

ANNUAL PERFORMANCE REPORT TO
THE PRESIDENT AND CONGRESS
FISCAL YEAR 1999

National Council on Disability
March 31, 2000

National Council on Disability

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Washington, DC 20004

Annual Performance Report to the President and Congress Fiscal Year 1999

This report is also available in alternative formats and on NCD's award-winning Web site (<http://www.ncd.gov>).

Publication date: March 31, 2000

202-272-2004 Voice

202-272-2074 TTY

202-272-2022 Fax

The views contained in this report do not necessarily represent those of the Administration, since this document was not subjected to the A-19 Executive Branch review process.

In accordance with 31 USC Sec. 1116 (f), this program performance report was prepared solely by federal employees.

LETTER OF TRANSMITTAL

March 31, 2000

The President
The White House
Washington, DC 20500

Dear Mr. President:

I am pleased to submit the National Council on Disability's (NCD) *Annual Performance Report to the President and Congress Fiscal Year 1999*, as required by the Government Performance and Results Act (31 USC Sec. 1116).

As a leader in the development and analysis of disability policy, the National Council on Disability (NCD) conducted an array of activities in Fiscal Year (FY) 1999, with an authorized budget of \$2,344,000. This report compares actual performance with the projected levels of performance set out in NCD's annual performance plan. I am delighted to inform you that the findings of this report indicate that NCD has either met or exceeded the projected levels in our performance plan.

NCD activities in FY 1999 promoted policies, programs, practices, and procedures that guarantee equal opportunity for all people with disabilities, regardless of the nature or severity of the disability. These efforts were based on NCD's strategic goals: 1) Enhance the lives of people with disabilities of all ages and backgrounds through the development of policy recommendations; 2) Educate the public and elected officials on disability issues; 3) Promote effective delivery of federal services and programs to underrepresented populations such as minorities, rural residents, and youth with disabilities; and 4) Make NCD a high performance organization.

Through our efforts, NCD was able to have a significant impact on the lives of people with disabilities and their families all over the world. With your support, we will continue to ensure that people with disabilities will be afforded every opportunity to enter the mainstream of American life.

Sincerely,

Ethel D. Briggs
Executive Director

(The same letter of transmittal was sent to the President Pro Tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and the Director of the Office of Management and Budget.)

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OVERVIEW

As a leader in the development and analysis of disability policy, the National Council on Disability (NCD) conducted an array of activities in Fiscal Year (FY) 1999, with an authorized budget of \$2,344,000. Those activities promoted policies, programs, practices, and procedures that guarantee equal opportunity for all individuals with disabilities, regardless of the nature or severity of the disability. They also helped individuals with disabilities realize the promise of the Americans with Disabilities Act (ADA) by empowering them to achieve economic self-sufficiency, independent living, inclusion, and integration into all aspects of society.

In FY 1999, NCD reviewed and evaluated new and emerging policy issues affecting people with disabilities at the federal, state, and local levels, and in the private sector. NCD looked at the need for and coordination of adult services, access to personal assistance services, school reform efforts, and the impact of such efforts on people with disabilities, access to health care, and policies that operate as disincentives for individuals to seek and retain employment. In that regard, NCD identified the overall needs and concerns of people with disabilities by conducting hearings, forums, and conferences throughout the country, and by responding to literally thousands of telephone, e-mail, and written inquiries on ADA and other disability issues.

During FY 1999 launched its “Disability Civil Rights Monitoring Project.” Title IV of the Rehabilitation Act requires NCD to gather information about the implementation, effectiveness, and impact of ADA, among other duties. In 1996, NCD convened a policy summit that included a diverse group of more than 300 leaders from the disability community. These leaders encouraged NCD to monitor and evaluate federal enforcement efforts of ADA and other civil rights laws. NCD’s Disability Civil Rights Monitoring Project is currently evaluating the implementation and enforcement of ADA, the Fair Housing Act, the Air Carriers Access Act, and the Individuals with Disabilities Education Act. In March, NCD released its report *Enforcing the Civil Rights of Air Travelers with Disabilities: Recommendations for the Department of Transportation and Congress*. This report was the first in a series on enforcement of federal laws protecting the civil rights of people with disabilities.

