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SECTION: Washington - general news

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HEADLINE: Clinton Plan for Gov't Disabled

BYLINE: KEVIN GALVIN

DATELINE: WASHINGTON

BODY:

President Clinton today announced new steps to promote the advancement of people with disabilities who work for the federal government, saying he wanted to ensure that the nation's largest employer leads by example.

"I'm releasing the first-ever government plan to ensure positive career paths for people with disabilities in our federal work force," Clinton said in his weekly radio address. "I'm directing every federal agency and department to take concrete action to expand opportunities for people with disabilities in all levels of the work force, from entry to senior ranks."

The president said that despite good economic times, three out of four people with disabilities who want to work can't find work. He also said that if economic prosperity is going to continue, employers must seek new pools of employees.

"I'm calling on all agencies to recruit and promote people with disabilities, to reach out to students with disabilities, to provide reasonable accommodations for applicants and employees with disabilities," Clinton said. "I'm also calling on our federal human resources agency, the Office of Personnel Management, to ensure that every agency gets the help it needs to fulfill these commitments. We are the nation's largest employer. I want it to be a model for private industry, and this plan will help to do just that."

Clinton also renewed his call for Congress to pass legislation that would ensure that people with disabilities don't lose their federal health care coverage when they get jobs.

"One of the biggest barriers facing people with disabilities is the fear of losing their health insurance when they get a job," he said.

Under current law, many people with disabilities cannot keep their Medicaid or Medicare coverage if they work.

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The Associated Press State & Local Wire

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October 17, 1999, Sunday, AM cycle

SECTION: State and Regional

LENGTH: 519 words

HEADLINE: Clinton plans help for disabled federal workers

BYLINE: By LAWRENCE L. KNUTSON, Associated Press Writer

DATELINE: WASHINGTON

BODY:

Directing the government to set an example by opening career opportunities to the disabled, President Clinton urged Congress to pass legislation to make sure people with disabilities don't lose insurance coverage when they accept jobs.

The legislation was sponsored by Sen. James Jeffords, R-Vt.

"I'm releasing the first-ever government plan to ensure positive career paths for people with disabilities in our federal work force," Clinton said Saturday in his weekly radio address. "I'm directing every federal agency and department to take concrete action to expand opportunities for people with disabilities in all levels of the work force, from entry to senior ranks."

"We are the nation's largest employer, and I want us to be a model for private industry," Clinton said. "This plan will do just that."

The president said that despite good economic times, three out of four disabled people who want to work can't find work. He also said that if economic prosperity is going to continue, employers must seek new pools of employees.

"I'm calling on all agencies to recruit and promote people with disabilities, to reach out to students with disabilities, to provide reasonable accommodations for applicants and employees with disabilities," Clinton said. "I'm also calling on our federal human resources agency, the Office of Personnel Management, to ensure that every agency gets the help it needs to fulfill these commitments."

The plan was developed by a task force headed by Vice President Al Gore.

"By addressing the intolerably high levels of unemployment among people with disabilities - more than 75 percent - we not only strengthen American families, but promote a stronger economy and ensure future prosperity," Gore said in a

statement.

Clinton also again asked Congress to approve Jeffords' legislation to ensure that the disabled don't put at risk their federal health care coverage by taking jobs.

"One of the biggest barriers facing people with disabilities is the fear of losing their health insurance when they get a job," he said.

Under current law, many people with disabilities cannot keep Medicaid or Medicare coverage if they work.

"This creates a tremendous disincentive to work because they have to have health care," the president said.

Clinton noted that unlike other issues facing Congress, the legislation has been endorsed by a bipartisan majority in the House and has passed the Senate 99-0.

"So I say to Congress, don't water the bill down, guarantee its financing, and go ahead and send it to me so we can sign it without delay," the president said.

Rep. J.C. Watts, R-Okla., chairman of the House Republican Conference, said in a statement that the disabilities legislation has been "a Republican initiative for many years."

"Democrats are just now beginning to jump on board, and we welcome them to the table," he said. "Offering incentives to work and tax relief to help those who need it most is what compassionate conservatism is all about."

Watts said the full House will consider the legislation Tuesday. He predicted it will pass overwhelmingly.

LANGUAGE: ENGLISH

LOAD-DATE: October 17, 1999

Agencies Told to Recruit Disabled

Citing 'Missed Opportunity,' Clinton Issues Employment Plan

By **STEPHEN BARR**
Washington Post Staff Writer

President Clinton yesterday directed federal agencies to step up their efforts to recruit and hire people with disabilities, saying he wants the government to serve as a model for private-sector employers.

Despite the nation's strong economy, "there are people in places still not touched by our prosperity. Among them are almost three out of four Americans with severe disabilities who want to work, but aren't working. This is not just a missed opportunity for them, it's a missed opportunity for all the rest of us, too," Clinton said in his Saturday radio address.

Clinton issued what he called the "first-ever government plan" to hire and promote the disabled at all levels of the federal work force, from entry-level jobs to the senior executive ranks.

In addition to recruiting and promoting people with disabilities, Clinton called on federal agencies to "reach out" to disabled students and to adjust their employment procedures if necessary to attract qualified job applicants who are

disabled.

Clinton also challenged Congress to pass a bipartisan bill that he said would ensure that the disabled do not lose their health care coverage when they take a job. Under current law, many people with disabilities cannot keep their Medicaid or Medicare coverage if they work, the White House said.

The House is scheduled to take up the Work Incentives Improvement Act this week, and Rep. J. C. Watts (R-Okla.) said yesterday, "I believe it will pass overwhelmingly." The Senate passed its version, sponsored by Sens. James M. Jeffords (R-Vt.), Edward M. Kennedy (D-Mass.), William V. Roth Jr. (R-Del.) and Daniel Patrick Moynihan (D-N.Y.), by a 99 to 0 vote. The House Commerce Committee approved similar legislation, which provides mandatory funding for grants and a pilot program. But the House Ways and Means Committee last week approved its version without the guaranteed funding.

Contending that "we'll be spending the Medicaid money regardless," Clinton said, "Americans with disabilities who want to work shouldn't have to wait one more day."

Clinton's plan directing federal agencies to hire the disabled was developed by the Office of Personnel Management after a task force study that began last year. The task force was asked to make recommendations that would bring working-age people with disabilities into gainful employment at a rate approaching that of the general adult population.

The plan, "Accessing Opportunity," notes that the government operates under a series of laws dating back to 1973 that encourage the employment of the blind, deaf and others who are physically or mentally impaired. It urges agencies to ensure that "reasonable accommodations"—such as flexible work schedules, modified work sites and special equipment—are provided for applicants and employees with disabilities.

"The cost of a job or work environment accommodation can often be minimal," the plan said.

OPM Director Janice R. Lachance called the plan "a clear message that the president's promise to create a government that looks like America must exclude no one.

"We now have a road map, and our job will be to make it happen."

Clinton Orders Government To Try to Hire More Disabled

WASHINGTON, Oct. 16 (Reuters) — President Clinton announced steps today aimed at improving Government career opportunities for disabled workers, providing what he hopes will be a model for private industry.

In his weekly radio address, Mr. Clinton said the Federal Government, the nation's largest employer with almost 1.8 million workers, would increase recruiting efforts for the disabled, open opportunities for disabled employees and students and provide them with reasonable accommodations.

The plan, which Mr. Clinton directed the Government to begin immediately, also calls for the Government to collect and maintain data to monitor the success of people with disabilities in the Federal work force.

"I'm releasing the first ever Government plan to insure positive career paths for people with disabilities in our Federal work force," Mr. Clinton said.

The President urged Congress to move quickly to send him legislation that would encourage disabled people to work by making it easier for them to keep their full Federal health benefits.

A measure called the Work Incentives Improvement Act, which was passed in the Senate, 99 to 0, and awaits attention in the House, would let states offer Federal insurance to disabled people who now fear losing their comprehensive coverage for personal assistance and other services if they work and are forced to take their employers' insurance.

Despite broad bipartisan support for the measure, it has stalled in the past because of disputes over how to pay the estimated \$800 million cost over five years.

The Republicans, in their radio address today, gave strong support to a bill coming up for a House vote next week that would make it easier for poor children to go to better schools, outside their neighborhoods.

Delivering the address, Representative Bill Goodling of Pennsylvania urged Congress to pass the measure, which cleared the Committee on Education and the Workforce on Wednesday by a vote of 42 to 6.

The bill would provide money for parents of poor children in low-performing schools to send the children either to better public schools or to charter schools. Money would be available for transportation.

"Every American child deserves a quality education," said Mr. Goodling, the chairman of the education committee.

Mr. Goodling said the law would help more children attend schools like the Edison-Friendship Charter School in Washington. Charter schools are public schools for which most regulations are relaxed as long as student achievement increases.

Mr. Goodling called Edison-Friendship "a remarkable school in the shadow of the Capitol's dome." The 924-student school has a waiting list of 500, offers character education, an eight-hour school day, shorter summer vacations and a home computer for each child once the parents receive computer training.

By its first anniversary in September, students' test scores had doubled, Mr. Goodling said.

RADIO ADDRESS OF THE PRESIDENT TO THE NATION

THE PRESIDENT: Good morning. Today I want to talk about what we must do to make sure people with disabilities who are ready, willing and able to work can be part of our nation's prosperity.

Work is an often important part of who we are as Americans. It connects us with our communities and provides dignity for our families. Today, more Americans are working than ever before. Since 1993, in January, when I took office, we've had the largest peacetime expansion in our history and created more than 19 million new jobs. Unemployment is at a 29-year low; welfare rates a 30-year low; poverty a 20-year low, with the first back-to-back budget surpluses in 42 years.

But in spite of the good economic news, there are people in places still not touched by our prosperity. Among them are almost three out of four Americans with severe disabilities who want to work, but aren't working. This is not just a missed opportunity for them, it's a missed opportunity for all the rest of us, too.

If we want to keep our economy growing with continued low inflation and low unemployment, we must draw on the untapped potential of our people. That's why I launched our Enterprise Zone and Enterprise Community Initiative six and a half years ago, under the leadership of Vice President Gore, to bring investment and jobs to rural and urban areas with high unemployment.

That's why I'm working now to pass our New Markets Initiative in Congress, to give Americans the same incentive to invest in poor communities in America we now give them to invest in poor communities in Latin America, Asia, Africa and Central Europe. And that's why I established a Presidential Task Force on the employment of adults with disabilities last year, to help remove the barriers that prevent people with disabilities from going to work.

In December, Vice President Gore received the first set of recommendations by the task force, and I'm proud to say we've taken action on every one. The budget I proposed last January would invest more than \$2 billion in health care, tax credits and new technologies for people with disabilities. I also signed an executive order to eliminate unfair barriers to federal employment for people with psychiatric disabilities.

Today, I announce new steps we're taking to ensure that when it comes to the employment of people with disabilities, the federal government leads by example. And today, I'm releasing the first-ever government plan to ensure positive career paths for people with disabilities in our federal work force. I'm directing every federal agency and department to take concrete action to expand opportunities for people with disabilities in all levels of the work force, from entry to senior ranks.

And I'm calling on all agencies to recruit and promote people with disabilities, to reach out to students with disabilities, to provide reasonable accommodations for applicants

and employees with disabilities. I'm also calling on our federal human resources agency, the Office of Personnel Management, to ensure that every agency gets the help it needs to fulfill these commitments. We are the nation's largest employer. I want it to be a model for private industry, and this plan will help to do just that.

