community employment.

### 2000 Activities — Significant Disabilities

- Survey research with multiple respondent groups on employment of people with the most significant disabilities, including people in nursing homes and institutions, in day activity or day health programs, and those working at less than minimum wage. The research identified barriers and facilitators to increasing employment that the Task Force used in preparation for a National Summit.
- A National Summit, *Real Choices, Real Jobs, Real Pay: Employment for the 21st Century*, which provided an opportunity for a national dialogue about strategies for increasing employment, choice, and wages for people with significant disabilities, and included representatives from provider organizations, state agencies and policy leaders, best practice experts, family members, and people with disabilities.
- A Think Tank to further develop recommendations from information collected through research and at the Task Force summit in ten goal areas included in a report entitled *Real Choices, Real Jobs, Real Pay: Employment for the 21st Century*, available from the Task Force.
- A national conference sponsored by RSA on providing choice-based employment services to people with significant disabilities through rehabilitation system, *Choices 2000*, in Washington, D.C.
- The release of a proposed rule by the RSA clarifying that in the Rehabilitation Act the term

“employment outcome” includes only those outcomes in which an individual with a disability works in an integrated setting.

- Training on employment of people with mental retardation and cognitive disabilities by the DOL's CRC at their annual conference in Washington, D.C.

- Qualitative research documenting the issues, findings, and experiences of participants in the “choice demonstration” projects, previously funded by RSA, to inform Task Force members and others about issues and findings from these projects related to increasing choice for people with significant disabilities.



## 2001 FOCUS — SIGNIFICANT DISABILITIES

Task Force activities in this area will include:

- Establishing an interagency, cross-committee *Task Force Work Group on Significant Disability*, composed of high-level agency representatives from DOL, DOJ and EEOC, ED, HHS, SSA, SBA, Commerce, and Treasury, as well as members of the disability community. The Task Force will further develop coordinated strategies for increasing individualized employment for people with significant disabilities including reviewing and acting on recommendations to the Task Force resulting from the summit and related activities conducted throughout the year 2000.
- Implementing a comprehensive review of statutory and regulatory authorities dealing with procurement and acquisition of Federal contracts, and developing recommendations for revision, as appropriate, in order to increase participation of people with disabilities in securing Federal contracts, including people with significant disabilities.
- Coordinating and implementing a national training, technical assistance, and capacity building effort on effective strategies for securing customized employment at minimum wage or above for individuals with significant disabilities through One-Stop Career Centers.
- Identifying mechanisms for implementing independent advocacy in each state to advance customized employment for persons with significant disabilities, with assistance targeted to people in non-work settings or people who are working at less than minimum wage.
- Developing an MOU between DOL, ED, HHS, and SSA that clarifies integrated employment as a goal for young people and adults with significant disabilities and that coordinates resources and capacity building initiatives at a Federal level. One intent of this MOU is to serve as a model for state and local coordination in order to leverage and coordinate expertise and resources of that system to facilitate meaningful participation of persons with significant disabilities through One-Stops.
- Completing a Training Employment Information Notice at DOL with ETA and CRC on employment for people with significant disabilities through the One-Stop Centers and disseminating this TEIN nationally.
- Implementing a coordinated and sustained initiative to increase integrated, customized employment for young people and adults with significant disabilities through strategies providing individual choice and control over services, supports, and systems resources (such as the Ticket-to-Work, Individual Training Accounts, vouchers, and individualized budgets).
- Collaborating with the Wage and Hour Division of DOL's Employment and Standards Administration (ESA) to develop training and technical assistance materials as appropriate for the award, renewal, and evaluation of the use of sub-minimum wage certificates and implementation of an aggressive annual monitoring initiative to ensure compliance.

*continued on p. 56*



## DIVERSITY

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

### 2000 Activities — Diversity

- Outreach, collaboration, and technical assistance to Native Americans and Alaska Natives, Asian Americans and Pacific Islanders, and African-Americans with disabilities through participation in the following conferences and activities:
  - *Stepping Stones to Increase Employment of American Indian Women with Disabilities* in Laughlin, Nevada, at the Fort Mojave Indian Reservation.

- 16th Annual Pacific Rim Conference on Disability, *Creating Futures: Kaleidoscopes of Opportunity for People with Disabilities*, in Honolulu, Hawaii.
- RSA's *Conference on Native Americans with Disabilities* in Philadelphia, Mississippi.
- National Council on Disability's *Think Tank 2000: Coalitions for Advancing the Civil and Human Rights of People with Disabilities from Diverse Cultures*.
- *Tribal Opportunities under the Workforce Investment Act and the Ticket to Work and Work Incentives Improvement Act* conference in Fort Collins, Colorado.
- *Disability Issues Forum* on barriers to employment faced by African-Americans with disabilities at the *Congressional Black Caucus 2000 Annual Meeting*.
- *White House Initiative on Asian-Americans and Pacific Islanders Town Hall Meeting* in New York City.
- Ongoing discussions between the DOL, HUD, DOT, other Task Force member agencies, and disability advocates in Baltimore on services

## 2001 FOCUS — SIGNIFICANT DISABILITIES, *continued from page 55*

- Exploring ways to: (1) provide incentives to state education agencies to limit the use of segregated settings for post-school transition in IEP transition planning for students with significant disabilities and; (2) document a reduction in the use of such settings on a state-by-state basis.
- Developing strategies under existing education and lifelong learning authorities (such as the Higher Education Amendments of 1998, the Improving America's Schools Act, student loan authorities, and other authorities as appropriate) to expand opportunities for transition to post-secondary experiences for individuals with significant disabilities, including individuals with mental retardation and other cognitive disabilities.
- Clarifying the relationship of work experience for participation in the SSI and Medicaid programs for young people with disabilities by issuing and broadly disseminating joint policy guidance. The guidance will clarify that participation of young people with significant disabilities in paid work experience in inclusive settings will not adversely impact a youth's re-determination of eligibility for SSI at age 18.
- Assisting community rehabilitation providers who desire to move from segregated to integrated, individualized employment, by implementing a sustained initiative on conversion of facility-based employment to integrated community employment.

and protections for individuals with disabilities from diverse ethnic and racial backgrounds.

- Funding of a new American Indian Disability Technical Assistance Center by ED, pursuant to the Task Force Native American Work Group recommendation last year.
- A new public-private partnership between the Bureau of Indian Affairs, DOL, Information

Technology Association of America, and the Southwestern Indian Polytechnic Institute for increasing technology access for American Indians and Alaskan Natives with disabilities.

- Appointment of the Task Force as a new member of the White House Initiative on Asian-Americans and Pacific Islanders Interagency Working Group.



## 2001 FOCUS — DIVERSITY

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

- Creating a Task Force work group on minorities with disabilities to make recommendations on how best to enhance employment rights, civil rights, and worker protections for racial and ethnic minorities, and to develop strategies for implementing targeted enforcement and focused outreach efforts.
- Working with appropriate Federal agencies to research and evaluate Federal programs that support (or should support) employment of people with disabilities, including existing Federal employment and entrepreneurship programs that target minorities, to assess the degree to which they serve minorities with disabilities, in order to determine the current status and funding of programs intended to increase the employment of minorities and establish a baseline from which to measure progress.
- Carrying out an extensive outreach effort to diverse communities, including roundtable discussions and meetings, so that individuals from

diverse communities across the nation can participate directly by expressing their views and making recommendations on strategies for eliminating employment barriers for minorities with disabilities.

- Developing and implementing a Federal strategy for addressing the specific needs of individuals with disabilities from diverse communities, built on the research and outreach, including developing concrete recommendations on how to eliminate discriminatory employment practices, modify and better utilize existing Federal programs and resources, and identify strategies for increasing interagency collaboration and public-private partnerships through the development of a strategic plan in conjunction with the disability community.
- Working with HHS, DOL, and other relevant Federal partners to implement the following as they relate specifically to disability and employment programs and services:
  - White House Initiative on Asian Americans and Pacific Islanders;
  - Executive Order 13166 on serving persons with limited English skills, signed by President Clinton on Aug. 11, 2000, requiring each federal agency to have written policies on providing effective service to those with limited English proficiency who are served by federally funded programs; and
  - HHS Initiative to Eliminate Racial and Ethnic Disparities in Health.

## STATISTICS

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

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

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

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

Section 503 of the Rehabilitation Act of 1973, as amended, requires Federal contractors and subcontractors to take proactive steps to hire and retain people with disabilities. Contractors meeting

particular criteria are currently required to fill out and submit Standard Form 100, Employer Information report EEO-1 (known as the EEO-1 Form) which identifies the occupational distribution of men and women in five categories of race/ethnicity. This data is compared to the availability of qualified individuals in each group to flag areas of possible underutilization. Currently, however, contractors are not required to identify the distribution of people with disabilities on the EEO-1 Form, so similar data on employment of people with disabilities is not readily available.

Anecdotal information indicates that people with certain types of disabilities may have far worse employment prospects than those with other types

### Federal Data Sources

**The Federal Government has various surveys and data sources that identify demographic groups and protected classes, including the Survey of Program Participation (SIPP) and the Current Population Survey (CPS). They provide information on health, disability status, labor force activity, and countless other social variables such as educational attainment, ethnicity, income, earnings, marital status, and presence and age of children.**

**Each data source has strengths and weaknesses, particularly with respect to measuring characteristics of people with disabilities. For example, the SIPP includes several ways to identify people with disabilities, but also has significant limitations (e.g., the section that provides in-depth information about people with disabilities is not administered often enough to provide current information, and the labor force definitions and reference period, a four-month period prior to the survey, makes the data impossible to compare to data in other surveys).**

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

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

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



## 2001 FOCUS — STATISTICS

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

- *Coordinating agency disability statistics activities across the Federal Government through the Task Force, building on the Work Group’s efforts and findings as a foundation for other Federal agencies as they begin to develop instruments designed to measure disability factors.*
- *Exploring alternatives if the ERMM research concludes it is not possible to accurately and reliably identify the disability population with a reasonable number of questions, such as developing, testing, and fielding a more detailed disability supplement to the CPS and/or fielding the NHIS with sufficient frequency to determine the employment status of people with disabilities.*
- *Modifying the Federal Employer Information Report EEO-1, Standard Form 100 to provide occupational data on people with disabilities and taking appropriate legal steps to put people with disabilities at parity to women and minorities under Executive Order 11246.* Federal law currently requires certain employers to use this form to report the occupational distribution of men and women in five categories. The EEO-1 currently does not capture any data on people with disabilities, thus making it difficult to determine the extent of participation of people with disabilities in the current labor market.
- *Adding disability status to the database of occupational distributions so as to allow OFCCP to strengthen its enforcement of Section 503 of the Rehabilitation Act of 1973 and enable firms to evaluate their progress toward their goal.*
- *Developing a set of evaluative criteria so that OPM can help agencies evaluate their progress in meeting the goals of Executive Order 13163 (July 26, 2000) directing executive agencies to hire 100,000 people with disabilities over the next five years.*

***“For many years, disability research has appeared to be essentially a scientific exercise, based on academic procedures applied in an area of health care. People with disabilities have learned, however, that underlying values and assumptions have guided research in ways that are not necessarily important or helpful to them as the ultimate beneficiaries. Choices are made, either consciously or not, at each stage of research design, collection, and dissemination that affect the utility of the research to individuals with disabilities.”***

—Reorienting Disability Research, National Council on Disability , 1998)

The tests pointed to a variety of issues related to the validity and reliability of the questions and the effectiveness of different approaches to identifying people with disabilities. For example, one individual who has arthritis reported “having difficulty” with several of the questions but did not report these conditions when asked directly if she/he had a “disability.” To this respondent, a disability implied not being able to function at all. Since she/he functioned normally, she/he did not identify herself as having a disability. A second individual with severe depression and balance problems did not report any difficulties when administered the first series of questions because he/she functions well with all of the supports he/she has in place. The same person, however, did report these conditions when asked directly about a disability in the second series of questions.

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

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



**October 2000**

*Disability advocates rally in support of the Americans with Disabilities Act.*

# the Year at



## White House, Executive Agencies and Task Force Disability-Related Activities in 2000

### JANUARY 2000

**January 7** Kenneth Apfel, Commissioner of the Social Security Administration (SSA), announces publication of a new Social Security Ruling, *Disability Insurance Benefits — Claims Filed Under Both the Social Security Act and the Americans With Disabilities Act*, implementing the U.S. Supreme Court's 1999 decision in [Cleveland v. Policy Management Systems Corporation](#), stating that individuals can receive Social Security disability benefits and still exercise their rights under the Americans with Disabilities Act (ADA).

Ida Castro, Chair of the Equal Employment Opportunity Commission (EEOC), announces settlement of a major disability discrimination lawsuit against Wal-Mart Stores, Inc., with Wal-Mart paying monetary damages to the plaintiffs and making corporate-wide changes in the hiring and training of new employees who are deaf or hard of hearing.

