

JUNE 25, 2001

**SCHAKOWSKY AWARDED 2001 PUBLIC SERVICE AWARD  
BY UNITED CEREBRAL PALSY ASSOCIATION**

WASHINGTON, D.C. -- The United Cerebral Palsy Association awarded U.S. Representative Jan Schakowsky (D-IL) the 2001 Public Service Award. Schakowsky is a fighter on behalf of the disability community and is the author of H.R. 1763, legislation to increase the Personal Needs Allowance

Below is Schakowsky's speech before members of UCP:

I am so honored to receive this award from the United Cerebral Palsy Association (UCP) and to receive it from Alan Goldberg. Alan is a passionate and tireless advocate for the interests of persons with cerebral palsy, persons with disabilities, and all of us who are concerned about protecting rights and enhancing opportunities for all. Last year, I worked with Alan to win funding for an Assistive Technology Center demonstration site in Chicago, which will provide enormous opportunities for students and others.

I also want to thank UCP and all of you for your own efforts. In Illinois and across the nation, you are fighting to help persons with disabilities achieve their full potential and be productive members of their communities, through improved access to education and assistive technology, quality health care, and expanded employment opportunities.

Your mission statement is centered on putting people first; promoting independence, inclusion and self-determination; and working for progressive change. For decades, you have worked to fulfill those goals. Through public education and advocacy and organizing, UCP is demonstrating the power of people not just to change policies but to change the public's perception of persons with disabilities. You should be proud of the successes that you have achieved.

**Accomplishments:**

Before we talk about the need for new policies and activism, it is important to think for a moment about some of the successes won by UCP and the disability community.

We won passage of the Americans with Disabilities Act, one of the most important civil rights laws of our generation.

We enacted the Individuals with Disabilities Education Act, recognizing that every child deserves full and equal access to educational opportunities.

We passed Section 508 of the Rehabilitation Act, requiring that all federal agencies provide information systems that are accessible to everyone. President Bush

announced last week that today, June 25, is the effective date for federal implementation of Section 508, a move that will improve accessibility for 120,000 federal workers and the public. And, because the federal government spends \$39 billion each year on technology, it will have a big impact on future developments.

The Clinton Administration created the President's Task Force on the Employment of Adults with Disabilities. That Task Force brought a new awareness of the importance of persons with disabilities to the federal workforce and to our society, helped pass the Work Incentive Improvement Act and resulted in creation of the Office of Disability Policy within the Department of Labor.

The U.S. Supreme Court reach a landmark decision in the Olmstead case, telling states that they should provide services for persons with disabilities in the most appropriate setting. The Bush Administration last week issued an executive order designed to help implement that decision and to provide \$70 million to help get state implementation started.

**Challenges:**

These are major accomplishments but, as you know, there is much more to be done.

We are living in the 21st century. It is time - it is long past time - that we guarantee full and equal rights to every single person in our country.

### *Employment*

It is time to close the door on policies that deny people with disabilities the right to employment. Almost three-quarters of working age people with disabilities are unemployed, despite the fact that many are willing and able to work. Last Congress, we passed the Ticket to Work and the Work Incentive Improvement Act. Now we have to implement meaningful work opportunities in every state. We cannot afford to lose a single productive member of our society because we refuse to tear down the barriers that lock people out of the workplace. We all lose if we refuse to make the accommodations necessary to get people with disabilities into the workplace.

The Bush Administration has put forward a New Freedom Initiative so that "Americans with disabilities should have every freedom to pursue careers, integrate into the workforce, and participate as full members in the economic marketplace." Now we have to make the Administration make good on that commitment.

### *Appropriate Care*

It is time to close the door on policies that force people with disabilities into institutions, instead of helping them to live at home and in the community. We must expand Medicaid to include personal assistance services. We must not only eliminate policy biases toward institutionalization, we must provide all the resources necessary to make

comprehensive home and community-based services available and affordable. The Olmstead decision was a fabulous victory - but it is not enough. Changing policy makes deinstitutionalization possible, providing the money makes it happen.

It is also time that we make the commitment and provide the resources to ensure the quality of facility-based care. I will shortly reintroduce legislation to require minimum staffing ratios for nursing homes, so there are adequate numbers of well-trained staff to care for residents.

I am pleased to have UCP's support on another bill, H.R. 1763, to increase the personal needs allowance for Medicaid beneficiaries living in institutions. While states have discretion, current federal law requires only \$30 for an individual, \$100 for a couple. My bill would raise that to \$50 and \$100. Persons in institutions should be treated with respect and dignity, and that includes having the right to personal funds to meet personal needs.

### *Health Care*

We need to improve access to health care and improve health care. Congress finally gets the need for a patients' bill of rights, but it is still far from sure that the legislation passed will be adequate. This is not just about holding managed care plans accountable, although eliminating the liability shield from HMOs that deny or limit care is long overdue. There are key differences between the Bipartisan Patient Protection Act (sponsored by Representatives Ganske and Dingell and Senators Kennedy and McCain), and the Republican leadership proposals. As the Consortium of Citizens with Disabilities recently pointed out, our bill authorizes standing referrals, critical to people with disabilities who need to see specialists on a regular basis. Their bill does not. Our bill provides specialty care protection to persons with potentially disabling or congenital conditions or diseases. Their bill does not. Our bill requires that specialists must be ADA-accessible. Their bill does not. Our bill provides continuity of care to persons with potentially disabled or congenital conditions. Their bill does not. Our bill provides coverage for individuals in approved clinical trials. Their bill does not. UCP understands the importance of these differences and is working to win the best protections possible.

