

NEW FREEDOM INITIATIVE

A Progress Report



MAY 2002

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Executive Summary

A Progress Report on Fulfilling America's Promise to Americans with Disabilities

Introduction

Many of the 54 million Americans with disabilities are deprived of their independence due to needless barriers. On February 1, 2001, President Bush announced his New Freedom Initiative to promote the full participation of people with disabilities in all areas of society by increasing access to assistive and universally designed technologies, expanding educational and employment opportunities, and promoting full access to community life. This report details the progress the Administration has made to implement the New Freedom Initiative goal – to ensure full integration of people with disabilities in American society.

Increasing Access Through Technology

The President promised full implementation of Section 508 of the Rehabilitation Act, which requires that all Federal government electronic and information technologies be accessible to individuals with disabilities. In response, the Administration:

- Expedited Section 508 implementation; and
- Produced extensive technical guidance and training materials that will be helpful not only to Federal agencies in complying with Section 508, but also to others interested in accessible technologies, such as private businesses, state and local governments, manufacturers and vendors, and individuals with disabilities.

The President secured \$65 million for Fiscal Year (FY) 2002 for the Department of Education to:

- Jumpstart research in the area of assistive and universally designed technologies at centers that conduct advanced research in the field; and
- Support the National Institute on Disability and Rehabilitation Research in its work to coordinate Federal disability research programs, to assist small businesses in the development and transfer of new technologies, and to award matching grants to states to help persons with disabilities purchase assistive technologies through low interest loans and other means.

Expanding Educational Opportunities for Youth with Disabilities

The President is determined to ensure that children with disabilities receive appropriate educational opportunities and that youth receive support to transition from school to employment. To achieve these objectives, the President:

- Requested the largest increases of any President in history for the Individuals with Disabilities Education Act (IDEA) Part B State Grants program in his FY 2002 and FY 2003 budgets;
- Signed legislation increasing funding for the IDEA Part B State Grants program by \$1.2 billion in FY 2002;
- Established a comprehensive reading program for students, including those with disabilities, as well as programs to ensure that children with the most severe reading disabilities learn to read; and
- Created a Presidential Commission on Excellence in Special Education.

Integrating Americans with Disabilities Into the Workforce

To break down barriers to employment for individuals with disabilities, the President has:

- Promoted swift implementation of the Ticket to Work and Work Incentives Improvement Act, which provides incentives to work for more than 7.5 million Americans receiving benefits under Federal disability programs;
- Obtained \$20 million for matching grants to states to help people with disabilities buy equipment necessary for telecommuting to work;
- Supported measures that would provide tax incentives for company purchases of equipment that allow an employee to work from home;
- Continued his commitment to vigorous enforcement of the Americans with Disabilities Act (ADA); and
- Requested an increase of \$165 million in funding and performance-based incentive grants for the Vocational Rehabilitation Program in the FY 2003 budget.

Promoting Full Access to Community Life

To increase homeownership rates for people with disabilities, the President supported a program that permits people with disabilities to use Section 8 rent subsidy vouchers to make mortgage payments to buy their own homes. To increase the availability of accessible and affordable housing for individuals with disabilities, the Administration has:

- Recently awarded a major national education and outreach grant to help communities ensure that more apartments and condominiums are built to be accessible to people with disabilities; and
- Launched a program through the Department of Housing and Urban Development to provide training and technical assistance to the building industry on the Fair Housing Act's accessible design and construction requirements.

To facilitate community living for people with disabilities, the President issued an Executive Order directing key Federal agencies to evaluate and recommend ways to expand community-based services for qualified individuals with disabilities. In response, the Administration has:

- Conducted the first comprehensive Federal review of barriers that prevent people with disabilities from living in the community and identified over 400 potential solutions to

- remove impediments to community-based living; and
- Announced a series of grants totaling \$119 million that the Department of Health and Human Services will award to states for the design and implementation of reforms to promote community living.