**January 14** Donna Shalala, Secretary of Health and Human Services (HHS), issues guidance to state Medicaid directors on how to make their programs responsive to people with disabilities who want to live in the community, pursuant to the 1999 U.S. Supreme Court decision in [Olmstead v. L.C.](#)

**January 20** Marca Bristo, Chair of the National Council on Disability (NCD), announces the release of *From*

### January

**JANUARY 7** SSA publishes new Social Security Ruling, *Disability Insurance Benefits: Claims Filed Under Both the Social Security Act and the Americans With Disabilities Act*, implementing the U.S. Supreme Court's 1999 decision in [Cleveland v. Policy Management Systems Corporation](#), stating that individuals with disabilities can receive Social Security disability benefits and still exercise their rights under the ADA.

**JANUARY 30** HUD publishes *Strategies for Providing Accessibility and Visitability for HOPE VI and Mixed Finance Homeownership*, including information for public housing agencies on universal design strategies that may be incorporated into rental and homeownership units.

# a Glance

*Privileges to Rights: People with Psychiatric Disabilities Speak for Themselves*, as a response to *Mental Health: A Report of the Surgeon General*, issued by U.S. Surgeon General David Satcher in December 1999.

Andrew Cuomo, Secretary of Housing and Urban Development (HUD), announces an award of \$9.3 million to 40 states through its *Resident Opportunities and Self-Sufficiency Program*, to help low-income people with disabilities and elders get the health care and other supportive services they need to continue living independently in subsidized housing.

January 30 HUD publishes *Strategies for Providing Accessibility and Visitability for HOPE VI and Mixed Finance Homeownership*, with information for public housing agencies on universal design strategies that can be incorporated into rental and homeownership units.

## FEBRUARY 2000

**February 2** Presidential Task Force, SSA, Department of Labor (DOL), Rehabilitation Services Administration (RSA), and the Health Care Financing Administration (HCFA) cosponsor the first of nine public education forums on the implementation and coordination of the *Workforce Investment Act of 1998* and *Ticket to Work and Work Incentives Improvement Act of 1999* in Kansas City,

Missouri. The other eight are held throughout the year in Durham, North Carolina; Phoenix, Arizona; New York City, New York; Austin, Texas; Seattle, Washington; Worcester, Massachusetts; Chicago, Illinois; and Fort Collins, Colorado.

**February 4** Rodney Slater, Secretary of Transportation (DOT), announces a new National Highway Traffic Safety Administration publication, *Adapting Motor Vehicles for People with Disabilities*, DOT's first consumer brochure with information on evaluating, selecting, and modifying vehicles for use by drivers and passengers with disabilities.

**February 7** The Clinton-Gore Administration announces their FY 2001 budget, with funding for specific recommendations made in *Re-Charting the Course: If Not Now, When?*, the second report of the Presidential Task Force, including:

- \$20.56 million for a new Office on Disability Employment Policy in DOL, headed by an Assistant Secretary and charged with increasing the employment rate of people with disabilities;
- A renewed proposal for a \$1,000 tax credit for work-related expenses for people with disabilities; and
- \$100.4 million for disability and technology research at the National Institute on Disability and Rehabilitation Research (NIDRR). This is an increase of nearly

## February

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**FEBRUARY 7** Clinton-Gore Administration announces FY 2001 budget, with funding for specific Task Force recommendations in

1999, including a new Office on Disability Employment Policy in DOL, headed by an Assistant Secretary; a renewed proposal for a \$1,000 tax credit for work-related expenses for people with disabilities; and \$100.4 million for disability and technology research at the National Institute on Disability and Rehabilitation Research (NIDRR). This is an increase of nearly \$14 million that is dedicated to a variety of technology initiatives, including \$5 million for technical assistance for schools to help

them purchase accessible technology and \$8.5 million for a "Technology for Independence" initiative.

**FEBRUARY 17** FCC amends rules governing the delivery of Telecommunications Relay Service to expand and improve the quality of relay services available to consumers with hearing and speech disabilities.



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Alexis M. Herman, Secretary of Labor, announces DOL's proposed 2001 budget, highlighting the agency's commitment to increasing employment opportunities for people with disabilities by proposing establishment of a new Office on Disability Employment Policy.

**February 17** William Kennard, Chair of the Federal Communications Commission (FCC), announces FCC's overhaul of 1992 Telecommunications Relay Service (TRS) rules to improve access to telephone service for people with hearing and speech disabilities, requiring quality standards and new services such as Speech-to-Speech relay, and permitting funding mechanism for video relay service.

**February 24** HUD publishes a new *Notice of Funding Availability for the HOPE VI Revitalization Program*, giving points to applicants who make at least 5% of "for sale" units accessible to individuals with mobility disabilities and 2% accessible to individuals who have visual or hearing impairments.

**February 29** Department of Education (ED) and SSA cosponsor the conference *Stepping Stones to Increase Employment of American Indian Women with Disabilities* with the World Institute on Disability at the Fort Mojave Indian Reservation in Laughlin, Nevada.

**February** Nancy Ann DeParle, Administrator of the Health Care Financing Administration, announces the launch of HCFA's new Web site, providing information to states, beneficiaries, and advocacy groups concerning implementation of TWWIIA.

## MARCH 2000

**March 1** Ida Castro, Chair of the Equal Employment Opportunity Commission (EEOC), announces issuance of a

*Notice of Proposed Rule Making* clarifying application of the employment provisions of the ADA to Federal Government workers.

**March 2** Janice Lachance, Director of the Office of Personnel Management (OPM), issues a memorandum to all Federal agency directors of personnel that, effective immediately, Federal employers must include language in vacancy announcements stating that reasonable accommodations will be made for qualified applicants and employees with disabilities.

**March 3-4** Presidential Task Force and the National Mental Health Association convene *Addressing the Training and Employment Needs of Youth with Mental Health Disabilities in the Juvenile Justice System*, a working meeting attended by key stakeholders and experts in special education, disability law, juvenile justice, mental health policy, youth employment, and advocacy, to develop policy recommendations for the Presidential Task Force's Youth Subcommittee.

**March 6-7** ED cosponsors, with the Hawaii University Affiliated Program, the *16th Annual Pacific Rim Conference on Disability, Creating Futures: Kaleidoscopes of Opportunity for People with Disabilities*, in Honolulu, Hawaii.

**March 7-9** National Institute of Health (NIH), and the organization Deaf and Hard of Hearing in Government, host the *2000 National Training Conference on Employment of Federal Employees who are Deaf or Hard of Hearing*, focusing on the employment, advancement, retention, and culture of Federal employees who are deaf or hard of hearing.

**March 10** Alexis M. Herman, Secretary of Labor, announces four new members of the Presidential Task Force: Janet Reno, Attorney General of the United States; Dan Glickman, Secretary of Agriculture; Andrew Cuomo, Secretary of Housing and Urban Development; and Bruce Babbitt, Secretary of the Interior.

## March

**MARCH 2** OPM issues memorandum to all Federal agency directors of personnel that Federal employers must state in vacancy announcements that reasonable accommodations will be made for qualified applicants and employees with disabilities.

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**MARCH 15** EEOC announces that a Federal court in Wisconsin has rejected the company Chuck E. Cheese's efforts to overturn a November 1999 jury verdict that found the company liable under the ADA for firing an

FCC holds a public forum to discuss concerns about new relay services technologies and states' approaches to Telecommunications Relay Services.

**March 14** Andrew Cuomo, Secretary of Housing and Urban Development, announces a *second* round of grants under the *Resident Opportunities and Self-Sufficiency Program*, awarding \$5.2 million to help more than 5,500 low-income people with disabilities and elders obtain the health care and other supportive services they need to continue living independently in subsidized housing.

**March 15** Ida Castro, Chair of the Equal Employment Opportunity Commission, announces that a Federal court in Wisconsin has rejected the efforts of Chuck E. Cheese, Inc., to overturn a November 1999 jury verdict that found the company liable under the ADA for firing an employee with developmental disabilities. The court imposed the maximum monetary damages allowed under the law (EEOC and Donald Perkl v. CEC Entertainment, Inc.).

Tony Coelho, Chair of the President's Committee on Employment of People with Disabilities (PCEPD), and the Department of Defense (DOD) announce the availability of the *2000 Workforce Recruitment Program for College Students with Disabilities* database, containing names of job candidates with disabilities skilled in a wide variety of fields.

**March 17** Janice Lachance, Director of the Office of Personnel Management, announces the issuance of proposed regulations creating a new government-wide "excepted appointing authority," allowing people with psychiatric disabilities to noncompetitively convert to the competitive service once they have successfully completed two years of Federal Government service.

**March 20** President Clinton and First Lady Hillary Rodham Clinton announce the launch of a public-private campaign to ensure that children with emotional and behavioral conditions are appropriately diagnosed and treated by qualified health care professionals, parents, and educators, building

on last year's *White House Conference on Mental Health* and the recent *Mental Health: A Report from the Surgeon General*.

**March 29** Rodney Slater, Secretary of Transportation, announces a settlement with Continental Airlines, which was found to have violated the *Air Carrier Access Act (ACAA)* and Federal regulations prohibiting discrimination against passengers with disabilities.

Nancy Ann DeParle, Administrator of the Health Care Financing Administration, announces issuance of its first letter of guidance to state Medicaid directors about TWWIIA, providing general information about the legislation, an overview of plans for implementing the two new Medicaid eligibility groups, and a description of plans for issuing grants to assist states with infrastructure and demonstration projects.

**March 31** Architectural and Transportation Barriers Compliance Board (Access Board) proposes new accessibility standards for electronic and information technology.

## APRIL 2000

**April 5** President Clinton signs the *Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21)*, which includes improvements in protections for air travelers with disabilities.

**April 7** Presidential Task Force convenes summit, *Real Choice, Real Jobs, Real Pay: Employment for the 21st Century*, to discuss practices and strategies to increase choice, employment, and wages for individuals with the most significant disabilities.

**April 11** Alexis M. Herman, Secretary of Labor, hosts the *National Skills Summit*, focusing on the development and exchange of ideas on innovative, practical, and cost-effective strategies and the development of partnerships for satisfying employers' immediate needs for skilled workers, including a specific focus on workers with disabilities.

## April

employee with developmental disabilities and imposed the maximum monetary damages allowed under the Law (EEOC and Donald Perkl v. CEC Entertainment, Inc.).

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**APRIL 11** DOL hosts the *National Skills Summit* to develop and exchange innovative, practical, and cost-effective strategies and to develop partnerships for satisfying employers' immediate needs for skilled workers, including a specific focus on workers with disabilities.

**APRIL 12** DOL issues a *Training and Employment Information Notice* providing information to assist One-Stop service delivery systems in developing accessible infrastructures and programmatic access for people with disabilities.

**APRIL 13** FCC adopts rule requiring broadcasters, cable operators, and other multi-channel video programming distributors to make emergency information accessible to persons with hearing disabilities and issues a *Notice of Proposed Rule Making* on compatibility and accessibility of digital television receivers and cable systems.

**April 12** Alexis M. Herman, Secretary of Labor, announces the issuance of a DOL *Training and Employment Information Notice* providing information to assist One-Stop service delivery systems in developing accessible infrastructures and programmatic access for people with disabilities.

**April 13** William Kennard, Chair of the Federal Communications Commission, announces the adoption of a rule requiring broadcasters, cable operators, and other multichannel video programming distributors to make emergency information accessible to persons with hearing disabilities and issues a *Notice of Proposed Rule Making* on compatibility and accessibility of digital television receivers and cable systems.

**April 13-14** ED cosponsors, with the University of Montana's Rural Institute on Disabilities, a national forum, *Self-Employment for People with Disabilities*, in Missoula, Montana.

**April 18** Janet Reno, Attorney General of the United States, gives the keynote address at the *Federal Office Systems Exposition (FOSE 2000)*, the largest information technology exposition serving the government marketplace, and announces the release of a new Department of Justice (DOJ) report, *Information Technology and People with Disabilities: The Current State of Federal Accessibility*, detailing the extent to which all Federal agency electronic and information technology is accessible to, and usable by, people with disabilities.

Presidential Task Force, Small Business Administration (SBA) and PCEPD hold the first of eight workshops around the country to: (1) increase partnerships between the disability community and local public and private small business resources, and (2) educate potential entrepreneurs with disabilities about small business options, procedures and resources, in Little Rock, Arkansas; the other five are held throughout the year in New Orleans, Louisiana; Phoenix, Arizona; Las Vegas,

Nevada; Boston, Massachusetts; Iowa City, Iowa; Chicago, Illinois; and Portland, Oregon. Cosponsors of the workshops include SSA, HUD, and the Department of Veterans Affairs (VA).