But there's more to do. One of the biggest barriers facing people with disabilities is the fear of losing their health insurance when they get a job. Under current law, many people with disabilities cannot keep their Medicaid or Medicare coverage if they work. This creates a tremendous disincentive to work, because they have to have health care, and neither they nor their employer can afford, or often even find, health insurance.

There's a common-sense, bipartisan bill to change that. It's called the work incentives improvement act; it was sponsored by Republican Senators Jeffords and Roth, and Democratic Senators Kennedy and Moynihan. Simply put, it would make sure that people with disabilities don't lose their health care when they gain a job. This bill passed the Senate 99-0. A bipartisan majority in the House has already co-sponsored it. So I say to Congress, don't water the bill down, guarantee its financing, and go ahead and send it to me so we can sign it without delay.

It will make money for America. It will make more taxpayers. And we'll be spending the Medicaid money regardless. Americans with disabilities who want to work shouldn't have to wait one more day.

After years of delay, last week the House of Representatives finally heard the voice of the American people and passed a strong, enforceable patients' bill of rights. By choosing progress over partisanship again, we can also pass the work incentives improvement act, and keep America working and growing.

I urge the leadership to seize this opportunity. Make this a season of progress, not a winter of partisan politics. Let's finish the job the American people sent us here to do.

Thanks for listening.

October 16, 1999

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS
AND AGENCIES

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

October 16, 1999

October 16, 1999

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Hiring People with Disabilities in the
Federal Government

Since I became President, we have created over 19 million new jobs and unemployment is as low as it has been in 29 years. Still, almost 75 percent of working-age Americans with severe disabilities remain unemployed. If this Nation is to live up to its promise of equal opportunity, and our economy is to continue to strengthen and expand, we must draw on the untapped energy and creativity of these millions of capable Americans.

One of the most glaring barriers to work for people with disabilities is that they frequently become ineligible for Medicaid or Medicare if they go back to work, putting them in the untenable position of choosing between health care coverage and employment. That is why my budget fully funds the Work Incentives Improvement Act, investing \$1.2 billion over 5 years in health care and employment services so that people with disabilities can work. This legislation was unanimously endorsed by the House Commerce Committee on May 19 and has been cosponsored by a majority of the House of Representatives; it passed the Senate 99-0 on June 16. It is time for the Congress to finish the job and pass the Work Incentives Improvement Act immediately. People with disabilities who want to work should not have to wait one more day.

Vice President Gore and I have already taken a number of steps to increase the employment of people with disabilities. On March 13, 1998, I signed Executive Order 13078 establishing the National Task Force on

Employment of Adults with Disabilities to create a coordinated national policy to bring working-age individuals with disabilities into gainful employment. In December, the Task Force presented the Vice President with its first report, and I am proud to say we have taken action on all the Task Force's formal recommendations.

As we fight to ensure that all people with disabilities have the health care and other assistance they need to go to work, we must also lead by example and make the Federal Government a model employer of people with disabilities. On June 4, 1999, I signed an Executive order eliminating the Federal Government's stricter hiring standards for people with psychiatric disabilities, an issue highlighted by Mrs. Gore earlier in the year. And last December, the Vice President asked the Office of Personnel Management (OPM) to develop a plan to increase the representation of adults with disabilities in the Federal workforce.

Today I am pleased to release that plan, Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government, and the companion employment guide prepared by OPM. These documents give agencies detailed and practical information on ways to recruit people with disabilities for positions at all levels of government; provide opportunities for students with disabilities; ensure career opportunities for people with disabilities; collect and maintain data to monitor their success; and provide reasonable accommodations for applicants and employees with disabilities.

I therefore direct you to implement this plan immediately within your departments and agencies and to bring qualified people with disabilities into the Federal workforce. This plan is proof of the Federal Government's commitment to empowering people with disabilities; now is the time for us to fulfill that commitment.

WILLIAM J. CLINTON

October 16, 1999

CLINTON-GORE ADMINISTRATION TAKES NEW STEPS TO
INCREASE THE EMPLOYMENT OF PEOPLE WITH DISABILITIES

October 16, 1999

EMBARGOED UNTIL 10:06 AM EDT
SATURDAY, OCTOBER 16, 1999

CLINTON-GORE ADMINISTRATION TAKES NEW STEPS TO INCREASE THE
EMPLOYMENT OF

PEOPLE WITH DISABILITIES

October 16, 1999

In his Saturday radio address, President Clinton will take action to increase employment of people with disabilities, issuing a landmark plan to make the Federal government a model employer. This action will enable the federal government to benefit from a broader pool of job applicants and help sustain the nation's record economic growth by bringing more people with disabilities into the work force. The President will also call upon Congress to pass the bipartisan Work Incentives Improvement Act to help people with disabilities who wish to join the workforce overcome one of their most significant barriers - the fear of losing health care coverage. Today, the President will:

DIRECT FEDERAL AGENCIES TO IMPLEMENT PLAN FOR HIRING PEOPLE WITH DISABILITIES. Since the beginning of the Clinton-Gore Administration, the American economy has added more than 19 million new jobs, and unemployment is at a 29-year low. Yet over 75 percent of individuals with severe disabilities are unemployed. Last year, Vice President Gore asked the Office of Personnel Management to develop a model plan to bring more adults with disabilities into the Federal workforce.

Today, the President will release that action plan and direct the Federal government to implement it immediately. The plan, Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government, along with a companion Employment Guide, provides detailed resources for federal employees as they recruit, hire, train and promote people with disabilities. Under this plan, the Federal government - the nation's largest employer with almost 1.8 million workers' will do more to:

- ? Recruit people with disabilities for positions at all levels of government;
- ? Provide opportunities for students with disabilities;
- ? Ensure career opportunities for people with disabilities;
- ? Collect and maintain data to monitor success of people with disabilities in the federal workforce; and
- ? Provide reasonable accommodations for applicants and employees with

disabilities.

CHALLENGE THE CONGRESS TO PASS THE BIPARTISAN WORK INCENTIVES IMPROVEMENT ACT.

Under current law, people with disabilities often become ineligible for Medicaid or Medicare if they work, forcing many to choose between health care and employment. The bipartisan Work Incentives Improvement Act helps address this problem by giving workers with disabilities more options. President Clinton today will call on the House, which is scheduled to vote on this legislation next week, to finish the job so that people with disabilities who want to work do not have to wait another day.

On Thursday, the House Ways and Means Committee passed its version of this legislation. While an improvement over the version passed by the House last year, it still does not guarantee funding for vital health care and employment incentives. In particular, it does not include: (1) mandatory funding for infrastructure grants which provide an incentive for states to adopt the Medicaid buy-in portion of the legislation; (2) a mandatory demonstration that allows people who are not yet too disabled to work to buy into Medicaid; and (3) a guarantee of Medicare coverage for eligible individuals returning to work. In contrast, the bill that has passed the Senate 99-0, as well as the bill voted unanimously out of the House Commerce Committee, provide mandatory funding of the grant and demonstration provisions within this legislation. Under the leadership of Senators Jeffords, Kennedy, Roth and Moynihan, and Representatives Bliley, Dingell, Lazio and Waxman, this version of the bill has received broad bipartisan support.

CALL ON CONGRESS TO PASS RESPONSIBLE, LONG OVERDUE HEALTH AND BUDGET LEGISLATION THIS YEAR.

The President today will also reiterate the call he made in his press conference Thursday to pass a strong, enforceable Patients' Bill of Rights and enact a responsible budget that strengthens Social Security, strengthens and modernizes Medicare, and pays down the debt by 2015, keeping interest rates low and the economy growing.

THE CLINTON-GORE ADMINISTRATION'S LONGSTANDING COMMITMENT TO INCREASE OPPORTUNITY FOR PEOPLE WITH DISABILITIES.

Today's action is the latest of many executive actions taken by the President and Vice President to increase the employment of people with disabilities, including: issuing an executive order in June expanding hiring opportunities for people with psychiatric disabilities; putting in place new regulations in February to make work pay for people with disabilities receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI), by allowing them to earn more and still receive critical cash and medical benefits; creating a task force last year to create coordinated national policy to increase employment of people with disabilities in all sectors of the economy; and including in his budget a historic \$2 billion initiative to provide a \$1,000 tax credit for work-related expenses for people with disabilities, invest in technology to help more people with disabilities work, and provide better health care and employment options for people who work by fully funding the Work Incentives Improvement Act.

Back to Work

Loss of Health Benefits No Longer Threatens Disabled Job-Seekers

Bill Eliminates Salary Caps, Fuels Hiring Appetite In Tight Labor Market

'Dishwashing or Directorship'

AI

By JOSHUA HARRIS PRAGER

Staff Reporter of THE WALL STREET JOURNAL
Seven years ago, multiple sclerosis forced Karen Huber to quit her job teaching English at Western Wyoming College, leaving her saddled with medical costs of \$6,000 a month and forcing her onto the government dole.

Ms. Huber's condition has improved over the years, to the point where she no longer uses a wheelchair and even takes mile-long walks. But she hasn't been able to return to work — not because of physical impairment, but for fear of losing her government health coverage.

For years, the disability community has lived in dread of "the cliff," the earnings point-of-no-return beyond which government benefits are permanently taken away. Under current regulations, disabled people who earn more than \$700 a month — well below the poverty line — are ineligible for Social Security Disability Insurance; three years after they start earning that much, Medicare cuts out. They would still be eligible for Medicaid, but would have to meet certain poverty qualifications limiting their assets. If their annual salary exceeded roughly \$18,000 — an amount that could be swallowed up by medical costs in just a few months — they would lose Medicaid.

New Safety Net

But all of that is about to change. Earlier this week, the House of Representatives voted 412-9 in favor of legislation that allows people with disabilities to go to work without losing their government health benefits. With the Work Incentives Improvement Act now headed to a joint committee of the House and Senate, there's bound to be wrangling over funding, which is expected to top \$750 million over five years. However, the bill has enjoyed tremendous bipartisan support — the Senate version passed in June with a vote of 99-0 — and has been a favorite issue of President Clinton's. Supporters of the bill are hopeful he will sign it by Christmas.

In anticipation of the change, scores of disabled people across the country, most unemployed for years, have begun dusting off their resumes and reconsidering careers. Ms. Huber, suddenly nervous and giddy at the age of 47, now spends early mornings in her home in Casper, Wyo., poring over the help-wanted ads in the Casper Star-Tribune. She has applied for jobs as a college adviser, librarian, curriculum planner, university administrator, and for a writing residency. "Whether it's dishwashing or directorship," she says, "I need to attempt this for the person I think I still am."

The Job Hunt

Leslie Williams of Kula, Hawaii, hasn't worked full-time in the 12 years since leaving a job with a progressive company. She now has a job as a writer for a local newspaper, and she has started taking some classes at the University of Hawaii. She has been looking for a job since she suffered a spinal cord injury in a car accident three years ago.

has applied for management slots at a local Lowe's Corp. home-improvement store. "I could at least be the boy by the door who rolls around and shows people where things are," he says.

With national unemployment running at 4.2% in September — the lowest rate since 1970 — employers are eager to tap the ranks of the nation's estimated 15 million severely disabled people, nearly three-quarters of whom don't work. Among the severely disabled who are in the labor force, unemployment is a relatively low 4.6%, according to the Bureau of Labor Statistics.

