



**American Association of People with Disabilities  
Presidential Candidate Questionnaire on Disability Policies**

**Executive Summary**

***Please insert an executive summary describing your top 2-3 policy priorities, and how you will advance the full community integration of people with disabilities.***

My Administration will expand access to educational opportunities, integrated employment, and health care for the disability community. We will work with the disability community to increase employment of individuals with disabilities across the federal workforce, ensure special education is fully funded, and increase access to both mainstream and adaptive technologies. I see disability as a component of human diversity and to that end, I will fight for the civil rights of people with disabilities across all levels of the federal government.

In addition, I support Medicare for All Who Want It, including for those with pre-existing conditions. Health care is a right – and until we treat it as such, we’ll be preventing a great many people with disabilities from reaching their full potential. A lack of access to affordable health care has a terrible impact on our nation’s overall workforce and on American prosperity more broadly.

**1. LEADERSHIP**

**The Government Accountability Office (GAO) publication, “High Risk Series” (2015), points out the vast problems of administration and effectiveness of federal disability programs. These very same problems have been cited in previous reports spanning over twenty years. To address these issues, reform must begin within the Executive Branch.**

- ***Will you commit to creating a National Office of Disability Coordination to be headed by a cabinet level executive?***

I support creating a National Office of Disability Coordination. Various public programs and systems designed to help people with disabilities are often fragmented, overly complex, or underutilized. I will also establish senior positions, within this new office and within the White House, to include the diverse perspectives of people with disabilities and improve the coordination of disability supports and services across the federal government.

- ***What are you doing to make sure qualified people with disabilities will be a part of your political team and, if elected, as part of your Administration?***

I believe that people with disabilities can bring tremendous value and experience to my campaign and, if elected, to my Administration. We’ve recruited several volunteers and staff with disabilities to contribute their talents to my campaign. We will continue to emphasize working with qualified people with disabilities in my Administration. The Trump Administration

eliminated several executive branch positions that served as liaisons to the disability community. Under my Administration, these positions will be immediately restored.

## **2. ADVANCING THE CIVIL AND CONSTITUTIONAL RIGHT OF AMERICANS WITH DISABILITIES TO BE INTEGRATED IN SOCIETY**

**The vast majority of Americans with disabilities and older Americans prefer home and community based services that allow them to live independently in their communities. However, states and insurance providers of Long Term Services and Supports (LTSS) still restrict access to community-based services and preference nursing homes, which results in unwanted institutionalization, depriving people with disabilities of their fundamental freedoms and cutting their lives short. This reliance on institutional placement is also far more expensive than community-based services.**

- If elected, will you support the Disability Integration Act (currently S.117/HR.555) – bipartisan civil rights legislation that establishes in statute the right of Americans with LTSS disabilities to receive services and supports in the community and be integrated in society – and sign this legislation into law? What other investments will you make in expanding long-term services and supports?***

I am proud to support the Disability Integration Act and will work with Congress to pass this important legislation within my first 100 days in office. The legislation clarifies and strengthens the ADA's integration mandate and accelerates state compliance with the Supreme Court decision in *Olmstead v. L.C.* The *Olmstead* decision affirmed a fundamental principle of equality for Americans with disabilities: that they have the right to live in the most integrated setting appropriate to their needs. Nonetheless, people with disabilities in need of long-term services and supports often face long waiting lists, restrictive eligibility criteria, service gaps, cost caps, and inadequate reimbursement rates.

I also appreciate how the Disability Integration Act requires that states and insurers remove the obstacles that stand in the way of community integration. It enshrines in federal statute the right to live in the community with regard to the provision of long-term services and supports for individuals with disabilities, including children and seniors. My Administration will work with states to make sure that this Act is enforced, especially when it comes to protecting and expanding long-term service and supports.

- People with disabilities are also significantly overrepresented in prisons and jails. A few key reasons for this disparity is police discrimination, lack of accommodations in the court system, jails functioning as hospitals, particularly for behavioral health, and inadequate re-entry support.<sup>1</sup> How will you address the disproportionate number of people with disabilities, who are***

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<sup>1</sup> Vallas, R. (2016). "Disabled Behind Bars: The Mass Incarceration of People With Disabilities in America's Jails and Prisons." The Center for American Progress. Found through

***also often people of color, that are institutionalized in jails and prisons? In what ways will you transform our criminal justice system?***

As first responders, our law enforcement officers and jail staff are often the first to intervene with individuals who are seen as acting disruptive or suspicious. Unfortunately, this has resulted in a disproportionate number of individuals with mental illness or cognitive disabilities entering the criminal justice system. I am committed to eliminating the inequities of our criminal justice system for all Americans, including those with disabilities, and will work with Congress, local communities, and stakeholders to achieve meaningful reforms.

I am pledging to take steps to reduce the prison population by 50% overall so that we no longer are keeping so many people locked up to the detriment of our communities. This is especially important for people with disabilities as well as people of color. We need to address the issue of incarceration in an intersectional way, so we can ensure justice for all those that our criminal justice system has unfairly targeted. To do this, I am looking to fix multiple aspects of our criminal justice system in my [Douglass Plan](#) for racial justice, equity, and opportunity. We propose reforms that include reducing police interactions, eliminating incarceration for drug possession, encouraging diversion programs and other alternatives to incarceration, abolishing mandatory minimums, streamlining the clemency system, and encouraging states, (through incentive grants with conditions) to change the way their criminal justice programs work so that they serve justice and rehabilitation. Through these changes, we can address the disproportionate institutionalization of people with disabilities and people of color.