Recognizing that quality mental health services are critical to increasing community participation for people with psychiatric disabilities, the President announced the formation of his New Freedom Commission on Mental Health. The Commission will study and make recommendations for improving America's mental health service delivery system.

The President's FY 2003 budget contains many increases in disability programs that promote community living, housing, transportation, education, and employment. The Administration will work with Congress to see that the budget proposals are enacted.

Background

On February 1, 2001, within two weeks of taking office, President Bush announced his New Freedom Initiative and laid out a bold plan to tear down the stubborn barriers to equality that confront many of the 54 million Americans with disabilities. He did so with the knowledge that:

- Students with disabilities graduate at far lower rates than other students. Early access to support services and an accessible and appropriate education can give America's more than 6 million students with disabilities an equal chance to succeed and a path to greater independence.
- Employment remains one of the greatest barriers for people with disabilities. Of the 7.5 million people with disabilities on the Social Security rolls, fewer than 1 percent ever leave those rolls to return to work. People with disabilities deserve the chance to engage in meaningful work and to contribute to America's economy.
- Inaccessible transportation continues to inhibit the ability of people with disabilities to take advantage of job training, employment, and recreational opportunities. The Community Transportation Association of America (CTAA) reports that more than 100 million low-income, older Americans and people with disabilities are at risk of being unable to provide or afford their own transportation. They are also more likely to be dependent upon others for their mobility. CTAA also notes that almost 40 percent of rural counties throughout the U.S. have no public transportation.
- Safe, stable, and accessible housing is necessary before people with disabilities can enjoy neighborhood activities or explore job options. However, according to a 2001 report issued by the Technical Assistance Collaborative and the Consortium for Citizens with Disabilities Task Force, over 3 million non-elderly people with disabilities who receive Supplemental Security Income cannot afford decent housing in the U.S. without government housing assistance.
- Under *Olmstead v. L.C.*, 527 U.S. 581 (1999), the Supreme Court required states to place qualified individuals with mental disabilities in community settings, rather than in institutions, whenever treatment professionals determine that such placement is appropriate, the affected persons do not oppose such placement, and the state can reasonably accommodate the placement, taking into account the resources available to the state and the needs of others with disabilities. However, far too many people with disabilities who would exercise the choice to live in the community are forced to remain in institutions because of a lack of community-based services available in their states and hometowns.

The New Freedom Initiative is a commitment to address these barriers and others through programs and proposals that increase development of and access to assistive and universally designed technologies, expand educational opportunities, further integrate Americans with disabilities into the workforce, and help remove barriers to full participation in community life.

In the past 15 months, the Administration has taken many steps toward fulfillment of New Freedom Initiative goals. The President secured funding for many of the New Freedom Initiative's important programs in the FY 2002 budget process.

Among the highlights is the President's Executive Order 13217, *Community-based Alternatives for Individuals with Disabilities*, directing his agencies to swiftly implement the Supreme Court's *Olmstead* decision. The Executive Order charged six agencies - the Departments of Justice, Health and Human Services, Education, Labor, and Housing and Urban Development, and the Social Security Administration - with evaluating their agency policies and programs to determine whether any should be revised to improve the availability of community-based services for qualified individuals with disabilities.

In December 2001, these agencies, joined by the Departments of Transportation and Veterans Affairs and the Office of Personnel Management, presented a preliminary report, "Delivering on the Promise." The agencies released the complete reports in March 2002, outlining over 400 solutions in areas such as housing, education, personal attendant services, employment, health care structure and financing, caregiver support, and technology to make community living possible.

Following the February 2001 New Freedom Initiative announcement, numerous Cabinet members and agency heads embraced the New Freedom Initiative mission, introducing additional activities that helped to advance the objectives of the Initiative. For example, Department of Health and Human Services Secretary Tommy Thompson announced a series of grants to promote community living. Department of Labor Secretary Elaine Chao established a Youth Advisory Committee to improve employment for youth with disabilities. Department of Transportation Secretary Norman Mineta and Project Action hosted a dialogue with transit industry executives and disability leaders to increase accessible transportation. Equal Employment Opportunity Commission Chair Cari Dominguez created a series of workshops to assist small businesses in recruiting and hiring people with disabilities. When the President voiced his strong support of Section 508 of the Rehabilitation Act of 1973, which requires that electronic and information technology purchased by the government be usable by people with disabilities, many agencies quickly formalized plans to institute the standards and expedite implementation.