**April** William Kennard, Chair of the Federal Communications Commission, announces the launching of a beta version of in-house real-time Internet captioning, making FCC meetings and public forums accessible to Internet users who are deaf or hard of hearing.

## MAY 2000

**May 1** Presidential Task Force holds a *Think Tank* with leaders in the disability community to follow up on the April 7 summit, *Real Choice, Real Jobs, Real Pay: Employment for the 21st Century*, and develop policy recommendations for increasing choice, employment, and wages for individuals with the most significant disabilities.

**May 1-2** ED and DOL cosponsor the *School to Work: Youth with Disabilities* conference in San Antonio, Texas.

**May 2** Andrew Cuomo, Secretary of Housing and Urban Development, announces a *third* round of grants through its *Resident Opportunities and Self-Sufficiency Program*, awarding \$2.5 million in 22 states to help low-income people with disabilities and elders obtain the health care and other supportive services they need to continue living independently in subsidized housing.

ED announces the award of nine state grants, totaling \$7.5 million, to help improve special and general education services for students with disabilities in Alaska, Connecticut, Illinois, Minnesota, Montana, Nebraska, North Carolina, North Dakota, and Oklahoma.

**May 4** Alexis M. Herman, Secretary of Labor, announces the issuance of a *Training and Employment Information Notice* to One-Stop service centers regarding TWWIIA and its potential in serving people with disabilities.

## May

**APRIL 18** Janet Reno, Attorney General of the United States, gives the keynote address at the *Federal Office Systems Exposition (FOSE 2000)*, the largest information technology exposition serving the government marketplace, and announces the release of a new DOJ report, *Information Technology and People with Disabilities: The Current State of Federal Accessibility*.

■ Presidential Task Force, SBA and PCEPD hold the first of six workshops around the country to: (1) increase partnerships between the disability community and local public and private small business resources, and (2) educate potential entrepreneurs with disabilities about small business options, procedures and resources. Cosponsors include SSA, HUD, and the VA.

**MAY 1** Presidential Task Force holds *Think Tank* with leaders in the disability community to follow up on the April 7 summit, *Real Choice, Real Jobs, Real Pay: Employment for the 21st Century*, and develop policy recommendations for increasing choice, employment, and wages for individuals with the most significant disabilities.

**MAY 18-20** National Council on Disability holds *Think Tank 2000: Coalitions for Advancing the Civil and Human Rights of People with Disabilities from Diverse*

**May 15** Marca Bristo, Chair of the National Council on Disability, announces the issuance of NCD's report *National Disability Policy: A Progress Report* with recommendations designed to advance inclusion, empowerment, and independence of people with disabilities of all ages from diverse backgrounds.

**May 18-20** NCD holds *Think Tank 2000: Coalitions for Advancing the Civil and Human Rights of People with Disabilities from Diverse Cultures* to identify key strategies for eliminating barriers to civil and human rights for people with disabilities from diverse ethnic, racial, and cultural groups.

**May 21 - 24** RSA holds their annual *Conference on Native Americans with Disabilities* at the Choctaw Reservation in Philadelphia, Mississippi.

**May 24** Presidential Task Force holds a Town Hall meeting in Hartford, Connecticut, on expanding employment opportunities for persons with psychiatric disabilities, *Recovering Our Dreams: Persons with Psychiatric Disabilities in Search of Opportunities and Careers*.

**May 25** Alexis M. Herman, Secretary of Labor, announces the availability of \$20 million in competitive grants designed to enhance the employability, employment, and career advancement of people with disabilities through enhanced service delivery in the new One-Stop delivery system established under WIA.

**May 26** Kenneth Apfel, Commissioner of the Social Security Administration, announces the launch of a new Web site, *The Work Site*, with information and support for individuals who receive Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI), employers, service providers, advocates, and others whose goal is to help employ persons with disabilities: [www.ssa.gov/work](http://www.ssa.gov/work).

**May 31** Marca Bristo, Chair of the National Council on Disability, announces the issuance of a new report, *Federal Policy Barriers to Assistive Technology*, describing the bar-

riers in Federal assistive technology policy, and recommendations for increasing availability of, and access to, assistive technology devices/services for people with disabilities.

Kenneth Apfel, Commissioner of the Social Security Commission, announces a grant solicitation directed at state and local governments and disability organizations to fund benefits planning, assistance, and outreach projects to disseminate accurate information to beneficiaries with disabilities about work incentives programs and to enable them to make informed choices about work.

Nancy Ann DeParle, Administrator of the Health Care Financing Administration, announces: (1) the award of \$2 million to assist states in developing processes and infrastructure for transitioning beneficiaries out of nursing homes and into the community, and (2) available funding for eligible states under TWWIIA to assist them in developing infrastructures to support the competitive employment of people with disabilities.

**May** William Kennard, Chair of the Federal Communications Commission, announces: (1) a proposed rule regarding ultra-wideband transmission systems to pave the way for new types of products, including assistive technologies; (2) a new *Consumers' Guide to Telecommunications Relay Services* on their Disabilities Rights Office Web page; and (3) a letter to all Federal agency heads reminding them of the obligation to caption public service announcements that are funded in whole or in part by Federal agencies.

## JUNE 2000

**June 1** Rodney Slater, Secretary of Transportation, notifies foreign carriers serving the United States that they are now subject to the *Air Carrier Access Act*, which protects airline passengers with disabilities.

**June 5** Tipper Gore announces the formation of the *National Mental Health Awareness Campaign*, a public education

*Cultures* to highlight common causes and identify key strategies for eliminating barriers to civil and human rights for people with disabilities from diverse ethnic, racial, and cultural groups.

**MAY 24** Presidential Task Force holds a Town Hall meeting in Hartford, Connecticut on expanding employment opportunities for persons with psychiatric disabilities, *Recovering Our Dreams: Persons with Psychiatric Disabilities in Search of Opportunities and Careers*.

**MAY 25** DOL announces availability of \$20 million in competitive grants designed to enhance the employability, employment and career advancement of people with disabilities through enhanced service delivery in the new One-Stop delivery system established under the Workforce Investment Act of 1998.

**MAY 31** SSA announces a grant solicitation directed at state and local governments and disability organizations to fund benefits planning, assistance, and outreach projects to disseminate accurate information to beneficiaries with disabilities about work incen-

tives programs and issues related to such programs, to enable them to make informed choices about work.

**HCFA** announces (1) the award of \$2 million to assist states in developing processes and infrastructure for transitioning beneficiaries out of nursing homes and into the community and (2) available funding for eligible states under the Ticket to Work and Work Incentives Improvement Act of 1999 to assist them in developing infrastructures to support the competitive employment of people with disabilities.

campaign designed to reduce the stigma attached to mental illness, on the one-year anniversary of the *White House Conference on Mental Health*.

**June 6** Presidential Task Force coordinates with DOL, SSA, and HCFA to host the *first* of three technical assistance conferences for organizations and government agencies interested in applying for DOL's Work Incentive Grants, SSA's Benefits Planning and Outreach Grants, and HCFA's Medicaid Infrastructure Grants in Kansas City, Missouri. The other two are held in Oakland, California; and Washington, D.C.

**June 7** Nancy Ann DeParle, Administrator of the Health Care Financing Administration, issues a letter to state Medicaid directors inviting them to participate in the Demonstration to Maintain Independence and Employment, established by TWWIIA.

**June 8** Richard Riley, Secretary of Education, announces a new Web site to showcase the Federal Government's efforts to help America's infants and preschoolers with disabilities and their families: [www.fed-icc.org](http://www.fed-icc.org).

Ida Castro, Chair of the Equal Employment Opportunity Commission, announces the issuance of a final rule clarifying the legal standard for determining when a person who uses mitigating measures meets the ADA's definition of disability, pursuant to the 1999 Supreme Court rulings in Sutton v. United Air Lines, Inc., Murphy v. United Parcel Service, Inc., and Albertsons, Inc. v. Kirkingburg.

**June 11** *Spirit of ADA 2000 Torch Relay* — organized by the Presidential Task Force, the American Association of People with Disabilities (AAPD), Volkswagen of America, Inc., and other sponsors — officially begins in Houston, Texas. The Relay, celebrating the 10th anniversary of the ADA, travels through 25 cities for almost two months, working to renew America's commitment to equality of opportunity, full participation, and economic self-sufficiency for all people with disabilities.

**June 12-14** RSA sponsors its first strategy forum, *Enhancing the Delivery of Vocational Rehabilitation Services within the Workforce Investment Act*, for state and Federal policy makers, rehabilitation and workforce practitioners, consumers, family representatives, and providers.

**June 13** Mort Downey, Deputy Secretary of Transportation, speaks at the *Spirit of ADA 2000 Torch Relay* event in Austin, Texas.

**June 14** Alexis M. Herman, Secretary of Labor, announces the issuance of a *Training and Employment Information Notice* to One-Stops and other workforce liaisons on the availability of technical assistance on serving customers with disabilities from regional Disability and Business Technical Assistance Centers (DBTACS).

**June 17** Judith E. Heumann, Assistant Secretary for Special Education and Rehabilitative Services in the Department of Education, speaks at the *Spirit of ADA 2000 Torch Relay* event in San Francisco, California.

**June 19** William Kennard, Chair of the Federal Communications Commission, speaks at the *Spirit of ADA 2000 Torch Relay* event in Los Angeles, California.

**June 19-21** RSA sponsors a second strategy forum, *Enhancing the Delivery of Vocational Rehabilitation Services within the Workforce Investment Act*, for state and Federal policy makers, rehabilitation and workforce practitioners, consumers, family representatives, and providers.

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

## June

**JUNE 1** DOT notifies foreign carriers serving the United States that they are now subject to the *Air Carrier Access Act (ACAA)* which protects airline passengers with disabilities.

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

**JUNE 8** EEOC announces the issuance of a final rule clarifying the legal standard for determining when a person who uses mitigating measures meets the ADA's definition of disability to be consistent with 1999 Supreme Court rulings in Sutton v. United Air Lines, Inc., Murphy v. United Parcel Service, Inc., and Albertsons, Inc. v. Kirkingburg.

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HCFA holds a technical assistance conference, *Bridges for Health Care and Employment*, for states applying for the Medicaid Infrastructure Grants and the Demonstrations to Maintain Independence and Employment under TWWIIA.

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

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

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

**June 26** RSA publishes a *Notice of Proposed Rule Making* amending its definition of an allowable employment outcome to exclude sheltered work, and requiring state rehabilitation agencies to establish a goal of competitive, integrated employment for all people receiving vocational rehabilitation services.

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

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

## JULY 2000

**July 1** President Clinton declares July 2000 as *Spirit of the ADA Month*.

Janet Reno, Attorney General of the United States, announces the DOJ Civil Rights Division's special 10th anniversary status report, *Enforcing the ADA: Looking Back on a Decade of Progress*.

**July 2** EEOC celebrates its 35th anniversary.

**July 6** National Museum of American History at the Smithsonian Institution opens a new exhibit, *The Disability Rights Movement*, marking the 10th anniversary of the ADA and looking at the history of grassroots activism by people with disabilities, their friends, and families to secure the civil rights guaranteed to all Americans.

**July 7** Janice Lachance, Director of the Office of Personnel Management, and William Halter, Deputy Commissioner of the Social Security Administration, speak at the *Spirit of ADA 2000 Torch Relay* event in Madison, Wisconsin. Director Lachance also announces: (1) the issuance of a final regulation making it easier for Federal agencies to hire people with psychiatric disabilities and opening the way for the Federal Government to recruit from a new pool of qualified potential employees, and (2) a new OPM Web page providing Federal employment and other information for people with disabilities.

**July 10-12** DOL holds the *2000 Joint Employment Training and Technology Conference* in Albuquerque, New Mexico, including workshops by SSA and RSA focusing on the employment and training of individuals with disabilities.

**July 12** Donna Shalala, Secretary of Health and Human Services, hosts a celebration commemorating the 35th anniversary of the Medicare program.

**July 13** Paul Steven Miller, Commissioner of the Equal Employment Opportunity Commission, and Dr. Thomas Garthwaite, Under-Secretary for Health at the Department

*Disabilities Act*, will travel through 25 cities for almost two months, working to renew America's commitment to equality of opportunity, full participation and economic self-sufficiency for all people with disabilities.

**JUNE 13** Mort Downey, Deputy Secretary of the Department of Transportation, speaks at the *Spirit of ADA 2000 Torch Relay* event in Austin, Texas.

**JUNE 8** Presidential Task Force coordinates with DOL, SSA, and HCFA to hold the first

of three technical assistance conferences for organizations and government agencies interested in applying for DOL's Work Incentive Grants, SSA's benefits planning and outreach grants, and HCFA's Medicaid infrastructure grants in Kansas City, Missouri; the other two are held in Oakland, California and Washington, D.C.