In addition, my Administration will dedicate additional resources for initiatives to:

- **Train first responders to identify and engage with the cognitively disabled.**
- **Require screening** to ensure that inmates with disabilities are identified and that they receive reasonable ADA accommodations
- **Invest in the expansion of diversionary programs**, such as the Developmentally Disabled Offenders Program in New Jersey, for people with cognitive disabilities from traditional incarceration to appropriate programs and services.

I am also proposing reforms to how people are treated while incarcerated, which include abolishing the Medicaid exception, expanding Pell Grant access, abolishing prolonged solitary confinement, and eliminating policies that force people in prison and their families to pay for basic necessities. Abolishing the Medicaid exception has the potential for significantly improving the quality of care for people with disabilities who are incarcerated. Finally, when people leave incarceration, I pledge to work to restore the right to vote for those that lost it; to eliminate barriers to housing, food, health care, and jobs; and to severely limit the use of supervised release so that people are free to reintegrate into society.

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<https://cdn.americanprogress.org/wp-content/uploads/2016/07/15103130/CriminalJusticeDisability-report.pdf>.

- ***Americans with disabilities face many obstacles and barriers to voting, including inaccessible polling places and voting equipment, difficulty getting to the polling place, and poorly informed election officials and poll workers about access issues. What will you do to ensure people with disabilities have equal access to the fundamental right to vote? Do you support providing funding to states so they can purchase new accessible voting systems to replace the first generation accessible voting systems that have outlived their useful life?***

I believe that to create a truly inclusive democracy, all eligible voters with disabilities need to be ensured full access to the right to vote. I am committed to a range of reforms to ensure access for people with disabilities, including automatic, same-day, and online registration; expanding agencies designated to provide voter registration to include disability service providers; and no-reason vote-by-mail and early voting. So many issues of disability access come down to resources. This is why I am committed to expanding funding for accessible registration materials, accessible voting machines, accessible notices regarding purges, and additional training for poll workers.

- ***The Bureau of Justice Statistics found that an estimated 32 percent of state and federal prisoners and 40 percent of local jail inmates have a disability, and that this population is three to four times more likely than the general population to report having at least one disability. Furthermore, there are significant racial disparities in incarceration rates, with African Americans incarcerated at more than five times the rate of whites. There are significant efforts around the country to restore voting rights for returning citizens (those who have completed all terms of their sentence.) As President, what would your Administration do to advance the restoration of voting rights for returned citizens?***

I will push for a 21st Century Voting Rights Act that restores the right to vote for all formerly incarcerated people immediately upon release from prison, not contingent on any payment of fines and fees and not contingent on the completion of supervised release. I will also work to ensure that people who remain in their communities after a conviction (for instance, because they are only sentenced to probation) never lose the right to vote.

- ***Tens of thousands of people with mental health conditions and intellectual disabilities have been disenfranchised in 39 states due to laws that strip them of their right to vote. What would your Administration do to encourage the restoration of voting rights for people with mental health conditions and intellectual disabilities who have been denied the right to vote due to guardianship?***

Capricious and uneven laws that allow judges to remove voting rights from people and that use outdated classifications and understandings of mental health must be reformed. I believe every

American should have the right to vote, and I want to do everything I can to protect and secure that right.

- ***What will your administration do to ensure immigrants with disabilities have support and accommodations throughout the citizenship process?***

We need to ensure “the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others,” as acknowledged in the United Nations’ Convention on the Rights of Persons with Disabilities (CRPD). This means we must actively take steps to ensure that people with disabilities are able to move here and become citizens. The citizenship process is cumbersome for all immigrants, but particularly for immigrants with disabilities. We should be making it easier, not harder, for people who are eligible for citizenship to apply and naturalize.

First and foremost, I will reverse the prejudicial and unlawful public charge rule, which disproportionately impacts disabled immigrants and their families by punishing them for receiving the medical benefits they need and to which they are entitled. Second, I will push for minimizing immigration detention, which is costly and unnecessary and has a particularly detrimental impact on individuals with disabilities. The ACLU estimates that 15% of people in immigration detention have some sort of disability. As part of my plan to minimize immigration detention, I will expand on successful programs like the Family Case Management Program, which not only helps immigrants navigate the complex immigration legal system, but also helps them integrate in the United States. Finally, I will ensure that USCIS facilities are ADA compliant and that the office of the Ombudsman and Civil Rights and Civil Liberties within the Department of Homeland Security affirmatively prioritize inclusion of all groups, including people with disabilities, so that the benefit of citizenship is open to all who qualify.

- ***How will your administration ensure that immigrants are not denied citizenship on the basis of disability or public benefits?***

I pledge to roll back all of the anti-immigrant policies and regulations the current administration has put in place, including the needless rule that Form N-648 be filed at the same time as the naturalization application. I will standardize the reasons for denial of Form N-648 so that no Immigration Officer can reject a reasonable accommodation request without good reason *and* that a person with a disability is never denied a reasonable accommodation simply because an Immigration Officer does not believe them. I also will reverse the requirement that blind applicants need to submit a medical waiver in order to receive an oral test. The requirement that applicants use separate interpreters for their medical examination and naturalization interview is onerous and unnecessary; I would get rid of it. Finally, my Administration will also boost enforcement of Section 504 of the Rehabilitation Act in order to ensure that all reasonable accommodations are made and in order to take the burden of enforcement off of the people who are seeking accommodations.