Major activities for FY 1999 also included a hearing on public policy issues affecting people with psychiatric disabilities, convening a forum on disability and cultural diversity with the White House and the Leadership Conference on Civil Rights, conducting the third annual National Leadership Conference for Youth with Disabilities, and establishing a National Disability Fellowship Program to identify new leaders with disabilities.

The findings of this report clearly indicate that NCD has either met or exceeded the projected levels in our performance plan.

NCD BRIEF DESCRIPTION

Overview and Purpose

NCD is an independent federal agency led by 15 members appointed by the President of the United States and confirmed by the U.S. Senate.

The overall purpose of NCD is to promote policies, programs, practices, and procedures that guarantee equal opportunity for all individuals with disabilities, regardless of the nature or severity of the disability; and to empower individuals with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.

Specific Duties

The current statutory mandate of NCD includes the following:

Reviewing and evaluating, on a continuing basis, policies, programs, practices, and procedures concerning individuals with disabilities conducted or assisted by federal departments and agencies, including programs established or assisted under the Rehabilitation Act of 1973, as amended, or under the Developmental Disabilities Assistance and Bill of Rights Act; as well as all statutes and regulations pertaining to federal programs that assist such individuals with disabilities, in order to assess the effectiveness of such policies, programs, practices, procedures, statutes, and regulations in meeting the needs of individuals with disabilities.

Reviewing and evaluating, on a continuing basis, new and emerging disability policy issues affecting individuals with disabilities at the federal, state, and local levels, and in the private sector, including the need for and coordination of adult services, access to personal assistance services, school reform efforts and the impact of such efforts on individuals with disabilities, access to health care, and policies that operate as disincentives for individuals to seek and retain employment.

Making recommendations to the President, the Congress, the Secretary of Education, the Director of the National Institute on Disability and Rehabilitation Research, and other officials of federal agencies, respecting ways to better promote equal opportunity,

economic self-sufficiency, independent living, and inclusion and integration into all aspects of society for Americans with disabilities.

Providing the Congress, on a continuing basis, advice, recommendations, legislative proposals, and any additional information that the Council or the Congress deems appropriate.

Gathering information about the implementation, effectiveness, and impact of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

Advising the President, the Congress, the Commissioner of the Rehabilitation Services Administration, the Assistant Secretary for Special Education and Rehabilitative Services within the Department of Education, and the Director of the National Institute on Disability and Rehabilitation Research on the development of the programs to be carried out under the Rehabilitation Act of 1973, as amended.

Providing advice to the Commissioner with respect to the policies and conduct of the Rehabilitation Services Administration.

Making recommendations to the Director of the National Institute on Disability and Rehabilitation Research on ways to improve research, service, administration, and the collection, dissemination, and implementation of research findings affecting persons with disabilities.

Providing advice regarding priorities for the activities of the Interagency Disability Coordinating Council and reviewing the recommendations of this Council for legislative and administrative changes to ensure that such recommendations are consistent with the purposes of the Council to promote the full integration, independence, and productivity of individuals with disabilities;

Preparing and submitting to the President and the Congress an annual report titled *National Disability Policy: A Progress Report*.

Preparing and submitting to the Congress and the President an annual report containing a summary of the activities and accomplishments of the Council.

International

In 1995, NCD was designated by the Department of State to be the official contact point with the U.S. government for disability issues. Specifically, NCD interacts with the special rapporteur of United Nations Commission for Social Development on disability matters.

Consumers Served and Current Activities

While many government agencies deal with issues and programs affecting people with disabilities, NCD is the only federal agency charged with addressing, analyzing, and making recommendations on issues of public policy that affect people with disabilities regardless of age, disability type, perceived employment potential, economic need, specific functional ability, status as a veteran, or other individual circumstance. NCD recognizes its unique opportunity to facilitate independent living, community integration, and employment opportunities for people with disabilities by ensuring an informed and coordinated approach to addressing the concerns of persons with disabilities and eliminating barriers to their active participation in community and family life.

NCD plays a major role in developing disability policy in America. In fact, it was NCD that originally proposed what eventually became ADA. NCD's present list of key issues includes improving personal assistance services, promoting health care reform, including students with disabilities in high-quality programs in typical neighborhood schools, promoting equal employment and community housing opportunities, monitoring the implementation of ADA, improving assistive technology, and ensuring that persons with disabilities who are members of minority groups fully participate in society.