Since June, there has been a 50% jump in corporate requests for resumes from the National Business and Disability Council in Albertson, N.Y., which maintains a database of disabled workers and serves more than 200 major corporations, including Microsoft Corp. and Merrill Lynch & Co. "It's a change from, 'Is this a nice thing to do,' to 'Is this a smart thing,'" says the group's director, Ben DeYoung. "It's a tight market."

The Congressional Budget Office estimates that the new law will prompt only about 35,000 disabled adults to join the work force over the next decade. But advocates for the disabled think that estimate is way too conservative.

Paul Spooner, president of the National Council on Independent Living, which represents 250 federally funded disability centers that have been busily notifying their clients of the impending change, says that half of the roughly 11 million people with severe disabilities who aren't working now could join the labor force over the next five to 10 years. As proof, he points to the success of the welfare-to-work program, which is cited — along with the roaring economy — for slashing in half the number of welfare recipients during the past five years to 7.3 million.

The old regulations, several of which were adopted under the Balanced Budget Act of 1997, were clearly intended to help severely disabled people who couldn't work

make ends meet. But they provided scant opportunity for severely disabled people who could work to do so without losing their benefits.

Under the House bill, disabled people will be eligible for Medicare for 10 years from the day they go back to work, no matter what their salary; the Senate version grants indefinite eligibility, as long as the person begins working in the next six years. Moreover, in states that choose to do so, disabled people will be able to pay monthly fees, scaled to their salary, for Medicaid coverage. The fees aren't yet set, but are expected to top out at a few hundred dollars a month.

Still to be reconciled between the House and Senate versions of the bill is the question of whether participants in the buy-in program should be subjected to an annual salary cap. The House has proposed a cap of about \$35,000, while the Senate has opted for no cap.

Rick Lazio, New York's Republican Congressman who sponsored the House's version of the bill, says that the government simply may not be able to afford the Senate's no-cap plan. "The issue is much more

about financing than it is philosophy," says. But William V. Roth Jr., the Republican chairman of the Senate's Committee on Finance, counters that the House bill would gut the proposed law. Recipients of the buy-in programs "would fall off the very benefit cliff we are trying to eliminate," he says.

The new legislation has its opponents. "It's being presented as if people with severe disabilities are now going to be able to go to work. But the services that severely disabled people need aren't covered under Medicaid state plans," says Richard DiPeppe, director of an independent-living center in Norfolk, Va. Mr. DiPeppe says that what is truly needed is a national attendant-care program that would help disabled people get out of bed, dressed and off to work.

A Second Chance

Despite such concerns, many disabled people see the measure as a second chance at a career. In 1993, Lucinda Harman was earning \$65,000 as the director of nursing at a psychiatric hospital in Hawaii, when a spider bite exacerbated a rare genetic disorder she has that is called Ehlers-Danlos syndrome. Suddenly, Dr. Harman needed around-the-clock care and extensive hospi-

talizations. For two years, the medical bills topped \$500,000, and after her worker's compensation ran out, she was forced to leave her job and collect both Medicare and Medicaid.

Even when her condition stabilized, her annual bills for therapy, oxygen, attendants and medicines topped \$100,000, and she couldn't risk surpassing the \$8,400-a-year earnings cliff. Like many disabled people, she volunteered her services, founding Combridge Inc., a nonprofit educational consulting firm in her native Belton, Texas. She also began teaching part-time at nearby University of Mary Hardin-Baylor.

Dr. Harman, 47, says that once the law takes effect, she plans to give herself a \$1,000-a-month salary at Combridge. She also has been accepted to a neuropsychology internship program at a rehabilitation center in Austin that will pay her between \$15,000 and \$18,000. And she will increase her teaching load, more than doubling her salary to about \$15,000 a year.

The law will provide states with incentives, including "infrastructure grants" of at least \$500,000, to establish the Medicaid buy-in programs. Already, since February, six states have readied the programs.

"States know that the cost of providing this ongoing Medicaid coverage will be more than offset by the savings in food stamps, housing assistance, fuel assistance, cash assistance," says Peter Baird, director of Vermont's new Work Incentives Initiative Project, which hopes to launch a buy-in program in January. "That's why we jumped aboard."

In 1996, Mr. Baird was among the first to lobby his senator, James Jeffords of Vermont, about the need for a bill to address the issue of unemployment among the disabled. At the time, backers were emboldened by the Americans with Disabilities Act of 1990, which mandated access for the disabled in all walks of life. Sen. Jeffords was a good choice: In 1975, the moderate Republican had co-authored a bill on education for the disabled, and three years later had promoted another bill making federal buildings accessible.

In July 1996, the senator introduced a work-incentives bill that attempted to make the cliff less precipitous, by shrinking Social Security payments to the disabled as their incomes increased, rather than simply cutting them off. But the bill, which sought an estimated \$1 billion in funding over five years, also would have

Spotlight on the Issue

Still, his efforts helped bring the issue out in the light. That fall, the Social Security Administration co-sponsored its first annual employment conference on people with disabilities, and the Government Accounting Office released several studies looking at barriers preventing the disabled from re-entering the work force.

In December 1996, several advocacy groups for the disabled convened in Washington, D.C., and Oakland, Calif., to push the idea of Medicaid buy-in programs. Consensus emerged that the main roadblock to employment was the federally mandated salary cliff. "It wasn't the job, it wasn't the employee, it wasn't the employer," says Bryon R. MacDonald, chairman of the National Council on Independent Living's Social Security subcommittee. "It was the alphabet soup of government bureaucracy."

Just ask John McNeal. By 1996, six years after a motorcycle accident rendered him a quadriplegic, the former construction-project manager was desperate to work. And so, after years of being bombarded daily by telephone sales pitches, Mr. McNeal, then 28, got a job in telemarketing. But when Mr. McNeal told a local counselor about it, he was disappointed to learn he could only work four, four-hour days a week or would lose his health insurance.

'Fast, Flawless and Friendly'

Nonetheless, he took the position, working from his father's home in Dover, Del., selling accidental death and dismemberment insurance over the phone. "You can understand why I was good at it," he says, laughing. Mr. McNeal notched more sales than anybody else during his first weekend at work, and in seven months on the job won three "Fast, Flawless and Friendly" awards.

But as Mr. McNeal earned extra money for his hefty sales, he had to trim three hours from his workweek so he could still receive Medicaid. Discouraged, he quit after nine months. "What an incredible disincentive," he recalls. "It was the worst feeling in the world."

Countless jeremiads like Mr. McNeal's led the National Council on Disability in February 1997, at its annual conference in Houston, to draft a document, "Removing Barriers to Employment for the 105th Congress and Beyond." A year later, the document served as the blueprint for Sen. Jeffords's new work-incentives bill, which now centered squarely on access to health care.

"One out of every four families has someone in it who's disabled. Politically, [passing the bill] was the thing to do," Sen. Jeffords says now. The senator notes that Bob Dole, who testified this year before the Senate finance committee about the bill, helped tremendously. "It made a huge difference in getting people to understand the stupidity of these barriers."

Resumes and Interviews

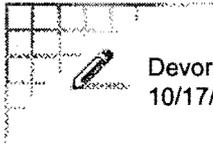
The initial response from the disability community has been strong. Of the 1,200 people represented by MKBN Services Inc., an Allison, Iowa, consulting company for people with disabilities, 75% have indicated that they plan to work full-time once Iowa initiates its Medicaid buy-in program in March.

"I've had folks call me and say, 'Kath, can you help me write a resume?'" says Katherine McInnis-Meisner, director of a mentoring program for women and girls with disabilities in Portland, Maine. "They ask me, 'What do I wear [to an interview]? Can they ask me about my disability?'"

Meanwhile, Ms. Huber continues poring over the help-wanted ads in the Casper Star-Tribune. She has had one rejection so far and is awaiting word on her other applications. But she says she already knows what she'll do when she gets her first job offer.

"One of the biggest joys in my life," she says "will be to go to the Social Security office" and turn down the monthly check she has been receiving in lieu of a salary. She intends to say, "I have a job now. Thank you, but no thank you."

2/2



Devorah R. Adler
10/17/99 03:30:03 PM

Record Type: Record

To: Jeanne Lambrew/OPD/EOP@EOP, Cynthia A. Rice/OPD/EOP@EOP, Jonathan M. Young/WHO/EOP@EOP

cc:
Subject: reuters story on radio address

Clinton Orders Government to Try to Hire
More Disabled

By REUTERS

ASHINGTON -- President Clinton announced steps Saturday aimed at improving Government career opportunities for disabled workers, providing what he hopes will be a model for private industry.

In his weekly radio address, Clinton said the Federal Government, the nation's largest employer with almost 1.8 million workers, would increase recruiting efforts for the disabled, open opportunities for disabled employees and students and provide them with reasonable accommodations.

The plan, which Clinton directed the Government to begin immediately, also calls for the Government to collect and maintain data to monitor the success of people with disabilities in the Federal work force.

"I'm releasing the first ever Government plan to insure positive career paths for people with disabilities in our Federal work force," Clinton said.

The President urged Congress to move quickly to send him legislation that would encourage disabled people to work by making it easier for them to keep their full Federal health benefits.

A measure called the Work Incentives Improvement Act, which was passed in the Senate, 99 to 0, and awaits attention in the House, would let states offer Federal insurance to disabled people who now fear losing their comprehensive coverage for personal assistance and other services if they work and are forced to take their employers' insurance.

Despite broad bipartisan support for the measure, it has stalled in the past because of disputes over how to pay the estimated \$800 million cost over five years.

The Republicans, in their radio address Saturday, gave strong support to a bill coming up for a House vote next week that would make it easier for

poor children to go to better schools, outside their neighborhoods.

Delivering the address, Representative Bill Goodling of Pennsylvania urged Congress to pass the measure, which cleared the Committee on Education and the Workforce on Wednesday by a vote of 42 to 6.

The bill would provide money for parents of poor children in low-performing schools to send the children either to better public schools or to charter schools. Money would be available for transportation.

"Every American child deserves a quality education," said Goodling, the chairman of the education committee.

Goodling said the law would help more children attend schools like the Edison-Friendship Charter School in Washington. Charter schools are public schools for which most regulations are relaxed as long as student achievement increases.

Goodling called Edison-Friendship "a remarkable school in the shadow of the Capitol's dome." The 924-student school has a waiting list of 500, offers character education, an eight-hour school day, shorter summer vacations and a home computer for each child once the parents receive computer training.

By its first anniversary in September, students' test scores had doubled, Goodling said.

Final 10/14/99 11:45 am
Sam Afridi

**PRESIDENT WILLIAM J. CLINTON
RADIO ADDRESS ON EXPANDING OPPORTUNITIES FOR
AMERICANS WITH DISABILITIES**

October 16, 1999

Good morning. Today, I want to talk about what we must do to make sure people with disabilities who are ready, willing and able to work can be a part of our nation's prosperity.

Work is an important part of who we are as Americans. It connects us with our communities and provides dignity for our families. And today, more Americans are working than ever before. We've created more than 19 million new jobs in the last six and a half years and unemployment is at a 29-year low. *Since 1993 largest peacetime welfare 30 yr 1 poverty 20 yr low*

In spite of the good economic news, almost three out of four Americans with severe disabilities who want to work are not working. That's not just a missed opportunity for Americans with disabilities. It's a missed opportunity for America.