- ***Judicial nominations make a significant impact on the civil rights of Americans. What qualities will you look for in judicial nominees, and will these qualities include fair-minded constitutionalists that support the rights of people with disabilities?***

Judicial nominees must understand the issues facing people with disabilities. They must understand why it is critical to protect key rights, such as preserving the ADA and ensuring the right to bodily autonomy, and why inclusivity and accessibility under the law is essential. Key decisions by judges have chipped away at the ADA, with massive repercussions for the rights of people with disabilities. This must be reversed. I will prioritize having judges who understand the impact of laws like the ADA on people's everyday lives. This requires a far greater diversity of experience on the federal bench, which must include people with disabilities.

### **3. HEALTH CARE**

**People with disabilities rely on both public (Medicaid) and private insurance options to obtain coverage to meet their health care needs. Access to affordable comprehensive health care coverage is essential for people with disabilities to live independently and maximize the quality of their lives. Unfortunately, many people with disabilities continue to lack access to the services and supports they need. In addition, despite existing legal protections, people with disabilities are subject to discrimination in both the financing and provision of health care services.**

- ***What will you do to address discrimination in the financing and provision of health care services to people with disabilities? Will you make enforcement of existing health care non-discrimination protections for people with disabilities a priority?***

Health equity and justice should be a centering principle of our nation's health care and public health systems. On day one, I will reverse the Trump administration's attacks on people with pre-existing conditions—including those with disabilities—by restoring the regulations on short-term junk plans that don't provide comprehensive coverage. Insurance companies should not be allowed to discriminate against people based on their health status, disability status, or medical history. I would also revitalize the Office of Civil Rights in the Department of Health and Human Services to ensure that frameworks are in place to address health inequities, promote equal access, prohibit discrimination, and make sure that legal recourse and enforcement is readily available in order to protect the basic human right to health care.

- ***How will you work to expand access to affordable, comprehensive health care coverage for people with disabilities? What will you do to address discrimination in health care coverage against people with pre-existing health conditions, and ensure the protections for people with disabilities remain in place?***

My plan for Medicare for All Who Want It will make comprehensive health insurance coverage available to all Americans. It will add a more affordable, public option to the health insurance marketplaces, while also increasing the generosity of financial assistance and extending subsidy eligibility to more middle-class families. I will also ban state Medicaid programs from imposing work requirements, which hurt people with disabilities and their caregivers.

- ***Do you have a plan for expanding health insurance coverage through a universal health care policy, and if so, how will you ensure that this policy covers the needs of people with disabilities, including long-term services and supports?***

Our current system falls short on providing long-term services and supports. For Medicaid-eligible people with disabilities, access to vital services often depends on what state they live in. I have a plan for universal health coverage through Medicare for All Who Want It, which will make comprehensive health insurance coverage available to all Americans, and ensure that people who currently fall in the “coverage gap” in non-expansion states have an affordable public option for coverage.

- ***How will you work to improve the Medicaid program, including ensuring access to home and community based services and the elimination of the bias toward institutional services in the Medicaid program?***

As part of my plan to improve long-term services and supports, I will reform Medicaid to better support coverage of home- and community-based services. My plan includes eliminating Medicaid’s bias towards institutional services by guaranteeing home and community-based services (HCBS) for anyone who qualifies for Medicaid and chooses to stay in their own home. We will also accelerate enforcement of the Medicaid Standards of Care, which requires state programs to identify ways of delivering HCBS to Medicaid enrollees. The language in the original 2014 rule, introduced by the Obama Administration, required these changes by 2019; the current Administration has delayed this to 2022. Returning to the original requirement would help three million Americans remain in their homes if they choose to do so. I also support improvements for caregivers, including enacting better labor protections for health care workers and guaranteeing that Americans can use employer-provided sick days to care for family members.

- ***With the continual push to block grant Medicaid (to the states), one of the unintended consequences could be the elimination or severe cut in the provision of the Non-Emergency Medical Transportation (NEMT) services. This would have a dramatic impact on the ability of people with disabilities in rural America to access health related services. Will you work to ensure this critical component of Medicaid remains intact?***

All too often, transportation can be a barrier to health care. This is especially true in rural communities and others that lack public transportation infrastructure. I will require states to

provide NEMT benefits for all Medicaid recipients, whether they are enrolled through the traditional pathways or through the ACA's Medicaid expansion. I oppose converting Medicaid funding into block grants. My Administration will also expand access to virtual health, including telehealth, as outlined in detail in my [rural health care plan](#).

- ***In light of the opioid epidemic, policies have been enacted to limit the use of opioids. An unintended consequence of this has been harm to people living with chronic pain.<sup>2</sup> How will you ensure that people with chronic pain have access to the full range of pain management modalities, including opioids, when they are appropriate and necessary?***

It is critical to find the right balance between ensuring that people living with chronic pain get the treatments they need and preventing misuse of very powerful drugs. In implementing the CDC guidelines, too many providers and pharmacies created access problems for those living with chronic pain that went beyond the intent of the guidelines. Some of these problems could have been avoided by a more inclusive process in developing the prescribing guidelines.

My Administration will be committed to including all affected constituencies in the development of treatment guidelines. In addition, reviewing, updating, and implementing the National Pain Strategy will be a priority within my Department of Health and Human Services. This will include ensuring access to integrated treatment modalities within Medicare and Medicaid and more significant investments in research for new pain treatments.