Statutory History

NCD was initially established in 1978 as an advisory board within the Department of Education (Public Law 95-602). The Rehabilitation Act Amendments of 1984 (Public Law 98-221) transformed NCD into an independent agency.

STRATEGIC PLAN

Vision

The United States of America will be a stronger country when its 54 million citizens with disabilities are fully integrated into all aspects of American life. We have made significant progress in recent years in furthering opportunities for education, employment and independent living for persons with disabilities through a broad range of programs that protect the rights of individuals with disabilities from discrimination in education, employment, housing and transportation. Yet significant barriers remain to achieving the goals of independence, inclusion and empowerment for all persons with disabilities. Conflicting, poorly designed or outdated government programs and policies combine with service gaps and continued negative attitudes toward people with disabilities to marginalize the 54 million Americans with disabilities.

The effects of these barriers on both people with disabilities and society are enormous. Physical and spiritual isolation rob individuals of energy, creativity and productivity. Society loses both by not enjoying the benefits of their talents and by incurring large costs to supporting them.

Through collaboration with its stake holders, NCD will pursue a focused agenda which will promote government programs and policies in support of full inclusion of all people with disabilities into the educational, economic and social fabric of the American community. NCD will use the expertise of its diverse membership and well-trained and -managed staff to identify barriers to inclusion and independence and develop solutions. NCD will listen to people with disabilities across the country to identify emerging issues which need a response.

As the only agency in the Federal Government which addresses the issues of all people with disabilities, regardless of type or severity, NCD will be aggressive and resolute until the day arrives when people with disabilities in every corner of the land no longer are distinguished by a disability label, but are known as students, workers, parents, neighbors and friends.

Mission Statement

The mission of the National Council on Disability is to promote the full inclusion, independent living and economic self-sufficiency of people with disabilities of all ages and backgrounds by providing advice, analysis and recommendations on disability policy to the President, Congress, and other federal agencies.

STRATEGIC GOALS, OBJECTIVES, AND RESULTS

I. Enhance the lives of people with disabilities of all ages and backgrounds through the development of policy recommendations.

Objectives:

- 1.1 Develop and refine policy recommendations at least annually.
- 1.2 Gather and record information on policy matters affecting people with disabilities through the use of forums, hearings, teleconferences, the Internet, independent studies, and interagency information sharing.
- 1.3 Monitor the effectiveness of the implementation of the Americans with Disabilities Act and other civil rights laws.

Results:

- 1.1 NCD reviewed and evaluated new and emerging policy issues affecting people with disabilities at the federal, state, and local levels, and in the private sector, and developed policy recommendations where needed. During Fiscal Year (FY) 1999, NCD produced four reports containing specific policy recommendations. They include: *Grassroots Experiences with Government Programs and Disability Policy: Proceedings from a Public Hearing in New Orleans, Louisiana*; *National Disability Policy: A Progress Report*; *Enforcing the Civil Rights of Air Travelers with Disabilities: Recommendations for the Department of Transportation and Congress*; and *Implementation of the National Voter Registration Act by State Vocational Rehabilitation Agencies*.

- 1.2 NCD gathered information and identified the overall needs and concerns of people with disabilities by conducting hearings, forums, and conferences throughout the country, and by responding to literally thousands of telephone calls, e-mail messages, and written inquiries. NCD conducted a public hearing on policy issues affecting people with psychiatric disabilities. NCD conducted several teleconferences with its International Watch and Technology Watch advisory committees. NCD conducted a “Dialogue on Disability Communications Strategies” for disability leaders. NCD continued its interagency policy liaison activities with the National Institute on Disability and Rehabilitation Research, the Rehabilitation Services Administration, the Office for Special Education and Rehabilitative Services, the President’s Committee on the Employment of People with Disabilities, the Centers for Disease Control and Prevention, the National Center for Medical Rehabilitation Research, and the Presidential Task Force on Employment of Adults with Disabilities. NCD convened a policy roundtable discussion on the transition of youth with disabilities to employment and postsecondary education. The conference, which was sponsored by NCD and the Social Security Administration, was designed to formulate policy recommendations for the President and Congress. An NCD report on this subject will be released in FY 2000.
- 1.3 During FY 1999, NCD launched its “Disability Civil Rights Monitoring Project.” Title IV of the Rehabilitation Act requires NCD to gather information about the implementation, effectiveness, and impact of the Americans with Disabilities Act (ADA), among other duties. In 1996, NCD convened a policy summit that included a diverse group of more than 300 leaders from the disability community. These leaders encouraged NCD to monitor and evaluate federal enforcement efforts of ADA and other civil rights laws. NCD’s Disability Civil Rights Monitoring Project is currently evaluating the implementation and enforcement of ADA, the Fair Housing Act, the Air Carriers Access Act, and the Individuals with