If we want to keep our economy growing with continued low inflation and low unemployment, we must draw on the untapped potential of our people. We can strengthen core values like fairness and dignity while we strengthen our economy. *That's when I launched E2/E2 → GORE → New Market*

That's why I established a Presidential Task Force on the Employment of Adults with Disabilities last year to help remove the barriers that prevent people with disabilities from going to work. In December, Vice President Gore received the first set of recommendations by the Task Force—and I'm proud to say that we've taken action on every one.

The budget I proposed last January would invest more than \$2 billion in health care, tax credits and new technologies for people with disabilities. I also signed an executive order to eliminate unfair employment barriers for people with psychiatric disabilities in the federal government.

Today, I am announcing new steps that I am taking to ensure that when it comes to the employment of people with disabilities, the federal government leads by example. Today, I am releasing the first-ever government plan to ensure positive career paths for people with disabilities in the federal workforce.

I am directing every federal agency and department to take concrete action to expand opportunities for people with disabilities in all levels of the federal workforce—from the entry level to the senior ranks. And I am calling on all agencies to recruit and promote people with disabilities, reach out to students with disabilities, and provide reasonable accommodations for applicants and employees with disabilities.

We are
I am also calling on our federal human resources agency—the Office of Personnel Management—to ensure that every agency gets the help it needs to fulfill these commitments. ~~The federal government is the nation's largest employer—I want it to be a model for private industry. This plan will help do just that.~~

But there's more we must do together to tackle the challenge. One of the biggest barriers facing people with disabilities is the fear of losing their health insurance when they get a job. Under current law, many people with disabilities cannot keep their Medicaid or Medicare coverage if they work—creating a tremendous disincentive to work. *Because they have to have can't afford or find*

There's a common sense bipartisan bill to change that. It's called the Work Incentives Improvement Act and it was sponsored by Republican Senators Jeffords and Roth and Democratic Senators Kennedy and Moynihan. It will make sure that people with disabilities don't lose their health care when they gain a job.

The legislation passed the Senate 99 to zero. A bipartisan majority in the House has already cosponsored it. I say to Congress: don't water that bill down; guarantee its financing. If you finish the job and send me that bill--I'll sign it. Americans with disabilities who want to work shouldn't have to wait one more day. *It will make more jobs pay well*

After years of delay, the House of Representatives finally heard the voice of the American people and passed a strong, enforceable Patients' Bill of Rights. By choosing progress over partisanship, we can also pass the Work Incentives Improvement Act and keep America working.

The time for action in this Congress is quickly running out. I urge the leadership to seize this opportunity. Make this a season of progress—not a winter of politics. Let's finish the job the American people sent us here to do.

Thanks for listening.

Johnson

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"Strand, Mary" <MASTRAND@opm.gov>

10/15/99 02:50:53 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP, "Strand, Mary" <MASTRAND@opm.gov>
cc: Jonathan M. Young/WHO/EOP, "Seiden Suzanne B." <SBSEIDEN@opm.gov>
Subject: RE: Mary at some point today would you email us

Here is the exact URL where the Plan and Guide will be placed on our web site on Saturday morning at @11:00 a.m.

<http://www.opm.gov/employ/disabilities>

-----Original Message-----

From: Cynthia_A._Rice@oa.eop.gov [mailto:Cynthia_A._Rice@oa.eop.gov]
Sent: Friday, October 15, 1999 11:27 AM
To: MASTRAND@opm.gov
Cc: Jonathan_M._Young@oa.eop.gov
Subject: Mary at some point today would you email us

Message Creation Date was at 15-OCT-1999 11:27:00

with the OPM web address at which you will post tomorrow the employment plan and guide?
Jonathan will be emailing folks tomorrow and I assume he'll want to include that.

-- E-Mail scanned for viruses. --

-- E-Mail scanned for viruses. --



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

OCT 14 1999

The Honorable Bill Archer
Chairman
Committee on Ways and Means
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Archer:

The Department of Health and Human Services (HHS) would like to thank you for bringing the Ticket to Work and Work Incentives Improvement Act up for a vote. This bill gives hope to people with disabilities who are not working by providing them with the opportunity to enter the work force, end their dependence on cash assistance, and pay taxes.

The bipartisan, overwhelming support enjoyed by the Work Incentives Improvement Act to date reflects Congress's understanding of the importance of coupling return-to-work programs with health insurance options for people with disabilities. The President included - and fully funded - this proposal in his FY 2000 budget and strongly endorsed the Senate-passed and House Commerce Committee versions which closely resembled it.

We are pleased that the Ways and Means Committee continues to take action on the Ticket to Work and Work Incentives Improvement Act legislation. We nevertheless have serious concerns with several provisions of your bill that we would like to work with the Committee to address. Our concerns center on a few changes in funding and coverage.

First, two important grant programs included in the Ticket to Work and Work Incentives Improvement Act are no longer adequately funded in the Ways and Means Committee bill. The first program supports the enhancement of state infrastructures to return people to work and the second is a grant program to carry out demonstrations permitting states to provide Medicaid coverage to workers with medical conditions that can reasonably be assumed to cause the level of disability required to qualify for Social Security cash benefits. In previous versions of the Work Incentives Improvement Act, these programs are funded through mandatory appropriations in the legislation. The Ways and Means Committee version of the bill, however, drops the appropriations and replaces them with authorizations for discretionary spending. These grant programs are incentives for the states to adopt the Medicaid buy-in portion of the legislation. Without state support, the success of the Medicaid buy-in will be limited. We believe that the appropriate means of funding these programs is through mandatory appropriations, and to this end we have provided viable

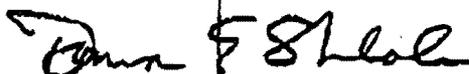
Page two - Chairman Archer

offsets for the entire Senate-passed bill. The Ways and Means Committee should recognize the partnership we depend on with the states, and restore the mandatory funding. Additionally, states have expressed concern about technical implementation issues arising from the income restrictions in the Senate version of the Medicaid buy-in program, which the Committee should consider.

Second, the bill does not guarantee that Medicare coverage will always be available to people with disabilities who return to work. The Ways and Means Committee version of the bill no longer provides for an on-going guarantee to Medicare coverage, but rather grants six additional years of Medicare benefits to individuals with disabilities who return to work. These benefits terminate after six years. The Ways and Means Committee provision extends the status quo that requires people with a disability to choose between work and health care, albeit six years later. To address this concern, the Committee should restore an on-going guarantee of coverage similar to the Senate-passed and House Commerce Committee bills.

We look forward to working with the Committee on this important bill that remains a top priority for the Administration. The Office of Management and Budget has advised that it has no objection to the transmittal of this report from the standpoint of the Administration's program.

Sincerely,



Donna Shalala

CLINTON-GORE ADMINISTRATION TAKES NEW STEPS TO INCREASE THE EMPLOYMENT OF PEOPLE WITH DISABILITIES

October 16, 1999

In his Saturday radio address, President Clinton will take action to increase employment of people with disabilities, issuing a landmark plan to make the Federal government a model employer. This action will enable the federal government to benefit from a broader pool of job applicants and help sustain the nation's record economic growth by bringing more people with disabilities into the work force. The President will also call upon Congress to pass the bipartisan Work Incentives Improvement Act to help people with disabilities who wish to join the workforce overcome one of their most significant barriers – the fear of losing health care coverage. Today, the President will:

DIRECT FEDERAL AGENCIES TO IMPLEMENT PLAN FOR HIRING PEOPLE WITH DISABILITIES. Since the beginning of the Clinton-Gore Administration, the American economy has added more than 19 million new jobs, and unemployment is at a 29-year low. Yet over 75 percent of individuals with severe disabilities are unemployed. Last year, Vice President Gore asked the Office of Personnel Management to develop a model plan to bring more adults with disabilities into the Federal workforce.

Today, the President will release that action plan and direct the Federal government to implement it immediately. The plan, *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, along with a companion Employment Guide, provides detailed resources for federal employees as they recruit, hire, train and promote people with disabilities. Under this plan, the Federal government – the nation's largest employer with almost 1.8 million workers – will do more to:

- Recruit people with disabilities for positions at all levels of government;
- Provide opportunities for students with disabilities;
- Ensure career opportunities for people with disabilities;
- Collect and maintain data to monitor success of people with disabilities in the federal workforce; and
- Provide reasonable accommodations for applicants and employees with disabilities.

CHALLENGE THE CONGRESS TO PASS THE BIPARTISAN WORK INCENTIVES IMPROVEMENT ACT. Under current law, people with disabilities often become ineligible for Medicaid or Medicare if they work, forcing many to choose between health care and employment. The bipartisan Work Incentives Improvement Act helps address this problem by giving workers with disabilities more options. President Clinton today will call on the House, which is scheduled to vote on this legislation next week, to finish the job so that people with disabilities who want to work do not have to wait another day.

On Thursday, the House Ways and Means Committee passed its version of this legislation. While an improvement over the version passed by the House last year, it still does not guarantee funding for vital health care and employment incentives. In particular, it does not include: (1) mandatory funding for infrastructure grants which

provide an incentive for states to adopt the Medicaid buy-in portion of the legislation; (2) a mandatory demonstration that allows people who are not yet too disabled to work to buy into Medicaid; and (3) a guarantee of Medicare coverage for eligible individuals returning to work. In contrast, the bill that has passed the Senate 99-0, as well as the bill voted unanimously out of the House Commerce Committee, provide mandatory funding of the grant and demonstration provisions within this legislation. Under the leadership of Senators Jeffords, Kennedy, Roth and Moynihan, and Representatives Bliley, Dingell, Lazio and Waxman, this version of the bill has received broad bipartisan support.

CALL ON CONGRESS TO PASS RESPONSIBLE, LONG OVERDUE HEALTH AND BUDGET LEGISLATION THIS YEAR. The President today will also reiterate the call he made in his press conference to pass a strong, enforceable Patients' Bill of Rights and enact a responsible budget that strengthens Social Security, strengthens and modernizes Medicare, and pays down the debt by 2015, keeping interest rates low and the economy growing.

THE CLINTON-GORE ADMINISTRATION'S LONGSTANDING COMMITMENT TO INCREASE OPPORTUNITY FOR PEOPLE WITH DISABILITIES. Today's action is the latest of many executive actions taken by the President and Vice President to increase the employment of people with disabilities, including: issuing an executive order in June expanding hiring opportunities for people with psychiatric disabilities; putting in place new regulations in February to make work pay for people with disabilities receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI), by allowing them to earn more and still receive critical cash and medical benefits; creating the Task Force last year to create coordinated national policy to increase employment of people with disabilities in all sectors of the economy; including in his budget a historic \$2 billion initiative to provide a \$1,000 tax credit for work-related expenses for people with disabilities, invest in technology to help more people with disabilities work, and provide better health care and employment options for people who work by fully funding the Work Incentives Improvement Act.

Disabilities Directive
Radio Address
Q&A
October 16, 1999

Directive to Federal Agencies in Hiring People with Disabilities

Q: What did the President direct the agencies to do and why?