More work remains to be done. Breaking down persistent barriers in employment, transportation, housing, and community access requires sustained, aggressive, coordinated measures – nothing short of, in the President's words, a "revolution of independence." With the commitment and resources of the Cabinet, and through new agency and private sector partnerships, the President will continue the campaign to advance the full and equal participation of people with disabilities.

The President proposed increases in the FY 2002 budget totaling \$1.38 billion to fund New Freedom Initiative programs. Congress often supported the President's priorities by funding his initiatives. For FY 2003, the President has proposed increases of \$1.39 billion for New Freedom Initiative funding. The Administration will continue to work with Congress to see that the New Freedom Initiative commitments are implemented and that its proposals are realized.

The President's New Freedom Initiative Goals, Accomplishments, and Next Steps

Chapter 1. Increasing Access Through Technology

New technologies are opening opportunities for work, community living, and independence for those with even the most severe disabilities. The New Freedom Initiative commitments will help jumpstart research in assistive and universally designed technologies and will help ensure that Americans with disabilities have access to those technologies.

Section 508 of the Rehabilitation Act of 1973 became effective in June 2001. It requires that all electronic and information technology purchased by the Federal government be usable by people with disabilities. This requirement will lead to improved services for customers with disabilities and a more inclusive, better equipped workplace for Federal employees with disabilities. Accessible electronic and information technology will transform the Federal government into a model workplace full of diverse problem solvers improving America's ability to compete in the global economy.

Federal Investment in Assistive Technology Research and Development and Access to Assistive Technology

Accomplishments

- On June 19, 2001, while touring an assistive technology lab at the Department of Defense, the President announced his strong support of the implementation of Section 508 of the Rehabilitation Act. He recognized the potential of Section 508 to improve disability services and public service employment for people with disabilities, calling it "one example of the successful public-private partnerships that are removing barriers to full community participation by Americans with disabilities."
- In FY 2002 the President secured \$20 million for the Department of Education Rehabilitation Engineering Research Centers, which conduct advanced research in the field of assistive technology.
- The President secured \$5 million in the FY 2002 budget for the Assistive Technology Development Fund to assist small businesses in the development and transfer of new technologies.
- The President secured \$37 million of the \$40 million he requested in the FY 2002 budget for the National Institute on Disability and Rehabilitation Research (NIDRR) to award matching grants to states to help people with disabilities purchase assistive technology through low interest loans and other means.
- The President secured \$3 million in the FY 2002 budget, substantially increasing the funding for the NIDRR Interagency Committee on Disability Research to coordinate the many Federal disability research programs.

Other Administration Technology Accomplishments

- To facilitate a common understanding of the Section 508 requirements, the interagency Section 508 Steering Committee and Working Group were formed in Spring 2001. The

Steering Committee, led by the Department of Education, and the Working Group, led by the Office of Management and Budget, work closely with those agencies responsible for Section 508 -- the Architectural and Transportation Barriers Compliance Board (Access Board), the Department of Justice, and the General Services Administration (GSA) -- to coordinate technical guidance and training. GSA's Web site at www.section508.gov includes technical assistance documents and free 508 training modules for various audiences. The Steering Committee continually updates the 508 site to address questions and needs gathered from meetings of industry, consumer groups, and government staff to discuss implementation issues and the market response to the new standards.

- The Department of Justice has developed a Web page at www.usdoj.gov/crt/508/508home.html that provides technical assistance regarding accessible technology pursuant to Section 508. Although Section 508 requires only Federal agencies to ensure that their electronic and information technologies are accessible to persons with disabilities, the Web site provides information that will be useful to private businesses, state and local governments, manufacturers of equipment and software, vendors, and individuals with disabilities regarding accessible technologies. In addition, the Department of Justice and the Access Board have provided technical assistance materials for Web and software developers at the Access Board's Web site, www.access-board.gov, and have helped develop the government-wide Web developer training material on the Section 508 homepage.