Disabilities Education Act. In March 1999, NCD released its report *Enforcing the Civil Rights of Air Travelers with Disabilities: Recommendations for the Department of Transportation and Congress*. This report was the first in a series on enforcement of federal laws protecting the civil rights of people with disabilities.

II. Educate the public and elected officials on disability issues.

Objectives:

- 2.1 Strengthen NCD's communication plan drawing upon new technologies and reaching targeted underrepresented populations.
- 2.2 Disseminate newsletters and reports on disability policy issues.
- 2.3 Hold federal partners meetings with Cabinet secretaries, appointees, and other key individuals to review and promote NCD's recommendations.
- 2.4 Participate in interagency working groups with federal partners on priority issues.
- 2.5 Serve as the focal point for international activities around the dissemination of information on disability policy in the United States of America and throughout the world.

Results:

- 2.1 With the help of a highly-regarded, minority-owned, public relations firm, NCD refined *A Communications Strategy for the New Millennium*, which promotes NCD's recommendations and provides greater opportunities for advancing public

awareness of disability issues, especially for people from diverse cultures. Through the use of a newspaper clipping service, NCD was able to realize an increase in the number of minority-owned newspapers that ran stories relating to NCD and disability policy. Since urban radio is said to be one of the most effective mediums for reaching culturally diverse groups, NCD now uses audio news releases to reach underserved populations. For example, statistics show that urban radio reaches 96 percent of African Americans. In addition, NCD conducted a “Dialogue on Disability Communications Strategies” to bring together disability community leaders to discuss media strategies for 2000, when the Americans with Disabilities Act celebrates its 10th anniversary and the Individuals with Disabilities Education Act celebrates its 25th anniversary.

NCD announced the establishment of the National Disability Fellowship Program in Washington, DC, which identifies and develops new leaders with disabilities to enhance NCD’s policy capacity. The annual program provides experience, training, and contacts to qualified individuals with disabilities. Selected fellows receive benefits (including health insurance), a competitive stipend to cover living expenses, and reasonable relocation expenses. The first appointment, which will not exceed one year, began in January 2000.

- 2.2 NCD disseminated its newsletter to more than 12,000 people each month. NCD distributed its reports to more than 15,000 people. In addition, thousands of copies of the newsletter and various reports were downloaded and e-mailed from NCD’s award-winning Web site, which received approximately 600,000 hits during FY 1999.
- 2.3 During FY 1999, NCD met with key Administration officials to encourage their adoption and action on key recommendations within the general policies and procedures of their departments. NCD coordinated regular meetings with political

appointees responsible for disability-related federal programs. NCD met with congressional staff and Members of Congress on numerous occasions to discuss new and emerging disability policy issues. NCD also conducted a congressional briefing to various aspects of disability policy, such as the Americans with Disabilities Act, the Individuals with Disabilities Education Act, the Air Carrier Access Act, and the Fair Housing Act. NCD submitted comments to the Secretary of Transportation on the Department's proposed rules for over-the-road buses (OTRB), encouraging the agency to quickly adopt and implement strict requirements for collection of data on accessible service for people with disabilities on Greyhound and other OTRB private companies. NCD also testified before the U.S. National Commission on Libraries and Information Service with regard to access for people with disabilities. In addition, NCD testified before the U.S. House Committee on Appropriations, Subcommittee on Labor, Health and Human Services, and Education, regarding its appropriation request. The U.S. Senate Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies received testimony from NCD regarding its budget request. NCD participated in a meeting of the Presidential Task Force on Employment of Adults with Disabilities. The task force brings the power of government to attempt to increase the employment rate of people with disabilities to a rate closer to the general employment rate in the United States. The creation of the task force stems from a recommendation developed at NCD's 1996 National Summit on Disability Policy by a diverse group of more than 300 disability community leaders. NCD is a member of the task force.