**JUNE 17** Judith E. Heumann, Assistant Secretary for Special Education and Rehabilitative Services at the Department of Education, speaks at the *Spirit of ADA 2000 Torch Relay* event in San Francisco, California.

**JUNE 19** William Kennard, Chair of the Federal Communications Commission, speaks at the *Spirit of ADA 2000 Torch Relay* event in Los Angeles, California.

**JUNE 20-21** Presidential Task Force holds *National Transition Summit on Young People with Disabilities: Bridging Systems to Improve Transition Results*, exploring policy options for improving the transition results for young people with disabilities.

**JUNE 24-28** Presidential Task Force cosponsors with ED, SSA, NCD, and HHS, the *2000 National Leadership Conference*

of Veterans Affairs, speak at the *Spirit of ADA 2000 Torch Relay* event in Jackson, Mississippi.

Ida Castro, Chair of the Equal Employment Opportunity Commission, announces the release of EEOC's preliminary status report highlighting enforcement of the ADA as part of its commemoration of the Act's 10th anniversary.

**July 15** Bill Lann Lee, Assistant Attorney General of the United States, speaks at the *Spirit of ADA 2000 Torch Relay* event in Montgomery, Alabama.

**July 17** Kenneth Apfel, Commissioner of the Social Security Administration, speaks at the *Spirit of ADA 2000 Torch Relay* event in Tallahassee, Florida.

**July 19** Janet Reno, Attorney General of the United States, speaks at the *Spirit of ADA 2000 Torch Relay* event in Warm Springs, Georgia.

**July 20-21** Aida Alvarez, Administrator of the Small Business Administration, and William Halter, Deputy Commissioner of the Social Security Administration, speak at the *Spirit of ADA 2000 Torch Relay* events in Atlanta, Georgia.

**July 21** Rodney Slater, Secretary of Transportation, hosts DOT's 10th Anniversary of the ADA celebration and announces: (1) new National Highway Traffic Safety Administration standards improving the safety of platform lifts used to enter motor vehicles, and (2) a comprehensive new plan to improve transportation services and systems for persons with disabilities, developed in conjunction with the Presidential Task Force.

William Kennard, Chair of the Federal Communications Commission, announces rules for: (1) use of 711 for nationwide access to Telecommunications Relay Service (TRS) to facilitate telephone conversations between people who do and those who do not hear and/or speak; (2) technical standards designed to facilitate the display of closed captioning on digital television receivers; and (3) the provision of video description television programming.

**July 22** Susan Daniels, Deputy Commissioner for the Office of Disability and Income Security Programs at the Social Security Administration, speaks at the *Spirit of ADA 2000 Torch Relay* event in Columbia, South Carolina.

**July 24** Donna Shalala, Secretary of Health and Human Services, sends a letter to all the governors regarding TWWIIA, encouraging them to increase their "competitive edge" by helping businesses enlist the talents of people with disabilities.

**July 24-25** Kenneth Apfel, Commissioner of the Social Security Administration, swears in the newly appointed members of the Work Incentives Advisory Panel, charged with advising the President, Congress, and SSA on issues related to work incentives for people with disabilities; the Advisory Panel holds its first meeting.

**July 25** Presidential Task Force joins with the Consortium for Citizens with Disabilities and the National Council on Independent Living in commemorating the 10th anniversary of the ADA in Washington, D.C., with two days of ceremonies, celebrations, and events on Capitol Hill, and at the Franklin Delano Roosevelt (FDR) Memorial, Gallaudet University, and the Endependence Center of Northern Virginia.

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

Vice President Gore and Tipper Gore host *A Summer Evening on the Lawn to Celebrate the 10th Anniversary of the Signing of the Americans with Disabilities Act*.

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

## July

**for Youth with Disabilities, with 100 young people from all over the country attending, focusing on leadership skills, career development and expanded employment opportunities.**

**JUNE 27** Saul Ramirez, Deputy Secretary of the Department of Housing and Urban Development, speaks at the *Spirit of ADA 2000 Torch Relay* event in Denver, Colorado.

**JULY 1** President Clinton declares July 2000 as *Spirit of the ADA Month*.

**JULY 7** Janice Lachance, Director of the Office of Personnel Management and William Halter, Deputy Commissioner of the Social Security Administration, speak at the *Spirit of ADA 2000 Torch Relay* event in Madison, Wisconsin. Director Lachance also announces: (1) the issuance of a final regulation making it easier for federal agencies to hire people with psychiatric disabilities and opening the way for the Federal

Government to recruit from a new pool of qualified potential employees, and (2) a new OPM Web page providing federal employment and other information for people with disabilities.

**JULY 13** Paul Steven Miller, Commissioner of the Equal Employment Opportunity Commission, and Dr. Thomas Garthwaite, Under-Secretary for Health at the Department of Veterans Affairs, speak at the *Spirit of ADA 2000 Torch Relay* event in Jackson, Mississippi.

- A *Presidential Memorandum* outlining a strategy for the development and transfer of assistive technology and universal design.
  - A \$50 million investment to help states develop comprehensive plans to provide services to people with disabilities in the most integrated setting possible.
  - New guidance to states on home and community-based Medicaid coverage rules.
  - A new public-private partnership, *Access Housing 2000*, between HUD, HHS, and the National Project Office on Self Determination, to focus on expanding the availability of accessible, affordable housing for people with disabilities and providing necessary support so individuals can transition from institutions to their communities.
  - A new rule that would extend earned income disregards to individuals with disabilities for a broad range of housing assistance (including Section 8, HOME, Housing Opportunities for Persons with AIDS, and Supportive Housing for the Homeless programs) and clarifying the applicability of deductions for disability-related expenses, including medical and attendant care expenses.
  - HUD guidance to all approved FHA mortgagees emphasizing the agency's commitment to promoting home ownership for persons with disabilities and encouraging HUD's lender partners to make home ownership possible for individuals with disabilities through increased, but prudent, flexibility when underwriting their loan applications.
  - The Center for Mental Health Services/Substance Abuse and Mental Health Services Administration will work with a broad-based group of public and private organizations, constituencies, and consumers to create state and local coalitions to assist persons with mental illness and substance abuse disorders in accessing necessary services.
- NCD presents the *Justin Dart Freedom Award* to the Leadership Conference on Civil Rights for the pivotal role it played in passage of the ADA.

Nancy Ann DeParle, Administrator of the Health Care Financing Administration, issues letter to state Medicaid directors detailing: (1) policy changes/clarifications supporting state initiatives in assisting people with disabilities as they transition from institutions to the community, and expanding the availability and quality of home and community-based services, and (2) guidance on how states may use the flexibility that Medicaid offers to expand services.

**July 26** President Clinton and Hillary Rodham Clinton commemorate the 10th anniversary of the ADA at the FDR Memorial in Washington, D.C.

President Clinton announces the following:

- An *Executive Order* stating the Federal Government will hire 100,000 qualified individuals with disabilities over the next five years by using all available hiring authorities, expanding outreach, increasing accommodations, and educating the public. In a related activity, Janice Lachance, Director of the Office of Personnel Management, issues a memorandum regarding the Order to all Federal departments and agencies.
- An *Executive Order* requiring Federal agencies to establish procedures facilitating the provision of reasonable accommodation.
- A *Presidential Memorandum* to the heads of all Federal departments and agencies regarding the recruitment of qualified people with significant disabilities for appropriate off-site, home-based employment opportunities with Federal agencies.
- A *Presidential Memorandum* to the heads of all Federal departments and agencies renewing the commitment to ensure that Federal programs are free from disability-based discrimination and directing DOJ and EEOC to develop priorities under which agencies will focus on specific programs to ensure that they are readily accessible to persons with disabilities.

**JULY 17** Kenneth Apfel, Commissioner of the Social Security Administration, speaks at the *Spirit of ADA 2000 Torch Relay* event in Tallahassee, Florida.

**JULY 19** Janet Reno, Attorney General of the United States, speaks at the *Spirit of ADA 2000 Torch Relay* event in Warm Springs, Georgia.

**JULY 20-21** Aida Alvarez, Administrator of the Small Business Administration, and William Halter, Deputy Commissioner of the

Social Security Administration, speak at the *Spirit of ADA 2000 Torch Relay* events in Atlanta, Georgia.

**JULY 22** Susan Daniels, Deputy Commissioner for the Office of Disability and Income Security Programs at the Social Security Administration, speaks at the *Spirit of ADA 2000 Torch Relay* event in Columbia, South Carolina.

**JULY 24-25** Kenneth Apfel, Commissioner of the Social Security

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

**JULY 26** President Clinton and Hillary Rodham Clinton commemorate the 10th anniversary of the ADA at the FDR Memorial in Washington, D.C.



■ The launch of a new Web site, *Access America for People with Disabilities* (disAbility.gov), providing people with disabilities, their families, advocates, and employers online access to information and services available throughout the Federal Government.

■ Additional policy initiatives designed to follow through on the objectives of the ADA to end discrimination, promote independence, and increase access to employment, housing, and support for people with disabilities, including: (1) indexing the Substantial Gainful Activity (SGA) level annually for people with disabilities who receive Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefits, beginning in 2001, and (2) increasing the “trial work period” amount for individuals who receive SSDI benefits in 2001 and providing automatic yearly increases thereafter.

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

■ Amending Executive Order 13078, which established the Presidential Task Force, to expand its mission to helping young people make the transition from school to work and, under the leadership of the Presidential Task Force, a new interagency Youth to Work Initiative focusing on research, demonstration projects, and education and training activities for youth to work activities.

■ Increasing in the SSI Student Earned Income Exclusion, the amount that students who receive SSI can earn while continuing to receive important benefits.

■ Creating of the Able to Work Consortium, a public-private partnership that will help ensure that youth with disabilities are afforded the employment opportunities needed to lead to meaningful careers.

The Administration releases *Working on Behalf of Americans with Disabilities: Goals and Accomplishments of President Clinton and Vice President Gore*, a compre-

hensive summary of disability-related accomplishments, 2000 legislative priorities, and FY 2001 budget initiatives.

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

Andrew Cuomo, Secretary of Housing and Urban Development, makes the following announcements:

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

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

**July 27** Ida Castro, Chair of the Equal Employment Opportunity Commission, holds a public Commission Meeting to commemorate the 10th anniversary of the ADA, issues a status report on the enforcement of the employment provisions of the ADA, and announces two new guidances covering genetic discrimination in the Federal workplace and disability-related inquiries and medical examinations of employees.

## July

**JULY 26** First Lady Hillary Rodham Clinton announces a series of steps to help young people with disabilities successfully transition to adulthood, including an amendment to Executive Order 13018 to expand the mission of the Presidential Task Force into the area of successfully transitioning young people with disabilities from school to work.

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

Norman Mineta, Secretary of Commerce, calls on the business community to work to ensure that Americans with disabilities are full participants in the nation's digital economy and announces several initiatives.

**JULY 31** White House issues report, *Disability, Medicare and Prescription Drugs*, documenting the need for prescription drugs by Medicare beneficiaries with disabilities.

**July 28** Janet Reno, Attorney General of the United States, announces a new tool to help hospitals communicate with patients who are deaf, *Pictograms for Hospital Communication*, to facilitate communication with individuals who use American Sign Language and Contact Language, the two most common sign languages in the United States.

**July 29** Rodney Slater, Secretary of Transportation, speaks at the *Spirit of ADA 2000 Torch Relay* event in Philadelphia, Pennsylvania.

**July 31** White House issues report, *Disability, Medicare and Prescription Drugs*, documenting the need for prescription drugs by Medicare beneficiaries with disabilities and validating the importance of a voluntary, affordable, and meaningful Medicare prescription drug benefit.

Ida Castro, Chair of the Equal Employment Opportunity Commission, speaks at the *Spirit of the ADA Torch Relay* ceremonies in Detroit, Michigan, and holds meetings with local stakeholders representing employers, employees, the disability and civil rights communities, legal organizations, and state and local government officials.

## AUGUST 2000

**August 1** Rodney Slater, Secretary of Transportation, announces that the Coordinating Council on Access and Mobility Department, sponsored by DOT and HHS, is releasing for comment *Planning Guidelines for Coordinated State and Local Specialized Transportation Services*, intended for use by states and local communities to coordinate and improve transportation for their citizens with disabilities.

**August 6** Alexis M. Herman, Secretary of Labor; Senator Ted Kennedy; Paul Steven Miller, Commissioner of the Equal Employment Opportunity Commission; and Jonathan Young, Associate Director for the White House Office of Public Liaison speak at the *Spirit of ADA 2000 Torch Relay* event in Boston, Massachusetts.

**August 7** Richard Riley, Secretary of Education; Judith Heumann, Assistant Secretary for Education; and Richard C. Holbrooke, U.S. Ambassador to the United Nations, speak at the *Spirit of ADA 2000 Torch Relay* event in New York City.