Chapter 2. Expanding Educational Opportunities for Youth with Disabilities

A solid education is critical to ensuring that children with disabilities have an equal chance to succeed. Through the New Freedom Initiative, the President is determined to expand access to quality education for youth with disabilities and to work to improve the high school graduation rates of students with disabilities.

Increasing Funding for the Individuals with Disabilities Education Act (IDEA) and Improving Reading in Early Grades

Accomplishments

- President Bush requested the largest increases of any President in history for the Individuals with Disabilities Education Act (IDEA) Part B State Grants program in his FY 2002 and FY 2003 budgets;
- The President signed legislation increasing by \$1.2 billion the FY 2002 budget for the IDEA Part B State Grants program to raise the Federal contribution of the cost of providing children with disabilities a free and appropriate public education. Overall, the Department of Education received more than \$7.5 billion for IDEA Part B to help states and localities provide special education and related services to America's students with disabilities.
- The President's Reading First and Early Reading First Initiatives, established in the No Child Left Behind Act, create a comprehensive reading program for students, including those with disabilities, from preschool through third grade. While these initiatives will benefit many students identified as disabled, there will be students who do not respond to these interventions and who need more intensive instruction. The Department of Education's Office of Special Education Programs is supporting four reading projects that seek to identify the critical components necessary to ensure that children with the most severe reading disabilities who do not respond to effective classroom interventions learn to read.
- The President issued Executive Order 13227 in October 2001 creating the Presidential Commission on Excellence in Special Education and charging the Commission with developing recommendations for improving services for students with special education needs. The Commission will release its report in July 2002.

Other Accomplishments that Expand Education and Support Youth with Disabilities

- Secretary of Labor Elaine Chao created and convened the Department of Labor's 15-member Youth Advisory Committee in March 2002. The Committee is developing policy recommendations to present to the Secretary on issues regarding the education and employment of young people with disabilities.
- The Department of Health and Human Services has created a 10-year national action plan for children and youth with special health care needs that includes a focus on transitioning youth to all aspects of adulthood.
- The Department of Health and Human Services Family and Youth Services Bureau will host the National Youth Summit in June 2002. The conference will include a variety of presentations and workshops that will benefit youth with disabilities.

Next Steps

- The President requested in the FY 2003 budget an additional increase of \$1 billion for the IDEA Part B State Grants program, for a total of \$8.5 billion.
- The President requested an increase of \$20 million in the FY 2003 budget for the IDEA Part C Grants for Infants and Families program that provides crucial early intervention services for infants to toddlers, ages birth through 2 years old.

Chapter 3. Integrating Americans with Disabilities into the Workforce

Employment is a key to independence, empowerment, and improved quality of life. To help increase employment opportunities for individuals with disabilities, the Administration supports a strategy that includes simultaneous improvements in training, creative job accommodations such as teleworking, accessible transportation, and employer education.

Expanding Telecommuting

Telecommuting is increasing in the private and public sectors. The International Telework Association & Council 2001 Annual Survey found that there were 28.8 million teleworkers, an increase of almost 17 percent over the previous year. The Office of Personnel Management found a 39.5 percent increase in the number of reported Federal teleworkers over seven months, based on a 2001 evaluation. For individuals with disabilities, teleworking can expand the universe of potential and accessible employment. New Freedom Initiative proposals will encourage more employers to provide computer equipment and Internet access for teleworking and to provide support so that employees with disabilities have greater options to benefit from teleworking's flexibility.

Accomplishments

- The President secured \$20 million in the FY 2002 budget in matching telework grants to states to help people with disabilities purchase equipment to work from home. The Department of Education's Rehabilitation Services Administration will administer the fund.