A: Today, the President will release *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, along with a companion *Employment Guide*, providing detailed resources for federal employees to use as they recruit, hire, train and promote people with disabilities. Under this plan, the President will direct the Federal government – the nation’s largest employer with over 1.8 million workers – to immediately implement this plan and:

- Recruit people with disabilities for positions at all levels of government;
- Provide opportunities for students with disabilities;
- Ensure career opportunities for people with disabilities;
- Collect and maintain data to monitor success of people with disabilities in the federal workforce; and
- Provide reasonable accommodations for applicants and employees with disabilities.

Q: Will agencies be subject to hiring quotas?

A. No. Each agency’s employment opportunities differ. Therefore, the plan asks agency and department heads to review their hiring of people with disabilities and to implement efforts to increase employment of people with disabilities. The fact is almost 75 percent of working-age Americans with disabilities are unemployed, but that does not mean they are unemployable, nor does it mean that they have nothing to offer our federal government or society.

Q: What will the cost of implementation be to agencies?

A: There is no direct cost associated with the issuance of the guidance. In implementing the provisions outlined in OPM’s plan, federal agencies are being given access to a number of resources that will make their recruitment efforts and their career development planning more effective. OPM has specifically designed the plan and the guide to provide for the sharing of information and resources regarding the hiring of individuals with disabilities.

Q: What’s the difference between the OPM plan and the guide?

A. The plan provides a framework for departments and agencies to help them develop strategies and initiatives designed to employ and retain persons with disabilities. Its companion piece, the guide, is a resource tool to help Federal human resource specialists,

supervisors, and co-workers, understand the issues surrounding employment of people with disabilities.

Q: Doesn't this plan favor people with disabilities over other individuals such as veterans?

A. No. The plan does not direct agencies to favor those with disabilities over other applicants. It does encourage agencies to recruit people with disabilities for positions at all levels of government; provide opportunities for students with disabilities; ensure career opportunities for people with disabilities; collect and maintain data to monitor their success; and provide reasonable accommodations for applicants and employees with disabilities. The plan should be part of an overall agency strategy to address underrepresentation of individuals, including those with disabilities, in the workforce.

Q: How many persons with disabilities are currently employed by the Federal government?

A. As of September 30, 1998, there were over 1.8 million federal employees in the non-postal Federal executive branch, and just over 7 percent identified themselves as having a disability.

Unemployment Among People with Disabilities

Q: How many people with disabilities are unemployed?

A: Census Bureau data indicate 75 percent of people with severe disabilities are unemployed. Nationwide, some 54 million American have a disability, and about 26 million of them have disabilities characterized as severe.

Administration Efforts to Increase Employment of People with Disabilities

Q: Besides the else has the Administration done to increase employment of people with disabilities?

A: Today's action, recommended by the President's Task Force on Employment of Adults with Disabilities, is the latest of many executive actions taken by the President to increase the employment of people with disabilities, which include: issuing an executive order in June expanding hiring opportunities for people with psychiatric disabilities by eliminating the federal government's stricter hiring and promotion standards for people with those disabilities; putting in place new regulations in February to make work pay for people with disabilities receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI), allowing them to earn more and still receive critical cash and medical benefits; creating the Task Force last year to create coordinated national policy to increase employment of people with disabilities in all sectors of the economy; including in his budget a historic \$2 billion initiative to provide a \$1,000 tax credit for work-related expenses for people with disabilities, invest in technology to help more

people with disabilities work, and provide better health care and employment options for people who go to work by fully funding the Work Incentives Improvement Act.

For more on these and other actions taken by the President and Vice President to increase opportunities for Americans with disabilities, please see the attached nine page summary.

Work Incentives Improvement Act (Kennedy-Jeffords)

Q: Yesterday, the full Ways and Means Committee passed their version of the Work Incentives Improvement Act by a bipartisan vote of 33 to 1. What is your response?

A: We are extremely pleased that the Ways and Means Committee acted on this important legislation. The President included – and fully funded – this proposal in his FY 2000 budget and strongly endorsed the Senate-passed and House Commerce Committee versions, which closely resembled it.

However, the Ways and Means bill falls short on funding for health care components which are essential incentives to returning to work. This bill does not include: (1) mandatory funding for infrastructure grants which provide an incentive for states to adopt the Medicaid buy-in portion of the legislation; (2) a mandatory demonstration that allows people who are not yet too disabled to work to buy into Medicaid; and (3) a guarantee of Medicare coverage. The lack of funding for these critical health options would extend the status quo, which requires people with a disability to eventually choose between work and health care. We hope that the bill that the full House votes on includes these important provisions, and that Congress enacts this legislation this year.

Q: Some in Congress are saying that there are not enough offsets for the bill. Indeed, neither the Senate- or Commerce Committee-passed bills had offsets. Would you support this bill if it uses the Social Security surplus?

A. The President fully paid for this bill in his FY 2000 budget, and the Finance Committee included a financing source as well. There is no excuse for the House to fail to act on this bill because it cannot agree on enough offsets to pay for it responsibly, consistent with Administration policy.

Q: Senator Kennedy has indicated that the President made a commitment to find the offsets to pay for this legislation. Republicans are still waiting for the entitlement offsets you promised. Why aren't you living up to this commitment?

A: The President's commitment to the Work Incentives Improvement Act and its financing is and has been clear since the beginning of this debate. Financing for this legislation was included in the President's budget, and he indicated his support for the financing passed by the Senate Finance Committee. We are committed to working with the Congress to ensure adequate offsets, and our work over the last year clearly demonstrates this commitment.

Patients' Bill of Rights

Q: What is the President's position on the Patients' Bill of Rights?

A: The President called upon Congress to pass a strong, enforceable Patients' Bill of Rights. Last week, a strong bipartisan majority in the House passed the Norwood-Dingell Patients' Bill of Rights, a major victory for every family in every health plan – but there is still more work to be done. Republican leaders should resist weakening the patient protections guaranteed in the Norwood-Dingell bill or undermine the bill's bipartisan support in conference.

Americans with Disabilities Act

Q: What does the Administration think of the decisions made by the Supreme Court earlier this year on the Americans with Disabilities Act? Does the Administration plan to take new action in this area?

A: Earlier this year, the Supreme Court decided a number of important cases which interpreted the Americans with Disabilities Act (ADA). Two cases, Sutton v. United Airlines and Murphy v. United Parcel Service, Inc., held that the determination of whether an individual has a disability should take into account the use of mitigating measures. Depending on how these decisions are interpreted and applied by the lower courts, Sutton and Murphy could undermine the goals of the ADA by excluding from the Act's coverage many persons who are discriminated against by employers because of a physical or mental impairment. The most troubling possibility is that employers could refuse to hire individuals because of a physical or mental impairment but escape the Act's coverage by claiming that the individual does not have a disability because of mitigating measures.

The Administration will assess the impact of the Sutton and Murphy decisions by evaluating how they are interpreted and applied by the lower courts. We will also assess how employers are applying these decisions in their employment policies. In appropriate cases, the Administration will argue to the courts that Sutton and Murphy should not be applied to reach unfair results that are inconsistent with the original congressional intent underlying the Act. We are hopeful that the decisions will not have an adverse impact on people with disabilities.

Q: Does the Administration currently have plans to propose or support legislation to clarify the ADA?

A: No. While the lower courts are clarifying the meaning of these decisions, it would be premature to consider legislation.

**PRESIDENT CLINTON AND VICE PRESIDENT GORE:
*Increasing Opportunities for Americans with Disabilities***

“Increased access to health care, more assistance at home and in the workplace, remarkable new technologies made more available: This is how we can make sure that all Americans can take their rightful place in our 21st century workplaces.”

President Clinton
January 13, 1999

President Clinton and Vice President Gore are committed to expanding opportunities for Americans with disabilities and demonstrating to all Americans that people with disabilities -- given access to the workplace, health care, community services, and technology -- make significant contributions to our society and economy.

EXPANDING EMPLOYMENT OPPORTUNITIES

Fighting to Enact the Work Incentives Improvement Act (WIIA) -- The Work Incentives Improvement Act is an historic bill produced through the bipartisan efforts of Senators Jeffords, Kennedy, Roth and Moynihan in collaboration with leaders in the disability community and staff throughout the Administration. On January 13, 1999, the President announced one of his FY2000 budget initiatives, committing to the full funding of the WIIA. The Administration's budget initiative, which invests \$1.2 billion over five years, will help provide better health care options for people with disabilities who work.

The Work Incentives Improvement Act will improve access to health care by: (1) expanding states' ability to provide a Medicaid buy-in to people with disabilities who return to work; (2) extending Medicare coverage, for the first time, for people with disabilities who return to work; and (3) creating a new Medicaid buy-in demonstration to help people with a specific physical or mental impairment that is not severe enough to qualify for health assistance, but is likely to lead to a severe disability in the absence of medical treatment. In addition, WIIA will modernize the employment services system by creating a "ticket" that will enable Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) beneficiaries to go to any of a number of public or private providers for vocational rehabilitation. If the beneficiary goes to work and achieves substantial earnings, providers would be paid a portion of the benefits saved. And WIIA creates a Work Incentive Grant program to provide benefits planning and assistance, facilitating access to information about work incentives, and better integrate services to people with disabilities working or returning to work.

Providing a \$1,000 Tax Credit for Work-Related Expenses for People with Disabilities -- On January 13, 1999, the President announced a new proposal that will allow workers with significant disabilities to receive an annual \$1,000 tax credit to help cover the formal and informal costs that are associated with employment, such as special transportation and technology. Like the Jeffords-Kennedy-Roth-Moynihan Work Incentive Act, this tax credit, which will assist 200,000 to 300,000 Americans, will help ensure that people with disabilities have the tools they need to return to work.

Establishing the Task Force on Employment of Adults with Disabilities -- On March 13, 1998, President Clinton signed an Executive Order establishing a National Task Force on Employment of Adults with Disabilities, charged with creating 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.

Taking Action on All of the Task Force's Formal Recommendations -- In December 1998, the Vice President accepted the report of the President's Task Force on the Employment of Adults with Disabilities. Alexis M. Herman, Secretary of Labor, chairs the Task Force and Tony Coelho, Chairman of the President's Committee on Employment of People with Disabilities, serve as Vice-Chair. The Administration has taken action on all the Task Force formal recommendations: work to pass the Work Incentive Improvement Act; work to pass a strong Patients' Bill of Rights; examine tax options to assist with expenses of work; foster interdisciplinary consortia for employment services; accelerate development and adoption of assistive technology; direct Small Business Administration to expand outreach; remove Federal hiring barriers for people with mental illness and direct the Office of Personnel Management to develop model plan for Federal hiring of people with disabilities (see below).

Signing an Executive Order Expanding Hiring Opportunities for People with Psychiatric Disabilities -- In January 1999, Tipper Gore announced that the Office of Personnel Management (OPM) would explore measures to eliminate the stricter standards that are currently applied to federal job applicants who have psychiatric disabilities. On June 4, 1999, President Clinton signed an executive order ensuring that individuals with psychiatric disabilities are given the same hiring opportunities as persons with severe physical disabilities or mental retardation. The executive order also permits people with psychiatric disabilities the same opportunity to acquire competitive civil service status after two years of successful service.