- ***Does your administration support the federal legalization of marijuana and how will your administration decriminalize the marijuana industry?***

Yes. This is crucial to reduce our incarceration rate by 50%, to minimize unnecessary contact with police, and to allow for people who use marijuana for a wide variety of reasons to have the freedom to do so without government interference. I also want to follow the example of states like Illinois that are investing money in the communities most harmed by the war on drugs so that those same communities can benefit from the marijuana industry. The federal government can easily incentivize states to do the same by providing grant funding for similar initiatives, and my [Douglass Plan](#) has pledged resources for just these types of policies.

- ***In the past several years, there has been a dramatic increase in the number of psychiatric hospitals, even as the Department of Justice has found, and many state governments have acknowledged, that significant numbers of people with psychiatric disabilities have hospital admissions that could be avoided or shortened if sufficient community-based services were available. What will you do to ensure that people with psychiatric disabilities are afforded the***

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<sup>2</sup> Dowell, D, Haegerich, T, & Chou, R (2016) "CDC Guideline for Prescribing Opioids for Chronic Pain," Center for Disease Control and Prevention. Found through <https://www.cdc.gov/drugoverdose/prescribing/guideline.html>.



***services they need to succeed in their own homes and communities and avoid psychiatric hospitalization?***

The vision of truly comprehensive community-based mental health services has not yet fully been realized. Much of this is due to our lack of acknowledgment for the importance of mental health services and our failure to invest properly in these services. And yet we know that community is at the center of good health and mental health. When President John F. Kennedy signed into law the Community Mental Health Act, the vision was to properly set up structures and systems to allow for mental health and addiction to be properly treated in communities. Sadly, this has not happened for a myriad of reasons, which has led to a variety of negative consequences including an increase in incarceration rates for individuals with mental illness and addiction.

To fulfill this vision, we must start by creating an actual system of care – one where people seeking mental health care or those with psychiatric disabilities do not have to work so hard to find help. The data is troubling – most people who seek care are not able to receive that care. In 2019, this is unacceptable. This is why I released the most bold and comprehensive mental health and addiction plan from any candidate to date that I believe helps fulfill some of the vision laid out in 1963.

We will prioritize investments in mental health and addiction services, create comprehensive coverage options so that people can afford care, including mental health care, and create incentives that encourage more robust and tighter integration and coordination of care. In this way, individuals with psychiatric disabilities can more easily access the care they need in their day-to-day lives and their surrounding communities without having to go to a psychiatric hospital.

**4. REDUCING UNEMPLOYMENT AND ENSURING EMPLOYMENT AND ECONOMIC EMPOWERMENT OF PEOPLE WITH DISABILITIES IN THE FEDERAL WORKFORCE**

**People with disabilities experience one of the highest rates of unemployment of any marginalized group, and these rates are highest for multiply marginalized people with disabilities. According to the U.S. Bureau of Labor Statistics, in 2018, the unemployment rate for people with disabilities was at 8%, which is more than two times higher than the 3.7% unemployment rate of people without disabilities.<sup>3</sup> The next Administration must make employment and economic empowerment for people with disabilities a top priority.**

**A. REHABILITATION ACT**

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<sup>3</sup> "Persons with a Disability: Labor Force Characteristics - 2018." U.S. Bureau of Labor Statistics. U.S. Bureau of Labor Statistics, 26 February 2019. <<https://www.bls.gov/news.release/pdf/disabl.pdf>>.

Although legislation such as the Rehabilitation Act has served to advance and expand the opportunities of people with disabilities in the workforce, there are still many barriers that must be considered and overcome to increase employment for people with disabilities to comparable levels for people without disabilities.

- ***What will you do to strengthen Section 501 of the Rehabilitation Act and ensure the federal government is a model employer of people with disabilities?***

Our government should reflect the people it serves, and that requires a hiring process that recognizes the talents of all Americans and prioritizes diversity at each step. I will ensure that the federal government strictly abides by all civil rights and anti-discrimination laws and takes affirmative steps to support a diverse, talented workforce.

- ***How will you ensure the provisions under Section 503 of the Rehabilitation Act will be fully enforced by the Department of Labor and that Federal contractors will meet their affirmative action obligations under the law?***

I have vocally supported using the power of the federal government's contracting process to reward companies that take the high road and treat their workers fairly. That includes ensuring that federal agencies have the resources needed to enforce workplace protections and contracting laws, including Section 503 of the Rehabilitation Act.

## **B. COMPETITIVE INTEGRATED EMPLOYMENT**

Many people with disabilities are underemployed. People with disabilities who are working earn less on average than workers without disabilities with similar education levels. The median earnings for workers with disabilities is less than two-thirds the median wages for workers without disabilities (Disability Statistics & Demographics Rehabilitation Research and Training Center, 2011). Furthermore, Section 14c of the Fair Labor Standards Act authorizes employers to pay sub-minimum wages to workers who have disabilities, and many are still stuck working in segregated sheltered workshops. The Workforce Innovation and Opportunity Act (WIOA) made a commitment to Competitive Integrated Employment (CIE), which refers to work where people with disabilities earn the same wage as people without disabilities, have the same benefits and opportunities for advancement, and work alongside people without disabilities.

- ***Do you plan to phase out Section 14(c) of the Fair Labor Standards Act?***

I support repealing Section 14c of the Fair Labor Standards Act. No one in the United States should be exempted from minimum wage laws. This practice is indefensible. In office, my priorities will include increasing opportunities for competitive integrated employment and ensuring that federal agencies are fully committed to the employment of individuals with disabilities.