Next Steps

- The President's FY 2003 budget includes a proposal to allow individuals with disabilities to exclude from taxable income the value of computers, software, and other equipment provided by the individual's employer for telecommuting purposes.

Swift Implementation of "Ticket to Work"

The landmark Ticket to Work and Work Incentives Improvement Act (TWWIIA) provides incentives to work for the more than 7.5 million Americans with disabilities receiving benefits under Federal disability programs. Prior to the "Ticket to Work" law, recipients of disability income and health benefits could not engage in any substantial work without losing their benefits, a consequence that contributed to a dismal employment rate for people with disabilities. As part of the New Freedom Initiative, the President is committed to ensuring the Act's swift implementation and to breaking the pattern of dependence.

Accomplishments and Next Steps

- The President pressed for swift implementation of the TWWIIA. The Social Security Administration issued the TWWIIA regulations, which went into effect for the first 13 states in the planned rollout on January 28, 2002. The rollout will be completed for all 50 states by the end of 2003.

Full Enforcement of the Americans with Disabilities Act (ADA)

President Bush believes that the Americans with Disabilities Act (ADA) has been an invaluable tool in the movement toward full integration of individuals with disabilities, but recognizes that there is still much more to be done. The President is committed to further integrating individuals with disabilities into the workforce by encouraging ADA Title I-exempt businesses, which are those with fewer than 15 employees, to comply with the ADA. ADA-exempt businesses that make voluntary accommodations reap bottom-line benefits by reaching new customers and talented employees who would otherwise be excluded.

Status

- To promote employment in the small business sector, the President requested but did not receive \$5 million in the FY 2002 budget for the Small Business Administration to help small businesses comply with the ADA.

Administration Accomplishments

- The Department of Justice began the ADA Business Connection in January 2002. The ADA Business Connection is an intensive outreach and technical assistance initiative aimed at assisting small businesses in complying with the ADA and integrating individuals with disabilities into the workforce. Assistant Attorney General for Civil Rights Ralph F. Boyd, Jr., held a series of meetings with representatives of the business and disability communities; the first involved 55 leaders of business groups and disability organizations. As part of this project, the Department has developed a new ADA Business Connection destination on its ADA Web site and a series of "ADA Business Briefs," which are one-page explanations of issues related to business, employment, and contracting.
- The Equal Employment Opportunity Commission has embarked upon a series of workshops to educate small businesses on the employment of individuals with disabilities. The Commission will partner with chambers of commerce, associations, and development centers outside of major metropolitan areas. The Commission is expanding upon its traditional enforcement role regarding Federal anti-discrimination statutes to offer innovative education and technical assistance strategies to the employer community. Partnering with the Department of Justice, the Commission will offer small businesses insights into the ADA relating to Title III, which covers public accommodations and commercial facilities.
- To promote voluntary compliance with the ADA, the Department of Justice initiated Project Civic Access. Rather than focusing on individual entities within a community, Project Civic Access is a national effort to ensure that all aspects of towns and cities are fully accessible to people with disabilities. In the Bush Administration, as of March 2002, the Department has reached 21 agreements with cities and towns across the country.
- The Department of Justice continues to pursue full enforcement of the ADA. During the past year, for example, the Department has defended the constitutionality of the ADA in Federal courts; has achieved accessibility in local communities across the country, from Kauai, Hawaii, to San Antonio, Texas, to New Orleans, Louisiana; has brought about the full accessibility of newly constructed facilities; and has ensured that deaf persons receive

effective communication, including sign language interpreters, in hospitals across the Nation.

Innovative Transportation Solutions

Inadequate transportation inhibits employment for all people, but is an even greater barrier to people with disabilities. New Freedom Initiative policies seek to test new transportation ideas and develop partnerships to increase access to alternate means of transportation, such as vans with specialty lifts, modified automobiles, and ride-share programs for those who cannot get to buses or other forms of mass transit.

Direct infusion of funding into transportation programs will benefit local economies. Cambridge Systematics, Inc., reports in "Public Transportation and the Nation's Economy" that businesses and local communities have benefited from transit operations spending, with a \$32 million increase in business sales and an additional 570 jobs for each \$10 million in public transportation investments.