**August 9-11** DOL's Civil Rights Center cosponsors the 11th annual national equal opportunity training conference, *Equal Opportunity: The Key to Universal Access*, focusing on making One-Stop Centers accessible to people with disabilities.

**August 10** Alexis M. Herman, Secretary of Labor, announces the largest settlement the Department's Office of Federal Contract Compliance Programs (OFCCP) has ever obtained for people with disabilities, stating that American Airlines will pay nearly \$1.7 million to 99 people with disabilities who were denied jobs in Nashville, Tennessee, and Detroit, Michigan.

**August 11** President Clinton issues statement calling for Congress to fully fund WIA, passed in 1998, which provides broad access to employment opportunities by people with disabilities and others.

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

**August 18** Rodney Slater, Secretary of Transportation, announces that DOT's Inspector General will begin reviewing airline customer service, inviting the flying public to share their air travel experiences in order to evaluate how well U.S. airlines are accommodating the needs of air travelers with disabilities and special needs. DOT will issue a report to Congress by December 31, 2000.

## August

**AUGUST 6** Alexis M. Herman, Secretary of the Department of Labor; Senator Ted Kennedy; Paul Steven Miller, Commissioner of the Equal Employment Opportunity Commission; and Jonathan Young, Associate Director for the White House Office of Public Liaison speak at the *Spirit of ADA 2000 Torch Relay* event in Boston, Massachusetts.

**AUGUST 7** Richard Riley, Secretary of Education; Judith Heumann, Assistant Secretary for Special Education and Rehabilitative Services at the Department

of Education; and Richard C. Holbrooke, U.S. Ambassador to the United Nations, speak at the *Spirit of ADA 2000 Torch Relay* event in New York City.

**AUGUST 10** DOL announces the largest settlement its Office of Federal Contract Compliance Programs has ever obtained for people with disabilities, stating that American Airlines will pay nearly \$1.7 million to 99 people with disabilities who were denied jobs in Nashville, Tennessee and Detroit, Michigan.

**AUGUST 11** SSA publishes proposed rules affecting SSDI and SSI beneficiaries who start or return to work: indexing the "substantial gainful activity" amount; raising and indexing the trial work period amount; and increasing and indexing the student earned income exclusion.

**AUGUST 21** HUD publishes a proposed rule extending "earned income disregards" to individuals with disabilities receiving various types of HUD housing assistance and clarifying the applicability of deductions for disability-related expenses.

**August 21** HUD follows up on its July announcement and publishes a proposed rule extending “earned income disregards” to individuals with disabilities receiving various types of HUD housing assistance and clarifying the applicability of deductions for disability-related expenses.

**August 29** William Kennard, Chair of the Federal Communications Commission, announces that the new FCC rule increasing accessibility of televised video programming to viewers with hearing disabilities is effective immediately, requiring programmers to make local emergency information accessible to persons with hearing disabilities either through closed captioning or by using a method of visual presentation.

Nancy Ann DeParle, Administrator of the Health Care Financing Administration, announces the issuance of a second guidance letter to state Medicaid directors regarding implementation of TWWIIA, providing detailed information about the two new Medicaid eligibility groups.

**August 30** Donna Shalala, Secretary of Health and Human Services, announces issuance of written policy guidance to assist Federal programs and providers in ensuring that persons with limited English proficiency can effectively access critical health and social services.

**August 31** Ida Castro, Chair of the Equal Employment Opportunity Commission, announces settlement of a major ADA lawsuit against Landers Auto Sales, a large Arkansas auto dealership, for discriminating against a former sales manager who has quadriplegia. The settlement includes monetary relief, an accessible van, comprehensive training for management employees in ADA requirements, and maintenance of a wheelchair accessible workplace, including accessible doors, parking facilities, work areas, computers, telephones, and restrooms.

**August** The National Council on Disability announces a cooperative agreement with the National Fair Housing Alliance and the Judge David L. Bazelon Center for Mental Health Law to evaluate and comprehensively review the

first 12 years of enforcement efforts under the 1988 Fair Housing Amendments Act and related legislation.

## SEPTEMBER 2000

**September 11-12** HCFA holds a *Technical Assistance Conference for States Implementing Medicaid Buy-Ins Under the Balanced Budget Act of 1997 and the Ticket to Work and Work Incentives Improvement Act of 1999*.

**September 13** President Clinton announces the release of a study that demonstrates that hate crimes, including crimes against persons with disabilities, are greatly under-reported, and issues a directive to DOJ to work with state and local law enforcement officials on strategies to improve hate crimes reporting.

**September 14** Presidential Task Force, SSA, DOL, ED, and HCFA cosponsor *Tribal Opportunities under the Workforce Investment Act and the Ticket to Work and Work Incentives Improvement Act* for Native American tribal leaders and members with disabilities in Fort Collins, Colorado.

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

**September 21** President Clinton, as part of his *Disability and the Digital Divide Tour*, travels to Flint, Michigan, and announces new commitments by the Administration, businesses, universities, and nonprofits to help ensure that people with disabilities can fully participate in the Information Age:

- HHS, DOL, and other Federal agencies will form an Interagency Task Force on Medicare and Medicaid Coverage of Assistive Technologies;

- More than 45 high-tech CEOs pledge to adopt corporate-wide “best practices” on accessibility;

## September

**AUGUST 29** FCC announces that the new FCC rule increasing accessibility of televised video programming to viewers with hearing disabilities is effective immediately, requiring programmers to make local emergency information accessible to persons with hearing disabilities either through closed captioning or by using a method of visual presentation.

**SEPTEMBER 14** Presidential Task Force, NCD, and PCEPD present a disability issues forum at the *2000 Congressional Black Caucus Annual Legislative Conference* annual meeting on barriers to employment faced by African-Americans with disabilities.

**SEPTEMBER 21** President Clinton, as part of his *Disability and the Digital Divide Tour*, travels to Flint, Michigan and announces new commitments by the Administration, businesses, universities and nonprofits to help ensure that people with disabilities can fully participate in the Information Age.

**SEPTEMBER 25** SBA hosts the *Economic Development and Entrepreneurship for People with Disabilities Blue Ribbon Roundtable* in Washington, D.C.

- 25 of the nation's top research universities agree to expand research and education on accessibility;
- SmartForce, an e-learning company, will provide \$20 million of free access to its online training material to at least 5,000 people with disabilities per year for the next three years;
- ED announces more than \$16 million in grants to promote accessible information technology, and \$1.8 million for an initiative to develop standards for accessible online learning;
- Microsoft and other partners will create a business incubator with an emphasis on the needs of entrepreneurs with disabilities;
- Sun Microsystems will create a lab to make desktop software accessible for people with disabilities;
- PCEPD is expanding its High School High Tech program to four new cities; and
- DOC will award a grant to help community-based organizations provide Web-based services to people with disabilities.

Susan Ness, Commissioner for the Federal Communications Commission, speaks in Flint, Michigan on the need for bridging the digital divide for Americans with disabilities, stressing the importance of incorporating access during the design stage to eliminate need for expensive retrofits later.

Alexis M. Herman, Secretary of Labor, announces the Department's first international project focused on disability employment issues: a grant from the International Labor Affairs Bureau to The Trust for the Americas, the private sector arm of the Organization of American States and the Inter-American Agency for Cooperation and Development. The Trust will implement the project in El Salvador, working with Salvadoran government agencies and local non-governmental organizations (including disability groups, universities, and businesses) to train Salvadorans with dis-

abilities to use new information and communication technologies to increase their rate of employment. The Presidential Task Force will be providing technical guidance and assistance throughout the 21-month project.

**September 24** Andrew Cuomo, Secretary of Housing and Urban Development, awards \$4.3 million to assist Ability First, a nonprofit organization that will create apartments for people with disabilities, and to provide rental assistance to people living in the apartments. The grants were awarded under HUD's Section 811 program, which covers housing for people with physical, developmental and mental disabilities.

**September 25** SBA hosts the *Economic Development and Entrepreneurship for People with Disabilities Blue Ribbon Roundtable* in Washington, D.C.

**September 27-29** SSA, DOL, and PCEPD cosponsor with Disabled Sports USA *Challenge 2000: Disabled Sports Employment Conference*, the first national conference on employment opportunities in the sports and recreation field for people with disabilities.

## OCTOBER 2000

**October 1** President Clinton proclaims October 2000 *National Disability Employment Awareness Month* and calls upon Federal Government officials, educators, labor leaders, employers, and the people of the United States to observe the month with programs and activities that reaffirm our determination to fulfill the letter and spirit of the ADA.

Executive Order 13163, *Increasing the Number of Individuals with Disabilities Employed in the Federal Government*, takes effect.

Kenneth Apfel, Commissioner of the Social Security Administration, announces that the new Medicare provisions of TWWIIA are now in effect and people who receive Social Security Disability Insurance and start or

## October

**OCTOBER 1** President Clinton proclaims *October 2000 National Disability Employment Awareness Month* and calls upon Government officials, educators, labor leaders, employers, and the people of the United States to observe the month with programs and activities that reaffirm our determination to fulfill the letter and spirit of the Americans with Disabilities Act.

■ Executive Order 13163, *Increasing the Number of Individuals with Disabilities Employed in the Federal Government*, takes effect.

■ SSA announces that the new Medicare provisions of the *Ticket to Work and Work Incentives Improvement Act* are now in effect and people who receive Social Security Disability Insurance and start or return to work can now receive premium-free Medicare coverage for an additional four and a half years.

**OCTOBER 11** U.S. Supreme Court hears oral arguments in *University of Alabama v. Garrett*, that challenge the constitutionality of the Americans with Disabilities Act; the Court's opinion could have a profound

impact on the civil rights of all Americans for generations to come.

**OCTOBER 17** Norman Mineta, Secretary of the Commerce, begins "Digital Inclusion" tour in San Jose, California and announces release of the new DOC report *Falling Through the Net*, reiterating his commitment to ensuring digital inclusion for Americans with disabilities.

return to work can now receive premium-free Medicare coverage for an additional four and one-half years.

**October 6** Alexis M. Herman, Secretary of Labor, announces issuance of proposed rules giving the Department express authority to use the compliance evaluation approach to enforce Section 503 of the Rehabilitation Act.

**October 10** The National School-to-Work Office, administered by DOL and ED, holds its *School-to-Work Annual Conference* with 1,400 participants, and a strong focus on young people with disabilities.

**October 11** U.S. Supreme Court hears oral arguments in *University of Alabama v. Garrett*, looking at whether Congress had the constitutional authority under the Fourteenth Amendment to enact the ADA; the Court's opinion could have a profound impact on the civil rights of all Americans for generations to come.

William Cohen, Secretary of Defense, hosts DOD's annual National Disability Employment Awareness Month Awards Ceremony, honoring outstanding employees with disabilities and three components of DOD for outstanding achievement in advancing the hiring, promotion, and retention of people with disabilities.

**October 13** President Clinton issues a memorandum establishing the National Task Force on Preparing Youth for 21st Century College and Careers which will examine how a coordinated Federal policy can help all youth prepare for future careers.

**October 16** General Services Administration (GSA) and the National Science Foundation sponsor *Meeting the 508 Mandate: Today and the Future*, covering the Rehabilitation Act's Section 508 technology requirements and challenges.

Alexis M. Herman, Secretary of Labor, sponsors a one-day academic symposium, *Telework and the American Worker in the 21st Century*, at Xavier University of Louisiana in New Orleans. The symposium emphasized that telecom-

muting/telework is an example of "universal design" principles that can significantly increase the ability of people with disabilities to participate fully in the workplace and improve the quality of life of all people, with and without disabilities.

**October 17** Norman Mineta, Secretary of Commerce, begins the "Digital Inclusion" tour in San Jose, California, and announces release of the new DOC report *Falling Through the Net*, reiterating his commitment to ensuring digital inclusion for Americans with disabilities.

**October 17-18** Dan Glickman, Secretary of Agriculture, cosponsors with the Presidential Task Force and GSA, the annual *Interagency Disability Educational Awareness Showcase (IDEAS 2000)*, featuring workshops, discussions, and exhibits highlighting methods to increase employment of people with disabilities; Janet Reno, Attorney General of the United States, gives the opening keynote address.

**October 17-19** DOL's Welfare-to-Work office sponsors several workshops on including individuals with disabilities in the welfare-to-work system as part of *Beyond 2000: Building the Future*, a national conference for state and local Temporary Assistance for Needy Families (TANF) program caseworkers and administrators.

**October 20** Ida Castro, Chair of the Equal Employment Opportunity Commission, announces issuance of EEOC Policy Guidance explaining the requirements of Executive Order 13164, *Establishing Procedures to Facilitate the Provision of Reasonable Accommodation*, which requires Federal agencies to establish effective written procedures for processing requests for reasonable accommodation.