- ***How will you expand supported employment services to people with disabilities?***

Individuals with disabilities should be able to work to the fullest extent that they desire: the government should not only provide effective work supports but also remove barriers that may force an individual to choose between working and maintaining access to vital services. I will work with states to expand supported employment services to more individuals, develop innovative and evidence-based ways to deliver these services, and reform Social Security Disability Insurance to allow benefits to slowly phase out rather than be completely eliminated as workers' earnings rise.

- ***How do you plan to build an infrastructure to address the underemployment and wage gap experienced by people with disabilities?***

First, I will vigorously enforce anti-discrimination laws and ensure that federal agencies have the resources needed to do so. Second, I will work to make sure that federal programs at each step of a person's career –from pre-K through high school to higher education, job training, and search assistance–fully serve individuals with disabilities and provide a seamless, supported pathway into the workforce. Finally, federal employment programs too often create an incentive to select the easiest-to-serve participants. I will develop strategies to reform this system in order to make sure it better serves individuals who face barriers to employment opportunities.

- ***Are you committed to supporting competitive integrated employment? Will you support legislation such as the Transformation to Competitive Employment Act (H.R. 873/S. 260)?***

Yes, I fully support competitive integrated employment and *the Transformation to Competitive Employment Act*.

### **C. TRANSITION FOR YOUTH WITH DISABILITIES**

**Youth with disabilities often find themselves distanced from the opportunities to learn job skills through work in their formative years leading to unemployment and underemployment throughout their lives.**

- ***How do you plan to engage youth with disabilities in pre-employment opportunities that will lead to successful transition from school to work and/or higher education?***

I will focus on ensuring that students with disabilities have equal access to all of the educational opportunities that students without disabilities have. This includes implementing both the Individuals with Disabilities Education Act (IDEA) and Every Student Succeeds Act (ESSA), expanding access to mental health services for children and adolescents, disrupting the school-to-prison pipeline, and expanding opportunities for competitive integrated employment.

- ***How would you reform the public workforce system to ensure people with disabilities, especially youth with disabilities, are fully integrated into the economic development of regional economies?***

My economic platform is based on the principle that our economy is strongest when all Americans have a fair shot and equal access to economic opportunities. The public workforce and economic development system must reflect the diversity of the individuals it serves and ensure that the voices of Americans who have previously been marginalized in the economy are heard throughout the process. At the Department of Education, my Administration will increase funding for and expand the agency's vocational rehabilitation system to cover more people in accessing workplace accommodations and adaptive technology supports.

#### **D. ENSURING APPROPRIATE FLEXIBILITY IN PUBLIC PROGRAMS TO SUPPORT PEOPLE WITH DISABILITIES IN THE WORKFORCE**

**Of the federal and state expenditures combined for working age people with disabilities, 41 percent is spent on income benefits (e.g., SSI and SSDI) and 55 percent on health care (Medicaid and Medicare). 1.2 percent of federal and state expenditures go to educating, training, and employment programs for people with disabilities.**

- ***With 4.6 million people with disabilities on Supplemental Security Income (SSI) and 8.9 million people on Social Security Disability Insurance (SSDI), how would your Administration reform these federal income support programs so people with disabilities can receive income supports while working so they can secure employment or return to employment sooner?***

I support strengthening Social Security Disability Insurance to make the program more accessible to people in need. We must eliminate unnecessary wait times for benefits, making it simpler for former recipients to re-access the program, and allow benefits to slowly phase out rather than be completely eliminated as workers' earnings rise. Also, I will protect Supplemental Security Income -- unlike President Trump who has proposed large cuts with the most pernicious and harmful of these cuts being targeted towards poor children with disabilities.

- ***Medicaid eligibility and programmatic requirements now create barriers for individuals with disabilities entering or returning to the workplace because they cannot access needed supports such as personal care attendants, power wheelchairs, complex rehab technology, other rehabilitation devices and services, home and community based services, medical supplies, and therapies. Do you support initiatives that would allow workers with disabilities to continue to work past age 65, maintain eligibility from state to state, and carry their Medicaid benefits into private employment settings? How would you work with the private sector to address the critical independent living supports that many private insurance programs do not cover for people with disabilities?***

I believe that the role of government is to empower people to live lives of their choosing. I fully support reforming Medicaid eligibility and requirements to eliminate barriers for individuals with disabilities from entering the workplace and commit to working with the private sector to incentivize them to cover independent living supports for people with disabilities. Specialized therapies for children with autism, visual interpretation for people who are blind, access to personal care services in the workplace, and complex rehabilitation technologies such as robot prosthetic devices can all be life-changing for some people with disabilities, yet are rarely covered by private insurance. The opportunity to benefit from important services that mitigate one's disability should be available to all in need.

- ***How will your administration preserve the benefits of SNAP, TANF***

My Administration will preserve programs like SNAP and TANF in three ways. First, we will rescind the Trump Administration's executive orders and other regulatory hurdles that have made these benefits harder to access. Second, we will pursue legislative expansions of some combination of SNAP, TANF, and other assistance like the child tax credit and the EITC for childless workers in order to raise living standards for people with disabilities. Third, we will reevaluate the process for disbursing TANF funds, including caseload reduction credits and some states' attempts to divert TANF block grants, so we can ensure that TANF block grants go to the intended recipients.

- ***Food insecurity and barriers to economic opportunity disproportionately impact people with disabilities. What will your administration do to preserve programs such as the Supplemental Nutrition Assistance Program (SNAP) and the Temporary Assistance for Needy Families (TANF).***

Please see our response above.