Status

- The President requested but did not receive \$45 million in the FY 2002 budget for the Department of Transportation pilot transportation programs.
- The President requested but did not receive \$100 million in the FY 2002 budget for the Department of Transportation for a matching grant program for community-based transportation alternatives.

Administration Transportation Accomplishments

- The Department of Transportation, through its Job Access and Reverse Commute Program, has funded over 200 state and local grantees in 44 states to provide new employment transportation services for low-income persons, including persons with disabilities. This competitive grants program funds additional transportation services to jobs and job training sites and addresses unmet needs of persons with disabilities.
- The Department of Transportation created an interagency working group to coordinate the numerous Federal programs that fund transportation for persons with disabilities. The working group is producing a resource guide identifying Federal programs that fund transportation for persons with disabilities and is developing examples of best practice transportation services in getting persons with disabilities to work and employment support services that local officials can use in city planning.
- In March 2002, the Federal Transit Administration and Project Action held a National Dialogue on Accessible Transportation to foster communication between the transit industry and the disability community in identifying accessibility issues and creative, effective solutions. A subsequent meeting in June 2002 and recommendations report are planned.

Next Steps

- The President will seek authorization to establish the Department of Transportation's New Freedom Initiative program and requests \$145 million in FY 2003 for a competitive grants program to provide additional transportation services for job access and a pilot

program to demonstrate innovative solutions for transportation problems still faced by persons with disabilities.

- The President's FY 2003 budget expands the funding for the Job Access and Reverse Commute program to the full authorization level of \$150 million, an increase of \$50 million since the President took office. This program includes job-related transportation services for people with disabilities.

Providing Employment Training and Supports

General Employment Accomplishments

- The President's FY 2002 budget proposed almost doubling the funding for the Department of Labor's Office of Disability Employment Policy to \$43 million. Congress provided \$38 million, a 66 percent increase above FY 2001. The Office focuses on eliminating barriers to employment faced by people with disabilities.
- Several Federal agencies have implemented additional projects that further the New Freedom Initiative goal of increasing employment. These include grants from the Centers for Medicare and Medicaid Services to states that want to develop health care coverage for workers with disabilities. In addition, the Department of Labor received \$20 million in FY 2002 for Work Incentive Grants to provide competitive grants to increase access to employment and training services for individuals with disabilities through one-stop career centers.

General Employment Next Steps

- To improve employment outcomes through the Department of Education's Vocational Rehabilitation program, the President has requested an increase of \$135 million in the FY 2003 budget. In addition, the President has requested \$30 million in incentive grants to states to reward vocational rehabilitation agencies based on their performance.
- The President's FY 2003 budget includes a 24 percent, or \$9 million, increase in funding for the Office of Disability Employment Policy in the Department of Labor.
- The President has requested an increase of \$3 million, for a total of \$9 million, in FY 2003 for the Youth Training and Services program in the Department of Labor. This program helps integrate youth with significant disabilities into mainstream workforce programs and technology-related careers.

Chapter 4. Promoting Full Access to Community Life

Promoting Homeownership for People with Disabilities

For many, homeownership is the cornerstone of the “American Dream.” The New Freedom Initiative promotes independence and access to the “American Dream” through homeownership.

Accomplishments

- The President promised to revise the Department of Housing and Urban Development’s Section 8 rent subsidy program to permit people with disabilities to use vouchers to make mortgage payments to purchase their own homes. The Department has implemented this pilot program.

Expanding Rental Housing Choices

While homeownership is important, there is also a dire need for accessible, quality, tenant-based housing for people with disabilities. The Administration is working to expand rental choices for people with disabilities and to increase enforcement of the Fair Housing Act.