I'm proud to be a cosponsor of the Family Opportunity Act, which would give state discretion for parents of child with disabilities to buy into Medicaid. But, ultimately, what we really need is universal health care. I completely agree with UCP's policy, which calls for universal and affordable access to comprehensive benefits with patient choice. Providing limited tax credits that, at most, allow the purchase of bare-bones insurance policies is just not the answer. Again, we need to fight for policies that meet the need of children and adults with disabilities, not just the healthy whose medical needs are limited.

I am a vice chair of the House Task Force on Universal Health Care. I am anxious to work with UCP in designing the strategy and policies to get us to that goal.

## ***Housing***

It is time that we guarantee every person a decent place to live. Last January, a HUD report found that there are 1.3 million adults with disabilities who have worst case housing needs, 25 percent of all households with worst case needs. People with disabilities are the only group eligible for federal housing assistance whose housing needs have actually increased during this period of economic prosperity. There are over 4 million people with disabilities whose primary source of income is their federal Supplemental Security Income benefit. The CCD report, *Priced Out in 2000: The Crisis Continues*, found that there is not a single housing market in the United States where an SSI-only household can rent an efficiency or one-bedroom market for 30 percent or less of their income.

Last year, we won a \$9 million increase in funds to build housing for persons with disabilities, but the \$217 million appropriated is just not enough.

Adults with disabilities face an enormous challenge even finding accessible housing. When they do, it is likely to be unaffordable. If we can put people on the moon and uncover the secrets of the human genome, we can design and build housing that is accessible and affordable.

## ***Social Security***

You all know that Social Security is more than a retirement program. Roughly 7 million people receive Social Security benefits because they or a family member are disabled.

Proposals to privatize Social Security are a particular threat to persons who receive Social Security because of disability or survivor status for 2 reasons.

First, proposals to divert 2 percentage points of the current 12.4 percent payroll tax into individual accounts would reduce funds into Social Security by \$1.1 trillion over the next 10 years. This could force a cut in existing benefits of up to 54%.

Second, survivors and individuals whose working years are cut short by disability would have much shorter periods of time to accumulate money in individual accounts, significantly lowering their Social Security benefits. The General Accounting Office reported in January that "the income from (workers' individual accounts) was not sufficient to compensate for the decline in the insurance benefits that disabled beneficiaries would receive."

## ***ADA Protection and the Courts***

It is time that we guarantee the civil rights of every person not just in theory but in practice. Last year, we celebrated the 10th anniversary the ADA. This year, we continue to face assaults, whether from inadequate resources for enforcement or bills like the

**ADA Notification Act.** I'm sorry that Clint Eastwood didn't know enough to make his restaurant accessible. But we can be just as tough as Dirty Harry himself - the law is on the books, it's been there for 11 years now, it must be obeyed. Those who violate other people's civil rights don't deserve a free pass - they deserve to be penalized for ignoring the law of the land.

The Olmstead and Garrett decisions point out the absolute importance of the courts in implementing and interpreting laws like the ADA.

We must fight the nomination of people of like Jeffrey Sutton. This is a man who, in arguing the Garrett case for Alabama, said that the ADA is "NOT NEEDED." He argued that we should just rely on state laws. But it is the state of Alabama that discriminated in the Garrett case.

Jeffrey Sutton is not just an enemy of the ADA. He successfully argued against the Age Discrimination Act before the Supreme Court. He also just won a case that, unless overturned by the Supreme Court, will prevent people from using the federal courts to sue states that refuse to provide Medicaid benefit.

Jeffrey Sutton is not a friend of people with disabilities, older Americans, children, women or anyone else. It is a disgrace that he has been nominated and, together, we will prevent him from ever sitting on a federal bench.

### *Voting Rights*

As a member of the House Democratic Task Force on Election Reform, I am working with my colleagues to make sure that every person is able to vote and that every vote cast is actually counted. During the last election, some people were kept away from the polls because of roadblocks, intimidation or election officials who refused to honor voting cards. People with disabilities are routinely kept away because of physical obstacles, the lack of accessible transportation to the poll, outdated voting machines, and failure to guarantee privacy in voting. If we tear down the barriers to voter participation, it will go a long way to tearing down the other barriers that face us.

I am proud to be a cosponsor of the Equal Protection of Voting Rights Act, H.R. 1170/S. 565, introduced by Representative Conyers and Senator Dodd. That bill requires that voting "shall be accessible for individuals with disabilities and other individuals with special needs which provides the same opportunity for access and participation (including privacy and independence) as for other voters."

### *Show Me the Money*

As you recognized, there is an underlying concern in so many of the issues I've talked about - that policy wins without adequate funding do not work.

Congress just passed a budget resolution that does not include the money for MiCASSA

or more housing, for expanded employment assistance or full funding of IDEA. It does not provide money to install 21st century voting machines in every polling place or to provide real ADA enforcement. In fact, the Center on Budget and Policy Priorities found the budget and tax bills just passed will require \$45 billion in cuts for domestic discretionary programs below current levels over the next 10 years. Unless we change policies, funding existing programs let alone critical new initiatives will be very, very difficult.

Those who voted for that budget resolution need to hear from you. They need to know that a budget that provides tax breaks for the wealthy but doesn't improve housing and health care is just not good enough. They need to be told that they must do better than that.

We need to reinforce our support for the goals of the ADA and IDEA by renewing America's commitment to equality of opportunity, full participation, independent living and economic self-sufficiency for all people with disabilities.

We need to highlight the importance of continuing on the path to building accessible, inclusive and integrated communities where children and adults with disabilities have opportunities and choices.

I look forward to working with you in that effort.