## **5. EDUCATION**

**Due to the enactment and implementation of a key civil rights law, the Individuals with Disabilities Education Act (IDEA, or the "special education" law), high school graduation rates for people with disabilities have increased 45 percent since 1995, with an associated decrease in dropout rates for students with disabilities. Similarly, enrollment in college has doubled for students with disabilities. Nevertheless, local school districts struggle to serve students with disabilities and students with disabilities seeking a higher education continue to face enormous barriers to success, and high school and college graduation rates for students with disabilities remain lower than their able-bodied peers.**

### **A. IDEA FUNDING**

**When IDEA was passed in 1975, Congress pledged to fund 40% of the differential cost of serving students with disabilities. The closest the federal government has come to meeting**

**that pledge is 19% in 2010. Higher levels of funding will ensure more students with disabilities receive the supports they need in K-12, are able to complete high school, and have the opportunity to go on to postsecondary education and postsecondary employment.**

- ***Do you support funding IDEA at higher levels?***

One of my key priorities will be to implement measures for the federal government to consistently meet its funding requirements under the IDEA. The federal government committed to paying 40% of the average per student expenditure for special education with the passage of the IDEA. Since then, Congress has not met that 40% commitment even once. Instead, the current federal funding only covers around 15% of the average per student expenditure. I will work with Congress to provide full funding for the IDEA.

- ***What will you do to ensure that children with disabilities are afforded equal educational opportunity, including the services they need to be educated alongside non-disabled peers in their neighborhood schools rather than being placed in separate schools and separate classrooms?***

I will work to ensure that students with disabilities spend as much time as possible in general education classrooms. First, my budget will request full funding for IDEA so that the federal government finally fulfills its full commitment to students with disabilities. I will also direct the Department of Education to continue to issue guidance to support states, districts, and schools in order to provide high quality service students with disabilities. This should include protecting students with disabilities from bullying, addressing any racial bias that exists in determining students' eligibility for special education services, and ensuring that we expand the number of highly-qualified teachers of special education.

## **B. CURRICULUM AND TRANSITION**

**In some localities, students with disabilities are not taught the challenging curriculum available to students without disabilities.**

- ***How would you ensure that students with disabilities have the same access to ambitious educational opportunities that other students have?***

One of my top priorities as President will be to ensure that all students have access to equitable opportunity - in their access to early childhood education, high-quality K-12 education, development and learning opportunities outside of school, and their transition to affordable college or sustainable careers. To do that, we must ensure that students with disabilities have access to the same opportunities as other students. In particular, my Administration will fully fund the federal government's commitment to IDEA and dramatically increase Title I funding to support more supplemental services to low-income students.

- ***How would you increase the number of high school graduates with disabilities and what would you do to ensure more college graduates with disabilities secure employment and are hired by the private sector?***

I will work to ensure that we maintain high expectations of students, schools, districts and states, so that students with disabilities who are capable are held to the same graduation standards as other students. As President, I will also invest in teacher recruitment and development and in job training programs, so that students with disabilities have the support and resources they need to succeed.

### **C. ELIMINATING BULLYING**

**Bullying of students with disabilities is a long-standing problem. In fact, over 85 percent of students with disabilities have experienced some form of bullying.**

- ***Do you support amending the Elementary and Secondary Education Act to protect young students with disabilities from bullying, require state educational agencies and local school districts systems to report incidents of bullying, and to provide interventions to reduce bullying?***

No child should be bullied for being perceived to be different. I will work to make sure that all students, including those with disabilities, have safe and supportive places to learn. Under my Administration, the Department of Education will enforce the strong guidance they've released in the past to help states, districts and schools protect students with disabilities from bullying.

### **D. PROHIBITING THE USE OF RESTRAINTS AND SECLUSION**

**The use of physical restraints and seclusion is a prevalent issue in public schools. There are many reports that show adults who restrain students with disabilities are tying, taping, and trapping students in chairs and equipment, forcing them into locked seclusion rooms, and depriving them of necessities.<sup>4</sup>**

- ***Do you support the Keeping All Students Safe Act? How would your Administration address the issues around restraint and seclusion in schools?***

I support the Keeping All Students Safe Act to protect students from unsafe and harmful restraint and seclusion practices. These practices too often involve students with disabilities and should never be used except in emergency situations. I will work with states to ensure this Act is enforced.

### **E. Educational Inclusion of Students with Disabilities**

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<sup>4</sup> Diament, M (2018) "Feds Release New Stats On Restraint And Seclusion In Schools," DisabilityScoop. Found through <https://www.disabilityscoop.com/2018/04/24/feds-restraint-seclusion-schools/25015/>.

**Students with disabilities frequently lack access to the general education classroom.**

- ***What steps will you take to expand access to the general education classroom and broader inclusion for students with disabilities?***

Equitable opportunity for all students means that every child with a disability must have access to a high-quality education. As President, I will work to ensure that students with disabilities spend as much time as possible in general education classrooms, have safe and supportive places to learn, and are protected from harmful practices like bullying, restraint and seclusion.

- ***What would you do to make sure students with disabilities have accessible curriculum and that teachers have the support they need to provide it?***

I will invest in teacher recruitment, training and development, so that we can reduce the special education teacher shortage and ensure that students with disabilities are taught by highly-qualified teachers, whether they are in in general or special education classrooms.