Signing the Workforce Investment Act of 1998, Improving Worker Training and Placement Options for People with Disabilities -- Last year, the President signed the Workforce Investment Act (WIA), which included the Rehabilitation Act Amendments of 1998. The new Act establishes better links between the vocational rehabilitation (VR) system and the general workforce development system. Job seekers with disabilities will have improved options for service through the mainstream worker training and placement system, as well as through the disability-specific VR system. The U.S. Department of Labor, with assistance from the Department of Education, has been providing valuable technical assistance to the network of one-stop career centers on how to provide nondiscriminatory and accessible services to people with disabilities. In addition, the Rehabilitation Act has also been strengthened to give increased options to individuals with disabilities in developing employment plans.

Helping More Americans with Disabilities Return to Work. On February 12, 1999, the Vice President announced new regulations that will increase the amount of income Americans with disabilities receiving Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI), can earn from \$500 to \$700 per month – and still receive critical cash and medical benefits. These regulations went into effect on July 1, 1999. This was an important step that will improve economic opportunities for at least 250,000 Americans with disabilities.

Working on Innovative Strategies to Improve Employment of Adults with Disabilities --

Agencies within the Clinton Administration continue to work on innovative strategies to employ Americans with disabilities. The Social Security Administration, the Department of Health and Human Services, the Department of Labor and the Department of Education are all participating in inter-agency demonstration projects to expand employment opportunities for persons with disabilities. For instance, the Department of Education has awarded six systems-change grants to establish models of improved cooperation and coordination between State Vocational Rehabilitation programs, public employment/ employment training programs, and other related programs. The grants will assist in reducing barriers to employment and increasing the capacity of the State's overall employment system to serve individuals with disabilities. The focus of these systems change projects is increasing the employment rate of individuals with disabilities who are currently receiving support through public programs.

Supporting Families -- President Clinton fought for and enacted the Family and Medical Leave Act (FMLA) making workplaces more accommodating for many families that include a child or adult with a disability. In his 1999 State of the Union, the President proposed to extend the benefits of the Family and Medical Leave Act to ten million more American workers. Currently, only workers who are employed at businesses with 50 or more employees are protected. By covering workers in businesses with 25 or more workers, 10 million more American workers will be covered by the FMLA. The President also called for expanding the law to allow FMLA-eligible workers to take up to 24 hours of additional leave each year to meet specified family obligations, such as accompany one's child to dental or medical appointments.

Helping Move People from Welfare to Work -- Some of those who are having the hardest time moving from welfare to work are people with disabilities. Recognizing the special needs of this and other hard-to-place populations, the 1997 Balanced Budget Act included \$3 billion to assist long-term welfare recipients obtain jobs. In addition, the FY99 budget included a number of measures designed to expand welfare to work activities. The final budget included \$283 million for 50,000 new vouchers exclusively for people who need housing assistance to make the transition from welfare to work and \$75 million to assist states and localities in developing flexible transportation alternatives, such as van services. For FY 2000, the President announced that he will propose an additional \$1 billion for his Welfare-to-Work program to ensure that those remaining on the welfare rolls who face the greatest challenges can succeed in the workforce and to increase the employment of fathers of children on welfare so they can better support their children.

Funding a Disability Research Institute -- The Vice President recently announced that the Social Security Administration will fund a Disability Research Institute to help provide policy-makers with information and research data in the Social Security and Supplemental Security Income disability policy area, including ways to assess work ability and return-to-work strategies.

EXPANDING EDUCATIONAL OPPORTUNITIES FOR CHILDREN WITH DISABILITIES

Enacting a Stronger Individuals with Disabilities Education Act (IDEA) -- In 1997, the President signed into law a stronger Individuals with Disabilities Education Act. In FY 2000,

IDEA will serve 6.2 million children with disabilities. The expanded IDEA reaffirms and strengthens our national commitment to provide a world class education for all our children. It ensures that our nation's schools are safe and conducive to learning for children, while scrupulously protecting the rights of our disabled students. This bill makes it clear once and for all that children with disabilities have a right to be in the classroom and to be included in school activities like work experience, science clubs and field outings. IDEA also helps all classroom teachers get the full range of teaching skills that they need to teach children with disabilities. Teachers are now required to be involved in the development of individual education plans to help disabled children succeed. In addition, President Clinton has proposed requiring that states establish performance goals for special education.

Opposing Amendments to IDEA -- In the 105th Congress, the Administration, working with parents, successfully opposed amendments to the IDEA that could have resulted in inappropriate exclusion of large numbers of students with disabilities and denial of appropriate services.

Enforcing the Individuals with Disabilities Education Act -- The Clinton Administration has supported the rights of children with disabilities under IDEA in the following Federal Court cases:; *Marie O. v. Edgar*; *Sacramento City Unified School District v. Holland*; *Hartmann v. Loudon County Board of Education*. In addition, in March 1999, the Supreme Court ruled in *Cedar Rapids Community School District v. Garrett F.* Before the Court, the Administration argued that students like Garrett should receive the services necessary to ensure access to an appropriate education. IDEA guarantees this, and the courts have made this guarantee clear. The Administration believes that the Individuals with Disabilities Education Act provides the mechanisms to assist school districts to tap other available financial resources when necessary.

EXPANDING THE ROOSEVELT MEMORIAL

Adding a New Statue to the FDR Memorial -- On May 2, 1997, President Clinton dedicated the Franklin Delano Roosevelt Memorial to honor the thirty-second President of the United States. On July 2, 1998, Vice President Gore announced that the FDR Memorial will soon include an additional outdoor room at the main entrance that will depict FDR in the small wheelchair he invented. Thanks to the efforts of the disability community, the Clinton-Gore Administration has selected a specific design that will show how FDR became one of our greatest presidents while he had a disability and used a wheelchair.

INCREASING ENFORCEMENT OF CIVIL RIGHTS LAWS

Vigorously Enforcing the Americans with Disabilities Act -- President Clinton has led the fight for vigorous enforcement of the Americans with Disabilities Act (ADA), the Fair Housing Act, the IDEA and other critical civil rights laws that prohibit discrimination against people with disabilities in housing, schools, workplaces and public areas across the nation.

Working to Stop Discrimination Against People With AIDS -- President Clinton supports the Supreme Court's decision in *Bragdon v. Abbott*, which reinforces the protections offered by the landmark Americans With Disabilities Act for Americans living with HIV and AIDS. The President directed the Justice Department and the Equal Employment Opportunity Commission

to vigorously prosecute those who discriminate against people with AIDS, leading to actions against health care providers and facilities that violate the Americans with Disabilities Act.

Reducing Backlog and Expanding Alternative Dispute Resolution at Equal Employment Opportunity Commission (EEOC) -- Thanks to President Clinton, the FY99 budget included \$279 million -- a \$37 million increase over the previous year -- to significantly expand EEOC's alternative dispute resolution program and reduce the backlog of private sector discrimination complaints. The final budget fully funds the President's request -- providing the first real increase for EEOC in several years. This increase, the first since EEOC took responsibility for investigating violations of the ADA, will help give the EEOC the resources it needs to investigate claims of discrimination under the ADA. The President's FY2000 budget request provides \$312 million for the EEOC, a 12 percent increase over 1999.

Working for Fair Housing -- In response to the increase in reported cases of serious fair housing violations, the U.S. Department of Housing and Urban Development (HUD) has committed to doubling the number of its civil rights enforcement actions by the year 2000. In addition, the President proposed and won a major expansion of HUD's Fair Housing programs. The FY99 budget expands HUD's Fair Housing programs to \$40 million -- a \$10 million increase over FY98 funding. That 33-percent increase includes \$7.5 million for a new audit-based enforcement initiative proposed by the Administration.

Increasing Outreach -- In July 1998, the President directed key Federal civil rights agencies to increase their outreach efforts to individuals with disabilities, including those in diverse cultural communities, including immigrants, racial and ethnic minorities and rural residents.

SAVING SOCIAL SECURITY NOW

Saving Social Security -- In his State of the Union address, the President outlined his plan to save Social Security and extend the life of the Social Security Trust Fund through 2055. The President would devote 62% of the Budget surplus and increase the return on Social Security funds through private investment. The President has also committed to reserve the entire budget surplus until Congress passes a bipartisan plan to save Social Security and Medicare.

Protecting Supplemental Security Income Benefits -- In 1995, the President vetoed a budget bill that would have significantly cut cash assistance to most families with disabled children on Supplemental Security Income -- families who are struggling to care for a child at home and face extra costs for home modifications, equipment and income lost because a parent is unable to work full-time. In addition, the 1997 Balanced Budget Act ensured that 30,000 disabled children losing SSI because of the new tighter eligibility criteria kept their Medicaid coverage.

HELPING TO ENSURE THAT PEOPLE WITH DISABILITIES HAVE ACCESS TO QUALITY HEALTH CARE

Fighting to Pass a Strong, Enforceable Patients' Bill of Rights -- President Clinton has called on the Congress to pass a strong, enforceable patients' bill of rights that assures Americans the quality health care they need. The bill should include important patient protections such as: assuring direct access to specialists; real emergency room protections; continuity of care

provisions that protect patients from abrupt changes in treatment; a fair, timely, and independent appeals process for patient grievances; and enforcement provisions to make these rights real.

Strengthening Medicare -- President Clinton is working to modernize and strengthen Medicare to prepare it for the challenges the program faces in the 21st Century. This historic initiative would make Medicare more competitive and efficient; modernize and reform Medicare's benefits, including a long-overdue prescription drug benefit and cost-sharing protections for preventive benefits; and make an unprecedented long-term financing commitment to the program that would extend the life of the Medicare trust fund to 2027.

Proposing New Initiatives to Improve Prevention and Treatment and Fairness for People with Mental Illnesses -- The President and Vice President advocated for and enacted the Mental Health Parity Act of 1996, which took steps to end discrimination based on mental illnesses. On January 14, 1999, Mrs. Gore unveiled three new major initiatives, including: an unprecedented \$70 million increase in the mental health services block grant, a 24 percent increase, totaling \$358 million for FY2000, which will enable states to target particularly-hard-to-reach adults and children with severe mental illnesses; the announcement of a White House Conference on Mental Health to be held this spring; and a Presidential request to the Office of Personnel Management (OPM) to explore measures to eliminate the stricter standards currently applied to federal hiring practices for adults with psychiatric disabilities (see page 2 for more).

Held the First-Ever White House Conference on Mental Health -- On June 7, 1999, the first-ever White House Conference on Mental Health was held, chaired by the President's Mental Health Advisor Tipper Gore. The Clinton-Gore Administration unveiled unprecedented measures to improve mental health including ensuring that the Federal Employees Health Benefits Plan (FEHBP), the nation's largest private insurer, implements full mental health and substance abuse parity for FEHBP's beneficiaries. This, and the other proposals announced, will provide parity, improve treatment, bolster research and expand community responses to help those with mental illnesses.

Increasing Home and Community-Based Programs -- In June 1999, the Supreme Court in the *Olmstead* case upheld the purposes of the ADA by recognizing that unjustified isolation of institutionalized persons with disabilities is prohibited discrimination. This decision will increase access to home- and community-based long term care services and support for these persons. On July 29, 1998, the anniversary of the ADA, President Clinton announced that the Health Care Financing Administration was directing State Medicaid Directors to provide services to people with disabilities in the most integrated setting appropriate to their needs and in conjunction with the Americans with Disabilities Act. State Medicaid Directors are being urged to conduct self-evaluations to ensure that their practices and procedures encourage rather than inhibit integration into communities. The Clinton Administration's flexibility in granting state waivers has spurred an increase in home and community-based services; since he took office, the President has approved over 300 such waivers. As a result, the number of people with developmental disabilities served in home and community waiver programs has increased significantly.