- 2.4 NCD continued its interagency policy liaison activities with the National Institute on Disability and Rehabilitation Research, the Rehabilitation Services Administration, the Office for Special Education and Rehabilitative Services, the President's Committee on the Employment of People with Disabilities, the Centers for Disease Control and Prevention, the National Center for Medical Rehabilitation

Research, and the Presidential Task Force on Employment of Adults with Disabilities.

- 2.5 As the original author of the Americans with Disabilities Act, NCD continued to be the focal point for international activities around the dissemination of information on disability policy in the United States and throughout the world. To that end, NCD continued to serve as the official point of contact with the U.S. government for disability issues. NCD's International Committee and International Watch advisory group met on several occasions to discuss international disability policy. NCD also joined the U.S. delegation participating in the European Union/U.S. Conference "Harnessing Information Society to Raise Employment Levels for People with Disabilities," which met in Madrid, Spain. NCD also participated in the Fifth World Assembly of Disabled Peoples' International in Mexico City. NCD also sponsored a commemoration of the International Day of Disabled Persons at the Department of State. NCD, along with other agencies and organizations, cosponsored a conference entitled "Innovative Strategies to Increase Employment of Women with Disabilities", which was organized by Rehabilitation International, the World Institute on Disability, and San Antonio Independent Living Services. This conference was a follow-up to the International Leadership Forum for Women with disabilities, held in Washington, DC, in 1997.

III. Promote effective delivery of federal services and programs to underrepresented populations such as minorities, rural residents, and youth with disabilities.

Objectives:

- 3.1 Monitor federal agencies having civil rights responsibilities to evaluate their efforts to serve underserved populations such as minorities, rural residents, and youth

with disabilities, and develop recommendations to enhance services to these populations.

- 3.2 Promote “best practice” programs of education and empowerment regarding disability rights for minorities, rural residents, and youth with disabilities.
- 3.3 Provide an opportunity for leadership development for youth with disabilities.
- 3.4 Establish relationships with national organizations serving these underrepresented populations.

Results:

- 3.1 NCD released its report, *Grassroots Experiences with Government Programs and Disability Policy: Proceedings from a Public Hearing in New Orleans, Louisiana*, which makes recommendations on issues facing children and youth with disabilities and their families from minority and rural communities in Louisiana. NCD representatives participated in the President=s Committee on Employment of People with Disabilities= leadership conference that sought to improve employment opportunities for minority persons with disabilities and work with minority organizations to develop strategies they can pursue to reduce the high unemployment rate of minorities with disabilities.

NCD released the executive summary from its report, *Lift Every Voice: Modernizing Disability Policies and Programs to Serve a Diverse Nation*, at a White House forum on disability and cultural diversity that also celebrated the ninth anniversary of the passage of the Americans with Disabilities Act (ADA). The forum, convened by the White House and NCD with support from the Leadership Conference on Civil Rights, focused on how to improve outcomes in

education, employment, and civil rights enforcement for people with disabilities from diverse cultural backgrounds.

- 3.2 NCD promoted “best practice” programs of education and empowerment regarding disability rights for minorities, rural residents, and youth with disabilities in several ways. NCD met with stakeholders and representatives of disability and traditional civil rights groups to discuss the unique issues faced by culturally diverse people with disabilities. NCD released its report, *Grassroots Experiences with Government Programs and Disability Policy: Proceedings from a Public Hearing in New Orleans, Louisiana*, which makes recommendations on issues facing children and youth with disabilities and their families from minority and rural communities in Louisiana. NCD elected to highlight the voices from one state as a vehicle to draw lessons and best practices for public policy and its impact at the local level. In addition, NCD made additional recommendations to the President and Congress in its report *National Disability Policy: A Progress Report, November 1, 1997–October 31, 1998*. NCD worked unsuccessfully with the President’s Initiative on Race (PIR) to help focus attention to race issues related to disability.
- 3.3 NCD conducted its third annual National Leadership Conference for Youth with Disabilities with support from five other federal agencies and private sector organizations. More than 125 young adults convened to participate in a program that was organized under the theme of independence. The purpose of the conference was for youth to learn from national disability leaders about national disability policy, civil rights, the public policy process and leadership, employment opportunities, and related programs available to them; to identify barriers to their economic independence, provide input to the public policy process, and identify future programs to support economic independence and leadership among all

youth with disabilities; and to create solidarity and community among the participants, building confidence and resolve to take action.