## **6. AFFORDABLE, INTEGRATED, and ACCESSIBLE HOUSING**

**The ADA’s integration mandate and the Supreme Court’s Olmstead decision provide people with disabilities with critically important rights – to live, work, and receive services in the most integrated setting appropriate. These rights have enabled tens of thousands of people with disabilities to move from institutions into their own homes and communities, and to get the services they need to secure real jobs at competitive wages in the community. Despite this, the lack of enforcement has resulted in 700,000 disabled people being wait-listed to receive home and community-based services; 70,000 disabled people still being institutionalized; and 1.5-7 million disabled people still living in nursing homes.<sup>5</sup>**

- ***Enforcement by the Department of Justice has been particularly important, although it has been dependent on the priorities of each Administration. Would you make robust enforcement of the ADA’s integration mandate and Olmstead decision a priority in your Administration?***

Absolutely; I have and do commit to using all the powers at my disposal as president to ensure vulnerable people of all backgrounds, colors, creeds, genders, and abilities are properly protected by their government. The *Olmstead* decision was a landmark case, and one that we

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<sup>5</sup> Kaiser Family Foundation (2017) “Waiting List Enrollment for Medicaid Section 1915(c) Home and Community-Based Services Waivers” Found through <https://www.kff.org/health-reform/state-indicator/waiting-lists-for-hcbs-waivers/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D>

still want to reverberate throughout American structures and systems, as there is still significant work to do.

- ***The lack of affordable, accessible housing has taken an egregious toll on the lives of people with disabilities who continue to be warehoused in nursing homes, psychiatric hospitals, board and care homes, DD (developmental disabilities) institutions, and other institutional settings. Disabled individuals want housing in mainstream buildings (or scattered-site housing) and not “special” buildings for “special” people. As President, what will you do to address the need for affordable, integrated accessible housing for people with disabilities?***

I will address America’s housing crises by first recognizing that not all cities, and not all Americans, experience the same type of housing woes. To address accessible housing challenges, I will leverage HUD’s abilities to its fullest extent. This will include dramatically increasing the proportion of public housing that is accessible, fully enforcing Section 504 of the Rehabilitation Act of 1973, and building a navigable and current database of accessible and affordable housing nationally.

To make housing more equitable and affordable, I proposed a 21st Century Community Homestead Act that constitutes a wholesale transfer of vacant land and blighted property to low-income residents of formerly redlined neighborhoods. This program also includes support for fixing up the transferred properties and a suite of programs to bring job growth and revitalize surrounding cities. I believe this directly attacks the racial wealth gap by fostering asset ownership amongst communities that have been historically excluded from it, investing in revitalizing challenged areas, and creating more housing stock.

Additionally, I will put forth policy to incentivize new residential development of all kinds. This will decrease costs for construction and barriers to development, with a particular focus on homes for low-income families. I will support low-income families in transitioning from renting to buying homes, and will ensure that policymakers’ attention goes far beyond coastal cities to suburban, exurban, and rural areas across this country that need safe, affordable, and dignified housing. As part of this policy, we will prioritize accessible housing for low-income families that have family members with disabilities.

Finally, I will continue to propose several policies that will foster access to safe and affordable housing by giving more Americans access to financial security.

## **7. TRANSPORTATION**

**Access to affordable and reliable transportation allows people with disabilities important opportunities to go to school, work, take care of their health, live where they desire, and participate in all aspects of community life. Because our nation’s investments in transportation infrastructure have disproportionately favored vehicles and highways, those who cannot afford vehicles or do not operate vehicles often lack viable transportation options.**

## **A. PUBLIC TRANSPORTATION**

**Access to public transportation is a key to independence and full community participation for people with disabilities.**

- ***What would you do to expand access to affordable and accessible transportation for people with disabilities, especially in rural areas?***

I am committed to expanding successful pilot programs to ensure broad access to transportation for people with disabilities. For example, in many rural communities, innovative programs exist for providing accessible transportation services. We would evaluate programs such as these and incentivize communities nationwide to adopt the best one. My Administration will ensure that all federally funded transportation projects are accessible to people with disabilities.

## **B. TRANSPORTATION NETWORKING COMPANIES**

**Transportation networking companies (TNCs) like Uber and Lyft have the potential to increase transportation options for people with disabilities. Unfortunately, TNCs have discriminated against people with disabilities by refusing rides to individuals with service animals and individuals using wheelchairs.**

- ***What would your Administration do to ensure all people with disabilities have access to the services provided by TNC's?***

In cities like San Francisco, Uber and Lyft are introducing wheelchair accessible vehicles. My Administration will incentivize the expansion of these services. For example, we can provide federal grants and incentives to help drivers buy wheel-chair-accessible vehicles. We can focus on providing these grants in smaller cities and rural areas.

## **C. AUTONOMOUS VEHICLES**

**As autonomous or self-driving vehicles move towards becoming a reality, they promise new mobility options and increased independence for people with disabilities who have missed out on the benefits of a century of automotive history.**

- ***What will your administration do to ensure that the automobile industry begins to build personal passenger cars that are accessible to a wide range of people with disabilities, including those that use wheelchairs?***

As federal regulations are being developed for autonomous cars, my Administration will establish parameters that ensure accessibility of these vehicles, including wheelchair access. We will seek frequent input from advocacy groups to ensure that we are setting the right regulations.

#### **D. AIR TRAVEL**

**Air travel can be complicated for everyone, but people with disabilities encounter many additional barriers to air travel. From the time they enter the airport, they are faced with obstacles that not only result in frequent delays and missed flights, but they also put their dignity and safety at risk. People with disabilities frequently experience inaccessible facilities and equipment in airports, overly intrusive and discriminatory TSA security screenings, breakage of mobility and medical equipment, unsafe and harmful transport and transfers by airport staff, inaccessible aircraft facilities and amenities, and additional fees. Air travel can be extremely difficult for people with disabilities, including those who must travel for work, sometimes rendering it nearly impossible.**

- ***As President, what would you do to address this issue?***

I will amend the Air Carrier Access Act to incentivize providing good customer service to passengers with disabilities. I will work with disability groups and the industry to explore modifying federal regulations so that wheelchairs can be tied down inside the airplane cabins rather than stored underneath.