Increasing Access to Health Care and Supporting Employment for Disabled Americans -- The Balanced Budget Act of 1997 created an optional program whereby States could allow people

with disabilities who were earning up to 250 percent of poverty to purchase Medicaid coverage. Oregon is the first state to take advantage of this policy, and they have created a program that will let individuals go to work and get or keep Medicaid. Secretary of Health and Human Services Donna Shalala has asked every governor to seriously consider this program.

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

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

INCREASING ACCESSIBILITY

Increasing Public Transportation Accessibility -- The Department of Transportation and the Access Board have issued final regulations implementing the Americans with Disabilities Act (ADA) provisions for over-the-road bus (OTRB) accessibility and provides a definition of what constitutes discriminatory action. The regulation requires large fixed-route operators to achieve 50% of full fleet accessibility by October 2006 and 100% by October 2012. The Department has strengthened the regulations by including provisions making OTRB operators individually and collectively accountable for providing accessible service. Additionally, in 1998, President Clinton signed the Transportation Equity Act for the 21st Century (TEA-21), legislation that provides significantly increased resources to make our Nation's surface transportation systems accessible. The Act included increased funding for the Elderly Individuals and Individuals with Disabilities grant program.

Expanding Accessibility to the Parks and Wilderness -- In October 1997, a memorandum of understanding was signed by the Federal wilderness management agencies and a nonprofit organization called Wilderness Inquiry, Inc. (WI), to coordinate their policies to "establish a general framework of cooperation between the agencies and WI for increased opportunities for people of all abilities to use and enjoy the programs, facilities, and activities of the agencies." On November 10, 1998, President Clinton signed legislation (H.R. 4501) that requires the Secretary of Agriculture and the Secretary of the Interior to conduct a comprehensive study to improve the access for persons with disabilities to outdoor recreational opportunities (such as fishing, hunting, trapping, wildlife viewing, hiking, boating, and camping) made available to the public on the Federal lands in the National Forest System, the National Park System, the National Wildlife Refuge System, and the Bureau of Land Management.

Increasing Housing Options -- The Clinton-Gore Administration took a number of significant actions in 1998 that advanced housing policy for people with disabilities. First, HUD issued a

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

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

Reinventing Government -- Under the leadership of Vice President Gore, the Clinton-Gore Administration is making government smaller, better managed and more efficient, creating a government that works better and costs less. The Administration is dramatically improving customer service to give all Americans the best service they've ever experienced with the government.

PROVIDING ACCESSIBLE TECHNOLOGY

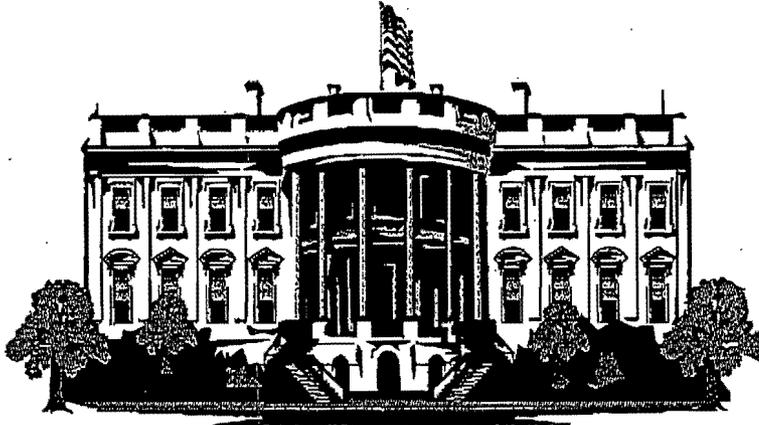
Expanding the Availability of Assistive Technology -- President Clinton is working to expand the information and communications technologies that help people with disabilities work. He has proposed a \$35 million investment in developing technologies such as "text to speech" for people who are blind, automatic captioning for people who are deaf, and speech recognition and eye tracking for people who cannot use a keyboard. The plan would also make these technologies more affordable by supporting new and expanded state loan programs. And in 1998, President Clinton supported and signed the Assistive Technology Act of 1998, which reauthorized State Assistive Technology Centers to provide assistive devices to needy individuals with disabilities.

Requiring the Federal Government to Provide Accessible Technology and Information -- The administration fought for and won changes to Section 508 of the Rehabilitation Act that will require Federal agencies to provide more provide accessible technology and information to their employees and customers. With these changes, the Federal government can use its considerable purchasing power to spur development of universally designed technology that is accessible to almost everyone.

Guaranteeing that the Telecommunications Revolution Benefits All -- In June 1998, the Federal Communications Commission (FCC) proposed rules that require telecommunications equipment and services be accessible to individuals with disabilities where readily achievable. The FCC has also required closed captioning of video programs for Americans with hearing disabilities; proposed improvements on Telecommunications Relay Services (TRS) to ensure that TTY users have access to telecommunications network; and proposed a requirement to expand TRS so that persons with speech disabilities have access to telecommunications.

CREATING AN ADMINISTRATION THAT LOOKS LIKE ONE AMERICA

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



FAX COVER SHEET

ERIC LIU
DEPUTY ASSISTANT FOR DOMESTIC POLICY
THE WHITE HOUSE
WASHINGTON, DC 20502
PHONE: 202/456-5565 • FAX: 202/456-2878

DATE: 10/14/99 NUMBER OF PAGES (INCL. COVER): 3

FROM: Anna Richter

TO: Sam Afridi / Cynthia Rice

FAX: 6-2505 / 6-7431

COMMENTS: Here is the directive for Radio Address

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THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Hiring People with Disabilities in the Federal Government

Since I became President, we have created over 19 million new jobs and unemployment is as low as it has been in 29 years. Still, almost 75 percent of working-age Americans with severe disabilities remain unemployed. If this Nation is to live up to its promise of equal opportunity, and our economy is to continue to strengthen and expand, we must draw on the untapped energy and creativity of these millions of capable Americans.

One of the most glaring barriers to work for people with disabilities is that they frequently become ineligible for Medicaid or Medicare if they go back to work, putting them in the untenable position of choosing between health care coverage and work. That is why my budget fully funds the Work Incentives Improvement Act, investing \$1.2 billion over 5 years in health care and employment services so people with disabilities can work. This legislation was unanimously endorsed by the House Commerce Committee on May 19 and has been cosponsored by a majority of the House of Representatives, and it passed the Senate 99-0 on June 16. It is time for the Congress to finish the job and pass the Work Incentives Improvement Act immediately. People with disabilities who want to work should not have to wait one more day.

Vice President Gore and I have already taken a number of steps to increase the employment of people with disabilities. On March 13, 1998, I signed Executive Order 13078 establishing the National Task Force on Employment of Adults with Disabilities to create a coordinated national policy to bring working-age individuals with disabilities into gainful employment. In December, the Task Force presented the Vice President with its first report, and I am proud to say we have taken action on all the Task Force's formal recommendations.

Presidential

2

As we fight to ensure that all people with disabilities have the health care and other assistance they need to go to work, we must also lead by example and make the Federal Government a model employer of people with disabilities. On June 4, 1999, I signed an Executive order eliminating the Federal Government's stricter hiring ~~standards~~ standards for people with psychiatric disabilities, an issue highlighted by Mrs. Gore earlier in the year. And last December, the Vice President asked the Office of Personnel Management (OPM) to develop a plan to increase the representation of adults with disabilities in the Federal workforce.

Today I am pleased to release that plan, *Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*, and the companion *Employment Guide* prepared by OPM. These documents give agencies detailed and practical information on ways to recruit people with disabilities for positions at all levels of government; provide opportunities for students with disabilities; ensure career opportunities for people with disabilities; collect and maintain data to monitor their success; and provide reasonable accommodations for applicants and employees with disabilities.

I therefore direct you to implement this plan immediately within your departments and agencies and to bring qualified people with disabilities into the Federal workforce. This plan is proof of the Federal Government's commitment to empowering people with disabilities; now is the time for us to fulfill that commitment.

October 13, 1999

President William J. Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Clinton:

We are writing to share our deep concerns regarding the House Ways and Means Committee mark up of work incentives legislation scheduled for tomorrow, October 14, 1999.

We commend the strong support that the Administration has given to the "Work Incentives Improvement Act of 1999", S. 331/H.R. 1180, landmark legislation that will improve the lives of people with disabilities. However, we are concerned that, without full funding of H.R. 1180, disabled citizens stand to lose the minimum essential provisions required to make the dream of work a reality.

Among the provisions of H.R. 1180 most at risk are the Medicaid demonstration project and the state infrastructure grants that will encourage states to offer coverage to people with disabilities under the demonstration project. **We have heard that the House Ways and Means Committee will not provide mandatory offsets in their markup tomorrow, but rather will suggest that these activities be funded out of the discretionary budget. Given that, it is imperative that the Administration present to the Ways and Means and Commerce Committees mutually agreeable offsets of \$185 million that will fully fund these policies and provisions, by 12:00 noon tomorrow.**

CBO has scored the total cost of WIIA at a very modest level – under \$800 million over five years. The long-awaited final approval of WIIA, first unanimously approved in part by the House Commerce Committee, and then passed by the Senate by a vote of 99-0, awaits only a final decision on mutually acceptable policy and offsets. We have been very supportive of the Administration throughout this process, and while we wish to remain supportive we must have clarity and wholehearted commitment to delivering a comprehensive and fully-funded work incentives bill if we are to proceed.

Work Incentives Improvement Act
Page Two

This is a critical moment in the life of the Work Incentives Improvement Act. Now is the time for the Administration and the Congress to act to fully-fund H.R. 1180 and ensure that WIIA, with its comprehensive provisions, is enacted this year and that people with disabilities finally receive the opportunity to return to America's workforce.

Sincerely,

ADAPT
AIDS Action
Disability Rights Education and Defense Fund, Inc.
Human Rights Campaign
National Association of People With AIDS

cc: Vice President Al Gore
cc: Sandy Thurman
cc: John Podesta
cc: Gene Sperling
cc: Jack Lew
cc: Chris Jennings
cc: Bruce Reed
cc: Daniel Mendelson

October 13, 1999

Majority Leader Lott
Minority Leader Daschle
Chairman Roth
Rank. Member Moynihan
Senator Jeffords
Senator Kennedy
US Senate
Washington, DC

President Clinton
Vice President Gore

The White House

Speaker Hastert
Minority Leader Gephardt
Chairman Archer
Ranking Member Rangel
Chairman Bliley
Ranking Member Dingell
House of Representatives

Dear Sirs:

We, the undersigned national disability organizations, appreciate both the Administration and the Congress for the many long hours and hard work that have gone into the development of work incentives legislation this year. We believe that we are very close to completing work on this important advancement for Americans with disabilities. However, we are also deeply concerned that time will run out in this Session before the few remaining steps have been taken to pass this important legislation.

We strongly urge the President and the Congress to join together in effecting the final steps that will make the dream of work a reality for millions of Americans with disabilities. We understand that the policies embodied in S. 331 and HR 1180 are not in dispute. But rather, the only unresolved issue is funding. Therefore, we strongly urge the Congress and the President to come together now to identify the offsets acceptable to all parties necessary to fully fund these provisions so that enactment is complete within the first Session of the 106th Congress.