Administration Accomplishments

- Under its Fair Housing Initiatives Program, the Department of Housing and Urban Development recently awarded a major national education and outreach grant to help communities ensure that more apartments and condominiums are built to be accessible to people with disabilities.
- The Department of Housing and Urban Development recently launched a major technical assistance program to help the building industry understand and comply with the Fair Housing Act’s accessible design and construction requirements. This initiative, the Program for Accessibility Training and Technical Guidance, will provide assistance on a national scale.
- The Department of Housing and Urban Development’s 2002 Super Notice of Funds Availability (SuperNOFA) encourages grant applicants to add accessibility design features beyond those required by civil rights laws and regulations. Such features eliminate barriers limiting the access of persons with disabilities to housing and other facilities and encourage visitability.

Next Steps

- The President requested \$40 million in the FY 2003 budget for the Department of Housing and Urban Development to fund approximately 6,000 Section 8 tenant-based rental vouchers for non-elderly disabled families.
- The President requested \$250 million, a \$10 million increase, in the FY 2003 budget for the Department of Housing and Urban Development Section 811 program that provides funding for construction and ongoing rental housing assistance for people with disabilities.

Swift Implementation of the *Olmstead* Decision

The President is committed to the enforcement of Title II of the ADA and to providing people with disabilities the choice to live in the community among friends and family.

Accomplishments

- The President issued Executive Order 13217 in June 2001 to ensure swift implementation of the Supreme Court *Olmstead* decision to expand community-based services and community living choices for people with disabilities. The Executive Order refers to Americans with all disabilities.

Administration Community Living Accomplishments

- On December 21, 2001, nine agencies submitted to the President the first report of agency efforts to meet the *Olmstead* Executive Order directive, entitled “Delivering on the Promise: Preliminary Report of Federal Agencies’ Actions to Eliminate Barriers and Promote Community Integration.” The report sets forth a summary of the actions that Federal agencies propose to take in several key areas such as health care structure and financing, employment, housing, education, and personal assistance services. The full detail of the promised actions was released in nine individual agency reports in March 2002.
- In its report to the President, the Department of Justice identified 38 action items to swiftly implement the *Olmstead* decision. Consistent with the President’s Executive Order mandate to issue technical assistance and participate in alternative dispute resolution, the Department will give priority to the following initiatives:
 1. The Departments of Justice and Health and Human Services will create a pilot project to refer appropriate *Olmstead*-related complaints received by the Department of Health and Human Services to an ADA mediation program established by the Justice Department. The mediation program has more than 450 professional mediators trained in the ADA and available nationwide.
 2. The Department of Justice is developing three technical assistance pieces on the implementation of the *Olmstead* decision. The first piece, which will be developed jointly with the Department of Health and Human Services, will provide guidance to states as they create comprehensive plans for community placement of persons with disabilities. The Department of Justice is also developing two “Know Your Rights” pieces, one for people currently residing within institutions and the other for persons at risk of institutionalization.
- Department of Health and Human Services Secretary Tommy Thompson has announced a series of grants totaling \$119 million to be awarded to states for design and implementation of enduring systemic reforms to promote community living. The “Systems Change Grants for Community Living” will help states and territories enable people with disabilities to reside in their homes and participate fully in community life.
- In June 2001, the Department of Housing and Urban Development announced a pilot program in 11 states called Project Access, which will facilitate the successful transition of non-elderly persons with disabilities from institutional settings to community living.

- The Centers for Disease Control and Prevention and National Institute on Disability and Rehabilitation Research will hold a Conference on Health and Disability in September 2002. The conference will focus on health and wellness for people with disabilities with the goal of improving quality of life, addressing long-term health care, and supporting inclusion in community living. Participants will include a diverse group of people with disabilities, service providers, employers, and state government officials.