It was the first time that the conference program was planned and executed entirely through a Youth Leadership Council, made up of a diverse group of previous youth conference participants.

This year's conference was coordinated by NCD and sponsored with five other federal agencies and private sector organizations. Sponsors included the U.S. Department of Education, Office of Special Education and Rehabilitative Services; the Social Security Administration, Office of Disability and Income Security Programs; the U.S. Department of Health and Human Services, Administration on Developmental Disabilities, Maternal and Child Health Bureau, the Centers for Disease Control and Prevention; and the Substance Abuse and Mental Health Services Administration; the Presidential Task Force on Employment of Adults with Disabilities; and the President's Committee on Employment of People with Disabilities. The Mitsubishi Electric America Foundation was the primary private sponsor.

NCD convened a policy roundtable discussion on the transition of youth with disabilities to employment and postsecondary education. The conference, which was sponsored by NCD and the Social Security Administration, was designed to formulate policy recommendations for the President and Congress. An NCD report on this subject will be released in FY 2000.

NCD participated in "The National Conference for Child Advocates, Child/Parent Attorneys, and Parents", which highlighted civil rights laws protecting children and youth with disabilities.

- 3.4 During FY 1999, NCD began establishing relationships with national organizations serving underrepresented populations, such as the Leadership Conference on Civil Rights, National Council of LaRaza, National Urban League, NAACP, to name a few. NCD representatives participated in the national conferences of these civil rights organizations, bringing the issue of disability to the forefront for underrepresented and culturally diverse groups.

IV. Make NCD a high performance organization.

Objectives:

- 4.1 Provide the necessary tools and training to achieve a highly skilled and high-performing work force.
- 4.2 Provide a physical environment that promotes the health and well-being of employees.

Results:

- 4.1 In order for NCD staff to stay current with critical issues facing people with disabilities and improve their technical skills, participation in training programs is necessary. Specific training needs were identified for individual staff development plans. All staff attended training programs in one or more of the following areas such as contract management, computer technology, financial management, supervision, management, media relations, and other areas.
- 4.2 NCD is a leader in providing a physical environment that promotes the health and well-being of its employees. All accommodations that are necessary for employees with disabilities to perform at the highest are made. These accommodations may

include braille printers, telecommunications devices for the deaf, sign language interpreters, special lighting, large screen computer monitors, ergonomic furniture, etc. NCD is also located in a one of the few totally accessible buildings in Washington, DC. Every effort is made to create a physical atmosphere that equates to productive employees

Federal Managers' Financial Integrity Act Signed Assurance Statement

March 31, 2000

Jacob J. Lew, Director
Office of Management and Budget
Executive Office Building
17th Street, NW and Pennsylvania Avenue
Washington, DC 20503

Dear Mr. Director:

In accordance with the Inspector General Act of 1978 and the Federal Managers' Financial Integrity Act of 1982, the National Council on Disability (NCD) is submitting the following consolidated report.

NCD has its financial records and operations audited every two years. The audit for Fiscal years, 1999 and 2000 will be completed at the end of this fiscal year. Any significant findings from the audit will be addressed and corrective action taken, if necessary.

NCD has in place adequate policies and procedures to insure revenues and expenditures applicable to the agency's operations are properly recorded and accounted for on a regular basis.

If any additional information is needed, please let me know.

Sincerely,

Ethel D. Briggs
Executive Director

CONCLUSION

In conclusion, the National Council on Disability continues to be a leader in the development and analysis of disability policy. The use of the *Annual Performance Report to the President and Congress Fiscal Year 1999*, as required by the Government Performance and Results Act, has greatly assisted NCD in carrying out its mission. The findings of this report clearly indicate that NCD has either met or exceeded the projected levels in our performance plan.