#### **8. TECHNOLOGY**

**Accessible mainstream communication and information technologies, as well as assistive and adaptive technologies, often allow people with disabilities to secure and maintain employment, participate in educational activities, and experience entertainment like everyone else.**

##### **A. SECTION 508 OF THE REHABILITATION ACT**

**The U.S. Congress enacted Section 508 of the Rehabilitation Act in 1973, a statute that requires the federal government to purchase information technology that is accessible to and usable by employees with disabilities in the federal government and by customers with disabilities accessing federal government services online. Despite this long standing requirement, many federal websites and online government services remain inaccessible to users who are blind, people with low vision, people with intellectual disabilities, and other disabilities.**

- ***Would you make it a priority to ensure federal agencies make their websites and all other information technology accessible? How will you implement this?***

Both mainstream and specialized assistive and adaptive communication/information technologies are instrumental for Americans with disabilities to live normal lives—holding jobs, getting an education, and staying in touch with loved ones. As President, I would prioritize the goal of full digital inclusion across all federal agencies in order to ensure that Americans with disabilities can access all the benefits of technology. This includes full implementation of

Section 508 of the Rehabilitation Act related to the accessibility of federal websites and information technology.

**B. THE INTERNET OF THINGS**

**The Internet of Things, including smart homes and other connected devices, has the potential to increase the independence and community integration of people with disabilities.**

**Connected devices are being developed and released for sale at breakneck speed with new devices coming to market often without any accessibility or usability requirements. Universal design and accessibility features must be included in these devices in order for the Internet of Things to realize the potential it has to improve the quality of life of people with disabilities. Under Title II and III of the Americans with Disabilities Act, people with disabilities have access to modifications, accommodations, and auxiliary aides or services to participate in the activities and services of both local and state government and places of public accommodations, a protection that currently does not exist on the Internet of Things.**

- ***What will you do to ensure that people with disabilities have the same access to the Internet of Things as provided to non-disabled individuals?***

Connected devices offer unique opportunities for Americans living with disabilities. To a certain extent, market pressures and other incentives are pushing the technology industry to adapt devices for the 15% of the global population that have some form of disability. And as the American population ages, accessible design will benefit even more millions of Americans.

But we cannot rely on market incentives alone. The president has a critical role to play in ensuring access to technologies for persons with disabilities. As a first step, my Justice Department will finish issuing regulations on website accessibility under the Americans with Disabilities Act (ADA), which the Trump administration has withdrawn. I will also ask Congress to amend Title I of the Twenty-First Century Communications and Video Accessibility Act (CAVAA) to explicitly include smart devices, technologies connected to the Internet of Things, and other emerging communication technologies necessary for everyone to live an independent and successful life. While I believe that the CAVAA currently covers smart devices and Internet of Things, I would favor an amendment to avoid confusion and costly litigation.

In addition, as President, I will convene a committee of experts, including those from the disability advocacy community, to develop a list of best practices for industry to follow and a list of rights for those living with disability with respect to smart devices. This Accessible Technology Bill of Rights will be the gold standard for government and private uses of smart technologies.

- ***What steps will your Administration take to address the digital divide to ensure that all people with disabilities have access to the Internet, including those that rely on social security income supports?***

One of my priorities is ensuring ubiquitous broadband access at school, at home, and within the community, as outlined in my plan for rural America. It is imperative that we use America's ability to lead the world in innovation and technological advancement to improve the lives of all Americans, including those with disabilities. My Administration will work to ensure that implementation of Section 508 related to Federal websites and information and technology is fully realized. We will also work with public and private stakeholders to increase access to free broadband services.

### **9. CLIMATE CHANGE AND EMERGENCY PREPAREDNESS**

**Climate change is intensifying the frequency and duration of disasters around the world, including in the United States. In 2017 and 2018, the U.S. experienced 122 major disasters. People with disabilities and older adults are disproportionately impacted by disasters, during which, they are two to four times more likely to die or be injured. Yet, disability and aging communities are excluded from disaster preparedness, planning, response, and recovery. Since hurricane Katrina, over \$700 billion dollars in federal funding has been spent on disaster related preparedness, response, recovery and mitigation initiatives. However, federal oversight and enforcement have failed to ensure compliance with the equal access requirements of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.**

- ***Under your leadership, what policy changes will you make to ensure people with disabilities have full access to programs and resources before, during, and after disasters?***

My Administration will focus on building and strengthening resilient systems and infrastructure, including through our proposed Regional Resilience Hubs, before a disaster strikes. We will ensure that people with disabilities impacted by disasters have the services and other civil rights protections to which they are entitled so they can return home, to school, and to work. We will also prioritize making disaster recovery more streamlined and more efficient. In my climate change plan, we lay out our vision for each Regional Resiliency Hub to have a board of advisors who would advise on projects and areas of focus for each hub. The board of advisors will include representation from local communities, including the disability and aging communities.

- ***If elected, will you support the Real Emergency Access for Aging and Disability Inclusion in Disasters Act (READI) and the Disaster Relief Medicaid Act (DRM)?***

Yes.

- ***As President, will you empower and adequately resource your Departments of Justice and Homeland Security to monitor and enforce all disability civil rights obligations before, during and after disasters?***

Yes.