Next Steps

- The President is dedicated to the implementation of the commitments in the “Delivering on the Promise” reports, which respond to the Executive Order to end the persistent impediments to community living.
- The President has requested \$14 million in his FY 2003 budget for four Department of Health and Human Services demonstration projects to support community-based alternatives for and independent living by people with disabilities. These projects were announced in the “Delivering on the Promise” report and represent a commitment of \$216 million in funding over the next five years and \$750 million over 10 years:
 1. The Department of Health and Human Services will create a 10-year home and community-based services demonstration as an alternative to Medicaid-funded psychiatric residential treatment centers for children. The proposed demonstration will allow states to provide children with emotional disturbances an array of services similar to those provided under home and community-based waivers in order to keep homes intact and avoid costly out-of-home placements in institutions.
 2. The Department of Health and Human Services will initiate a national demonstration designed to address workforce shortages of community service direct care workers. Specifically, the demonstration will test the extent to which workforce shortages and instabilities might be addressed through: (a) better coordination with the Temporary Assistance to Needy Families program, and (b) the availability of vouchers for worker health insurance coverage and/or for tuition and day care credits. Participating states will be expected to develop options for workers to purchase affordable health insurance coverage through the state health insurance system or similar organized insurance groups.
 3. The Department of Health and Human Services will conduct a national demonstration to allow states to provide respite care services for caregivers of adults with disabilities. Respite care, which is temporary care that offers support for family members, is critical to addressing the unrelieved caregiver burden in this country. This burden is a major contributing factor to institutionalization of individuals with disabilities. Under the demonstration, states will have more flexibility under the Medicaid program to offer respite services to certain unpaid providers. In return, states will have to maintain current financial commitments for caregiver support.
 4. The Department of Health and Human Services will implement and evaluate a 10-year demonstration providing respite care for caregivers of children who have substantial disabilities. This project will help caregivers cope with the challenges of caring for children with disabilities by allowing them more flexible respite services and other tailored services designed to meet their needs and keep their

homes intact.

- The President's FY 2003 budget contains increases in several programs that are equally critical in promoting community integration. For example:
 1. The President requested \$6 million for the Department of Housing and Urban Development to fund 1,000 Section 8 rental subsidy vouchers for people with disabilities who are transitioning from institutions into the community.
 2. The President requested \$15 million in funding for the Substance Abuse and Mental Health Services Administration for grants to states and communities to develop, implement, and assess integrated services for individuals with co-occurring mental illness and substance abuse disorders. Some of these individuals are reentering society from confinement in the criminal justice system.
 3. Recognizing the important role of the Centers for Independent Living in helping people move into the community and locate services, the President requested an increase of \$7 million, or 11 percent, for the Centers. The community-based Centers are run by and for people with disabilities and provide services such as outreach, advocacy, and personal assistance services referral.
 4. The President requested \$11 million, an increase of \$5 million, for the Department of Labor's Olmstead Community Employment Initiative. The Initiative will develop and implement a coordinated strategy to meet the employment and training needs of people with disabilities who are at risk of institutionalization and who are transitioning from institutions into the workplace and the community.

The President's New Freedom Commission on Mental Health

Currently, numerous Federal, state, and local government agencies oversee mental health policies, funding, programs, and a diverse network of public and private providers. These entities are doing valuable and necessary work. However, better coordination can result in more efficient and effective mental health services and can enhance the quality of life for people with psychiatric disabilities.

Accomplishments

- The President announced the formation of the New Freedom Commission on Mental Health to conduct a comprehensive study of the Nation's mental health service delivery system. It will identify barriers to care within the system and identify examples of community-based care models that have proven to be successful in coordinating and providing treatment services. The Commission will have one year to submit a final report to the President recommending immediate improvements that can be implemented by Federal, state, and local governments, as well as by public and private providers. The Commission will be composed of 15 members, appointed by the President, and seven ex-officio members from relevant Federal agencies.

Improving Access

The heart and spirit of the community can be found in local civic and faith-based organizations. Contributing to the community's well-being depends on involvement in community organizations and in the political process. The President is committed to increasing access to local organizations and participation in the political process.

Status

- The President's FY 2002 budget requested but was not provided \$20 million for the Department of Housing and Urban Development to improve access to ADA-exempt organizations such as private clubs and civic and religious organizations.
- President Bush supports improved access to polling places and ballot secrecy and is committed to working with Congress to address the barriers to voting for Americans with disabilities.