President Clinton announces \$54 million in DOL demonstration grants to fund high-skills training for American workers in areas where companies are facing labor shortages, including four projects that will focus on training individuals with disabilities for existing jobs in the Information Technology industry. These grants are part of the almost

## October

**OCTOBER 17-18** Department of Agriculture, GSA and Presidential Task Force cosponsor the annual *Interagency Disability Educational Awareness Showcase (IDEAS 2000)*, featuring workshops, discussions and exhibits highlighting methods to increase employment of people with disabilities; Janet Reno, Attorney General of the United States, gives the opening keynote address.

**OCTOBER 20** EEOC issues policy guidance explaining the requirements of Executive Order 13164, *Establishing Procedures to Facilitate the Provision of Reasonable Accommodation*, which requires Federal agencies to establish effective written procedures for processing requests for reasonable accommodation.

**OCTOBER 20-25** SSA and the Disability Rights Education and Defense Fund, in partnership with the Presidential Task Force and other Federal agencies, sponsor *From Principles to Practice: An International Disability Law and Policy Symposium*.

\$95 million DOL is investing this year in fees received through the H1-B visa program that allows companies to hire temporary foreign workers, enabling American workers to receive training in such targeted occupations as computer engineering, Internet technology, Web design, data communications and networking, computer support specialties, electronics, accounting, e-commerce, and health care occupations.

**October 20-25** SSA and the Disability Rights Education and Defense Fund, in partnership with the Presidential Task Force, sponsor *From Principles to Practice: An International Disability Law and Policy Symposium*, with support from the PCEPD, the Department of State, HHS's Center for Mental Health Services, ED'S Office of Special Education and Rehabilitative Services (OSERS), and U.S. Agency for International Development.

**October 24-25** Access Board holds hearings on proposed regulations covering automatic teller machines (ATMs) and captioning equipment for movie theaters.

**October 25** The Presidential Task Force, in conjunction with PCEPD and AAPD, sponsors the second *National Disability Mentoring Day*, a chance for young people with disabilities to gain insight into career options. Mentors at the White House, Federal agencies, and businesses across the country host students with disabilities for a day and experience firsthand the contributions this future talent pool can bring to the workplace.

In conjunction with *National Disability Mentoring Day*, CEOs of major corporations representing a broad diversity of industries — computer hardware and software, consumer products, insurance, entertainment, office products, consulting, marketing, career support, pharmaceuticals, and telecommunications — submit a letter to President Clinton identifying concrete actions that promote the recruitment, hiring, and advancement of employees with disabilities.

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

President Clinton announces the award of \$20 million in DOL Work Incentive Grants to 23 state and local programs to enhance employment opportunities for people with disabilities in the One-Stop career system.

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

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

- The VA is forming a partnership with VERIZON and SAIC to ensure veterans, particularly veterans with disabilities, have the technology access and training to participate fully in this new digital economy where public services, including VA services, and private business are conducted online.

- The Bureau of Indian Affairs and DOL launch a partnership with the Information Technology Association of America and the Southwestern Indian Polytechnic Institute for increasing technology access for American Indians and Alaskan Natives with disabilities.

- Microsoft's Accessible Technology Group is awarding \$250,000 in grants to nine programs to provide people with disabilities, especially young people, with greater

**OCTOBER 25** Presidential Task Force, in conjunction with PCEPD and AAPD, sponsor the second *National Disability Mentoring Day*, a chance for young people with disabilities to gain insight into career options. Mentors at the White House, Federal agencies and businesses across the country host students with disabilities for a day and experience firsthand the contributions this future talent pool can bring to the workplace.

The Bureau of Indian Affairs and DOL launch a partnership with the Information Technology Association of America and the Southwestern Indian Polytechnic Institute for increasing technology access for American Indians and Alaskan Natives with disabilities. October 27 President Clinton announces a proposed regulation expanding Medicaid eligibility for people with disabilities and promoting the use of home and community-based services and supports.

**OCTOBER 31** DisAbility.gov launches two new sections: Employers' Resources and Media Resources.

access to technology, employment, and entrepreneurship. These grants include support of two newly created High School/High Tech projects, which are sponsored by PCEPD.

**October 27** President Clinton announces a proposed regulation expanding Medicaid eligibility for people with disabilities and promoting the use of home- and community-based services and supports. States will be able to use these rules to move people with disabilities from institutions into the community and to encourage people to start, return to, or continue work by ensuring that they will not lose their health insurance coverage if their income increases slightly.

**October 30** President Clinton signs reauthorization of the Development Disabilities Act.

**October 30-31** HUD holds its first regional design training in Seattle, Washington, including workshops by disability advocates on accessibility and visitability in HOPE VI, mixed-finance, and homeownership communities.

**October 31** HCFA issues proposed rule on income disregards for state Medicaid programs, changes that allow states greater flexibility in determining Medicaid eligibility, thus assisting people with disabilities and families who have children with disabilities to obtain Medicaid coverage while staying in their homes and communities.

DisAbility.gov launches two new sections: (1) *Employers' Resources*, providing access to information that facilitates recruiting, hiring, and making easy, low-cost accommodations for employees with disabilities, and (2) *Media Resources*, offering journalists and broadcasters information on appropriate language for reporting about people with disabilities, interviewing tips, and a growing bibliography of publications and films that depict the disability experience.

## NOVEMBER 2000

**November 1** Aida Alvarez, Administrator of the Small Business Administration, announces the formation of the *SBA Committee to Advance Employment and Business Opportunities for People with Disabilities*, a new committee made up of SBA senior-level management from key program, policy, and administrative offices, to focus on ways to enhance business opportunities for people with disabilities.

**November 2** PCEPD releases *Getting Down to Business: A Blueprint for Creating and Supporting Entrepreneurial Opportunities for Individuals with Disabilities*, discussing the current status of small business and self-employment opportunities for people with disabilities and offering recommendations for addressing barriers to business ownership. The findings build upon the proceedings of the *National Blue Ribbon Panel on Self-Employment, Small Business and Disability*, convened in 1998 by PCEPD, the Presidential Task Force, SSA, the World Institute on Disability, and the Association for Enterprise Opportunity.

**November 9** ED's Office of Vocational and Adult Education (OVAE) releases a new report, *Learning Disabilities and Spanish Speaking Adult Populations*, proposing a national model for diagnosis of learning disabilities in Spanish-speaking adults and a joint effort with seven states on development of a validated screening tool for learning disabilities written in Spanish.

SBA announces an interim rule amending the *Federal Acquisition Regulation* and establishing Federal procurement goals for small businesses owned by veterans with service-connected disabilities.

**November 13-15** TWWIIA Advisory Panel holds its second meeting in Washington, D.C.

**November 16** Task Force holds first of several focus groups for youth with disabilities in New York City.

## November

**NOVEMBER 1** SBA announces formation of the *SBA Committee to Advance Employment and Business Opportunities for People with Disabilities* to focus on ways to enhance business opportunities for people with disabilities.

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tunities for people with disabilities and offering recommendations for addressing barriers to business ownership.

**NOVEMBER 16** HHS, ED, and the National Institute for Literacy announce the first round of intensive trainings on learning disabilities and individuals who receive Temporary Assistance to Needy Families (TANF).

HHS's Administration for Children and Families, OVAE, and the National Institute for Literacy announce the first round of intensive trainings on learning disabilities and individuals who receive TANF in Tennessee, Rhode Island, Oregon, and Virginia.

Kenneth Apfel, Commissioner of the Social Security Administration, announces that beginning in January 2001, under the new Ticket to Work and Self-Sufficiency Program, tickets will be issued to individuals with disabilities who receive SSDI and SSI in these 13 states: Arizona, Colorado, Delaware, Florida, Illinois, Iowa, Massachusetts, New York, Oklahoma, Oregon, South Carolina, Vermont, and Wisconsin.

**November 16-17** HUD holds its *second* regional design training, which includes workshops by disability advocates on accessibility and visitability in HOPE VI, mixed-finance, and homeownership communities, in Boston, Massachusetts.

**November 29** President Clinton holds an Oval Office ceremony to commemorate the 25th anniversary of Public Law 94-142, now known as the *Individuals with Disabilities Education Act*. The Consortium for Citizens with Disabilities presents President Clinton with an IDEA Hero Award in appreciation for his Administration's strong advocacy on behalf of students with disabilities being served under IDEA. Following the ceremony, the Department of Education and Consortium for Citizens with Disabilities host a celebration for disability advocates, educators, Congressional staff, and families and students with disabilities.

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

■ Launches its new *Lessons for All* IDEA 25th anniversary Web site, ([www.ed.gov/offices/OSERS/IDEA25th/](http://www.ed.gov/offices/OSERS/IDEA25th/)), including information on the history of the Act and its impact on improving results for infants, toddlers, children, and youth with disabilities; links to IDEA-funded resources; stories

from students and community members who have benefited from IDEA; and related news and events.

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

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

## DECEMBER 2000

**December 6-8** Presidential Task Force cosponsors, with the Department of Agriculture, DOD, HHS, DOL, State, VA, and PCEPD, the *19th Annual National Symposium on Perspectives on Employment of Persons with Disabilities*, offering Federal managers and others updated information on personnel policies and practices, technology, reasonable accommodation, and resources that facilitate employment opportunities for people with disabilities throughout the Federal Government.

**December 12-13** Presidential Task Force, SSA, RSA, DOL and HHS sponsor the *State Partnership Systems Change Initiative Annual Meeting* in Annapolis, Maryland, supporting 17 states in the development of innovative effective service delivery systems that increase employment of individuals with disabilities: Alaska, Arkansas, California, Colorado, Illinois, Iowa, Minnesota, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Utah, Vermont, and Wisconsin.

**December 13-15** DOL holds its first meeting for the new Work Incentive Grant grantees.

**December 14-15** HHS Administration on Developmental Disabilities (ADD) holds its annual meeting, *Developmental Disabilities Act Reauthorization: Challenges, Opportunities and Future Direction* in Washington, D.C.

## December

■ SSA announces that under the new *Ticket to Work and Self-Sufficiency Program*, tickets will be issued to individuals with disabilities who receive SSDI and SSI in 13 states, beginning in January 2001.

**NOVEMBER 29** President Clinton holds Oval Office ceremony to celebrate the 25th anniversary of the *Individuals with Disabilities Education Act*.

**DECEMBER 12-13** Presidential Task Force, SSA, RSA, DOL, and HHS sponsor the *State Partnership Systems Change Initiative Annual Meeting* in Annapolis, Maryland.

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**December 14** FCC requires digital wireless phone service providers to make their services TTY compatible by June 30, 2001, so callers can make 911 calls using TTY devices now that technology is available for this access.

**December 15** SSA cosponsors with the National Academy of Social Insurance a policy education seminar, *Disability Income Policy: Opportunities and Challenges in the Next Decade*, and an evening policy education workshop, *Reflections on the Ticket to Work and Work Incentives Improvement Act: Lessons Learned for Effective Policy Development*.

**December 21** Access Board issues final standards for electronic and information technology under Section 508 of the Rehabilitation Act, which requires access for persons with disabilities to electronic and information technology in the Federal sector. The standards cover various means for disseminating information, including computers, software, Web-based applications, telecommunications products, and electronic office equipment.

President Clinton signs Public Law 106-554, the *Consolidated Appropriations Act for FY 2001*, making appropriations for the Departments of Labor, Health and Human Services, and Education. The law contains the appropriation to establish the Office on Disability Employment Policy in the Department of Labor.

**December 28** SSA announces publication of proposed rules to implement the new Ticket to Work and Self-Sufficiency Program, which will provide expanded access to employment services, vocational rehabilitation, and other support services for people with disabilities who receive SSDI and/or SSI benefits.

**December 29** SSA publishes final regulations on three important changes related to employment: (1) automatic adjustments each year to the Substantial Gainful Activity (SGA) amount; (2) an increase, (from \$200 to \$530 per month) and automatic annual adjustment to the amount used to determine a successful Trial Work Period month; and (3) an increase in the Student Earned Income Exclusion, from \$400 to \$1,290 per month (with an annual limit of \$5,200) with automatic annual adjustments.

## December

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## Federal Efforts to Identify the Employment Rate for Adults with Disabilities

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### The Purpose and Need for Disability Statistics

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

more current and accurate data on the employment and economic status of people with disabilities.

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

The SIPP has a number of very useful ways to identify people with disabilities, but it also has some limitations in its utility. For example, a supplement designed to provide more in-depth information about people with disabilities is not administered with sufficient frequency to provide current

information, and labor force definitions and its reference period (a four-month period prior to the survey) render the data incomparable to data from other surveys. The CPS is the official source of employment data and is conducted on a monthly basis, but it does not have questions to identify the population of people with disabilities as it does with other demographic groups.

