



Impact of IL “Stimulus” Funding to be Determined in New York

By Brad Williams

When President Barack Obama signed the American Recovery & Reinvestment Act (ARRA), or the stimulus bill into law on February 17, 2009, advocates in the Independent Living (IL) community were thrilled to have been included in the historic legislation.

According to the National Council on Independent Living (NCIL), ARRA IL funding included \$87.5 million for Part C (CIL program) and \$18.2 million for Part B (state grants). NCIL played a large role in providing leadership on the issue. In addition, the national council felt that, Congressman Obey of Wisconsin, Chair of the House Appropriations Task Force, was the person most responsible for including Independent Living programs in the House stimulus package, and Senator Tom Harkin of Iowa championed it in the Senate. It was the hard work of NCIL’s advocates in Wisconsin



NCIL Conference 2009, Photo by Tom Olin

that taught Congressman Obey that the Independent Living program is a worthwhile investment. Furthermore, when the stimulus package came under fire from fiscal conservatives and other opponents, it was NCIL’s policy team and advocates around the country that wrote, called, and visited with member of Congress to ensure that our funding was protected.

NCIL continued to dialogue with the Rehabilitation Services Administration (RSA) and members of Congress to clarify distribution and program guidelines. States eventually found out a few realities. First, everyone learned about their projected ARRA distributions. In New York, Part B was \$856,884, while Part C was \$5,425,563. Second, the planning for both items would be addressed by the State Plan Partners according to the State Plan and needs assessment.

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All of a sudden, the State council and State Plan had a renewed purpose. While the New York State Plan could address the situation, and decisions would be made, the reality was the State Plan was written for normal increases or decreases and nobody could have predicted a scenario to accommodate the influx of a large amount of temporary funding. Also, New York is a diverse State with varied needs. Every attempt would be made to meet the diverse needs. Third, just as people became comfortable with the process used to plan the Part B funds, RSA issued guidelines and conditions that made decisions difficult for the statewide network.

Even though ARRA funds are supposed to be temporary in nature and designed to stimulate the economy as they look to also help to increase employment outcomes or capacities for the given network and the people they serve, the IL Part C funds were being directed to convince States to establish new Centers. This didn't seem very consistent with the theme of the Act, especially when RSA announced the existence of a funding cliff+ at the end of the ARRA funds. Any new Centers that were created with the ARRA funds would be recognized in the states Federally-funded network of centers and receive operational monies going forward by cutting the grants of the existing centers. This would mean that staff at some centers would lose their jobs and a few might close in order to accommodate the new ones. How is that consistent with the stimulus plan? Advocates complained about the funding cliff and a Section 803 was added to an ARRA appropriations bill that gave discretion to the commissioner to waive priority three (establishing new centers) - Although doing so appears to be a rare occurrence (like a solar eclipse). It also extends the ARRA funding for IL out to five years. A projected increase to the Part C program in 2010 should help to minimize the funding cliff to the existing network.

Each State has been in negotiation with RSA over their plan to implement ARRA IL funds. I know a greater segment of the IL network could have benefited if the funds were structured in a different way. However, the situation didn't provide such an opportunity. Instead, the State Plan Partners negotiated the best possible outcome given the constraints and guidelines that we had to follow for the network. Only time will tell what the impact will be ♦

National Increase in People with Disabilities Voting in 2008 Election

By Patty Black

In a national press release from the American Association of People with Disabilities (AAPD is the country's largest cross-disability membership organization) it was reported that Americans with disabilities voted in record numbers in the 2008 presidential election. A study conducted by Rutgers University professors show that *3.8 million more* people with disabilities voted in the 2008 presidential election than in 2000. The total number of people with disabilities who voted in this election was 14.7 million. According to Jim Dickson, AAPD's Vice President for Organizing and Civic Engagement, this record turnout can be directly attributed to the 2002 passage of the Help America Vote Act (HAVA), which mandated that voting be accessible for all citizens. Dickson stressed that HAVA helped create a tremendous drive for growth and change for voters in the disability community. Also significant was that employed people with disabilities were just as likely as employed people without disabilities to vote, which suggests that employment is a factor in bringing those with disabilities into mainstream political activity.

Although the disability voting gap still exists, this can be attributed in part to the lower numbers of registered voters with

disabilities. However, voting analysts mainly attribute the disability voting gap to the lower turnout among registered voters. Among people with disabilities, 68% were registered to vote, which was 3 points lower than the rate for those without disabilities. 84% voted, a total 6 points lower than for registered people without disabilities. (Also, people with disabilities were more likely to have registered at a town hall or other registration center, rather than at a Department of Motor Vehicles office).

The turnout of people with disabilities was actually only 7 percentage points lower than that of people without disabilities in the November 2008 election (57.3 percent of people with disabilities voted compared to 64.5 percent of those without disabilities). These numbers show that the disability vote in the 2008 Presidential election underscores the increasingly important role of the disability vote in the political process. In fact, those voters comprise a voting group nearly as large as the 15.9 million African American voters (9.7 million Hispanics voted in the 2008 election) ♦

Important Disability Related Bills Passed in Senate

By Patty Black

Several important pieces of legislation relating to disability issues were recently passed in the NYS Senate this past July. One was the Polling Place Access Bill (Number S.1058A). This bill, sponsored by Senator Joseph Addabbo, was intended to amend current election law in relation to requiring polling places to be accessible to physically disabled voters. It is designed to update state election law to be consistent with federal accessibility requirements, eliminate state polling place accessibility waiver language and include provisions to the election law to reduce confusion regarding polling place access requirements and increase the likelihood of substantial compliance. Problems in the past arose from the fact that the state never defined accessibility, and now there will be some

uniformity. Assemblyman Kevin Cahill sponsored the same as bill (A.584A) in the Assembly.

The second important disability related bill that was passed in the Senate and officially signed into law by Governor Paterson related to Timothy's Law (S5672). This bill, sponsored by Senator Tom Libous, was intended to make permanent the first law passed in 2006 requiring health insurers in New York State to cover mental illness to the same extent as physical illness (provide parity in coverage). This law has also been significant in helping to reduce the stigma surrounding mental illness.

On July 16, the ADA Restoration Act Title II bill (S5396) sponsored by Senator Shirley Huntley, was passed in Senate. This bill clarifies the scope of protections against discrimination on the basis of disability in services provided by public entities, which includes exclusion from participation or denial of benefits, services, programs or activities of a public entity. Also, a public establishment cannot refuse to make reasonable accommodations unless it can prove an undue hardship. Notably, Assembly member Amy Paulin worked especially hard for the last six years on getting this bill passed. She sponsored the same as bill (A.781B) in the Assembly. It is very encouraging that these important bills were updated due to the hard work and tireless support of many devoted disability advocates in New York ♦

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