CBO has scored the total cost of work incentives legislation at a very modest level – \$727 million over five years. The long-awaited final approval of this legislation, first unanimously approved in part by the House Commerce Committee, and then passed by the Senate by a vote of 99-0, awaits only a final decision on mutually acceptable policy and offsets.

It is well past time to complete this legislative process. All parties to this effort – the Administration, the House of Representatives, and the US Senate – must come together to enact legislation that fulfills the promise of the Work Incentives Improvement Act and does not harm those citizens with disabilities the bill is designed to assist.

Sincerely,

Marty Ford
The Arc of the US
Co-Chairs, CCD Task Force on Social Security

Tony Young
UCPA

Paul Seifert
IAPRS

Susan Prokop
PVA

On behalf of:

American Network of Community Options and Resources
APSE
Brain Injury Association
Easter Seals
Epilepsy Foundation
International Association of Business, Industry, and Rehabilitation
National Association of Developmental Disabilities Councils
National Alliance for the Mentally Ill
National Association of Protection and Advocacy Systems
National Down Syndrome Society
National Mental Health Association
NISH
Paralyzed Veterans of America
The Arc of the US
United Cerebral Palsy



FAX TRANSMITTAL FROM

**THE OFFICE OF THE GENERAL COUNSEL
U.S. OFFICE OF PERSONNEL MANAGEMENT**

TO: Cynthia Rice

of _____

phone _____ **fax** 456-7431

FROM: SUZANNE SEIDEN

GENERAL COUNSEL

phone (202) 606-1700 **fax** (202) 606-2609

DATE: 10/8

TOTAL NUMBER OF PAGES (including cover sheet): 8

COMMENTS: Re: Disability Plan & Guide

Cynthia:

Attached are:

1) revised fact sheet

2) Q&As

Statistics to follow, Suzanne

FACT SHEET
INCREASING EMPLOYMENT OPPORTUNITIES FOR AMERICANS
WITH DISABILITIES:
MEETING OUR NATION'S CHALLENGES
US OFFICE OF PERSONNEL MANAGEMENT
October 9, 1999

"If America is to continue to grow and prosper, if we are to lead the challenging global economy of the 21st century, we cannot afford to ignore the talents, energy, and creativity of the 54 million Americans with disabilities." – President William Jefferson Clinton, October 7, 1997

- In November 1998, the Presidential Task Force on Employment of Adults with Disabilities issued its first report, "Recharting the Course." The report offered several recommendations for both public and private employers to increase the employment of people with disabilities in the workforce.
- As part of the initiative to encourage the Federal government to employ more people with disabilities, President Clinton and Vice President Gore announced efforts to make the Federal government a model employer.
- **Accessing Opportunity – The Plan for Employment of People with Disabilities in the Federal Government.** In support of the Task Force recommendations, the U.S. Office of Personnel Management (OPM) developed a plan to provide agencies the tools to hire and develop people with disabilities to achieve a fully diverse workforce. The plan will help ensure that departments and agencies:
 - Recruit widely for positions at all levels;
 - Provide opportunities for students with disabilities;
 - Give full consideration to employees with disabilities for inclusion in developmental opportunities;
 - Collect and maintain data to monitor success; and
 - Provide reasonable accommodations for qualified applicants and employees with disabilities, consistent with guidance from the Equal Employment Opportunity Commission.
- **People With Disabilities in the Federal Government – An Employment Guide.** A companion piece to the plan, the guide provides agencies with a detailed resource on employing people with disabilities. The guide addresses issues such as:
 - reasonable accommodation,
 - hiring options,
 - dealing with different disabilities, and
 - integrating people with disabilities into the workforce.

Both the Plan and the Guide will be available on the OPM website (WWW.OPM.GOV), and in alternate formats, including large print, Braille, audio cassette, and computer disk.

EMPLOYMENT OF PEOPLE WITH DISABILITIES IN THE FEDERAL GOVERNMENT PLAN & GUIDE

Questions and Answers

(Updated October 8, 1999)

Q1. Why are we doing this?

- A. **Our nation must have a workforce with the skills and competencies needed to succeed in the 21st century, so we cannot afford to let any sector of our society be excluded from contributing to our future success. Not only will the Federal government benefit from broadening the pool of applicants for its positions, but we can serve as a role model for private industry. This Administration remains committed to using the visibility of the Federal workforce to show the country the benefits of recruiting and developing a workforce that reflects the diversity of our nation.**

So, as part of the Federal government's goal to foster equality of opportunity, full participation, independent living, and economic self-sufficiency for persons with disabilities, President Clinton established a Task Force on Employment of Adults with Disabilities. As a result of the Task Force's recommendations, the President is releasing a plan, prepared by OPM, for the Federal government to serve as a model for the employment of persons with disabilities and utilize the full potential of these talented individuals. "*Accessing Opportunity: The Plan for Employment of People with Disabilities in the Federal Government*" provides agencies with strategies to hire and develop people with disabilities to achieve a more fully diverse workforce.

Q2. What's the difference between the Plan and the Guide?

- A. **The Plan provides a framework for departments and agencies to help them develop strategies and initiatives designed to employ and retain persons with disabilities. Its companion piece, the Guide, is a resource tool to help Federal human resource specialists, supervisors, and co-workers, understand the issues surrounding employment of people with disabilities.**

Q3. What will the cost of implementation be to agencies? ✓

- A. **There is no direct cost associated with the issuance of the guidance. In implementing the provisions outlined in OPM's plan, Federal agencies are being given access to a number of resources that will make their recruitment efforts and their career development planning more effective. OPM has specifically designed the Plan and the Guide to provide for the sharing of information and resources regarding the hiring of individuals with disabilities.**

Q4. How will OPM distribute these materials?

- A. **OPM will distribute copies of the Plan and the Guide to heads of departments and agencies, human resources directors, Task Force members, and other key stakeholders. These materials will also be available on the OPM website, at WWW.OPM.GOV, and in alternative formats, including large print, Braille, audio cassette, and computer disk by calling 202-606-1059 (Voice) or 202-606-0023 (TTY).**

Q5. What are the new requirements of this Plan?

A. There are no new statutory or regulatory requirements in the Plan and the Guide. To support agency employment of persons with disabilities, OPM plans to issue regulations to implement a recent Executive order concerning employment of persons with psychiatric disabilities.

Q6. Who will make sure the items in the Plan and the Guide are implemented?

A. OPM in its human resources oversight role, and the Equal Employment Opportunity Commission as the agency responsible for enforcing the Federal government's affirmative action and nondiscrimination programs related to disability, will monitor Federal employer efforts in recruiting and employing persons with disabilities. In addition, Federal departments and agencies regularly monitor their own workforce data.

Q7. Who was involved in putting this Plan together?

A. The Plan and the Guide were developed by OPM in collaboration with Federal agency representatives with an interest in the employment of persons with disabilities, including representatives of the President's Task Force on Employment of Adults with Disabilities.

✓ Q8. Will hiring quotas be set?

- A. No. Each agency's employment opportunities differ. Therefore, the plan asks agency and department heads to review their hiring of people with disabilities and to implement efforts to meet the Task Force's goals. The fact is almost 75 percent of working-age Americans with disabilities are unemployed, but that does not mean they are unemployable, nor does it mean that they have nothing to offer our society.**

The Federal government recruits widely to find qualified applicants – often using nontraditional methods to reach candidates who, while qualified, might not otherwise apply because of social, economic, or other conditions. For example, agencies use student employment programs to introduce college students to the Federal Government and give them hands-on experience in their chosen career fields.

Q9. Why not the private sector as well?

- A. Increasing opportunities for people with disabilities, particularly employment opportunities, has always been a priority of this Administration. The President specifically formed a Task Force on Employment of Adults with Disabilities to look at this complex issue and to develop a coordinated and aggressive national strategy to increase the employment of people with disabilities by July 2002. This interagency Task Force is looking at a the broad range of barriers to employment and forming strategies to eliminate these barriers. We believe that our success will serve as a model for the private sector to imitate.**

✓ Q10. How many persons with disabilities are currently employed by the Federal government?

A. **As of September 30, 1998, there were 124,139 employees * with disabilities in the non-postal Federal executive branch, or 7.1 percent of the workforce.**

[* this is the number of people who voluntarily identified themselves as disabled.]

Q11. How does this plan relate to other targeted recruitment programs such as the **Hispanic Employment Initiatives**?

A. **The plan is another tool to help agencies hire and develop a fully diverse workforce. By employing talented individuals with disabilities, the Federal government will set the example for other employers to follow.**

✓ Q12. Doesn't this plan favor people with disabilities over other individuals, including veterans?

A. **No. The plan does not direct agencies to favor those with disabilities over other applicants. It does encourage agencies to recruit and give full consideration to adults with disabilities; provide opportunities to students with disabilities; and monitor success. The plan should be part of an overall agency strategy to address underrepresentation of individuals, including those with disabilities, in the workforce.**

Q13. Is **discriminating** against people with disabilities a prohibited personnel practice?

A. **Yes. Title 5, United States Code, section 2302(b)(1)(D) prohibits discrimination for or against any employee or applicant for employment on the basis of handicapping condition, as prohibited under section 501 of the Rehabilitation Act of 1973 (29 U.S.C. § 791).**

Q14. Is **veterans' preference** applied when appointing persons with disabilities?

A. **Yes. Veterans' preference is a law and is applied by agencies which are subject to the provisions of title 5, United States Code, or which are subject to a statutory requirement to follow veterans' preference provisions of title 5.**

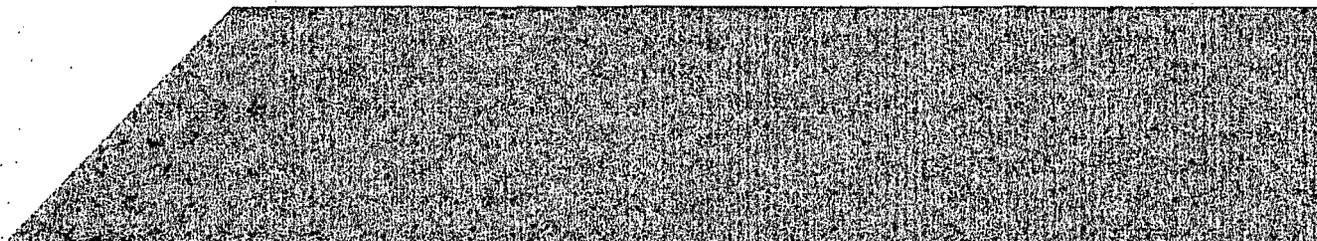
Q15. Will having a disability affect an individual obtaining **health insurance** as a Federal employee?

A. **No. In addition to gainful employment, Federal employees with disabilities will find a model health benefits program with no waiting periods or pre-existing condition restrictions, and one that will provide benefit parity for mental and physical conditions.**

Q16. Are agencies **required to report** to OPM the number of people with disabilities hired?

A. **No special reports are required.**

- END of Q&A -



People With Disabilities in the Federal Government



AN EMPLOYMENT GUIDE



United States
Office of
Personnel
Management

Employment
Service

Theodore Roosevelt Building
1900 E Street, NW
Washington, DC 20415-9800

202-606-1059
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