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

## **Identification of People with Disabilities**

Several important issues are connected with the determination of who is a person with a disability. The context in which people with disabilities are identified is particularly relevant. For example, if an employer wishes to evaluate its efforts to hire people with disabilities, it could attempt to determine the number of people with disabilities it employs by conducting a visual survey and head count of those people thought to have a disability. This method is likely to miss most people with hidden disabilities, ranging from heart conditions to depression. Alternatively, the employer could ask

people to self-identify as having a disability. Self-identification is a particularly important way to identify people with disabilities because a person with a disability knows more about herself or himself than anyone else.

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

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

## **Disability Data: Its Uses and Misuses**

There are many examples of how data about people with disabilities can be used to facilitate the economic participation of people with disabilities. Section 503 of the Rehabilitation Act of 1973, as amended, requires Federal contractors and subcontractors to take proactive steps to hire and retain people with disabilities. Contractors meeting particular criteria are currently required to fill out

and submit Standard Form 100, Employer Information report EEO-1 (known as the EEO-1 Form) which identifies the occupational distribution of men and women in five categories of race/ethnicity. This data is compared to the availability of qualified individuals in each group to flag areas of possible underutilization. Currently, however, contractors are not required to identify the distribution of people with disabilities on the EEO-1 Form, so similar data on employment of people with disabilities is not readily available. The simple fact that there is no data available to evaluate their efforts might be an impediment to hiring people with disabilities.

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

There are also problems with the data as it currently exists. As noted above, there is no measure of the disability population in the CPS. Yet, there is a question in the March Supplement of the CPS that asks if a person has a health problem or disability that prevents him or her from working or limits the type or amount of work he or she can do. This question is designed so that those who respond positively to the question will then be asked a set of questions about sources of income, such as workers' compensation, black lung benefits, etc. It was not designed to identify the disability population. While it may be reasonable to assume

that some people with a disability have a limitation in the type or amount of work they can do, the concept of disability is far broader than a work limitation. As a result, it is not valid to define the concept of disability in this way.

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

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

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

of people with disabilities remains critical to the development of any comprehensive strategy to increase the employment rate of people with disabilities.

## **Executive Order 13078**

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

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

The rationale for this approach was the expectation that data would be available regarding the design and selection of question sets on many of the well-known disability surveys. This information would then be used to determine which question sets would be the best for inclusion on the CPS. It was also understood that even if there were question sets that could be placed on the CPS, further

research would be required on those question sets in the context of the CPS. In last year's Task Force report, *If Not Now, When?*, the research plan was described in more detail.

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

## **Current Research Strategy**

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

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

The cognitive interviews of these 20 questions were

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

The cognitive tests provided insight on the proposed questions in several different ways. At a very specific level, the interviews led to a number of specific changes for inclusion in the larger field study that will involve the use of NCS. For example, the items taken from the Decennial Census were simplified by eliminating multiple allusions to both a reference period (past three months) and a specific duration of condition (three months or longer). The cognitive tests found respondents were not processing both of these time referents, and would typically drop the reference period from consideration. Another type of change that resulted from the cognitive tests was based on inconsistencies in how respondents interpreted descriptions of conditions. For example, the phrase “...serious speech, hearing or vision problem” was interpreted by some respondents as any condition that required glasses or hearing aids, while others did not include these assistive devices. As a result, recommendations were made to include additional items that were more explicit with respect to the use of assistive devices and situations (*e.g.*, hearing a normal conversation even with a hearing aid). Similarly, the cognitive tests recommended that a question that asked respondents if “most other people” considered him/her disabled should be broken up into two questions. One should ask whether “strangers who see you on the street would consider you to have a disability.” The other should ask if “people who know you consider you to have a disability.” This recommendation was

based on the observation that respondents interpreted the original question multiple ways. Some thought of people they know, while others thought of strangers. Since the type of disability would depend on these two interpretations, the question was changed.

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

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

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

For example, one respondent with arthritis reported

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

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

The next phase of the testing process is to place the finished products from the cognitive testing in the NCS, which will be administered between February 2001 and October 2001, with at least one-third of the data being available in May 2001. The NCS has several characteristics that make it particularly

attractive as a test vehicle. First, it is an exhaustive instrument for determining the prevalence of mental disorders. These disorders are among the most difficult to identify in a survey. It also has a number of measures regarding the severity of physical disabilities, such as the Global Assessment Schedule. The interviews in the NCS are face to face, but 10 percent of the households will be interviewed again to determine the relationship between self and proxy responses. Six of the candidate questions come from the WHO-DAS II, and, as it happens, the NCS has 18 questions from the WHO DAS II, including the six that were selected for further testing.

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

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

Despite the difficulties inherent in adding disability questions to the CPS, the BLS has remained steadfastly committed to separately identifying the disability population. While other surveys such as the SIPP and the NHIS contain employment

questions, the concepts, reference period, and essential survey conditions of the other surveys differ sufficiently from that of the CPS so that the other surveys are not effective substitutes for the CPS. Also, since the CPS is the official source of data on employment and for the identification of other protected classes (e.g., African-Americans, Hispanics, women, and people over 40), it would be desirable to collect labor force data for people with disabilities on the same basis.

## Recommendations

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

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

The review of disability instruments conducted under the auspices of the Task Force indicates a poverty of research into the accuracy and reliability of disability statistics. The work of the Task Force and the ERMM Work Group to determine the

accuracy and reliability of disability questions as well as the cognitive interviews recently conducted provide a solid foundation for other Federal agencies as these agencies begin to develop instruments designed to measure disability issues. It is recommended that disability statistics activities across the Federal Government be coordinated through the Task Force.

Input from the Task Force could help toward the development of a consistent, government-wide disability data collection methodology by reviewing data needs, identifying data gaps, and establishing data standards. Federal agencies could then develop data methodologies and measures that will support and assist in the delivery of Federally assisted and Federally conducted programs to increase the employment rate of people with disabilities.

The ability to develop meaningful programs and monitor the success of programs is dependent on the ability to access data from a broad array of programs such as health statistics, education statistics, employment programs, and entitlement programs.

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

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



In addition to the development and implementation of an accurate and reliable methodology for determining the employment rate of adults with disabilities, the Task Force also realizes that measures of workforce availability are needed by employers for recruitment and affirmative action planning. Federal law currently requires certain employers and Federal contractors to use the EEO-1 Form to report the occupational distribution of men and women in five categories of race/ethnicity, but does not require the collection of similar data regarding the participation of people with disabilities. For the sake of consistency, uniformity, and economy, the EEO-1 Form has been jointly developed by EEOC and the Office of Federal Contract Compliance Programs (OFCCP) of the U.S. Department of Labor to meet the statistical needs of both programs. The EEO-1 currently does not capture any data on people with disabilities, thus making it more difficult to determine the extent of participation of people with disabilities in the current labor market.

The Task Force recommends that the EEO-1 be modified to provide occupational data on people with disabilities and that appropriate legal measures be taken to put people with disabilities at parity to women and minorities under Executive Order 11246. Concurrently, the Task Force recommends that data on the availability of persons with disabilities in the workforce be included in the 2000 Census EEO File. This information will be available in 2003. Employers currently rely on the 1990

Census EEO File, which compiles detailed local area data on six specific occupations and the sex, race, and Hispanic origin distribution within the occupations. The 1990 Census EEO File does not contain data on people with disabilities. Employers currently use the 1990 Census EEO File to develop recruitment and affirmative action plans with respect to gender, Hispanic origin, and race, and could similarly use the 2000 EEO File if data were available on people with disabilities.

The Department of Labor, through the OFCCP, has the responsibility for enforcing Section 503 of the Rehabilitation Act of 1973, which requires Federal contractors to take proactive measures to hire persons with disabilities that go beyond the nondiscrimination requirements of Section 503 and the ADA. Adding disability status to the database of occupational distributions and to the EEO-1 form would allow OFCCP to strengthen its enforcement of Section 503 of the Rehabilitation Act of 1973 and enable firms to evaluate their progress toward the goal of hiring people with disabilities.

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

# Research Activities FY '99 of the Presidential Task Force on Employment of Adults with Disabilities

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## ■ DATA COLLECTION:

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

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

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

the door to employment of people with disabilities in the Federal workforce. It also describes persistent barriers and recommendations to increase the employment of adults with disabilities in Federal agencies.

### *Models for Identifying and Measuring Disability Practices in Hiring*

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

### *Employment Data Policy Analysis*

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

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

### ***Background Reports on Existing Federal Programs***

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

## **YOUNG PEOPLE WITH DISABILITIES**

### ***Youth with Disabilities and Lifelong Learning***

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

### ***Exploring International Options for Young Women with Disabilities***

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

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

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

### ***White Paper on Improving Employment Outcomes for Youth with Disabilities***

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

## **SIGNIFICANT DISABILITIES**

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

People with the most significant disabilities continue to be excluded from community-based employment; to be segregated in institutions, day habilitation, and sheltered workshop settings; and to experience even higher rates of unemployment. This remains true in spite of the fact that multiple demonstrations have proven that certain strategies can be highly successful in

connecting such individuals to community-based employment. This project conducted research and developed a brochure, *A New Voice*, that documented success stories that have led to changed work status of these individuals in community-based settings.

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

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

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

These projects: (1) assisted the Task Force with the identification and analysis of current Federal and state policies and practices that continue to pose barriers to consumer choice and; (2) identified the direction of supports that would enhance opportunities for meaningful work and economic status for Americans with developmental and the most significant disabilities. The projects resulted in a think-tank

that brought together national experts to synthesize research and best practices. This led to the National Summit that resulted in the identification of policy options and future directions.

## **SYSTEMS CHANGE**

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

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

## **CUSTOMER CHOICE**

***The Meaning of Choice: Implications for Project Participants and Systems***

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

participants, as well as their implication for the ongoing evolution of policy reform promoting increased choice and consumer-control.

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

### ***Meaning of Choice: Perspectives from Project Participants and Facilitators***

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

## **FY 2000**

### **DATA COLLECTION**

#### ***Study to Identify the Needs of Medicaid Beneficiaries with Disabilities***

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

developing comprehensive and effective working plans for ensuring compliance with the Americans with Disabilities Act.

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

#### ***Cognitive Tests of Disability Survey Questions***

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

#### ***Review of Tax Policy to Promote Employment of Adults with Disabilities***

Working-age adults with disabilities often have a disincentive to work because of the high cost of

personal assistance and other services and technologies required for employment. These potential costs can impact not just the individuals with a disability seeking employment, but also employers who want to hire an individual with a disability.

There are a number of Federal and state tax credits and other provisions to facilitate employment of persons with disabilities. However, there is concern from the disability community that these provisions are not well understood and may be underutilized. The purpose of this project is to conduct research to assist in developing a strategy to maximize the effectiveness of current tax law and policy as an incentive for employment of people with disabilities, to identify innovative strategies being used in the states, and to develop options and possible suggested actions for consideration in order to develop a coordinated strategy for using the tax system to facilitate employment of people with disabilities.

### ***Review of State Plans Workforce Investment Act***

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

opportunities for individuals with disabilities nationwide.

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

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

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

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

## **YOUTH**

### ***National Transition Summit on Young People with Disabilities***

### ***National Youth Leadership Conference***

The purpose of these projects was to convene a series of forums to discuss the development of a national youth-to-work initiative. This initiative was included in the second report to the President from the Task Force. Eighteen Federal agencies that participate on the Task Force were represented at these forums. The National Summit, held in June 2000, identified concise and detailed recommendations for strengthening, linking, and coordinating Federal, state, and local programs that serve young people with

disabilities. The National Youth Leadership Conference, also held in June, included 100 young people with disabilities who participated in leadership development activities and provided the Task Force with recommendations for future policy directions.

### ***Youth with Disabilities: Program Resource Mapping***

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

### ***Connecting to Success***

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

## **PUBLIC AWARENESS**

### ***National Mental Health Awareness Campaign***

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

### ***Tenth Anniversary of the Americans with Disabilities Act***

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

### ***disAbility.gov***

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

## **TICKET TO WORK AND WORK INCENTIVES IMPROVEMENT ACT OF 1999**

### ***Employment of People with Disabilities: Tools for Advocates and States***

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

The TWWIA legislation, coupled with the Workforce Investment Act of 1998 (WIA), offers many new ways for states and communities to address the low employment rate of people with

disabilities. However, to realize the full potential of these laws, states must act in developing the policies and practices necessary for implementation. States have already expressed the need for technical assistance and guidance on how to best do this. In addition, advocates and consumers have expressed the need for additional information in order to assist their states in making wise decisions. The Task Force is well positioned to assist the states, advocates, and local private and non-profit entities, so they can work to implement the provisions in these laws in the most comprehensive and innovative ways possible.

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



## Summary of Disability-Related Legislative Initiatives\*

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### **National Vocational Rehabilitation Act of 1920**

Established Federal/State system of rehabilitation services.

### **Social Security Act of 1935**

Established Federal/State system of health services for “crippled” children; permanently authorized civilian rehabilitation program.

### **Wagner-O’Day Act of 1938**

Authorized Federal purchases from workshops for people who are blind.

### **Randolph-Sheppard Act of 1938**

Authorized Federal program to employ people who are blind as vendors on Federal property.

### **Vocational Rehabilitation Act of 1954**

Authorized innovation and expansion grants, and grants to colleges and universities for professional training.

### **Wagner-Peyser Act Amendments of 1954**

Required Federal/State employment security offices to designate staff members to assist people with severe disabilities.

### **Social Security Amendments of 1956**

Established Social Security Disability Insurance Trust Fund; provided for payments to eligible workers who became disabled.

### **National Defense Education Act of 1958**

Authorized Federal assistance for preparation of teachers of children with disabilities.

### **Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963**

Provided grants for construction of mental retardation research centers and facilities; provided for training of educational personnel involved with youth with disabilities; authorized grants to states for construction of community mental health centers.

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\* Adapted from Kay F. Schriener and Andrew I. Batavia, “Disability Law and Social Policy,” *Encyclopedia of Disability and Rehabilitation*, New York: Simon & Schuster Macmillan, 1995, with summaries of legislation enacted since 1995 contributed by Carri George, Rebecca Ogle, Bobby Silverstein, and the Department of Justice’s 1997 publication, *A Guide to Disability Rights Laws*. This chart includes laws and amendments to laws significant to the context of this report and is not intended to be exhaustive or all-inclusive.

### **Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1965**

Established grant program to cover initial staffing costs for community mental health centers.

### **Social Security Act Amendments of 1965**

Established Medicaid program for elderly people and for blind persons and other persons with disabilities.

### **Elementary and Secondary Education Act of 1965**

Authorized Federal aid to states and localities for educating deprived children, including children with disabilities.

### **Elementary and Secondary Education Act Amendments of 1966**

Created National Advisory Committee on Handicapped Children; created Bureau of Education for the Handicapped in U.S. Office of Education.

### **Fair Labor Standards Amendments of 1966**

Established standards for employment of workers with disabilities, allowing for subminimum wages.

### **Elementary and Secondary Education Amendments of 1967**

Authorized regional resource centers; authorized centers and services for deaf-blind children.

### **Handicapped Children's Early Education Assistance Act of 1968**

Established grant program for preschool and early education of children with disabilities.

### **Vocational Education Act Amendments of 1968**

Required participating states to earmark 10 percent of basic vocational education allotment for youth with disabilities.

### **Architectural Barriers Act of 1968**

Required most buildings and facilities built, constructed, or altered with Federal funds after 1969 to be accessible.

### **Developmental Disabilities Services and Facilities Construction Amendments of 1970**

Expanded services to individuals with epilepsy and cerebral palsy; authorized new State formula grant program; defined "developmental disability" in categorical terms; established State-level planning council.

### **Urban Mass Transportation Act Amendment of 1970**

Authorized grants to states and localities for accessible mass transportation.

### **Javits-Wagner-O'Day Act of 1971**

Extended purchase authority to workshops for people with severe disabilities in addition to blindness; retained through 1976 preference for workshops for people who are blind.

### **Social Security Amendments of 1972**

Extended Medicare coverage to individuals with disabilities; established Supplemental Security Income program for elderly people and for blind persons and other persons with disabilities.

### **Small Business Investment Act Amendments of 1972**

Established the "Handicapped Assistance Loan Program" to provide loans to nonprofit sheltered workshops and individuals with disabilities.

## **Rehabilitation Act of 1973**

Prohibited disability discrimination in Federally assisted programs and activities and Federal agencies; required affirmative action programs for people with disabilities by Federal agencies and some Federal contractors; established the Architectural and Transportation Barriers Compliance Board.

## **Education Amendments of 1974**

Required states to establish plans and timetables for providing full educational opportunities for all children with disabilities as condition of receiving Federal funds.

## **Headstart, Economic Opportunity, and Community Partnership Act of 1974**

Required that at least 10 percent of children enrolled in Headstart be children with disabilities.

## **Housing and Community Development Act of 1974**

Established Section 8 housing program for low-income families, including individuals with disabilities and/or their families.

## **Developmentally Disabled Assistance and Bill of Rights Act of 1975**

Described congressional findings regarding rights of persons with developmental disabilities; established funding for protection and advocacy systems; added requirement that State plan include deinstitutionalization plan; required states to develop and annually review rehabilitation plans for all clients.

## **Education for All Handicapped Children Act of 1975**

Required states to establish policy assuring free appropriate public education for children with disabilities as condition for receiving Part B funds; established procedural safeguards, procedures for mainstreaming children with disabilities to the maximum extent possible, and procedures for nondiscriminatory testing and evaluation practices.

## **Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978**

Established National Institute of Handicapped Research; established National Council on the Handicapped; authorized grant program for independent living services; replaced categorical definition of developmental disability with functional definition; established minimum funding level for protection and advocacy services.

## **Civil Rights Commission Act of 1978**

Expanded jurisdiction of Civil Rights Commission to disability discrimination.

## **Department of Education Organization Act of 1979**

Established Office of Special Education and Rehabilitative Services in new cabinet-level Department of Education.

## **Civil Rights of Institutionalized Persons Act of 1980**

Empowered Department of Justice to bring suit against states for allegedly violating rights of institutionalized persons with disabilities.

## **Job Training Partnership Act of 1982**

Authorized training and placement services for “economically disadvantaged” individuals, including persons with disabilities.

## **Education of the Handicapped Act Amendments of 1983**

Authorized grants for training parents of children with disabilities.

## **Child Abuse Prevention Treatment Act Amendments of 1984**

Required states’ child protection agencies to develop procedures for responding to reports that newborns with disabling conditions were being denied treatment; established conditions for requiring such treatment.

## **Developmental Disabilities Act of 1984**

Shifted emphasis to employment in priority services; required Individual Habilitation Plan for consumers; increased minimum funding for protection and advocacy services.

## **Rehabilitation Act Amendments of 1984**

Established Client Assistance Programs as formula grant programs; made National Council on the Handicapped an independent agency.

## **Consolidated Omnibus Budget Reconciliation Act of 1985**

Expanded the definition of “habilitation” for Home and Community-Based Waiver recipients with developmental disabilities to cover certain pre-vocational services and supported employment for previously institutionalized individuals; authorized states to cover ventilator-dependent children under the waiver program if they would otherwise require continued inpatient care.

## **Education of the Handicapped Act Amendments of 1986**

Authorized a new grant program for states to develop an early intervention system for infants and toddlers with disabilities and their families, and provide greater incentives for states to provide preschool programs for children with disabilities between the ages of three and five.

## **Handicapped Children’s Protection Act of 1986**

Authorized courts to award reasonable attorneys fees to parents who prevail in due process proceedings and court actions under Part B of the Education of the Handicapped Act.

## **Employment Opportunities for Disabled Americans Act of 1986**

Made the Section 1619(a) and 1619(b) work incentives a permanent feature of the Social Security Act; added provisions to enable individuals to move back and forth among regular SSI, Section 1619(a) and Section 1619(b) eligibility status.

## **Education of the Deaf Act of 1986**

Updated statute establishing Gallaudet College and changed name to Gallaudet University; authorized Gallaudet University to operate demonstration elementary and secondary schools for deaf children; established Commission on Education of the Deaf.

## **Rehabilitation Act Amendments of 1986**

“Severe disability” definition expanded to include functional (as well as categorical) criteria; defined “employability” for first time; added formula grant program for supported employment; renamed research branch the National Institute on Disability and Rehabilitation Research.

## **Air Carrier Access Act of 1986**

Prohibited disability discrimination in provision of air transportation.

## **Protection and Advocacy for Mentally Ill Individuals Act of 1986**

Authorized formula grant program for statewide advocacy services for persons with mental illness, provided directly by, or under contract with, the protection and advocacy system for persons with developmental disabilities.

## **Developmental Disabilities and Bill of Rights Act Amendments of 1987**

Raised minimum allotment levels for basic State grant program and protection and advocacy systems; increased minimum allotment for university-affiliated programs, basic State grant program, and protection and advocacy systems.

## **The Technology-Related Assistance for Individuals with Disabilities Act of 1988**

Provided grants to states to develop statewide assistive technology programs.

## **Fair Housing Act Amendments of 1988**

Added persons with disabilities as a group protected from discrimination in housing and ensured that persons with disabilities are allowed to adapt their dwelling place to meet their needs.

## **Omnibus Reconciliation Act of 1989**

Included major expansion in required services under Medicaid's Early and Periodic Screening, Diagnosis and Treatment Program (EPSDT).

## **Television Decoder Circuitry Act of 1990**

Required new television sets to have capability for close-captioned television transmission.

## **Americans with Disabilities Act of 1990**

Prohibited disability discrimination in employment, public services and public accommodations operated by private entities; required that telecommunication services be made accessible.

## **Rehabilitation Act Amendments of 1992**

Changed eligibility requirements and procedures for determining eligibility; strengthened requirements for interagency cooperation; strengthened consumer involvement requirements, and provided that ADA Title I Standards shall be applied to determine whether there has been non-affirmative action discrimination under the Rehabilitation Act.

## **Family and Medical Leave Act of 1993**

Allowed workers to take up to 12 weeks of unpaid leave a year to care for newborn and adopted children and family members with serious health conditions or to recover from serious health conditions.

## **National Voter Registration Act of 1993**

Required states to liberalize their voter registration rules to allow people to register to vote by mail, when they apply for driver's licenses or at offices that provide public assistance and programs for individuals with disabilities such as vocational rehabilitation programs.

## **Goals 2000: Educate America Act of 1994**

Provided framework for meeting national educational goals and carrying out systemic school reform for all children with disabilities.

## **Telecommunications Act of 1996**

Required telecommunications manufacturers and service providers to ensure that equipment is designed, developed and fabricated to be accessible to and usable by individuals with disabilities, if readily achievable.

## **Health Insurance Portability and Accountability Act of 1996**

Improved access to health care for some Americans by guaranteeing that private health insurance is available, portable, renewable, and limited pre-existing condition exclusions.

## **Mental Health Parity Act of 1996**

Included a provision that prohibits insurance companies from having lower annual or lifetime caps for treatment of mental illness than for treatment of other medical conditions.

## **Personal Responsibility and Work Opportunity Reconciliation Act of 1996**

Required work in exchange for time-limited assistance; Temporary Assistance to Needy Families (TANF) replaced the former welfare programs, ending the Federal entitlement to assistance; states, territories, and tribes receive a block grant allocation with a requirement on states to maintain a historical level of State spending known as maintenance of effort.

## **Balanced Budget Act of 1997**

Section 4733 provided a new Medicaid buy-in option for people with disabilities. This provision gives states the option to allow individuals with disabilities who return to work the ability to purchase Medicaid coverage as their earnings increase up to 250 percent of poverty, based on an individual's net rather than gross income.

## **Individuals with Disabilities Education Act Amendments of 1997 (IDEA)**

Formally called P.L. 94-142 or the Education of All Handicapped Children Act of 1975, IDEA requires public schools to make available to all eligible children with disabilities a free, appropriate public education in the least restrictive environment appropriate to their individual needs.

## **Workforce Investment Act of 1998**

Required consolidation of several Federal education, training, and employment programs; reauthorized Rehabilitation Act programs through Fiscal Year 2003 and linked those programs to State and local workforce development systems; expanded Section 508 to ensure that all Federal departments and agencies procure, use and maintain accessible electronic and information technology.

## **Quality Housing and Work Responsibility Act of 1998**

The Quality Housing and Work Responsibility Act of 1998, affecting HUD-funded public and assisted housing, eliminated previously required Federal preferences shown to people with disabilities and some other groups but left any such previous preferences intact or optional at the local level. Public housing agencies, which provide HUD-funded public and assisted housing, must also develop Annual Plans and 5-Year Plans reflecting their preferences and other matters such as changes in the "disability-related tenant composition" of the housing those agencies offer and accessibility issues. Public housing agencies must also certify that their plans and implementation comply with all Federal civil rights and fair housing laws including those which cover persons with disabilities in addition to covering other protected classes.

## **Assistive Technology Act of 1998**

Authorized State grant programs and protection and advocacy systems to address the assistive technology needs of people with disabilities; authorized the development of alternative financing mechanisms to assist people with disabilities in purchasing assistive technology.

## **Ticket to Work and Work Incentives Improvement Act of 1999**

Allowed for Medicaid and/or Medicare benefits for many people with disabilities who go to work; provided for a "ticket to work and self sufficiency" which allows Social Security beneficiaries with disabilities choice and expanded options in pursuing employment and employment supports.